

Response ID ANON-7WV4-WTDE-C

Submitted to National litter and flytipping strategy consultation
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Litter - Behaviour Change

1 Do you support the proposed action to conduct research to understand the full range of influences on littering behaviours (action 1.1)?

Yes

Please give reason(s) for your answer.:

RMAS is supportive of research to help more fully understand the range of influence on littering behaviours, and to help inform policy change and implementation.

RMAS suggests a comprehensive review of land ownership across Scotland to identify who has the responsibility to maintain its cleanliness. This should include land where the ownership is known but has become orphaned from responsibility, from cleaning and maintaining contracts (e.g., play parks in new build housing estates and litter bins, parcels of land are road junctions and rail junctions.)

All contracts for national and local infrastructure, rail and road services, shipping ports and other areas should clearly state the levels for funding and plans for managing and maintaining areas to keep them free from litter and should be included on a public register to allow the public to see who has responsibility, and to enable improved public scrutiny and transparency.

2 Do you support the proposed action to develop and adopt a national anti-littering behaviour change campaign (action 2.1)?

Yes

Please give reason(s) for your answer. :

RMAS is supportive of the proposed action to develop and adopt a national anti-littering campaign. To ensure the success of any campaign, identifying the key target audiences, developing hard and soft messaging, and communication approaches which are relevant to each target audience will be critical to effect behavioural change. Adopting a national anti-littering campaigning approach which optimises partnership and collaboration between multiple stakeholders including the private sector and representation from organisations including RMAS to optimise understanding and reach would be the preferred mechanism.

3 Which topics are a priority for behaviour change interventions?

Please indicate, which topics if any, you think we should prioritise for behaviour change interventions:

RMAS suggests the following topics should be a priority to address by behaviour change interventions:

- Research which provides a clear understanding of the key types of litter, where this occurs, and the key target audiences to be addressed, and whether the behaviours are deliberate or accidental should be conducted. A national campaigning approach which adopts generic messaging and brand for use and adaptation by multiple stakeholders, and for different audiences should be developed. A supporting communications toolkit should be developed to support any campaigning activities. On-going engagement with key stakeholders will help to identify where the priority activities should be focused, and identify who should be involved, this should be centrally co-ordinated but with direct input and support from the participating organisations. Establishing a forum or action group such as the Flytipping Forum for Litter would be helpful, subgroups could also be established which focus on key audiences bringing the relevant stakeholders together.
- Encouraging individual responsibility by highlighting, the environmental, societal, and economic impacts of littering, and the consequences of participating in this anti-social behaviour. This should be linked to increased enforcement activities, increased issuing of FPNs, and the potential for introducing community pay back schemes as an alternative penalty for littering. This type of community pay back activity should be linked to the area where the littering took place.

4 Is there a need to develop a standard definition of litter that can be used across Scotland?

Yes

Please give reason(s) for your answer:

A standard definition for litter would support broader understanding, and an increased awareness of the impacts of, and the responsibility for, littering.

Litter - Services & Infrastructure

5 Do you support the following proposed actions to:

5a. - Action 3.1: Review available litter data and reach an agreement between stakeholders on a common approach to data collection?:

Yes

5a. - Action 3.2: Identify commonly littered items and litter hotspots, and work with local authorities to develop targeted interventions?:

Yes

5a. - Action 3.3: Increase the use of citizen science to support data on the amount and composition of litter?:

Yes

Please give reason(s) for your answer.:

RMAS is supportive of reviewing available litter data to reach an agreement between stakeholders on a common approach to data collection. However, clarity is needed on the data collection resource implications, when and how data should be collected, and the types and levels of data to be captured at an individual, organisational, and/or local level.

6 What would encourage increased participation in citizen science data collection?

In the text box below, please indicate if you think there is anything that could increase participation in citizen science data collection. :

Citizen Science could be used to support data capture if there is sufficient resource to support volunteers to collect data on a regular basis to input into a centralised data system. This could include equipment and training to support understanding of the types of data, and how to record data. The Marine Conservation Society has used Citizen Science for years.

7 Do you support the proposed actions to:

7a - Action 4.1: Review the Code of Practice for Litter and Refuse (2018) and its implementation by duty holders?:

Yes

7a - Action 4.2: Explore the use of flexible and innovative interventions to support litter prevention and removal?:

Yes

7a - Action 4.3: Establish an action focused group to encourage collaboration and share best practice between local authorities, national parks and other duty bodies?:

Yes

Please give reason(s) for your answer. :

Payments for litter prevention and clearance should be covered by EPR but should be proportional to the level of control that producers have over litter.

Action 4.3 Any Action Group established should also include other key stakeholders, including private waste & resource management companies, trade associations and representative bodies (RMAS, SESA, CIWM), landowners, and third sector organisations.

8 Please provide examples of flexible or innovative interventions that have or have not worked well in the past.

In the text box below, please indicate any examples of flexible or innovative interventions that have been used to tackle litter and whether they have or have not worked well in the past:

Examples of good practice include work undertaken by Keep Scotland Beautiful, the Marine Conservation Society, and Zero Waste Scotland (such as the Scotland is Stunning Campaign).

Aberdeenshire Council produced a digital map of abandoned/orphaned land where there was a build-up of litter and lower environmental quality due no parties having a contractual responsibility to clean.

As outlined in Q1: RMAS suggests a comprehensive review of land ownership across Scotland to identify who has the responsibility to maintain its cleanliness. This should include land where the ownership is known but that has become orphaned from responsibility due to the land being excluded from cleaning and maintaining contracts (e.g., play parks in new build housing estates and litter bins, parcels of land are road junctions and rail junctions.)

9 How can increased collaboration and information sharing across local authorities, national parks and other duty bodies be achieved?

In the text box below, please indicate if you think there are any ways to increase collaboration and information sharing across these stakeholders. :

RMAS would recommend any collaboration and information sharing should also include private waste & resource management companies, trade associations and representative bodies, landowners, and third sector organisations.

RMAS believes collaboration between partner organisations is critical to achieve success. Example of existing partnerships include the following.

- Scottish Partnership Against Rural Crime (SPARC) – a multi-agency partnership involving key organisations collectively working together to tackle rural crime.
- The National Flytipping Forum - which brings together key stakeholders in Scotland to discuss how to implement the new strategy and share best practice and insights relating to tackling flytipping.
- Serious Organised Crime (SOC) Taskforce Environmental Waste Crime Working Group which contributes to discussions to identify what could be achieved to help disrupt environmental waste crime.

10 Do you agree with the proposed actions to:

10a. - Action 5.1: Create a national litter hub to provide information to community groups?:

Yes

10a. - Action 5.2: Create a community focused litter education programme?:

Yes

Please give reason(s) for your answer. :

RMAS is supportive of further support for community groups to help tackle litter and creating a community-focused litter education programme.

Greater powers should be given to community groups, which enable improved access and transparency to allow further scrutiny agreed service levels and maintenances programs for clearing and maintaining public areas from litter to enable increased.

RMAS members often have strong connections to their local communities and could offer local support to litter clean-up projects as part of wider community benefit programmes.

11 What advice, information and support should be included in a national litter hub?

In the text box below, please indicate which topics, if any, you think need to be included in a national litter hub. :

The following advice, information and support could be included:

- A clear definition of litter which would support broader understanding, and an increased awareness of the impacts of, and the responsibility for, littering
- A clear, streamlined directory of who is responsible, across different scenarios/areas, for removing, and reporting on, incidences of litter – including a list of the duty bodies and contact details.
- A clear explanation of the law, responsibilities of different duty bodies, and the legal rights of communities, individuals, and local businesses to act against duty bodies who are failing.
- Examples of good practice and outcomes.
- Communications toolkit.
- Training support.

12 What topics should be included in a community focused litter education programme?

In the text box below, please indicate if there are any topics you think should be included in a community focused litter education programme. :

- Research should be undertaken which provides a clear understanding of the key types of litter, where this occurs, and the key target audiences to be addressed, and whether the behaviours are deliberate or accidental. A national campaigning approach which adopts generic messaging and brand which can be used, and adapted by multiple stakeholders, and for different audiences could be developed.
- Encouraging individual responsibility by highlighting, the environmental, societal, and economic impacts of littering, and the consequences of participating in this anti-social behaviour. This should be linked to increased enforcement activities, increased issuing of FPNs, and the potential for introducing community pay back schemes as an alternative penalty for littering. This type of community pay back activity should be linked to the area where the littering took place.

Litter - Enforcement

13 Do you support the proposed actions to:

13a. - Action 6.1: Conduct an evidence review of barriers to enforcement?:

Yes

13a. - Action 6.2: Explore raising current fixed penalty notice amounts?:

Do not know

13a. - Action 6.3: Explore potential alternative penalties (e.g. litter picks) to monetary fixed penalties?:

Yes

Please give reason(s) for your answer. :

Action 6.2: Increasing the level of penalty, on its own, will not be sufficient, with the current penalty level already sufficient in lower socio-demographic areas. It can also be difficult to catch someone in the act of littering, and provide sufficient proof, to issue a Fixed Penalty Notice. Therefore, the enforcement mechanisms need to be reviewed, with additional resources for increasing staffing levels, and training required.

Action 6.3: Potential alternative penalties to fixed penalty notices to help deter littering behaviours/reduce litter could include:

- Introducing community pay back schemes as an alternative penalty for littering. This type of community pay-back activity should take place in the area where the littering took place. This could also include participating in litter awareness and impacts courses.
- Litter monitoring should be more comprehensive and inclusive to ensure it includes all land in both public ownership and private ownership. Councils should also be asked to publish their maintenance programs for litter, channel cleaning and street cleansing to enable improved transparency and scrutiny.
- Fining organisations who do not clear litter within a specified time.
- Making the registered keeper of a vehicle liable for any litter thrown from it.
- Greater promotion of the consequences of littering around litter hotspots – for example, the West Coast Highway has clear signage indicating a \$5,000 fine for anyone caught littering.
- Greater visibility of litter wardens.
- Develop community pride and increased responsibility by highlighting, the environmental, societal, and economic impacts of littering, and the

consequences of participating in this anti-social behaviour, as a mechanism to improve local environmental quality, as part of a wider community regeneration project.

14 Do you support proposed action 7.1, to review and further develop guidance on enforcement best practices?

Yes

Please give reason(s) for your answer. :

RMAS is supportive of a review and development of guidance on enforcement best practices.

The guidance should include:

- A clear definition of litter which would support broader understanding, and an increased awareness of the impacts of, and the responsibility for, littering
- A clear, streamlined directory of who is responsible, across different scenarios/areas, for removing, and reporting on, incidences of litter – including a list of the duty bodies and contact details.
- A clear explanation of the law, responsibilities of different duty bodies, and the legal rights of communities, individuals, and local businesses to act against duty bodies who are failing.
- Communication Toolkit and Training Resources.
- Clarity of data collection and reporting requirements.

Flytipping - Behaviour Change

15 Do you support proposed action 8.1, to conduct research to understand the behaviour that leads to flytipping?

Yes

Please give reason(s) for your answer. :

RMAS is supportive of research being undertaken to more fully understand the range of influence on flytipping behaviours, and to help inform policy change and implementation. This should include behaviour changes arising due to the COVID-19 pandemic, large scale criminal activity, small scale illegal operators, and individuals. This will help to inform the prevention, enforcement, communication, training, and funding support required to tackle each of the key audiences.

RMAS suggests a comprehensive review of land ownership across Scotland to identify who has the responsibility to maintain its cleanliness. This should include land where the ownership is known but that has become orphaned from responsibility due to the land excluded from contracts for responsibility for cleaning and maintaining. (e.g., play parks in new build housing estates and litter bins, parcels of land are road junctions and rail junctions.)

16 Do you agree with the proposed actions to:

16b. - Action 9.1: Develop a sustained, evidence based, national anti-flytipping behaviour change campaign?:

Yes

16b. - Action 9.2: Create a single information point containing advice on disposal of commonly flytipped materials?:

Yes

Please give reason(s) for your answer. :

Action 9.1 RMAS agrees a sustained, evidence based, national anti-flytipping behaviour change campaign should be developed.

Any campaign and associated messaging should be informed by research to understand the range of influence more fully on flytipping behaviours, for each of the key target audiences i.e., large scale criminal activity, small scale illegal operators, and individuals. This will help to inform the prevention, enforcement, communication, training, and funding support required to tackle each of the key audiences.

This should include clear information and contact information for who is responsible, across different scenarios/areas, for removing, and reporting on, incidences of flytipping– including a list of the duty bodies and contact details.

17 Which topics should be a priority to address by behaviour change interventions?

In the text box below, please indicate if there are any topics that should be prioritised for inclusion in behaviour change interventions. :

RMAS suggests topics should focus on each of the key target audiences i.e., large scale criminal activity, small scale illegal operators, and individuals.

On-going engagement with key stakeholders will help to identify where the priority activities should be focused, and who can be involved, this should be centrally co-ordinated but with direct input and support from the participating organisations. RMAS would recommend any collaboration and information sharing should also include private waste & resource management companies, trade associations and representative bodies, landowners, and third sector organisations.

Using established groups to co-develop approaches for each of the target audiences would be helpful and should include the:

- Scottish Partnership Against Rural Crime (SPARC) – a multi-agency partnership involving key organisations collectively working together to tackle rural crime.
- The National Flytipping Forum - which brings together key stakeholders in Scotland to discuss how to implement the new strategy and share best

practice and insights relating to tackling flytipping.

- Serious Organised Crime (SOC) Taskforce Environmental Waste Crime Working Group which contributes to discussions to identify what can be done to disrupt environmental waste crime.

RMAS suggests a clear definition of flytipping is required to increase knowledge of what is flytipping, for example, waste left on the kerbside next to bins, or materials placed on pavements for others to reuse.

RMAS suggest other topics should be specific for each of the target audiences and should include:

- How to easily report incidences of flytipping.
- The penalties associated with flytipping and how these are enforced and by whom.
- Information provision on what flytipping is, how to report it, what the correct behaviours are for each of the key audiences, and the range of services available to manage waste legally.
- The environmental, economic, and social impacts of flytipping.
- On-going market intelligence report on the commodity prices for materials may help to identify where criminal activities may arise.

18 What information should be included in a single information point?

In the text box below, please indicate if there are any topics you think should be included in a single information point :

The following advice, information and support could be included in the single information hub:

- A clear definition of flytipping litter which would support broader understanding, and an increased awareness of the impacts of, and the responsibility for, flytipping.
- A clear, streamlined directory of who is responsible, across different scenarios/areas, for removing, and reporting on, incidences of flytipping – including a list of the duty bodies and contact details. This should include clear information for private landowners who have been victims of flytipping.
- A clear explanation of the law, responsibilities of different duty bodies, and the legal rights of communities, individuals, and local businesses to act against duty bodies who are failing.
- Information provision of the correct behaviours for each of the key audiences, and the range of services available to manage waste legally. This could include a directory and interactive map showing the range of SME and other waste management providers, HWRCs, information on bulky collections, skip hire, and other uplift services.
- The penalties associated with flytipping and how these are enforced and by whom.
- The environmental, economic, and social impacts of flytipping.
- Examples of good practice and outcomes.
- Communications toolkit.
- Training support.

19 Is there a need to develop a definition of flytipping that can be adopted across Scotland?

Yes

Please give reason(s) for your answer:

RMAS suggests a clear definition of flytipping is required to increase knowledge of what is flytipping, for example, waste left on the kerbside next to bins, or materials placed on pavements for others to reuse, and which defines and focuses on focus on each of the key target audiences i.e., large scale criminal activity, small scale illegal operators, and individuals.

Flytipping - Services and Infrastructure

20 Do you support the proposed actions to:

20a. - Action 10.1: Create a data sharing agreement to support gathering of data and work with stakeholders to improve consistency of data collection?:

Yes

20a. - Action 10.2: Explore incorporating data into a national database?:

Yes

20a. - Action 10.3: Review the Dump Dumpers system and ensure a fit for purpose mechanism for citizen reporting of flytipping exists in Scotland?:

Yes

20a. - Action 10.4: Explore the development of a live picture of flytipping across Scotland?:

Do not know

Please give reason(s) for your answer. :

Action 10.2: A national database for flytipping data collection would be beneficial and would allow data sharing and intelligence across Scotland. Data captured would need to be simplified to enable it to be flexible, compatible, and adaptable to meet the data and reporting requirements of multiple organisations.

Any standardised platform for flytipping data collection would also need to be flexible, compatible, and adaptable to meet the data and reporting requirements of individual organisations; and be compatible with a range of IT systems. The system would also need to be regularly maintained, and goes through a process of continual improvement, to maximise the quality and standards of data reporting.

21 Do you support mandatory reporting of flytipping incidents for statutory bodies?

Yes

Please give reason(s) for your answer. :

RMAS is supportive of mandatory reporting of flytipping incidences for statutory bodies, it will be important the bodies are resourced effectively in terms of staffing and training to ensure they have the in-house capability to report to any centralised database.

22 Do you think we should continue to use Dump Dumpers as the national reporting tool?

Do not know

Please give reason(s) for your answer. :

RMAS suggested that a review of the Dumb Dumpers system is conducted, to ensure there is a fit for purpose mechanism for citizen reporting of flytipping exists in Scotland.

What are the barriers to reporting flytipping incidents that occur on private land?:

RMAS considers a lack of enforcement support, and the time taken to investigate incidences of flytipping on private landowner, as the primary barrier. In most incidences private landowners must pay for any clean ups, with the perpetrators not challenged or penalised. Clear information should be provided in terms of how to report, to whom, and the level of support that should be expected and received.

As noted previously RMAS suggests more should be done to support private landowners across Scotland.

Who would you report flytipping to?:

RMAS notes the main reporting routes for members of the public is online to their local authority.

23 Do you agree with the proposed actions to:

23a. - Action 11.1: Support and encourage information and resource sharing between stakeholders?:

Yes

23a. - Action 11.2: Explore how to support and encourage more reuse and repair of products that are commonly flytipped?:

Yes

23a. - Action 11.3: Explore a flexible approach to waste disposal with a view to trial interventions?:

Yes

Please give reason(s) for your answer.:

Action 11.1:

RMAS believes collaboration between partner organisations is critical to achieve success.

RMAS would recommend any collaboration and information sharing should also include private waste & resource management companies, trade associations and representative bodies, landowners, and third sector organisations to enable and support knowledge exchange and enable further partnership working.

Example of existing partnerships which could continue and be further enabled include the following.

- Scottish Partnership Against Rural Crime (SPARC) – a multi-agency partnership involving key organisations collectively working together to tackle rural crime.
- The National Flytipping Forum - which brings together key stakeholders in Scotland to discuss how to implement the new strategy and share best practice and insights relating to tackling flytipping.
- Serious Organised Crime (SOC) Taskforce Environmental Waste Crime Working Group which contributes to discussions to identify what can be done to disrupt environmental waste crime.

RMAS would welcome the opportunity to continue to contribute to all these groups, and to any further groups or forums established to help prevent incidences of flytipping.

Action 11.3 RMAS would be supportive of a flexible approach to waste disposal to help tackle flytipping. RMAS members are well placed to support any initiatives and provide local solutions to flytipping – for example, consideration could be given to supporting a network of commercial waste recycling centres to allow small operators and waste carriers to access, pay for, and use waste and recycling facilities.

24 How can we support and encourage sharing of data and joining up of services between local authorities, the waste sector, SEPA and other organisations?

In the text box below, please outline how we can support and encourage information sharing and joining up of services. :

RMAS members can help support and publicise the strategy and approach once approved. We can also highlight the range of services and support offered locally and provide information on what can be disposed of, and how and where to access these – to optimise use, to help people, and businesses to dispose of their waste correctly. RMAS could produce a directory of the range of services and support available.

25 Please provide examples of interventions (for example, amnesties or recycling groups) and indicate whether they have or have not worked well.

In the text box below, please indicate any examples of interventions that have or have not worked well. :

Belgium have HWRCs open to both householders and commercial operators – this ensures commercial operators are not restricted in where they can dispose of their waste legally and can be effectively monitored whilst doing so. RMAS members are well placed to support any initiatives and provide local solutions to flytipping – for example, consideration could be given to supporting a network of commercial waste recycling centres to allow small operators and waste carriers to access, pay for, and use waste and recycling facilities.

Use of cameras, other CCTV equipment, signage has all been used to deter flytipping behaviours, however operators often use unmarked vans or cover their registrations to avoid detection. RMAS suggests there should be a requirement for all unmarked vans to be, and potentially provide clear WCL (waste carrier license) information so they can be identified more easily, to support follow up enforcement action.

26 What are the barriers to disposing of asbestos?

In the text box below, please indicate any barriers to disposing of asbestos. :

For the majority of companies the main barrier to disposing of asbestos will be cost. In addition there are problematic disposal routes for asbestos, with there being only one hazardous landfill and a handful of others who can accept this material. There is also a misunderstanding of the rules regarding asbestos i.e. if it's intact boards and double bagged your local waste company or council can uplift, and a specialist company is not required.

27 Do you agree with the proposed actions to:

27a. - Action 12.1: Explore the role of technology in assisting private landowners and land managers to deter flytipping on their land?:

Yes

27a. - Action 12.2: Produce updated guidance for private landowners on dealing with flytipping?:

Yes

27a. - Action 12.3: Explore alternative financial support mechanisms available to private landowners and land managers?:

Yes

Please give reason(s) for your answer. :

Action 12.1 Funding support should be made available to private landowners for technology and other resources to help deter flytipping from their land. This could include the use of cameras, other CCTV equipment, potentially drones for 'hot spots,' signage and other physical barriers such as earth bunds, fence liners, concrete barriers, gates, and locks.

The majority of these have been used previously to deter flytipping behaviours, however operators often use unmarked vans or cover their registrations to avoid detection. RMAS suggests there should be a requirement for all unmarked vans to be, and potentially provide clear WCL (waste carrier licence) information so they can be identified more easily, to support follow up enforcement action.

Action 12.2:

RMAS agree producing updated guidance for private landowners on how to deal with flytipping would be helpful, but this must be alongside additional support to enable preventative measures to be put in place, and clarity and ease in reporting.

There is a need for a clear, streamlined directory of who is responsible, across different scenarios/areas, for removing, and reporting on, incidences of flytipping – including a list of the duty bodies and contact details. This information would help inform private landowners to know who to go to for support to deter/remove flytipping.

Action 12.3: Suggestions of alternative financial support mechanisms could include a compensation scheme, set up as part of national initiative, to cover the cost of clean-up, and funding support for technology and other resources to help deter flytipping from their land. This could include the use of cameras, other CCTV equipment, potentially drones for 'hot spots,' signage and other physical barriers such as earth bunds, fence liners, concrete barriers, gates, and locks.

28 What support mechanisms need to be in place to help private landowners that are victims of flytipping?

In the text box below, please indicate any mechanisms you think should be in place to help support private landowners who victims of flytipping. :

Support mechanisms needed to help private landowners who are victims of flytipping could include:

- Increased enforcement and prosecution activity to deter criminal activity. Including the increased ability to conduct random checks on carriers.
- Increased levels of fines and variable fines to reflect the severity of the flytipping incidents.
- Introduce vehicle restriction orders, withdrawal of assets, vehicle impounding, introduce penalty points on driving licenses and/or flytipping awareness courses, as part of enforcement actions.
- Suggestions of alternative financial support mechanisms could include a compensation scheme, set up as part of national initiative, to cover the cost of clean-up.

- Funding support for technology and other resources to help deter flytipping from their land. This could include the use of cameras, other CCTV equipment, potentially drones for 'hot spots,' signage and other physical barriers such as earth bunds, fence liners, concrete barriers, gates, and locks.
- There should be a requirement for unmarked vans to be liveried, and to include clear WCL (waste carrier licence) information to enable easier identification, to support follow up enforcement action.
- Tightening and improving the waste licencing and waste carrier's regime to drive rogue operators from the system.
- Increase responsibility on individual households to engage with legal operators to manage their waste.
- RMAS would recommend any collaboration and information sharing should also include private waste & resource management companies, trade associations and representative bodies, landowners, and third sector organisations to enable and support knowledge exchange and enable further partnership working. Example of existing partnerships which could continue and be further enabled include the following.
 - o Scottish Partnership Against Rural Crime (SPARC) – a multi-agency partnership involving key organisations collectively working together to tackle rural crime.
 - o The National Flytipping Forum - which brings together key stakeholders in Scotland to discuss how to implement the new strategy and share best practice and insights relating to tackling flytipping.
 - o Serious Organised Crime (SOC) Taskforce Environmental Waste Crime Working Group which contributes to discussions to identify what more can be done to disrupt environmental waste crime.
- Clarity of information on who is responsible, across different scenarios/areas, for removing, and reporting on, incidences of flytipping – including a list of the duty bodies and contact details. This should include clear information for private landowners who have been victims of flytipping.

Flytipping - Enforcement

29 Do you support the proposed actions to:

29a. - Action 13.1: Conduct an evidence review of barriers to enforcement of flytipping offences?:

Yes

29a. - Action 13.2: Initially raise current fixed penalties issued by local authorities, Police Scotland, Loch Lomond and Trossachs National Park for flytipping to the maximum (£500) and explore possibility of raising the maximum at a later date.:

Yes

29a. - Action 13.3: Explore the possibility and benefits of enabling local authorities and national parks to use civil penalties to enforce flytipping offences?:

Yes

29a. - Action 13.4: Explore raising current fixed monetary penalties that can be issued by SEPA for flytipping offences to the maximum (£1,000) and explore the possibility of raising the maximum further at a later date?:

Yes

29a. - Action 13.6: Review existing legislative powers for enforcing flytipping offences?:

Yes

Please give reason(s) for your answer:

RMAS is supportive of increasing the levels of fixed penalty notices, as the current level is insufficient in deterring flytipping, especially from small and large-scale illegal operators. There could be various levels of fines which are substantive enough to act as a deterrent for the different key audiences, i.e., householder/small-scale illegal operator/large-scale organised crime/repeat offenders. For many illegal operators, the financial gains outweigh the risk of being caught.

Consideration should be given, to provide support to enable increased enforcement and prosecution activity to deter criminal activity. Levels of fine and the ability to vary the level of fines to reflect the severity of the flytipping incidents should be considered. The introduction of penalties such as introducing vehicle restriction orders, withdrawal of assets, vehicle impounding, penalty points on driving licenses and/or flytipping awareness courses, as part of enforcement actions should also be considered.

30 Do you support the proposed actions to:

30a. - Action 14.1: Come to an agreement and develop guidance on roles and responsibilities of organisations in enforcing flytipping offences?:

Yes

30a. - Action 14.2: Develop guidance on enforcement best practices, including on private land and seek for this to be voluntarily adopted by statutory bodies?:

Yes

Please give reason(s) for your answer. :

Often "hot spot" flytipping areas are inundated with waste and litter week after week and the costs become a real issue. Rather than clean an area immediately, which deters other littering, land owners may have no choice but to leave it until they can afford the costs i.e. month end, and this provides an opportunity for others to fly-tip. With better regulatory support, from a wider group of statutory bodies, and also reduced disposal rates for private landowners with recurrent issues, these spots could be dealt with immediately to help prevent ongoing issues. This is also where a drone could be useful as a follow up after the waste is removed.

Impact Assessment and Next Steps

31 Are there any proposals you think should be considered for the National Litter and Flytipping Strategy?

Please indicate if there are any proposals that have not been outlined in this consultation document. :

31. Are there any additional proposals you think should be considered for the National Litter and Flytipping Strategy?

- EPR for items commonly flytipped (tyres, mattresses and hard to dispose of items) should be considered and implemented.
- Increased enforcement and prosecution activity to deter criminal activity. Including the increased ability to conduct random checks on carriers.
- Increased levels of fines and variable fines to reflect the severity of the flytipping incidents.
- Introduce vehicle restriction orders, withdrawal of assets, vehicle impounding, introduce penalty points on driving licenses and/or flytipping awareness courses, as part of enforcement actions.
- Suggestions of alternative financial support mechanisms could include a compensation scheme, set up as part of national initiative, to cover the cost of clean-up.
- Funding support for technology and other resources to help deter flytipping. This could include the use of cameras, other CCTV equipment, potentially drones for 'hot spots,' signage and other physical barriers such as earth bunds, fence liners, concrete barriers, gates, and locks.
- There should be a requirement for unmarked vans to be liveried, and to include clear WCL (waste carrier licence) information so they can be identified more easily, to support follow up enforcement action.
- Tightening and improving the waste licencing and waste carrier's regime to drive rogue operators from the system.
- Increase responsibility on individual households to engage with legal operators to manage their waste.

32 Do you agree that the accompanying impact assessments (BRIA, EQIA, ICIA and FSDA) are an accurate representation of core issues and considerations?

Not Answered

If not, please provide detail and evidence. :

33 Do you agree with the recommendations and conclusions within the Strategic Environmental Assessment Environmental Report?

Not Answered

If not, please provide detail and evidence. :

About you

What is your name?

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Are you responding as an individual or an organisation?

Organisation

What is your organisation?

Organisation:

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The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

Publish response only (without name)

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Yes

I confirm that I have read the privacy policy and consent to the data I provide being used as set out in the policy.

I consent

Evaluation

Please help us improve our consultations by answering the questions below. (Responses to the evaluation will not be published.)

Matrix 1 - How satisfied were you with this consultation?:

Very satisfied

Please enter comments here.:

Matrix 1 - How would you rate your satisfaction with using this platform (Citizen Space) to respond to this consultation?:

Very satisfied

Please enter comments here.: