

The Clean Neighbourhoods consultation, including an overview of all responses, can be viewed at <http://www.defra.gov.uk/corporate/consult/clean-neighbourhood/index.htm>
 These comments are an extract from the consultation responses that refer to the waste duty of care regime.

General comments	
organisation	comments
Monmouthshire County Council	General support for measures. An enforcement review provided some evidence that 'environmental crime' was indeed an increasing burden on the authority. For example, dealt with over 500 fly tipping incidents in 03/04.
Torfaen County Borough Council	General support for measures
Wrexham County Borough Council	General support for measures
Pembrokeshire Coast National Park Authority	Broadly welcome the proposals together with the rationale behind them and the emphasis on a partnership between Central and Local Government and communities. Allowing Local Authorities to reinvest revenue will help to cover the additional burden of enforcement.
Environmental Well Being Group	Wholehearted support
Audit Commission	General support for measures. However the proposals are not sufficiently clear about what receipts authorities will be allowed to retain and how this would be translated into financing partnership activities. The Regulatory Impact Assessment does not address all sections of the proposal. Enforcement is not a cost neutral exercise, particularly when fixed penalty fines are not paid. Many of the smaller councils and their partners may lack the financial capacity to implement some of the proposals and would be reliant upon the payment of penalties to fund or at least offset the costs of the proposed activities.
Federation of Small Businesses	General support for measures
Chartered Institute of Wastes Management	General support for measures
Environment Agency	General support for measures. EA needs to keep some of the revenue from FPN's.
Local Government Association	General support for measures
BT	General support for measures
Association for Public Service Excellence	General support for measures
Cinema Exhibitors' Association	Agree with most measures in principle but are concerned that regulatory bodies will be too severe if strict guidelines are not imposed and also that Local Authorities will use new powers to serve more fixed penalty notices as a revenue stream.
Environmental Well Being Group	Wholehearted support
Groundwork UK	General Support for spirit of measures
UK Major Ports Group	We support the general drift of the Government's approach, and we do not Anticipate that the proposed changes will cause any undue problems for the ports industry. It should be noted that, following recent initiatives to improve security arrangements in ports, public access to ports is increasingly being restricted and controlled.
Fire Service	Fire Service should be included among consultees.
Somerset and Avon police	Increase in dog fouling bins and / or disposable bag dispensers
The Royal Environmental Health Institute of Scotland	The institute does not intend commenting on the consultation at this stage
Norfolk County Council	It is helpful that Government recognises that both legislation and education is necessary in order to achieve long-term behavioural changes. It is my belief that a pro-active

	educational campaign should be implemented at both national and local level but this must be backed up by greater enforcement action directed at those who fail to comply. The increased powers in the document could help to achieve this.
Portsmouth Water	Thank you for the opportunity to comment upon the Consultation Document dated July 2004. There is much in the document that from a general point of view many of us would wholeheartedly support. However one suspects that the initiative needs to be promoted in conjunction with a campaign to change the attitudes of those who are so often responsible for desecrating our neighbourhoods!
Poole Council	The proposals are pro-active and increase the range of options available.
East Midlands Development Agency	greater emphasis should be to avoidance not enforcement. Cost implications also need to be considered.
Tonbridge and Malling Council	Positive support for the measures in closing loopholes and giving powers to LA's. However Councils will need additional funding to ensure service provision matches public perception.
Cherwell Council	Broadly welcome the proposals. We recommend that the document clearly state that these new powers are powers to be used as local authorities see fit. We would suggest that the government expand on its future plans for further legislation in particular as to whether some of these proposed new powers are intended to become future statutory duties for local authorities. The measures will have to be accompanied by increased local resource.
Oswestry Council	Support for all measures but will require additional resources to enforce
Barrow Council	Defra, at a meeting of the Executive Committee of Barrow Borough Council held on 1 September 04 the Clean Neighbourhoods consultation document was considered. Members broadly supported the principle of widening the powers of local authorities to deal with quality of life issues. They were particularly keen to see environmental crime punishable by fixed penalty or similar provision. Members did however recognise the resource implications for small district councils in setting up teams to enforce redeemable offences. As enforcement in such circumstances is unlikely to be self financing Members were keen to underline to Defra the need for central government support to ensure effective resourcing of any widening of regulatory powers.
Blackpool Council	Suggested measures welcomed
London Transport Users Committee	Strong support.
Sedgefield Council	Support measures but government have underestimated resource implications. if responsibility is transferred from the police or DVLA then authorities should be given this funding.
Civic Trust	Proposed measures will not result in well maintained streets and open spaces throughout the country unless all local authorities reach high standards of dustbin clearance and street cleansing. At present a number of local authorities do not. There will be considerable resentment from businesses and members of the public who are penalised for non-compliance if the local authorities fail to carry out their own responsibilities for providing satisfactory cleansing services. We hope that the Government will place a statutory duty on local authorities to do so.
public	financial incentives should be given to neighbourhoods who assist las in achieving their objectives.
Lindal and Marton Parish Council	General Support for measures.
Greenwich Council	General Support for measures.
London Transport Users Committee	General Support for measures.
Rushmoor Borough Council	General Support for measures.
Port of Tyne Authority	General Support for measures.
Restormel Borough Council	General Support
Crewe and Nantwich borough council	Support if it is possible to enforce the new measures.
Tynedale Council	Sections 1-4: support but concern re funding especially in rural districts.

The Ramblers Association	General support for measures
Preston City Council	General support providing extra funding is given
English Nature	General support for measures, providing natural habitats/wildlife is not destroyed.
Salford City Council	General support for measures
Wandsworth Council	General support for measures although they could be strengthened further
Derbyshire Fire Brigade	General support for measures
Birmingham City Council	General support for measures, national publicity would help
Hawkey Parish Council	Suggests TV makeovers for scruffy neighbourhoods
Writtle Parish Council	General support for measures
Harting Parish Council	General support for measures
Kempston Town Council	General support for measures
Redruth Town Council	General support for measures but should not be funded by council tax payers.
Bitton Parish Council	General support for measures
Bradford Metropolitan District Council	General support. Funding will be needed to deal with the public's increased expectations, and educating residents about clean neighbourhoods will allow the measures to have more impact.
New Forest District Council	General support for measures, but its difficult for Councils to recover money from people who have been issued with financial penalties. We are disappointed that more is not proposed within the Clean Neighbourhoods Consultation to deal with the causes of litter, graffiti and fly tipping. A number of practical measures could be considered:(i) Strict controls on the sale of spray paints.(ii) Changes to the structure of chewing gum to make it biodegradable.(iii) Greater producer responsibility for wastes such as packaging materials, furniture and white goods.(v) A plastic carrier bag tax (as in the Republic of Ireland).(vi) More biodegradable packaging.
Access Association	General support for measures. Also, LA should have a duty to review and remove redundant street furniture including signs. LA's should established telephone hotlines etc to report defects and problems
Finsbury Park Partnership	General support for measures
Hockley Parish Council	Support measures provided there is adequate, visible and effective enforcement.
Poppleston Allen Licensing Solicitors	General support for measures
West Dean Parish Council	General support for measures. Could use people on Community Service to help LA's maintain a clean environment.
Sefton (planning dept)	General support for measures
Cotswold District Council.	General support for measures. However, many of the proposals will be of greater benefit to larger, urban authorities who will be able to implement many of the proposals at low or no costs.
London Borough of Islington	General support for measures
Basingstoke	General support for measures if extra funding is provided.
London Borough of Brent	General support for measures. Need a greater focus on social and environmental education at all ages of life. For example, linking citizenship with environmental responsibility, and NVQs with responsible resource management.
Copeland Borough Council	General support for measures, although leaflet distribution, graffiti, and nuisance vehicles are not problems in this rural district.
Rugby Borough Council (general, see also 272)	General support for measures
Worthing Borough Council	General support for measures. Should be able to use Community Service Orders for those who are unable to pay fines
Leeds City Council	General support for measures, need extra funds
Banbury Town Council	General support for measures
East Riding of Yorkshire Council	General support, but clarification is required as to whether local authorities have a 'duty' to impose the changes or alternatively has the discretion to use the powers as appropriate. A duty to adopt the proposals would lead to a significant increase in costs to Council.

Cotgrave Town Council	General support for measures
Appleton Wiske Parish Council	General support for measures
Whitby Town Council	General support for measures
Heckington Parish Council	Measures duplicate existing regulations
Corscombe, Halstock and District Parish Council	General support for measures
Dartmoor Forest PC	General support for measures, if extra funding provided from central government.
Barwick-in-Elmet and Scholes Parish Council	General support for measures
Peterlee Town Council	General support for measures
British Sikh Federation	General support for measures
Great Wyrley Parish Council	Parish Councils would not use powers if it meant increasing council tax to fund it.
National Joint Utilities Group	General support for measures, but feel utility companies will be penalised for being the victims of criminal behaviour. Measures will have costs for businesses.
Cronton Parish Council	General support for measures
Santon Downham Parish Council	Heavier penalties for litter and fly tipping needed.
The Campaign to Protect Rural England	General support for measures
South Oxfordshire District Council	General support for measures
Cannock Chase District Council	General support for measures, however to avoid confusion we would suggest a single enforcement measure, applicable to public and private land, to deal with areas/surfaces affected by litter, fly posting, and graffiti etc. with a short compliance period (24-48 hours) and default provisions with full cost recovery for authorities
East Herts Council	General support for measures
Whaley Bridge Town Council	General support for measures
Patchway Town Council	General support for measures
Buckinghamshire County Council	Re:Section 3 - Concerned that the additional investigative and enforcement powers proposed in the consultation, might only be available to Districts. Flexibility and co-operation between authorities is a stronger tool than a strict division of enforcement powers between the different tiers of local government.
Teignbridge District Council	General support for measures, LA's should keep revenue from FPN's in all the proposed measures.
Charnwood Borough Council	General support for measures
Grampound with Creed Parish Council	Suggest more power for Parish Councils as we are in touch with local needs, e.g. dog fouling and fly tipping
Joint Committee on Mobility of Blind and Partially Sighted People	General support for measures
Redmarley Parish Council	General support for measures
Telewest	Concerned that these measures do not appear to have been co-ordinated with other Government initiatives, each of which affects utility companies in similar ways
Dulverton Town Council	General support for measures, but who is going to police all these things? We live in a small town which rarely sees law enforcement officers.
Cambridgeshire Fire and Rescue Service	General support for measures
Gurnard Parish Council	General support for measures. Community Warden Scheme will be needed to enforce it
Public	General support for measures as these problems can cause accidents for blind people/wheelchair users
Berkshire Fire Brigade	Support measures to remove potential arson targets including refuse, fly-tipping and abandoned and untaxed vehicles.

Alderton Parish Meeting	More street cleaning/education needed in rural Parishes.
Staffordshire County Council	General support for measures. Although Section 2 principally covers areas of responsibility of Waste Collection Authorities there will be an impact on Waste Disposal Authorities. There needs to be clarity in how the materials produced from various activities are defined so that proper charges can be made for disposal and materials included in various performance indicators as appropriate.
Surrey County Council	General support for measures. Consideration should be given to a funding mechanism that recognises the initial set-up costs of implementing some of these new powers.
Cotswold District Council	General support for measures. However, many of the proposals will be of greater benefit to larger, urban authorities who will be able to implement many of the proposals at low or no costs. For rural authorities, implementation will be harder and involve costs.
Otley Parish Council	General support for measures
National Reassurance Policing Programme	General support for measures
Turners Hill Parish Council	General support for measures. Should be monitoring of enforcement to reinforce the obligation of Local Authorities to use these new powers.
Hereford and Worcester Fire and Rescue Service	General support for measures
Markyate Parish Council	General support for measures
Broadway Parish Council	General support for measures
Collyweston Parish Council	Support litter and flytipping measures
Chorley Parish Council	General support for measures
Askham Parish Council	More household recycling collections needed
Patterdale Parish Council	General support for measures. People claiming unemployment benefit should be required to carry out the work involved in implementing these proposals.
Kingsclere Parish Council	General support for measures
Debenham Parish Council	General support for measures. Funding should come from the Treasury.
Fyfield and West Overton Parish Council	General support for measures
'A large Parish' in Yeovil	There are some provisions in the waste management changes, particularly handling and disposal, that may interfere with Parish Lengthsman schemes currently running in Somerset.
Gosford and Water Eaton PC	General support for measures
Minety Parish Council	More applicable to urban areas, however support for nuisance vehicle, noise and abandoned vehicle measures.
Wembury Parish Council	Dog fouling, dropped litter, burning out discarded cars, flytipping are the sort of problems most parishes face. We don't want a police state so education, information and effective communication must be employed.
London Borough of Hackney	General support for measures
Rushmore Borough Council	General support for measures
Landscape Institute	Support, but need more emphasis on changing behaviour.
Oadby and Wigston Borough Council - general response (see 153)	Support, but only if extra resources are provided.
Northgate Information Solutions	General support for measures
Maresfield Parish	General support for measures

Council	
Witcham Parish Council	General support for measures, but many existing ones are not enforced.
Royal Borough of Windsor & Maidenhead	General support for measures, if funding is provided. Codes of Practice and guidance will be needed to achieve consistency/ give local authorities the confidence to use these powers. The provisions included in section 2 regarding graffiti, flyposting etc should be incorporated into the Duty of Care with incentives to exceed the requirements reflected in business rate rebates from local councils where savings in enforcement measures are obtained. The judiciary is reluctant to impose "maximum" fines and very rarely awards full costs to the prosecuting authority. All fines should be absolute and all prosecuting costs should be awarded and not subject to interpretation and diminution by the judiciary
London Borough of Sutton	General support for measures, but many existing ones are not enforced.
Cambridge City Council	General support for measures
Lancaster City Council	General support for measures, but funding will be needed.
Reigate and Banstead Borough Council	General support for measures, if LA's can keep FPN receipts
Crime Concern	Young people must be engaged through education, publicity, local projects and neighbourhood-based campaigns.
National Housing Federation	General support for measures
Worcestershire Partnership Environment Group	General support for measures
Stockport Council	General support for measures
Lewes District Council	General support for measures
Wareside Parish Council	General support for measures
Market Rasen Town Council	General support for measures, but not for FPN's - they will send the message to the Police that these are not important crimes, and prevent the offender's crime becoming known to their community. FPN should go on the public record.
Elstree and Borehamwood Town Council	General support for measures
Luton Borough Council	General support for measures, although they will have financial implications for LA's.
Somerset and Avon police	Increase in dog fouling bins and / or disposable bag dispensers
The Royal Environmental Health Institute of Scotland	The institute does not intend commenting on the consultation at this stage
Norfolk County Council	It is helpful that Government recognises that both legislation and education is necessary in order to achieve long-term behavioural changes. It is my belief that a pro-active educational campaign should be implemented at both national and local level but this must be backed up by greater enforcement action directed at those who fail to comply. The increased powers in the document could help to achieve this.
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East Midlands Development Agency	greater emphasis should be to avoidance not enforcement. Cost implications also need to be considered.
Tonbridge and Malling	Positive support for the measures in closing loopholes and giving powers to LA's.

Council	However Councils will need additional funding to ensure service provision matches public perception.
Cherwell Council	Broadly welcome the proposals. We recommend that the document clearly state that these new powers are powers to be used as local authorities see fit. We would suggest that the government expand on its future plans for further legislation in particular as to whether some of these proposed new powers are intended to become future statutory duties for local authorities. The measures will have to be accompanied by increased local resource.
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public	financial incentives should be given to neighbourhoods who assist las in achieving their objectives.
Lindal and Marton Parish Council	General Support for measures.
West Oxfordshire Council	General Support for measures. Funding concerns
Sandleheath Parish Council	General Support for measures.
Restormal Council	Support for all measures
Daventry Council	Government once again is focusing on urban rather than rural agenda
Ribble Valley	General support (except section 5)
Northamptonshire CC	General Support
Bidulph Town Council	General Support
Gateshead Council	There is a need for an effective long-term educational and promotional campaign
Wealdon District Council	In the light of the ODPM proposed draft Best Practice guidelines for use by local authorities of Section 215 powers as contained in the Town and Country Planning Act the lack of a reference to such powers (and the need to strengthen them) seems to be a significant omission from the range of powers and possibilities outlined in the consultation document.
Plymouth City Council	Many of these proposals will be difficult to enforce on 'traveller' communities.
Chester City Council (Environmental Protection Team, see also no. 314)	General Support for measures.
Great Hockham Parish Council	General support, also need measures to deal with the environmental damage caused by raves.
Nottingham City Council	A change to the legislation controlling the use of data acquired for Council Tax and any other local authority function is required to assist the process of dealing promptly and effectively with anti-social behaviour and statutory nuisances.

Environmental Services Association	Funding will be needed for a communication strategy to inform service providers, the business community etc, and to enable effective enforcement (particularly as the implementation of EU Law will result in higher waste management costs).
Wakefield MDC	General Support for measures.
Queenborough Town Council	Keen to investigate the possibility of employing a Warden for patrol and enforcement
Oxford City Council	General Support for measures, but will need funding for first 2 years.
Selston Parish Council	General Support for measures.
Clipston Parish Council	General Support for measures.
Holme Valley Parish Council	General Support for measures, but education in schools is also needed.
Wellington in Bloom (Gardening)	General Support for measures.

3.1 - Give LAs and EA power to issue FPNs to businesses that fail to produce waste transfer notes & to keep the receipts

organisation	comments
Caerphilly Council	Supported.
Neath Port Talbot Council	Supported
Torfaen County Borough Council	Support
Wrexham County Borough Council	Support, but would require partnership with Police
Keep Wales Tidy	Support. Need to educate the smaller enterprises and have a larger Fixed Penalty for big businesses.
Chartered Institute of Wastes Management	Support, FP should be proportionate to size of business. Waste disposal authorities should be involved in this process.
Environment Agency	Support. EA needs a database of all convictions for waste offences. EA itself would not use FPN as they cannot recover any costs and it would downgrade the seriousness of the offence.
Local Government Association	Support. A requirement to display the waste transfer notice would be helpful.
Association of Chief Police Officers of England, Wales and Northern Ireland (ACPO)	Support
ENCAMS	Support, but fixed penalty fines are too high. Should be a link between the level of court fine/seriousness of the offence and the fine.
Environmental Services Association	Fixed penalty notices do not provide a long-term and stable funding stream for tackling illegal waste management activity. The Government should instead focus on delivering significant additional funding, which could be provided through increased landfill tax receipts resulting from the rise in landfill tax.
Federation of Small Businesses	The documented low level of awareness of both business and householders' responsibilities with regard to the disposal of waste needs rectifying. Eg Environment Agency study found only 24% of businesses are aware of Duty of Care. The requirements of Duty of Care should be actively promoted to the business community <i>in advance</i> of powers to issue fixed penalty notices being introduced. First time non-compliant businesses should be given an opportunity to rectify the situation, before a fixed penalty notice is issued. FPN's should be used where it is likely to impact on fly-tipping, rather than as an indiscriminate revenue raising activity. Revenue raised from fixed penalty notices should be used to cover enforcement costs/fund measures to preventing fly-tipping, and these uses publicised to ensure buy in from the wider business community.
Broads Authority	We would support these measures but would ask that they are implemented in conjunction with an in consideration to the Defra fly tipping strategy
Kettering Council	Measures welcomed
Carlisle Council	Supported. There is still the potential problem of Commercial Waste being presented as household waste to avoid a charge.

Newcastle Council	Welcomed. It would provide greater benefit if unpaid fixed penalties were registered as a fine and recovered as if they were a fine. A precedent for this exists not only for police penalty notices for disorder and road traffic infringements, but also, in the case of notices payable to Local Authorities, the Dog Fouling (Scotland) Act 2003. Identification of offenders for subsequent fine recovery should not be an obstacle to this, as the local authority should be able to identify offenders operating a business in their area as effectively as the police identify other offenders.
Cinema Exhibitors' Association	Not supported
Briantree Council	Supported. This will act as an effective deterrent to smaller waste carriers.
Hammersmith and Fulham Council	Supported
Oxfordshire Waste Management Group	This would need to be done after raising awareness of the duty of care. The belief that enforcement will be cost neutral is unrealistic. There is a problem that 13% of the Civic Amenity Site waste is brought in under the guise of household waste.
Epping Forest Council	Supported
South Gloucestershire Council	Supported.
Royal Society for the Promotion of Health	Supported.
St Edmundsbury Council	Supported.
Solihull MBC	Supported.
public	an electronic system be required.
Inland Waterways Amenity Advisory Council	Supported.
Witham Council	Supported.
Warrington Council	Supported. A provision to ring-fence receipts would be useful.
Thanet Council	Supported.
Tendring Council	Supported.
NFU	Supported.
Warwickshire CC	Supported.
Stockton on Tees Council	Support. Clarify that 'businesses' should extend also to individuals/any legal person
Cleanaway Ltd (waste management company)	Support, but suggests spot fines, increased monitoring and better education are also necessary. Proceeds from fines should go to Treasury to avoid a conflict of interest between LA's and private waste management companies.
Preston City Council	Support
South Bedfordshire Council	Support, but could be exploited by declaring some waste legitimately and disposing of the rest illegally.
Salford City Council	Support
Wandsworth Council	Support, but penaltys should be proportionate to the size of the business.
Solihull Borough Council	Support
Poynton Parish Council	Support fixed penalty notices, subject to right of appeal to courts. Oppose allowing them to keep proceeds, as this may give staff a financial incentive to issue fines.

Gravesham Borough Council	Support
Bradford Metropolitan District Council	Support
New Forest District Council	Support. If District Councils were given responsibility for Waste Disposal this would lead to Integrated Waste Management and would encourage partnership between neighbouring authorities.
Crewe & Nantwich Borough Council	Support
Cotswold District Council.	Particularly useful for fly-tipping
London Borough of Islington	Support
East Riding of Yorkshire Council	Support
London Borough of Haringey	Support
Guildford Borough Council	Support
Thanet District Council	Support
Chelmsford Borough Council	Support
Copeland Borough Council	Support
Rugby Borough Council (general, see also 272)	Support, but, these are currently considered to be waste regulation duties, for which the Environment Agency is responsible. If these powers were to be extended to local authorities, then resources would become a significant issue.
Suffolk Coastal Services Ltd	Support
Kirklees Council	Support
Worthing Borough Council	Blanket penalty is unjust. For very small businesses this might be prohibitive, for large ones, it would be a minimal sanction.
Leeds City Council	Support
LB Waltham Forest	Supported
Bath NE Somerset Council	Supported.
Chester Council	Supported
Herefordshire CC	Supported.
Country Land and Business Association	Supported.
Maidtone Council	Supported
Forest Heath DC	Supported
Mole Valley Council	Supported
East Hampshire DC	Supported
Coventry Council	Supported.
Living Streets	Supported.
Poole Council	Supported.
West Dorset DC	Supported
Horsham Council	Supported.
Thames Water	Supported.

Manchester Fire Service	Supported.
Association of London Government	Support
Association for Public Service Excellence	Support
London Borough of Enfield	Needs amending to make it clear that the offence is committed even if the defendant never produced or kept any waste transfer notes in the first place.
Cannock Chase District Council	Support, if local authorities are permitted to retain receipts from fixed penalties issued
Buckinghamshire County Council	Re waste - Concerned that the additional investigative and enforcement powers proposed in the consultation, might only be available to Districts. Flexibility and co-operation between authorities is a stronger tool than a strict division of enforcement powers between the different tiers of local government.
Teignbridge District Council	Fixed penalties must be frequency and waste type dependent. £300 may not be enough to cover the costs to the Local authorities so they may not be encouraged to pursue the matter. Suggest £500 minimum.
London Borough of Newham	Support, but the penalty must be proportionate (allowing for size of company / business and ability to pay) and take into account the financial benefit gained by the organisation in avoiding their responsibility to handle waste effectively
Staffordshire County Council	Support. There are instances where the WDA should be involved in the checking of waste transfer notes and waste carriers registration. There is considerable trade waste abuse at Civic Amenity sites and this will increase as landfill tax increases. Both the Environment Agency and District Councils have little interest in dealing with this element of illegal disposal and the inclusion of County Councils in the definition of local authorities would be useful.
Greater London Authority	Supported but suggest that a protocol would be necessary to avoid duplication or a diffusion of responsibilities between the local authorities and the Environment Agency.
Cotswold District Council	Support
West Midlands Police	Support
Collyweston Parish Council	Support if profits go back into waste services.
Kent Waste Forum	Support.
Middlesborough Council	Support
Royal Borough of Windsor & Maidenhead	It should be compulsory for businesses to use a standard and official Waste Transfer Notice, to prevent them being forged.
Hinckley and Bosworth Borough Council	Support
London Borough of Sutton	Support
London Borough of Tower Hamlets	Support

London Borough of Camden	Support
Bury MBC	Support
National Housing Federation	Support
Lewes District Council	Support, but £300 is insufficient if to act as (a) deterrent and (b) to resource the enforcement of this power. We believe the fixed penalty should be at least of £500.
Barnsley MBC	Support
Bedford Borough Council	Support. The loophole would be where a business has a valid waste transfer note but also disposes of extra waste illegally.
Harrogate Borough Council	Support
Westminster City Council	Support.
Wealdon District Council	Support
Plymouth City Council	Support
Wycombe District Council	Supported. This could be undertaken by EHO as part of inspection of premises. Powers might be extended to cover situations where trade and /or commercial waste is left in public litter bins or stored on public land pending removal.
Knowsley Metropolitan Borough Council	Support
Kent County Council	Support
Nottingham City Council	Support
Liverpool City Council	The devolvement of notices under section 71 (EPA) to Local Authorities and not just the Environment Agency might assist.
Perranzabuloe Parish Council	Support
Farnham Town Council	Support

3.2 - Give LAs & EA power to issue FPNs to waste carriers that don't produce registration details or proof they don't need any & keep receipts

organisation	comments
Neath Port Talbot Council	Supported
Wrexham County Borough Council	Support, but would require partnership with Police
Keep Wales Tidy	Support
Federation of Small Businesses	Support, so long as small firms exempt from the need to register for a waste carriers license are exempt. Fines must be promoted to ensure that these increased enforcement powers are a deterrent <i>rather than</i> a means of raising revenue.
Chartered Institute of Wastes Management	Support, plus discs for waste carriers.
Kettering Council	Measures welcomed
Carlisle Council	Supported
Cinema Exhibitors' Association	Not supported
Braintree Council	Supported. This will act as an effective deterrent to smaller waste carriers.
Hammersmith and Fulham Council	Supported. Recommended that fines be higher than the proposed £300.
Epping Forest Council	Supported.
South Gloucestershire Council	Supported. Guidance is needed on whether FPN will be served on the registered owner of vehicle or the driver's employer.
Royal Society for the Promotion of Health	Supported.
Croydon Council	Supported
Civic Trust	Supported.
St Edmundsbury Council	Supported. Fines should reflect environmental damage caused.
Solihull MBC	Supported.
public	Supported.
Kent Police	Supported.
Witham Council	Supported.
Warrington Council	Supported.
Thanet Council	Supported.
Tendring Council	Supported.
Warwickshire CC	Supported.
Stockton on Tees Council	Support. Vehicle not released until fine paid. Also need to stop dumping of non household waste at Civic Amenity Sites.
Cleanaway Ltd (waste management company)	Support, but suggests spot fines, increased monitoring and better education are also necessary. Proceeds from fines should go to Treasury to avoid a conflict of interest between LA's and private waste management companies.
Preston City Council	Support
South Bedfordshire Council	Support, but could be exploited by declaring some waste legitimately and disposing of the rest illegally.
Salford City Council	Support
Wandsworth Council	Support, but penalties should be proportionate to the size of the business.
Solihull Borough Council	Support
Poynton Parish Council	Support fixed penalty notices, subject to right of appeal to courts. Oppose allowing them to keep proceeds, as this may give staff a financial incentive to issue fines.
Gravesham Borough Council	Support but will require resources and partnership working.

Bradford Metropolitan District Council	Support
New Forest District Council	Support
Crewe & Nantwich Borough Council	Support
Cotswold District Council.	Big resource implications
London Borough of Islington	Support
East Riding of Yorkshire Council	Support
London Borough of Haringey	Support
Guildford Borough Council	Support
Thanet District Council	Support
Chelmsford Borough Council	Support
Copeland Borough Council	Support
Rugby Borough Council (general, see also 272)	Support, but, these are currently considered to be waste regulation duties, for which the Environment Agency is responsible. If these powers were to be extended to local authorities, then resources would become a significant issue.
Suffolk Coastal Services Ltd	Support
Kirklees Council	Support
Worthing Borough Council	Support
Leeds City Council	Support
LB Waltham Forest	Supported
Herefordshire CC	Supported.
Country Land and Business Association	Supported.
Forest Heath DC	Supported
Mole Valley Council	Supported
Mole Valley Council	Supported
Woodlands Trust	Supported
Coventry Council	Supported.
Living Streets	Supported
Poole Council	Supported.
West Dorset DC	Supported
Horsham Council	Supported.
Association of London Government	Support, but LA officers will need more back up from the Police.
Local Government Association	Support, but £300 not enough. Also need guidance over whether to give FPN to driver or owner of vehicle.
Association for Public Service Excellence	Support
Cannock Chase District Council	Support, if local authorities are permitted to retain receipts from fixed penalties issued
East Herts Council	Support
London Borough of Newham	Support

Staffordshire County Council	Support. There are instances where the WDA should be involved in the checking of waste transfer notes and waste carriers registration. There is considerable trade waste abuse at Civic Amenity sites and this will increase as landfill tax increases. Both the Environment Agency and District Councils have little interest in dealing with this element of illegal disposal and the inclusion of County Councils in the definition of local authorities would be useful.
Greater London Authority	Supported but suggest that a protocol would be necessary to avoid duplication or a diffusion of responsibilities between the local authorities and the Environment Agency.
Cotswold District Council	This is seen as potentially having big resource implications
West Midlands Police	Support
ENCAMS	Support, but fixed penalty fines are too high. Should be a link between the level of court fine/seriousness of the offence and the fine.
Kent Waste Forum	Support. Extra resources needed.
Middlesborough Council	Support
Royal Borough of Windsor & Maidenhead	The investigatory work for such an activity may involve that required under the Regulation of Investigatory Powers Act (RIPA) in order to reinforce the case that the vehicle is being used for fly tipping purposes. In such cases a relaxation of the covert surveillance for monitoring such activities would assist in greater success in prosecution of the more serious cases.
Hinckley and Bosworth Borough Council	Support
London Borough of Tower Hamlets	Support
London Borough of Camden	Support
Bury MBC	Support
National Housing Federation	Support
Lewes District Council	Support, but £300 is insufficient if to act as (a) deterrent and (b) to resource the enforcement of this power. We believe the fixed penalty should be at least of £500.
Stoke on Trent City Council	Support
Barnsley MBC	Support
Bedford Borough Council	Support. The loophole would be if waste carriers operate both legally and illegally.
Harrogate Borough Council	Support
Westminster City Council	Support.
Wealdon District Council	Support
Plymouth City Council	Support
Wycombe District Council	Support
Knowsley Metropolitan Borough Council	Support
Kent County Council	Support, powers need to be extended to county councils.
Nottingham City Council	Support
Liverpool City Council	Support
Environmental Services Association	Fixed penalty notices do not provide a long-term and stable funding stream for tackling illegal waste management activity. The Government should instead focus on delivering significant additional funding, which could be provided through increased landfill tax receipts resulting from the rise in landfill tax..

Perranzabuloe Parish Council	Support
Farnham Town Council	Support

3.7 - Introduce a new provision covering duty of care and registration of waste carriers

organisation	comments
Neath Port Talbot Council	Supported
Association of Chief Police Officers of England, Wales and Northern Ireland (ACPO)	Support
Chartered Institute of Wastes Management	Support
Environment Agency	Support
Kettering Council	Measures welcomed
Carlisle Council	Supported
Newcastle Council	These should be consolidated in new primary legislation
Cinema Exhibitors' Association	It is hoped that the Secretary of State's powers to make the regulations will be under the positive affirmation procedures.
Hammersmith and Fulham Council	Supported.
Epping Forest Council	Supported.
Royal Society for the promotion of Health	Supported.
St Edmundsbury Council	Supported.
public	Supported.
Kent Police	Supported.
Witham Council	Supported.
Warrington Council	Supported.
NFU	Supported.
Stockton on Tees Council	Support
Preston City Council	Support if extra funding is provided to LA's
South Bedfordshire Council	Support
Salford City Council	Support
Wandsworth Council	Support
Poynton Parish Council	Support
Gravesham Borough Council	Support
Bradford Metropolitan District Council	Support
New Forest District Council	Support
East Riding of Yorkshire Council	Support
London Borough of Haringey	Support

Guildford Borough Council	Support
Chelmsford Borough Council	Support
Suffolk Coastal Services Ltd	Support
Kirklees Council	Support
Worthing Borough Council	Support
Leeds City Council	Support
LB Waltham Forest	Supported
Herefordshire CC	Supported.
Maidstone Council	Supported
Forest Heath DC	Supported
Mole Valley Council	Supported
Coventry Council	Supported.
Living Streets	Supported
Poole Council	Supported.
West Dorset DC	Supported
Medway Council	Supported
Association of London Government	Support
Local Government Association	Support. Badge system for waste carriers would be helpful.
Association for Public Service Excellence	Support
Cannock Chase District Council	Support
ENCAMS	Support
Kent Waste Forum	Support.
London Borough of Sutton	Support
London Borough of Tower Hamlets	Support
London Borough of Camden	Support
Bury MBC	Support
National Housing Federation	Support
Lewes District Council	Support
Stoke on Trent City Council	Sufficient for LA's to do this on a discretionary basis. If a minimum credit value was prescribed this would immediately fall as an additional cost to the local authority. The basic premise of existing recycling credit schemes is to pass on any savings achieved in not having to collect or dispose of the waste recycled. Incorporating re-use credits could result in credits being paid at least twice for the same material if re-used material was later subsequently re-used again or later recycled. It could also result in credits being paid for waste that re-enters the waste stream for disposal further down the line.
Harrogate Borough Council	Support
Westminster City Council	Oppose, however LA's need powers to deal with spillage and leakage from sub-standard waste vehicles and unsatisfactory waste operations. LA's should be able to exercise powers to require defined standards, and have a vehicle taken off the road if these are not met.
Wealdon District Council	Support

Plymouth City Council	Contravention of the legislation should mean the removal of the Waste Carriers Licence.
Wycombe District Council	Support
Knowsley Metropolitan Borough Council	Support
Kent County Council	Support, powers need to be extended to county councils.
Liverpool City Council	Support
Farnham Town Council	Support