

REPORT TO THE OXFORDSHIRE WASTE PARTNERSHIP
CONSULTATION DOCUMENT FROM DEFRA CONTROLS ON THE
HANDLING, TRANSFER AND TRANSPORT OF WASTE

1 Background

- 1.1 The Government has been working closely with the Environment Agency and the Local Government Association to develop and implement a Fly-Tipping Strategy to deal with waste crime and illegal waste disposal in a more pro-active, preventative manner. The strategy aims to:
- Ensure better prevention, detection and enforcement of fly-tipping and other forms of waste crime. More effort spent on these aspects will mean that less needs to be spent on clear-up and cost savings will result;
 - Make existing legislation more usable and effective.
 - Extend the range of powers available in the toolkit so that the Environment Agency and local authorities can be more flexible when dealing with all forms of illegal waste activity;
 - Improve the data and knowledge base so that resources can be targeted to where they can be most effective at reducing illegal waste activities; and
 - Ensure the Environment Agency and local authorities can do their job as effectively as possible and ensuring that waste producers and others handling wastes take responsibility for having the waste legally managed.
- 1.2 There is a lot of primary legislation and associated regulations which is in need of review to ensure it is easier to understand and promotes compliance and is simpler and easier for enforcing authorities to use. This Consultation Document includes a range of options to help inform this revision. It is intended that the outcome of the review will be one set of new regulations that will consolidate and modernise:
- The Controlled Waste (Regulation of Carriers and Seizure of Vehicles) Regulations 1991, as amended;
 - The Environmental Protection (Duty of Care) Regulations 1991, as amended;
 - Paragraph 12 of Schedule 4 of the Waste Management Licensing Regulations 1994;
 - Schedule 5 of the Waste Management Licensing Regulations 1994;
 - The Waste (Household Waste) Duty of Care (England & Wales) Regulations 2005.

2. Consultation

- 2.1 The Consultation period for this document ends on the 30th March 2007 and due to its importance it is proposed that the Enforcement Group are asked to consider the questions posed in Annex A of the document and respond on behalf of the OWP.

3. Recommendation

- 3.1 That the Enforcement Group are asked to consider the Consultation Document and the questions detailed in Annex A and respond on behalf of the OWP within the deadlines. Copies of their response should be circulated to all OWP Members in advance of being sent to DEFRA.