



# Consultation on a Draft Household Waste and Fly-tipping Policy

Full results summary



Data, Intelligence & Insight Team, *January 2023*

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## Survey background



- Southampton City Council undertook public consultation on a draft Household Waste and Fly-tipping Policy Consultation. The proposed draft policy provides information about the management of household waste and fly-tipped waste by Southampton City Council. It sets out requirements around the presentation of household waste and recycling for collection and information about the council's powers to prevent and respond to fly-tipping.
- The consultation took place for 12 weeks between **22 September 2022** and **14 December 2022**.
- The aim of this consultation was to:
  - Communicate clearly to residents and stakeholders the proposed policy.
  - Ensure any resident, business or stakeholder who wished to comment on the proposals had the opportunity to do so, enabling them to raise any impacts the proposals may have.
  - Allow participants to propose alternative suggestions for consideration which they feel could achieve the objectives in a different way.
- This report summarises the aims, principles, methodology and results of the public consultation. It provides a summary of the consultation responses both for the consideration of decision makers and any interested individuals and stakeholders.
- It is important to be mindful that a consultation is not a vote, it is an opportunity for stakeholders to express their views, concerns and alternatives to a proposal. Equally, responses from the consultation should be considered in full before any final decisions are made. This report outlines in detail the representations made during the consultation period so that decision makers can consider what has been said alongside other information.



Southampton City Council is committed to consultations of the highest standard, which are meaningful and comply with *The Gunning Principles (considered to be the legal standard for consultations)*:

1. Proposals are still at a formative stage (a final decision has not yet been made)
2. There is sufficient information put forward in the proposals to allow 'intelligent consideration'
3. There is adequate time for consideration and response
4. Conscientious consideration must be given to the consultation responses before a decision is made



New Conversations 2.0  
LGA guide to engagement



## Rules: The Gunning Principles

They were coined by Stephen Sedley QC in a court case in 1985 relating to a school closure consultation (R v London Borough of Brent ex parte Gunning). Prior to this, very little consideration had been given to the laws of consultation. Sedley defined that a consultation is only legitimate when these four principles are met:

- 1. proposals are still at a formative stage**  
A final decision has not yet been made, or predetermined, by the decision makers
- 2. there is sufficient information to give 'intelligent consideration'**  
The information provided must relate to the consultation and must be available, accessible, and easily interpretable for consultees to provide an informed response
- 3. there is adequate time for consideration and response**  
There must be sufficient opportunity for consultees to participate in the consultation. There is no set timeframe for consultation,<sup>1</sup> despite the widely accepted twelve-week consultation period, as the length of time given for consultee to respond can vary depending on the subject and extent of impact of the consultation
- 4. 'conscientious consideration' must be given to the consultation responses before a decision is made**  
Decision-makers should be able to provide evidence that they took consultation responses into account

These principles were reinforced in 2001 in the 'Coughlan Case (R v North and East Devon Health Authority ex parte Coughlan<sup>2</sup>)', which involved a health authority closure and confirmed that they applied to all consultations, and then in a Supreme Court case in 2014 (R ex parte Moseley v LB Haringey<sup>3</sup>), which endorsed the legal standing of the four principles. Since then, the Gunning Principles have formed a strong legal foundation from which the legitimacy of public consultations is assessed, and are frequently referred to as a legal basis for judicial review decisions.<sup>4</sup>

<sup>1</sup> In some local authorities, their local voluntary Compact agreement with the third sector may specify the length of time they are required to consult for. However, in many cases, the Compact is either inactive or has been cancelled so the consultation timeframe is open to debate

<sup>2</sup> BAILII, [England and Wales Court of Appeal \(Civil Decision\) Decisions](#), Accessed: 13 December 2016.

<sup>3</sup> BAILII, [United Kingdom Supreme Court](#), Accessed: 13 December 2016

<sup>4</sup> The information used to produce this document has been taken from the Law of Consultation training course provided by The Consultation Institute



- The agreed approach for this consultation was to use a questionnaire as the main route for feedback. Questionnaires enable an appropriate amount of explanatory and supporting information to be included in a structured questionnaire, helping to ensure respondents are aware of the background and detail of the proposals.
- Respondents could also write letters or emails to provide feedback on the proposals. Emails or letters from stakeholders that contained consultation feedback were collated and analysed as a part of the overall consultation.
- All questionnaire results have been analysed and presented in graphs within this report. Respondents were given opportunities throughout the questionnaire to provide written feedback on the proposals. In addition anyone could provide feedback in letters and emails. All written responses and questionnaire comments have been read and then assigned to categories based upon similar sentiment or theme. We have also endeavoured to outline all the unique points and suggestions gathered as a part of the consultation and so there are separate tables of quotes or summaries of these for each theme of comment to assist with consideration.



## Overall respondents

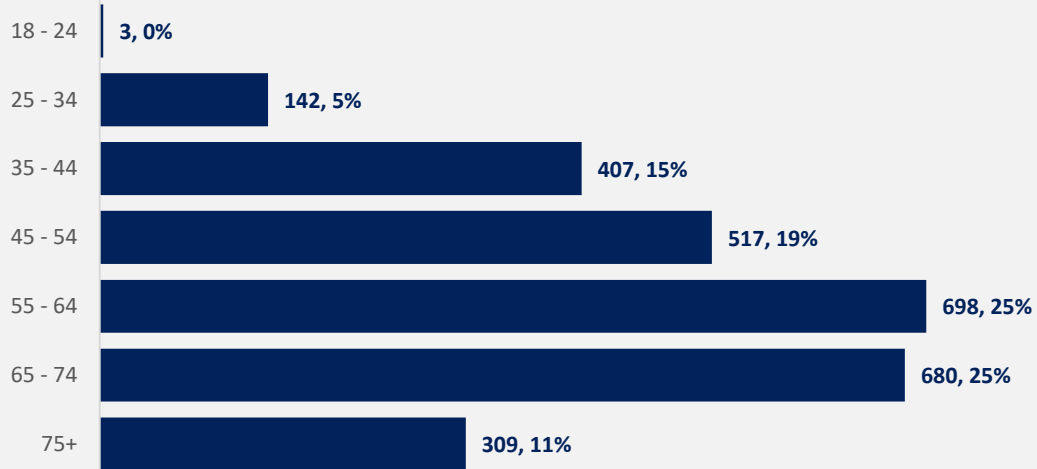




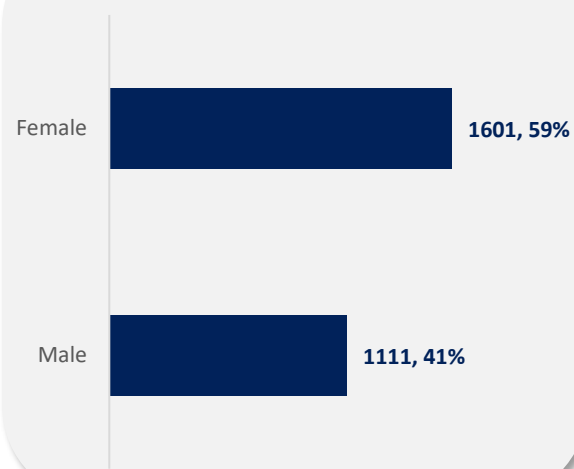
# Who were the respondents?

Overall, there were **3041** separate responses to the consultation (Of this **3016** were questionnaire responses and **25** email submissions) . The following page includes demographic breakdowns of the questionnaire respondents.

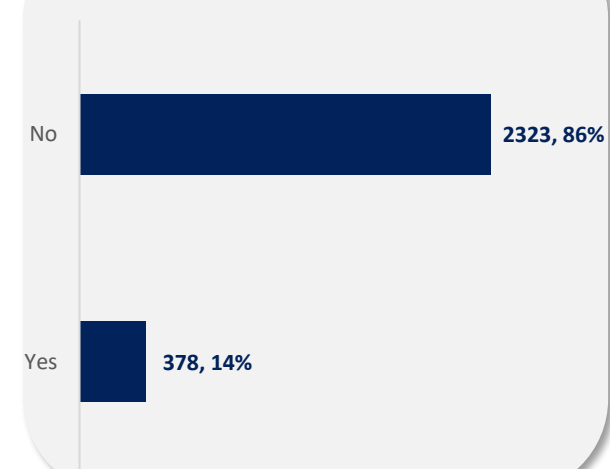
## Age:



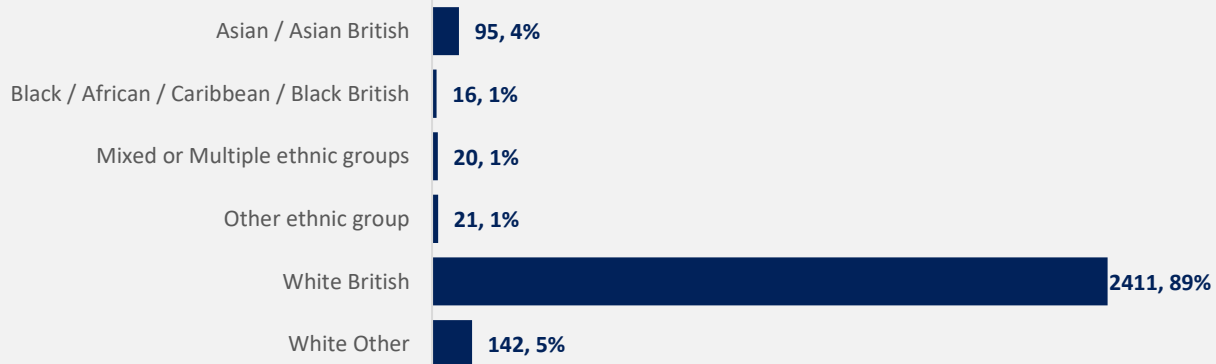
## Sex:



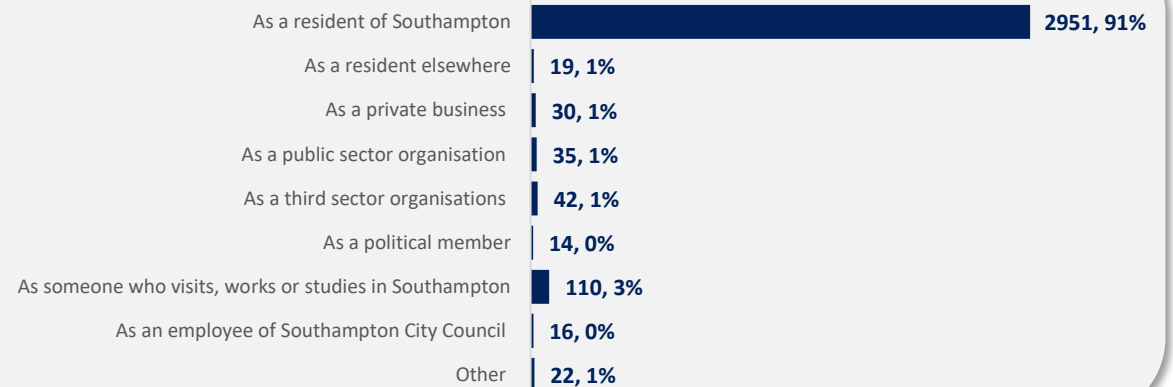
## Disability:



## Ethnicity:



## Interest in the survey:

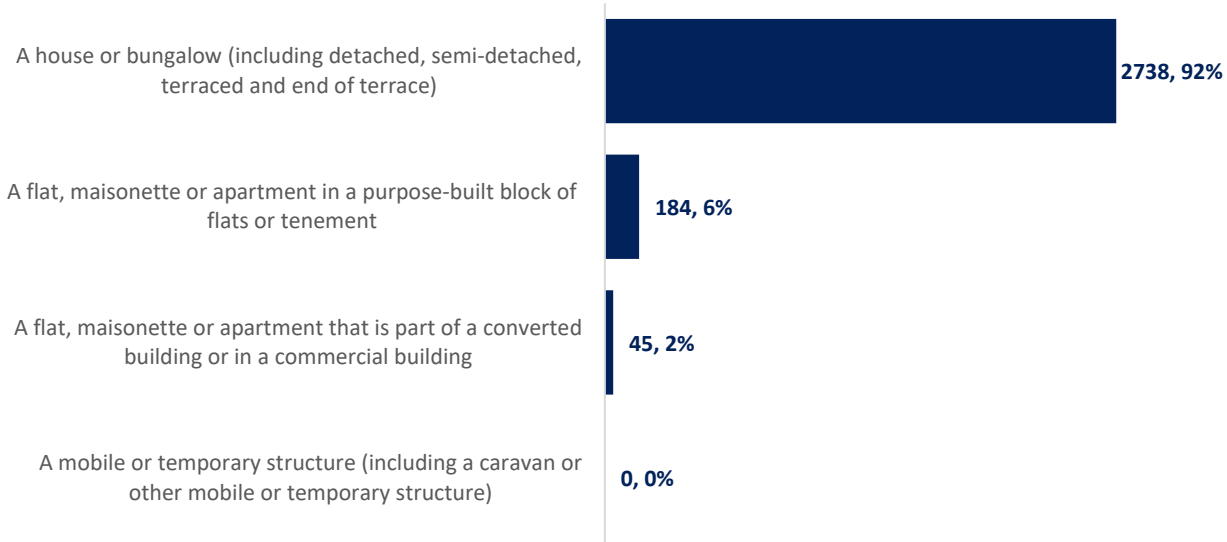






# Who were the respondents?

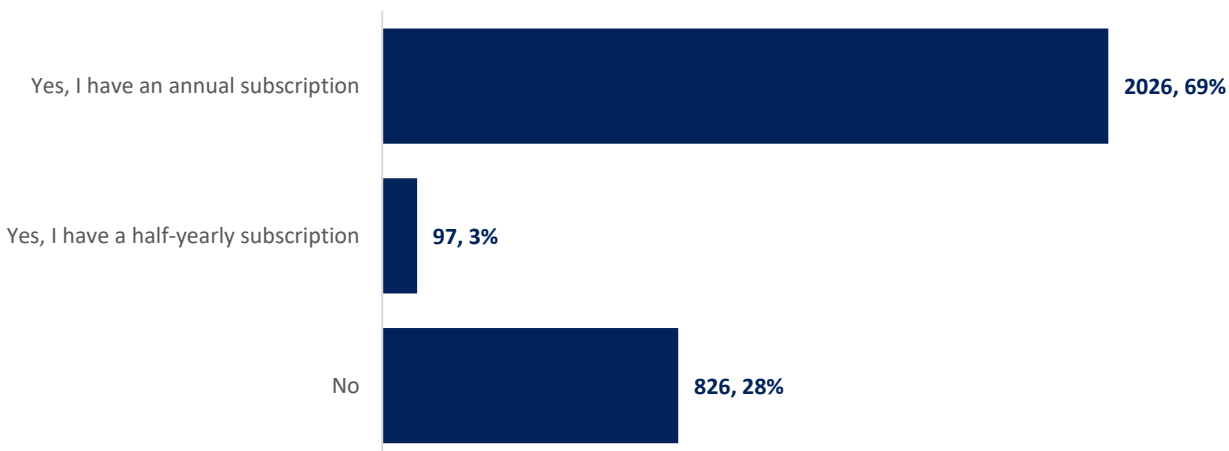
## What type of home do you live in?



## Do you have assisted collections to help put your bins out?



## Do you subscribe to garden waste collections?



## Have you requested and been issued with a larger than standard or a second general waste bin?





## Proposed changes to the policy



## The proposed changes within the draft policy:

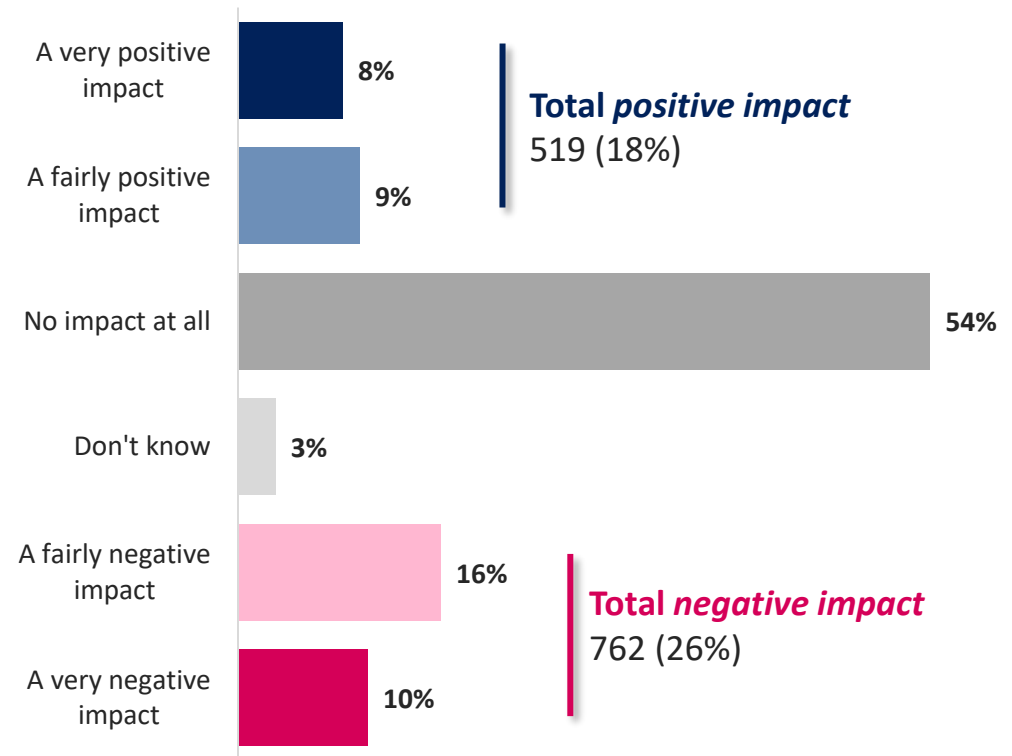
- **Offering annual garden waste subscriptions only:** There are currently two type of garden waste subscriptions. One is for an annual subscription and the other for half a year. In the new draft policy, we propose to offer annual subscriptions only.
- **Additional bin capacity:** Currently, we offer everybody the opportunity to apply for additional capacity. We recognise that in the past, there has been confusion with carers applying for additional capacity. In the new draft policy, we would like to acknowledge that carers can apply for this through the standard additional capacity portal.
- **Missed bin collections must be reported within 24 hours:** Currently missed bin collections must be reported within 48 hours. To improve the efficiency of the service, we are proposing that missed bin collections must be reported within 1 working day instead.
- **When requesting a larger general waste bin, residents must complete a waste diary:** Currently requests are made by completing a form and checking that a resident meets the criteria. In the new draft policy, we are proposing that in addition to the form and checking they meet the criteria, residents would also have to complete a two-week waste diary. The aim of the waste diary is to show how they are handling their waste and whether any more of it could be recycled.
- **Clarifying the access requirement for assisted collections:** In the new draft policy, we are proposing to make it clear that residents need to ensure waste containers presented for assisted collections can be accessed safely by our operatives. For example, making sure there are no obstacles such as steps, trip hazards or pets preventing safe access and egress to properties.
- **Charging for the replacement of both general and recycling bins if lost or damaged:** Currently residents must pay for the replacement of a lost or damaged general waste bin, but the replacement of a recycling bin is free. In the new draft policy, we are proposing that residents must pay for the replacement of both general and recycling bins if lost or damaged.



# Offering annual garden waste subscriptions only

## Overall impact:

Total respondents: **2957**



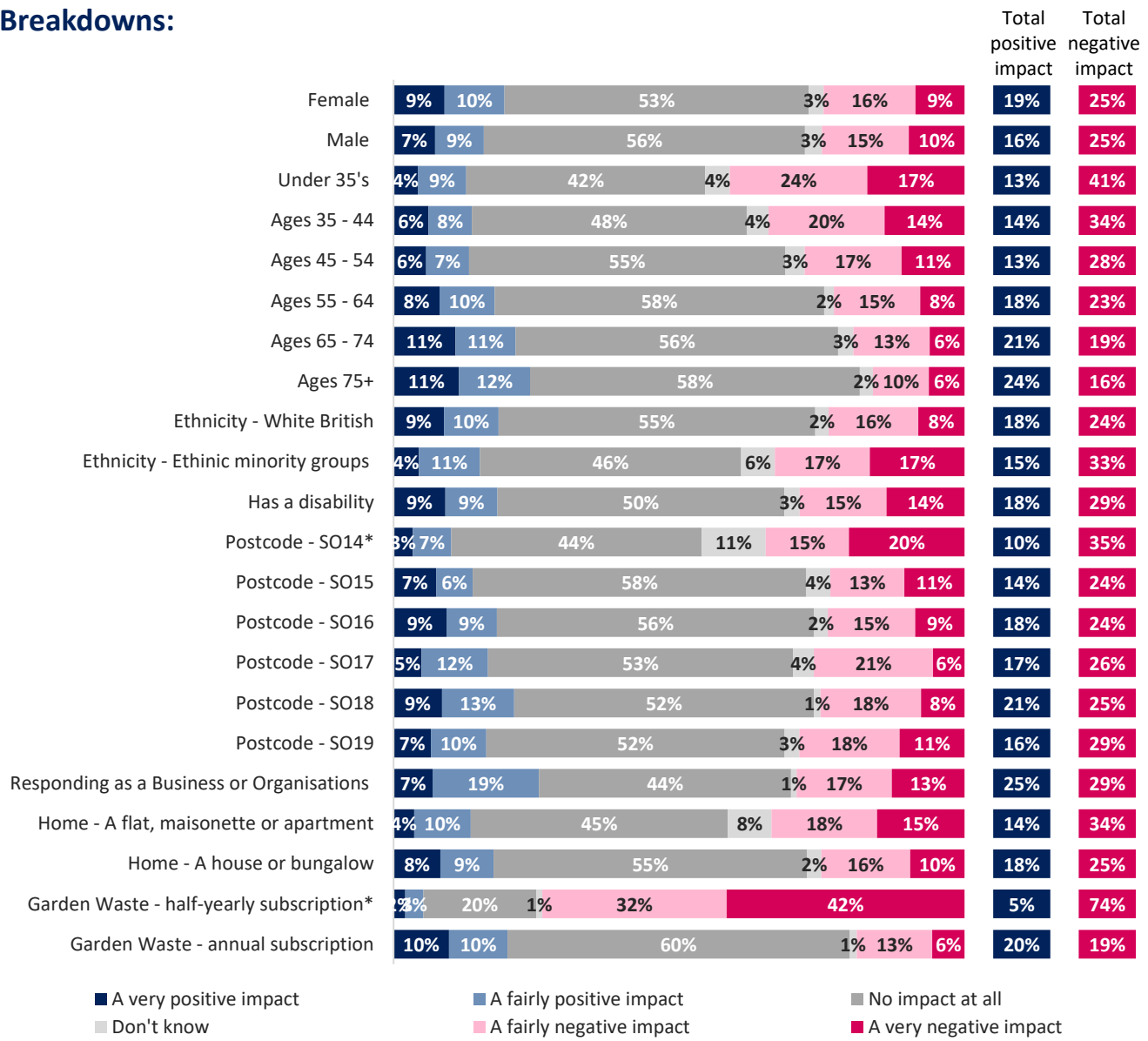
**Total positive impact**  
519 (18%)

**Total negative impact**  
762 (26%)

## Key points:

- A **higher proportion** found offering annual garden waste subscriptions only **negative** (26%) compared to positive (18%).
- Respondents who currently have a **half-yearly garden** waste subscription reported the highest **negative** impact (74%).
- Younger respondents selected that that the proposals may have a negative impact more compared to older age groups.

## Breakdowns:



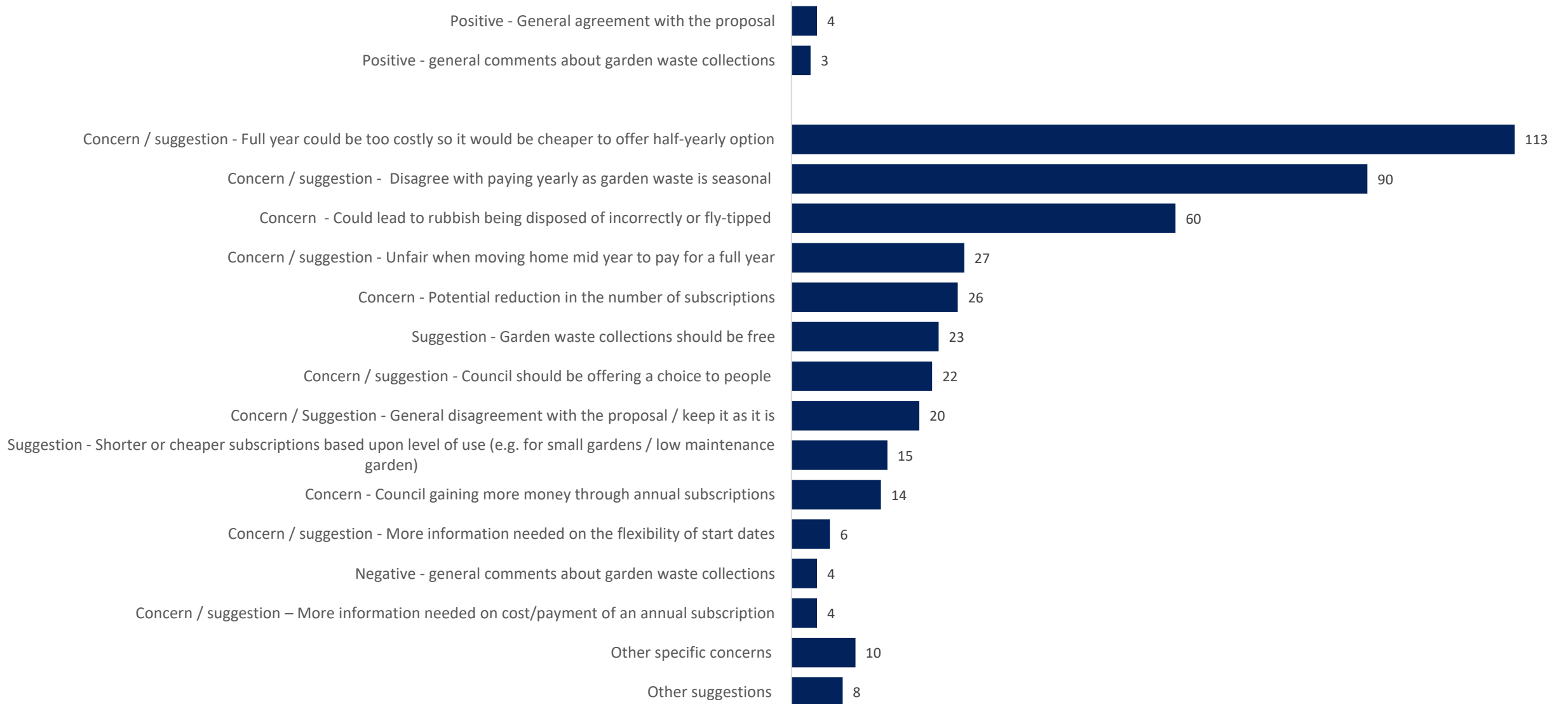
■ A very positive impact     
 ■ A fairly positive impact     
 ■ No impact at all  
■ Don't know     
 ■ A fairly negative impact     
 ■ A very negative impact

\*\*Sample size –fewer than 50 respondents \*Sample size –fewer than 100 respondents



# Offering annual garden waste subscriptions only

The following graph shows the total number of respondents that commented on this proposal in the consultation.

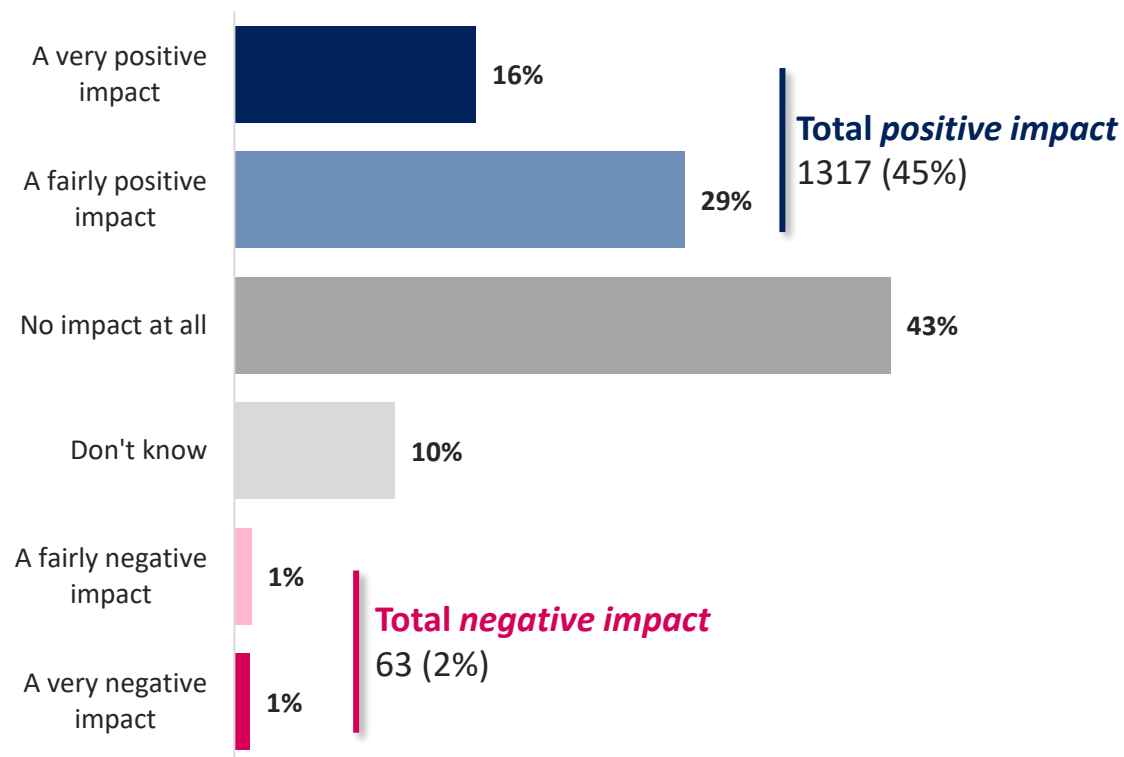




# Additional capacity service route for carers

## Overall impact:

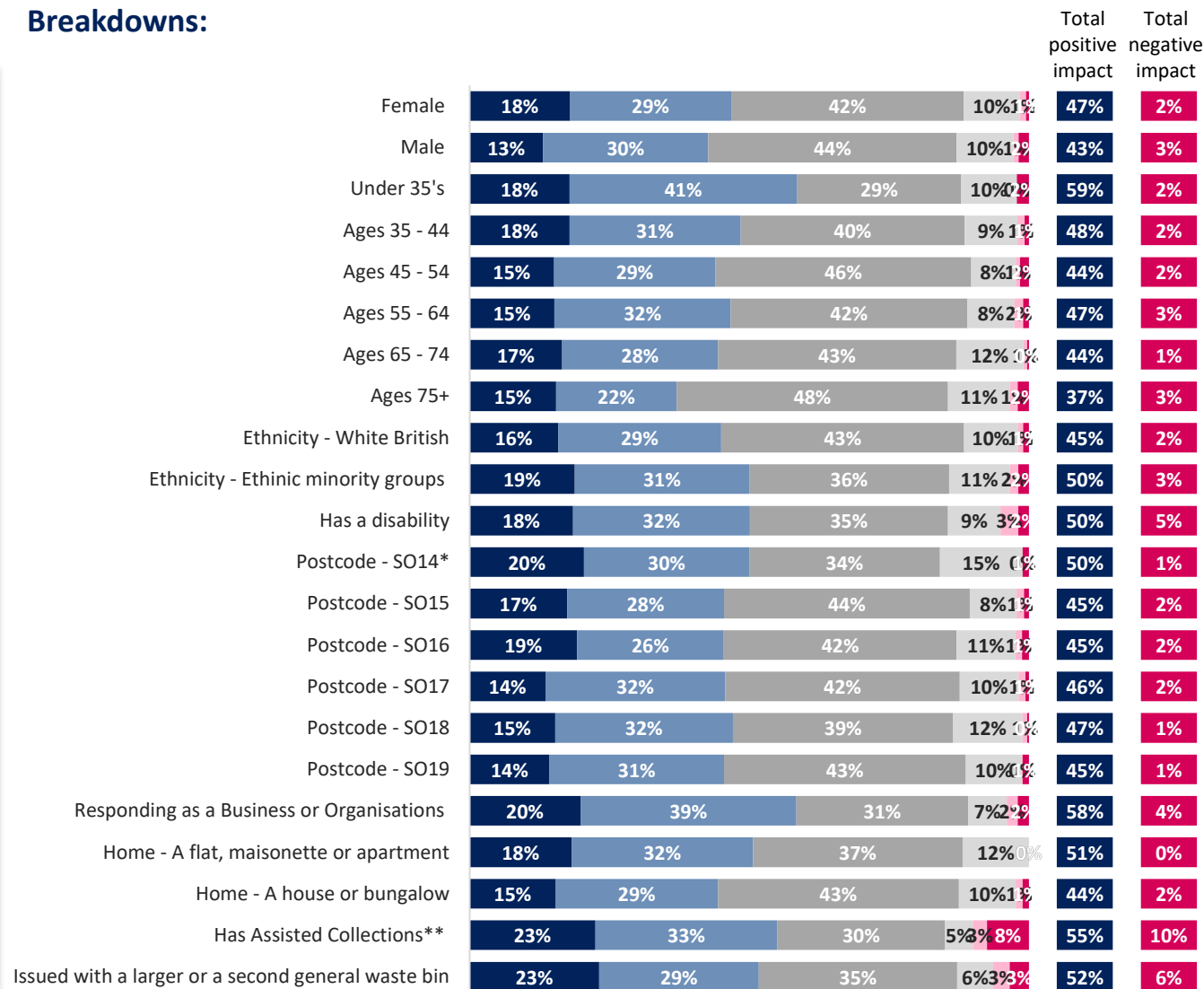
Total respondents: 2935



## Key points:

- Overall, **almost half** (45%) selected that the proposal for additional capacity service route for carers would have a positive impact on them or their family.
- Those aged **under 35** (59%) and **Businesses & Organisations** (58%) selected that the proposal for additional capacity service route for carers would have a positive impact to the highest extent.
- Those who receive **assisted collections** selected that the proposal would have a negative impact to the highest extent (10%).

## Breakdowns:



■ A very positive impact ■ A fairly positive impact ■ No impact at all ■ Don't know ■ A fairly negative impact ■ A very negative impact

\*\*Sample size –fewer than 50 respondents \*Sample size –fewer than 100 respondents



# Additional capacity service route for carers

*The following graph shows the total number of respondents that commented on this proposal in the consultation.*



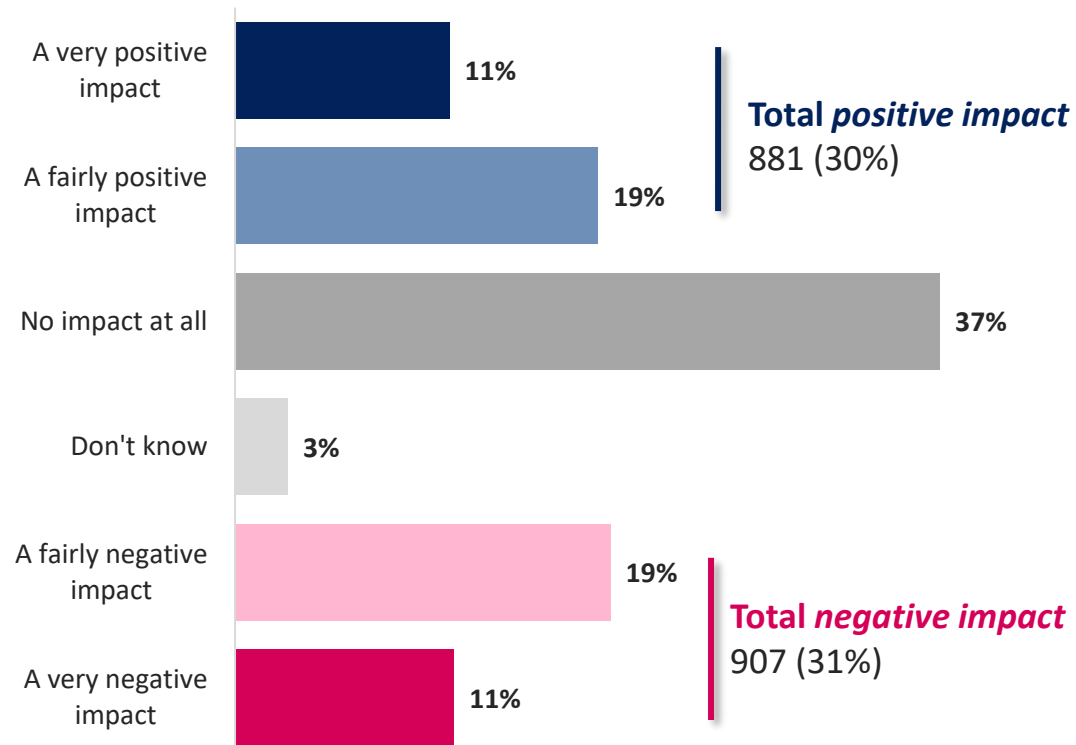




# Missed bin collections must be reported within 24 hours

## Overall impact:

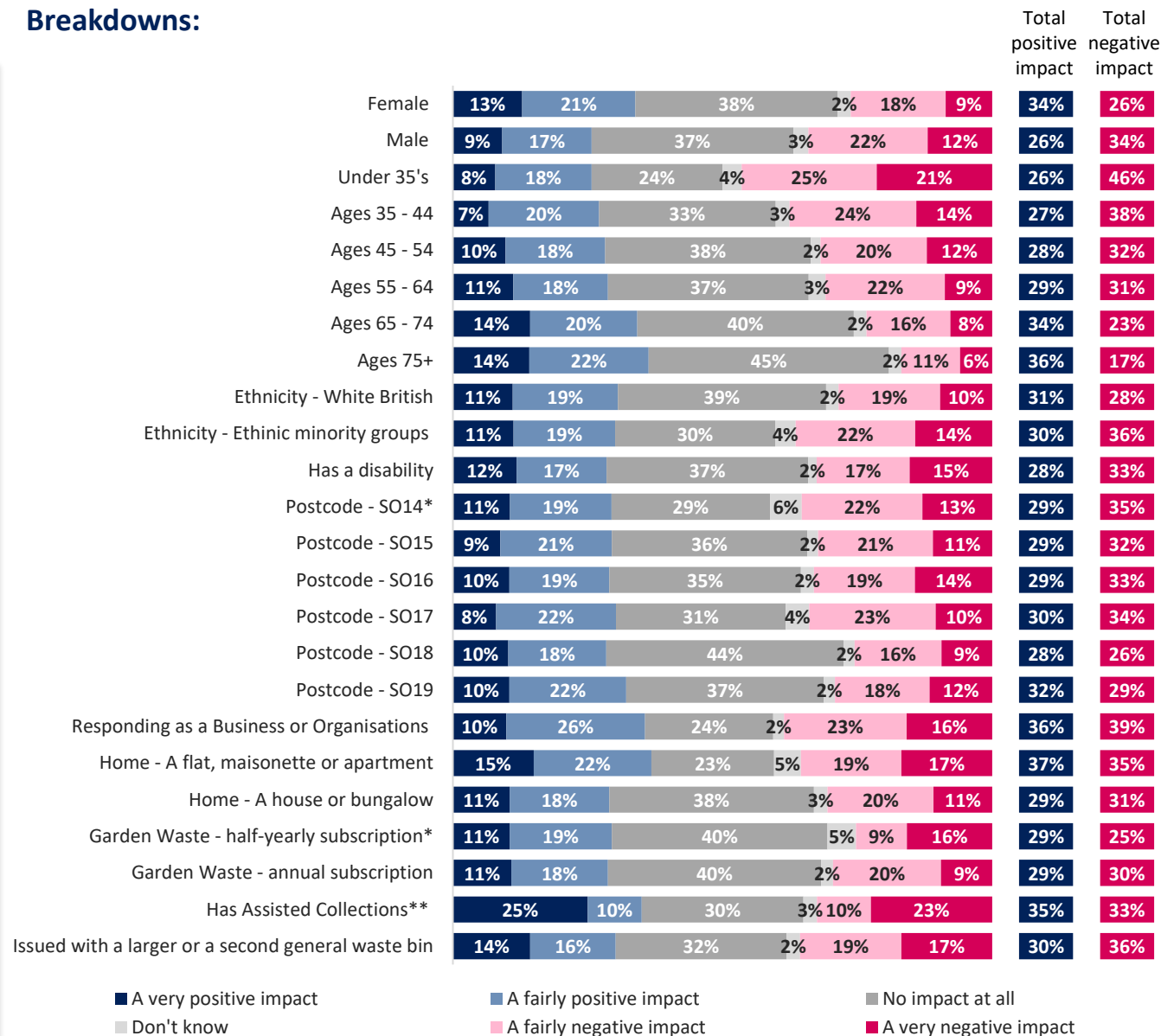
Total respondents: 2944



## Key points:

- Respondents were divided in their opinions of missed bin collections being reported within 24 hours with **30% selecting this would have a positive impact**, and **31% selecting this would have a negative impact**.
- Younger respondents selected that this proposal would have negative impact to a higher extent than older respondents.

## Breakdowns:

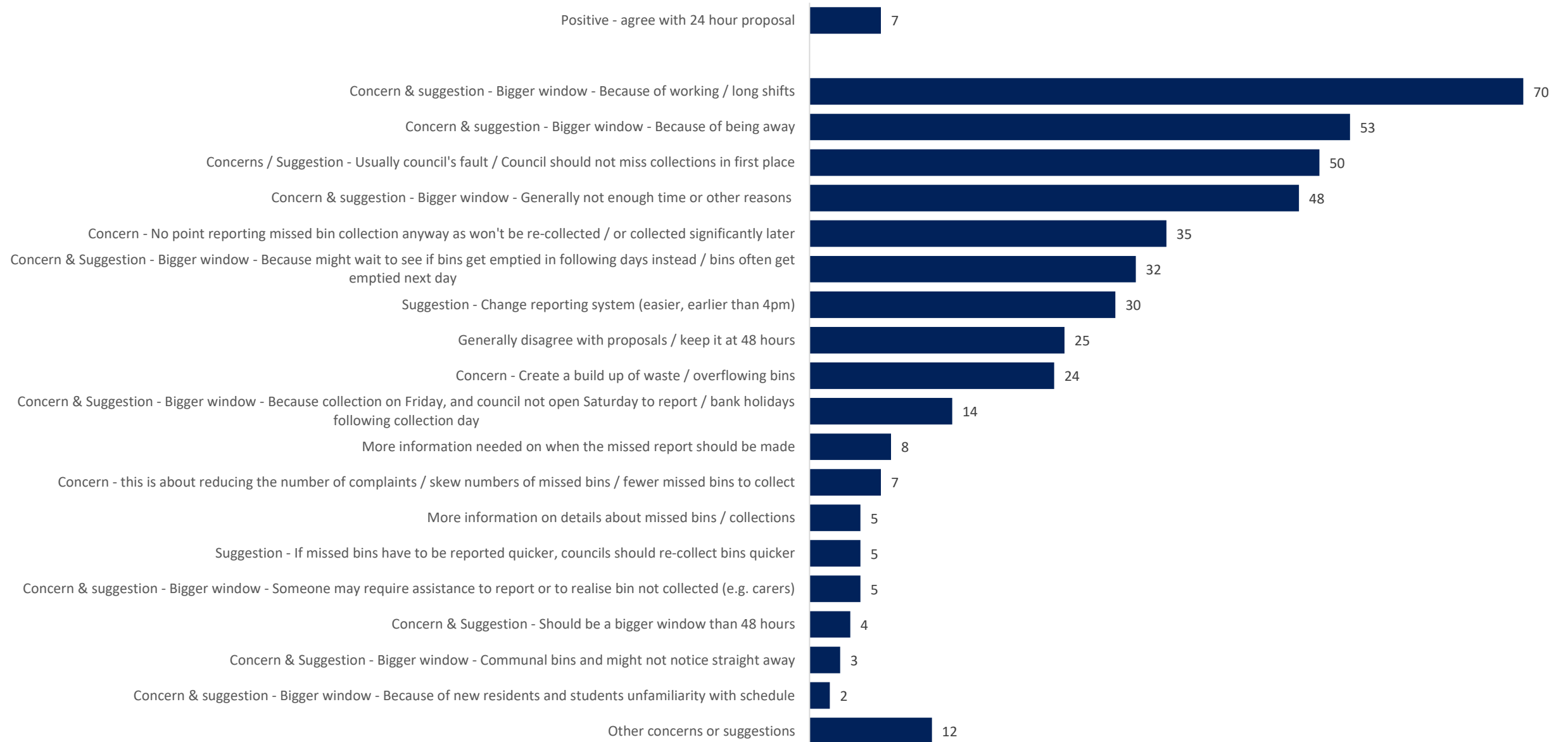


\*\*Sample size –fewer than 50 respondents \*Sample size –fewer than 100 respondents



# Missed bin collections must be reported within 24 hours

The following graph shows the total number of respondents that commented on this proposal in the consultation.

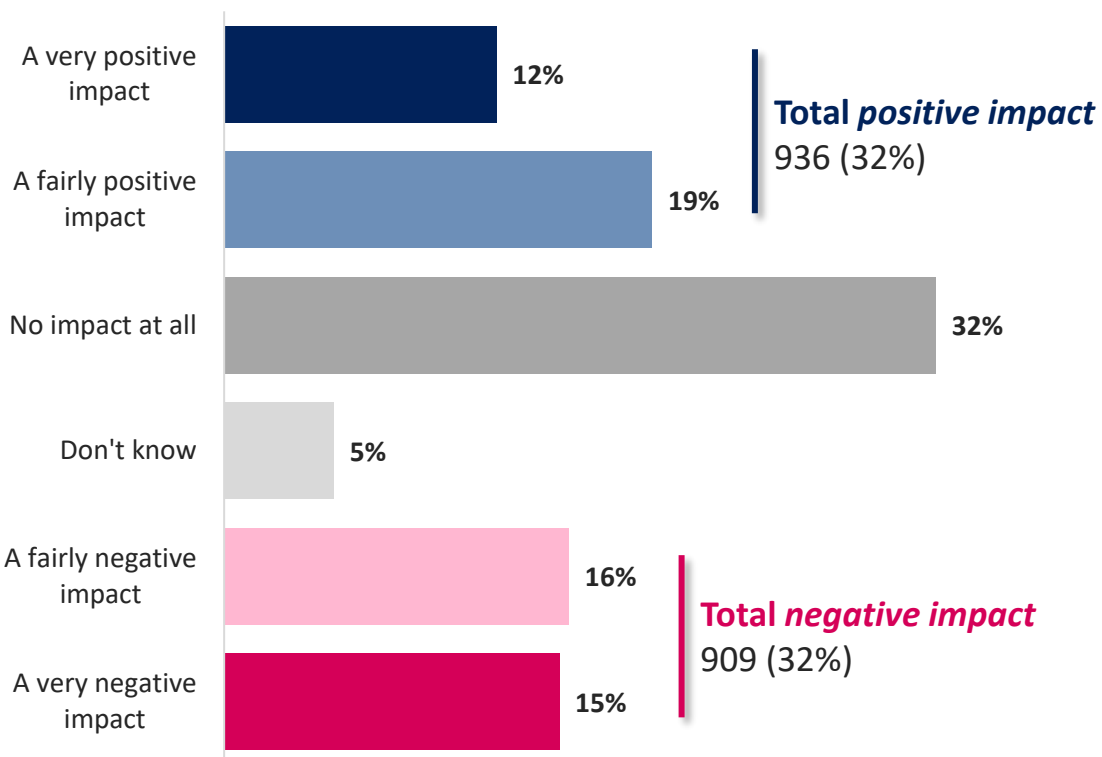




# When requesting a larger general waste bin, residents must complete a waste diary

## Overall impact:

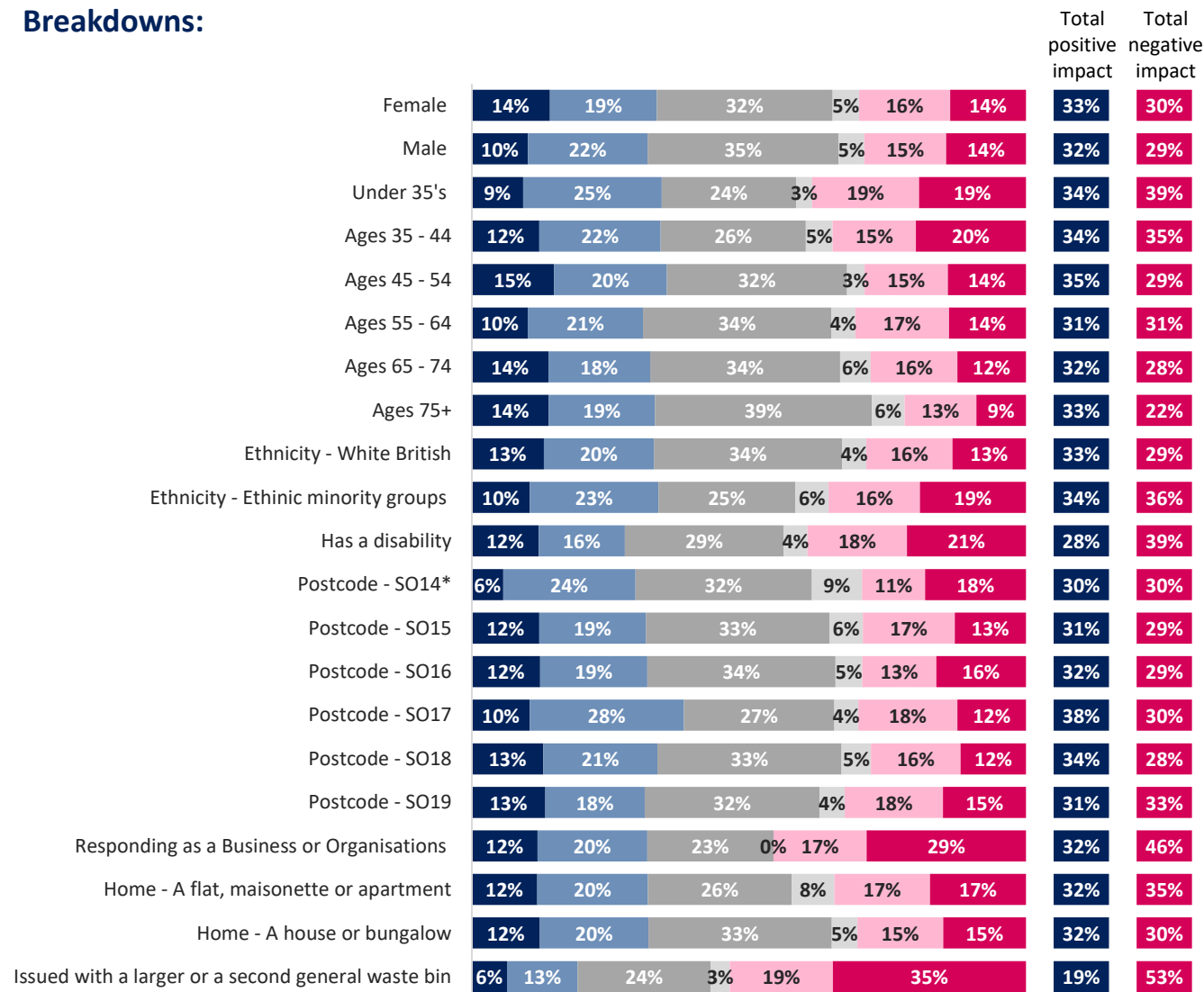
Total respondents: 2943



## Key points:

- Respondents were **divided** on the proposal of waste diaries with **32%** selecting that the proposal would have a **positive impact** and **32%** selecting 'negative impact'.
- Those aged **between 45 – 54** (35%) and those living in **SO17** found this proposal to have the **most positive impact** (38%).
- While those who have been **Issued with a larger or a second general waste bin** found the proposal to have the most negative impact (**53%**).

## Breakdowns:



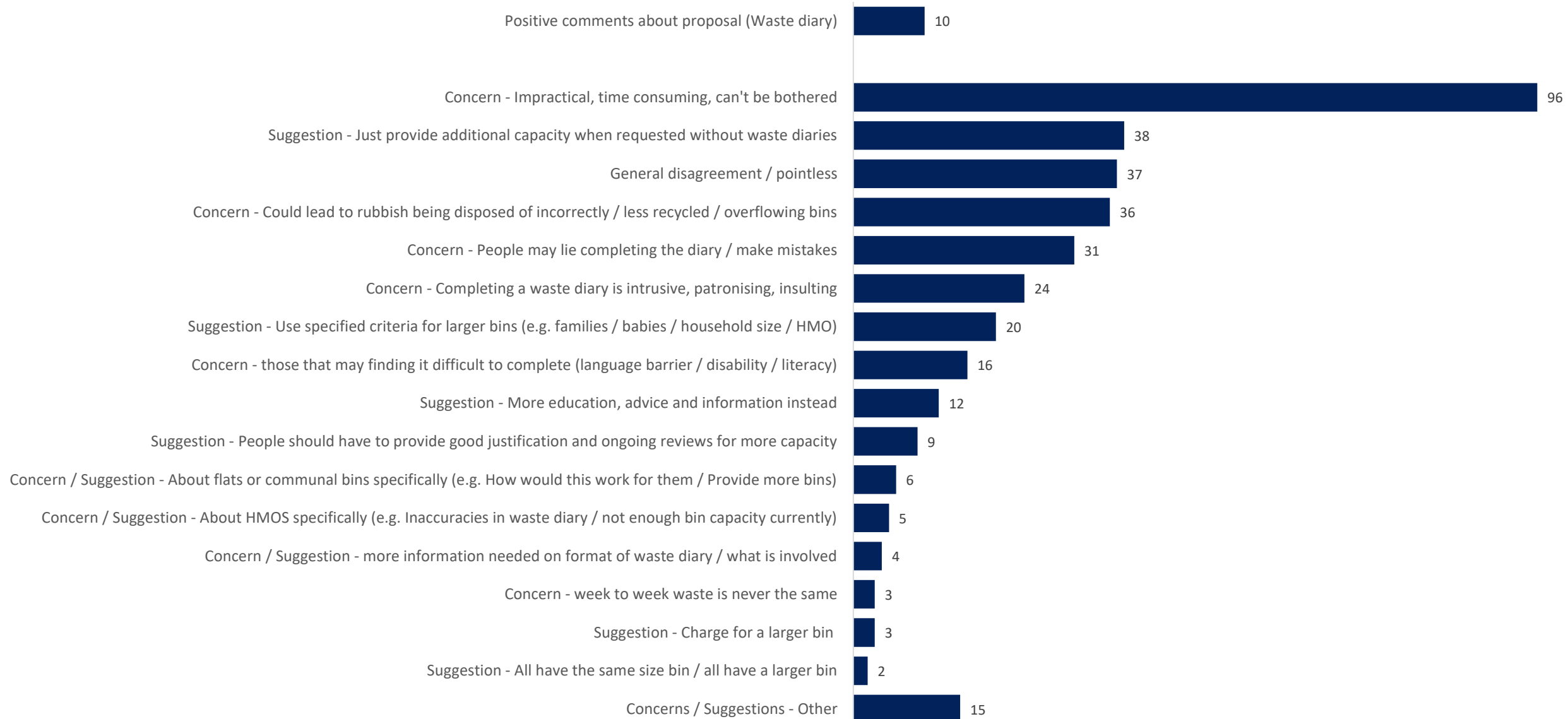
■ A very positive impact ■ A fairly positive impact ■ No impact at all ■ Don't know ■ A fairly negative impact ■ A very negative impact

\*\*Sample size –fewer than 50 respondents \*Sample size –fewer than 100 respondents



# When requesting a larger general waste bin, residents must complete a waste diary

The following graph shows the total number of respondents that commented on this proposal in the consultation.

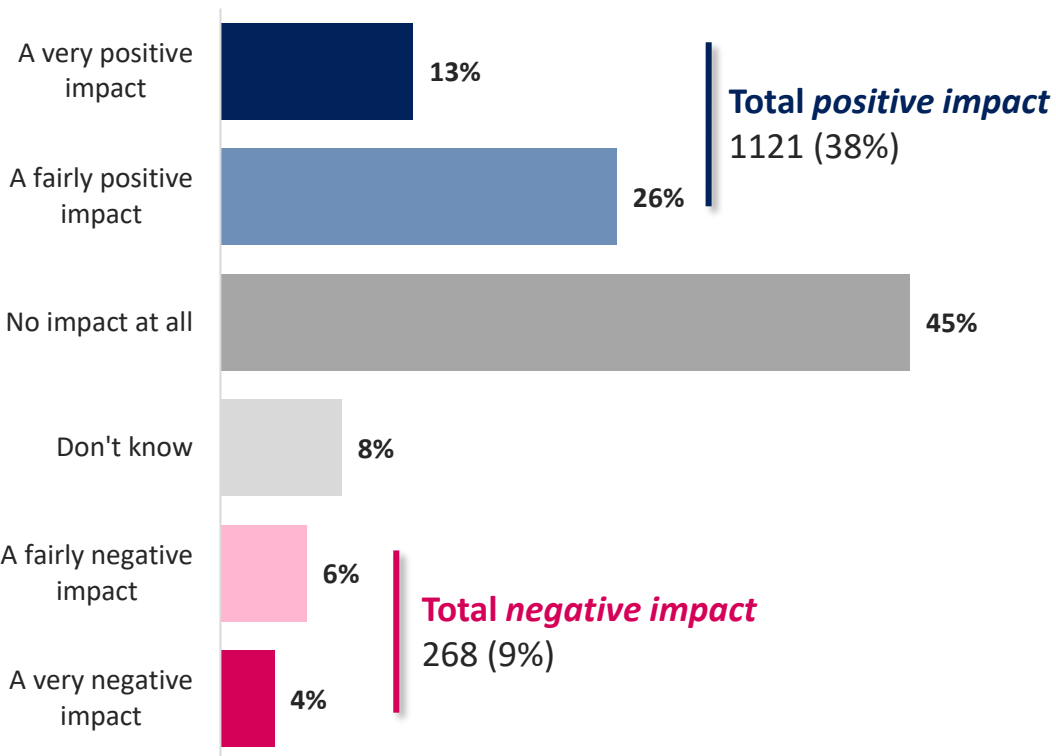




# Clarifying the access requirements for assisted collections

## Overall impact:

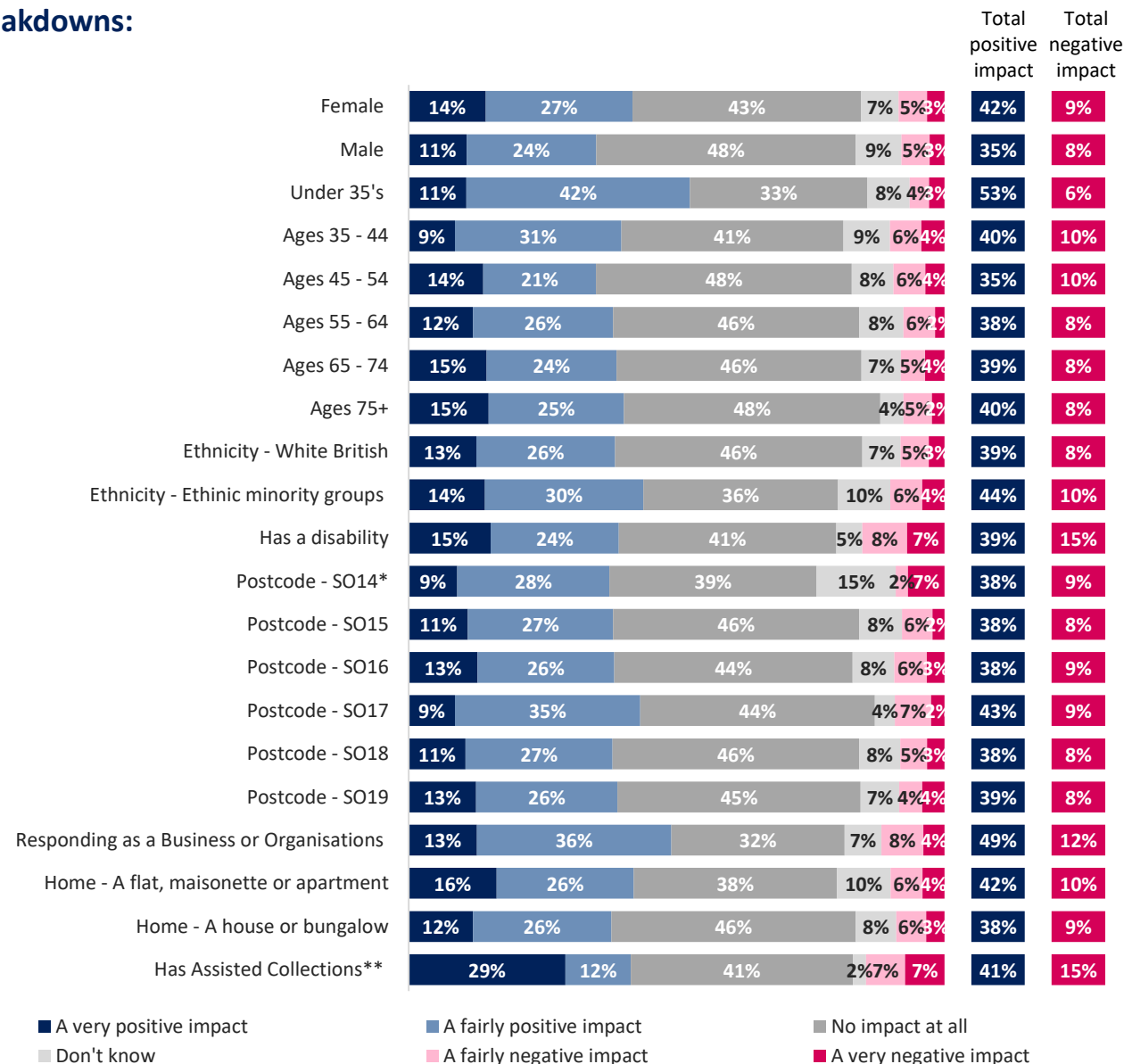
Total respondents: **2931**



## Key points:

- Respondents felt the impact would be **more positive** (38%) on clarifying the access requirements for assisted collections **compared to negative** (9%).
- Those aged **under 35** found this proposal would have the **most positive** impact (53%).
- Respondents who currently receive **assisted collections** (15%) and those who have a **disability or long term illness** (15%) reported the highest negative impact.

## Breakdowns:



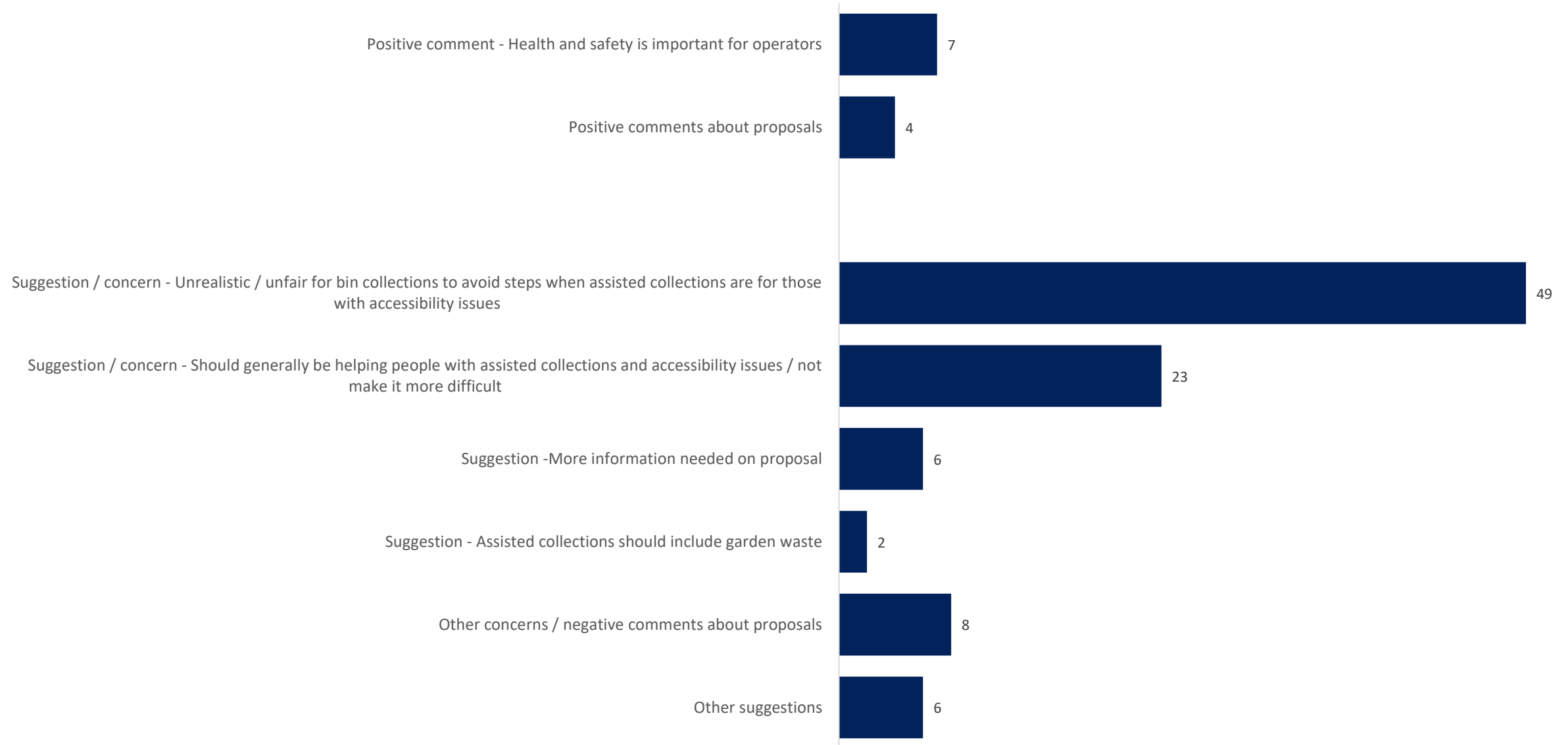
■ A very positive impact     
 ■ A fairly positive impact     
 ■ No impact at all  
■ Don't know     
 ■ A fairly negative impact     
 ■ A very negative impact

\*\*Sample size –fewer than 50 respondents \*Sample size –fewer than 100 respondents



# Clarifying the access requirements for assisted collections a waste diary

*The following graph shows the total number of respondents that commented on this proposal in the consultation.*

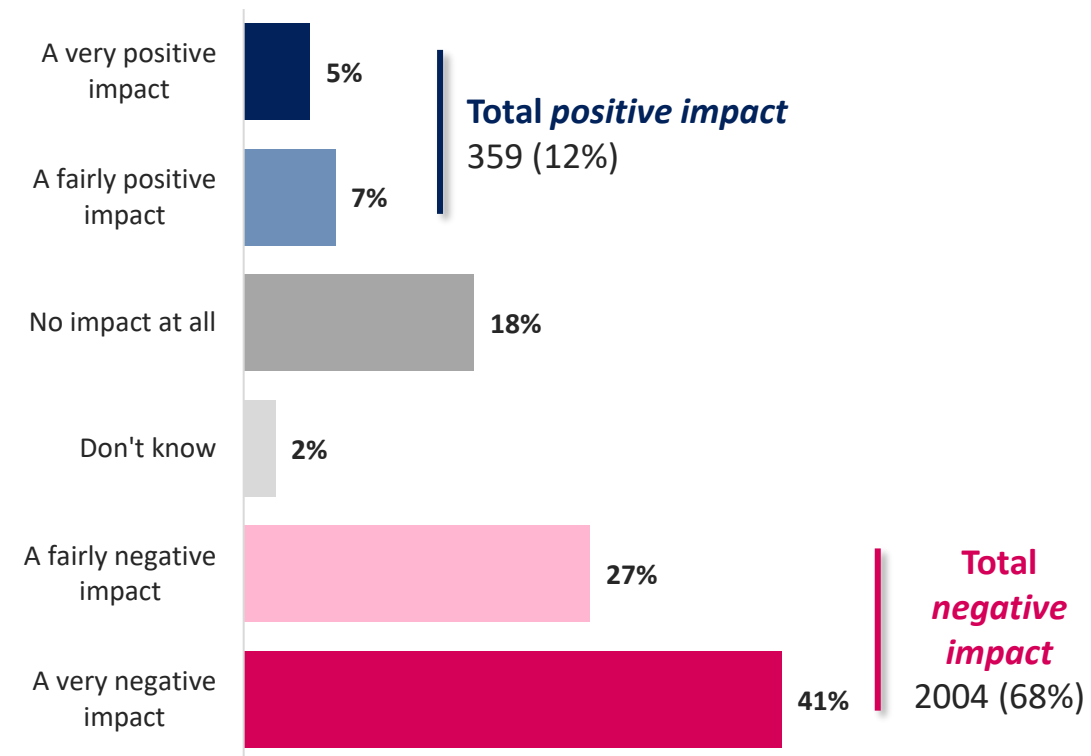




# Charging for the replacement of both general and recycling bins if lost or damaged

## Overall impact:

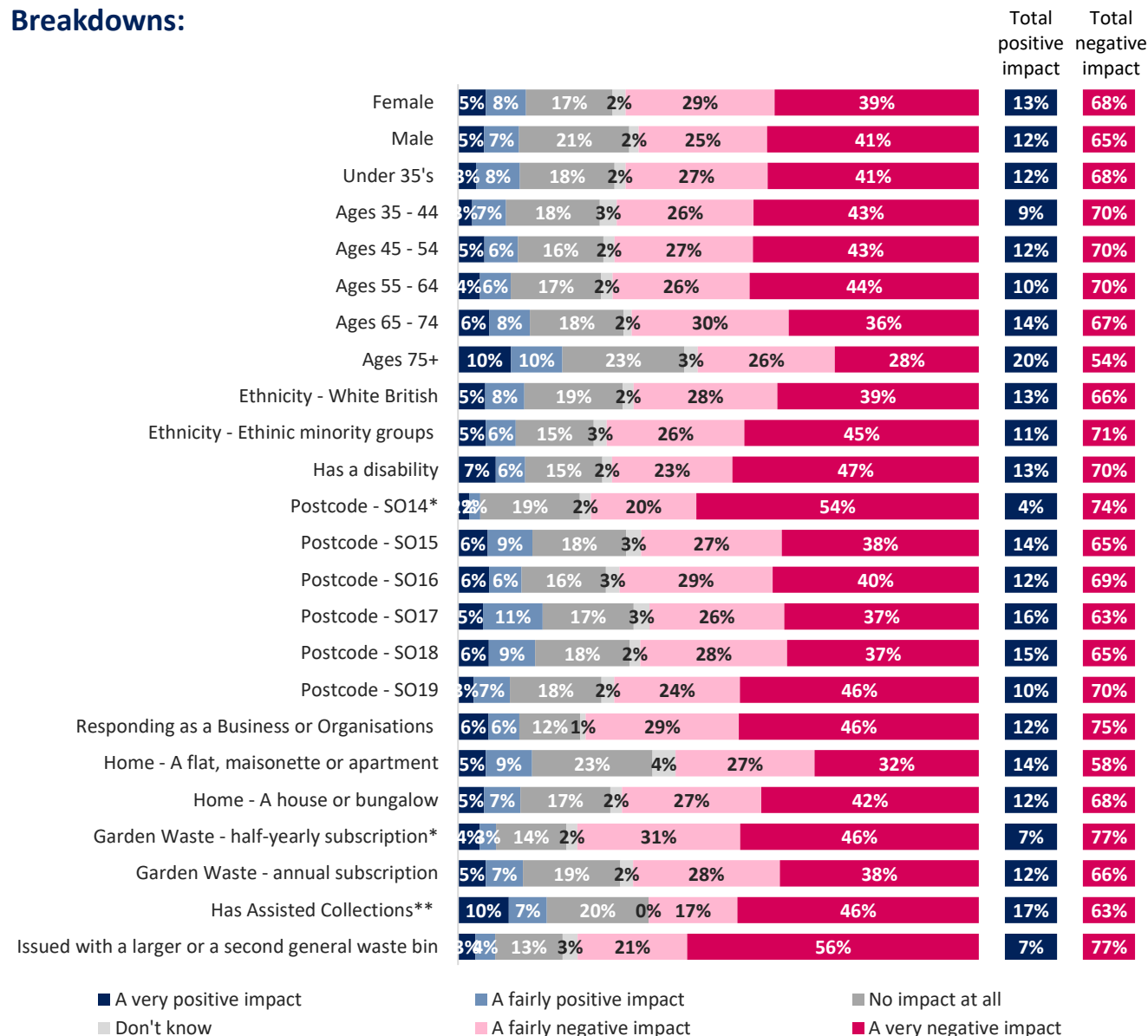
Total respondents: 2957



## Key points:

- This proposal had the **highest 'negative impact' response** from respondents with **68% overall**.
- Respondents **aged 75+** selected **'positive impact'** to the highest extent (20%).
- Those with a **half – yearly garden waste subscription** and those who had been **issued with a larger or a second general waste bin** saw the **highest negative impact** with both standing at 77%.

## Breakdowns:



■ A very positive impact      ■ A fairly positive impact      ■ No impact at all  
 ■ Don't know      ■ A fairly negative impact      ■ A very negative impact

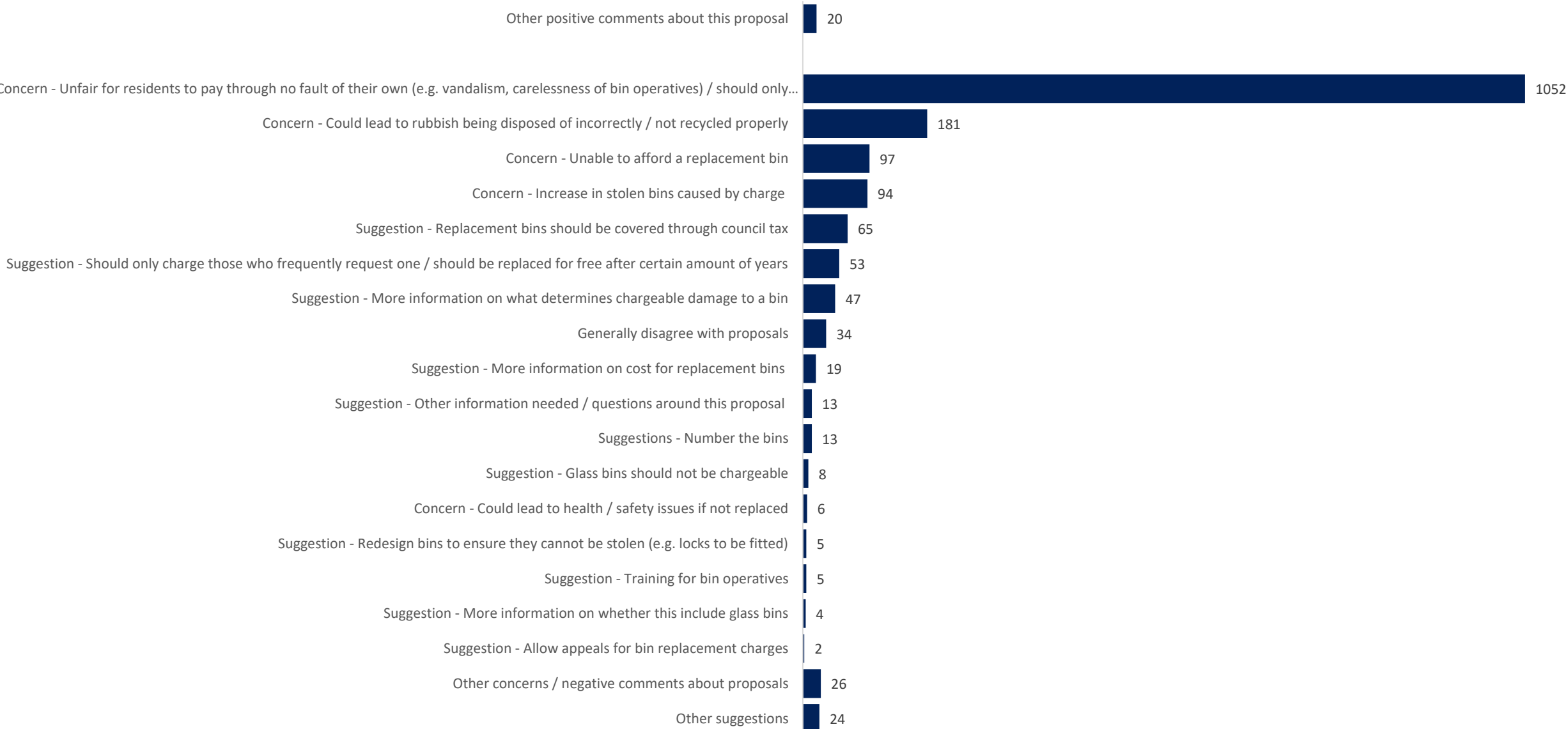
\*\*Sample size –fewer than 50 respondents \*Sample size –fewer than 100 respondents





# Charging for the replacement of both general and recycling bins if lost or damaged

The following graph shows the total number of respondents that commented on this proposal in the consultation.





# Fly-tipping



## The proposal within the draft policy:

We propose that our fly tipping processes remain the same as they are currently and are formalised within the Draft Household Waste and Fly Tipping Policy. These processes include:

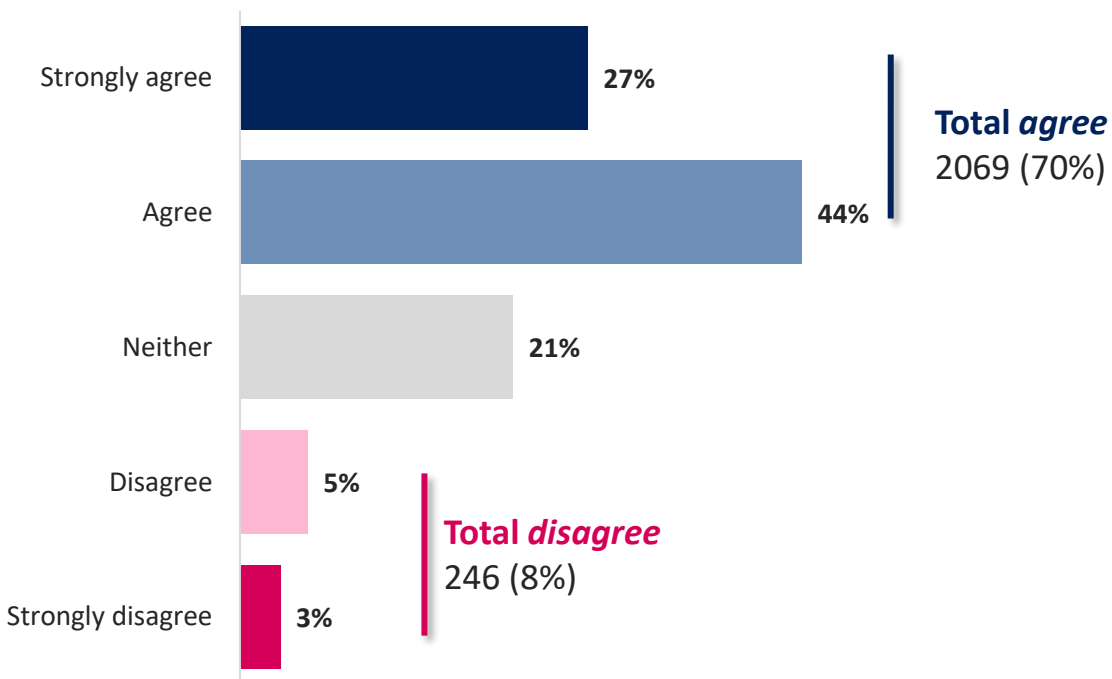
- The Council will remove and dispose of all fly-tipped waste if on council land.
- The Council aims to clear fly-tipping on relevant land within 24 hours of a report.
- Reports of fly-tipped waste must still be made via the council's website or by calling 023 8083 3005.
- We will continue working with communities who wish to keep unadopted highways and alleyways clear and help them apply for community funds if appropriate.



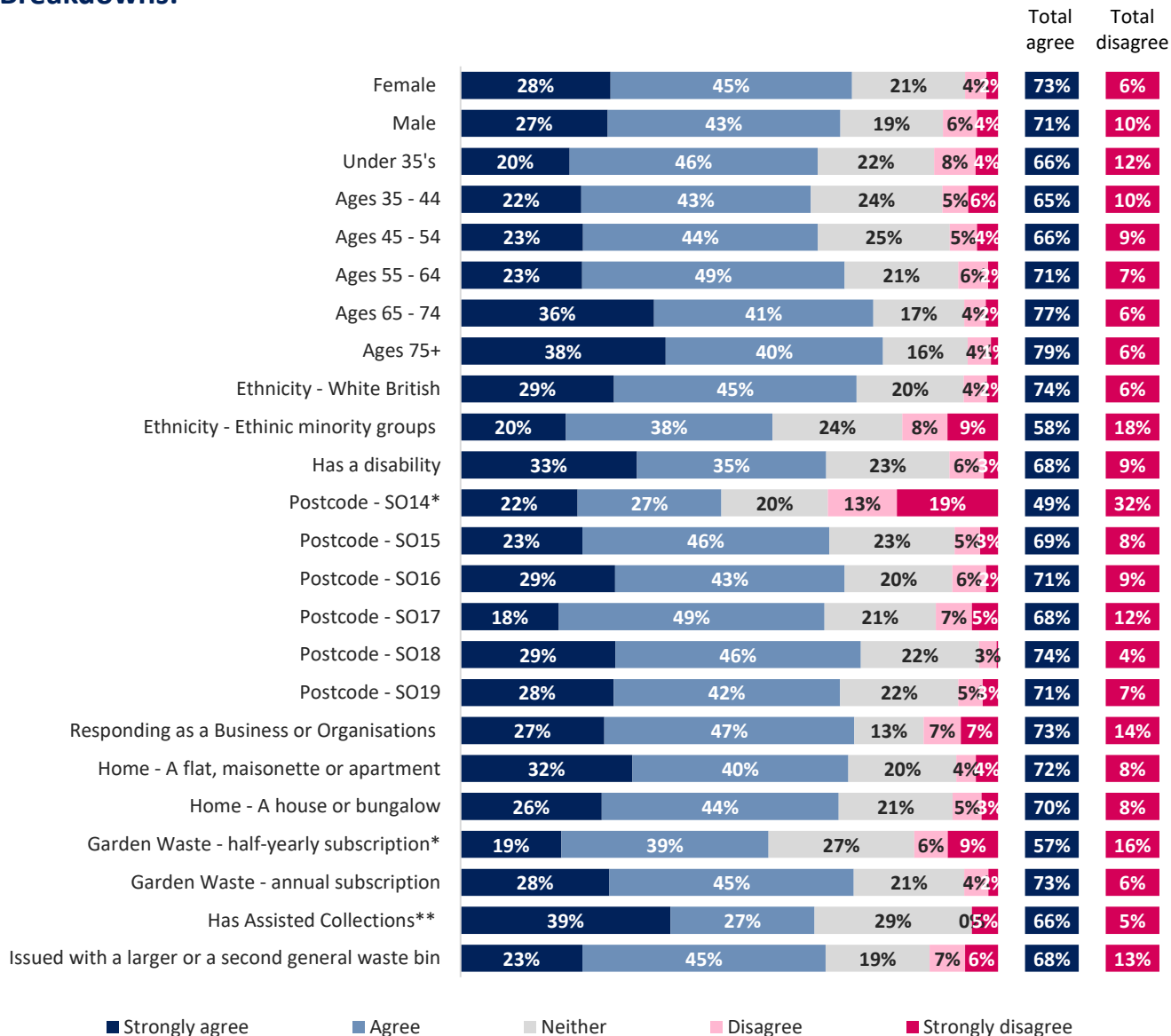
## Overall agreement or disagreement:

Total respondents: **2936**

To what extent do you agree or disagree with the fly-tipping processes outlined in the Draft Household Waste and Fly Tipping Policy?



## Breakdowns:



## Key points:

- The **majority** of respondents **agreed** with the fly-tipping processes outlined in the Draft Household Waste and Fly Tipping Policy (**70%**).
- Respondents **aged 75+** were the **highest in agreement** for the fly-tipping processes (**79%**), while those in **the SO14 postcode** disagreed the most (**32%**).

\*\*Sample size –fewer than 50 respondents \*Sample size –fewer than 100 respondents



# Fly-tipping

The following graph shows the total number of respondents that commented on this proposal in the consultation.





## Elements of the policy proposed to stay the same

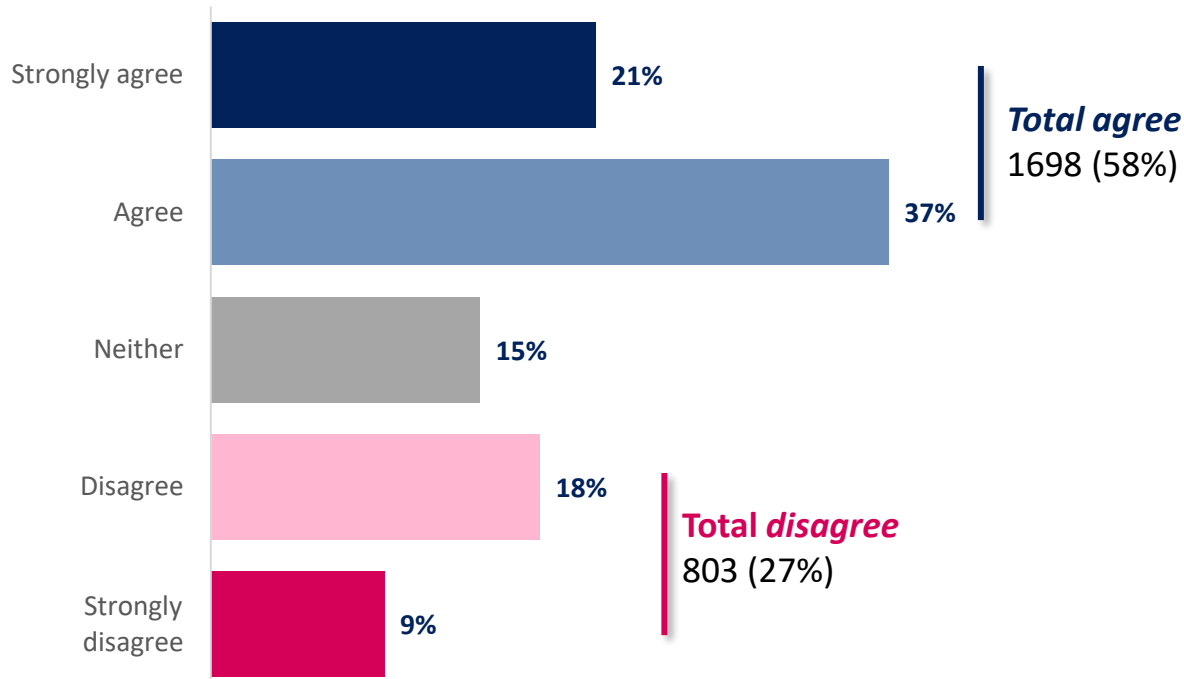


# Elements of the policy proposed to stay the same

## Overall agree or disagreement:

Total respondents: **2931**

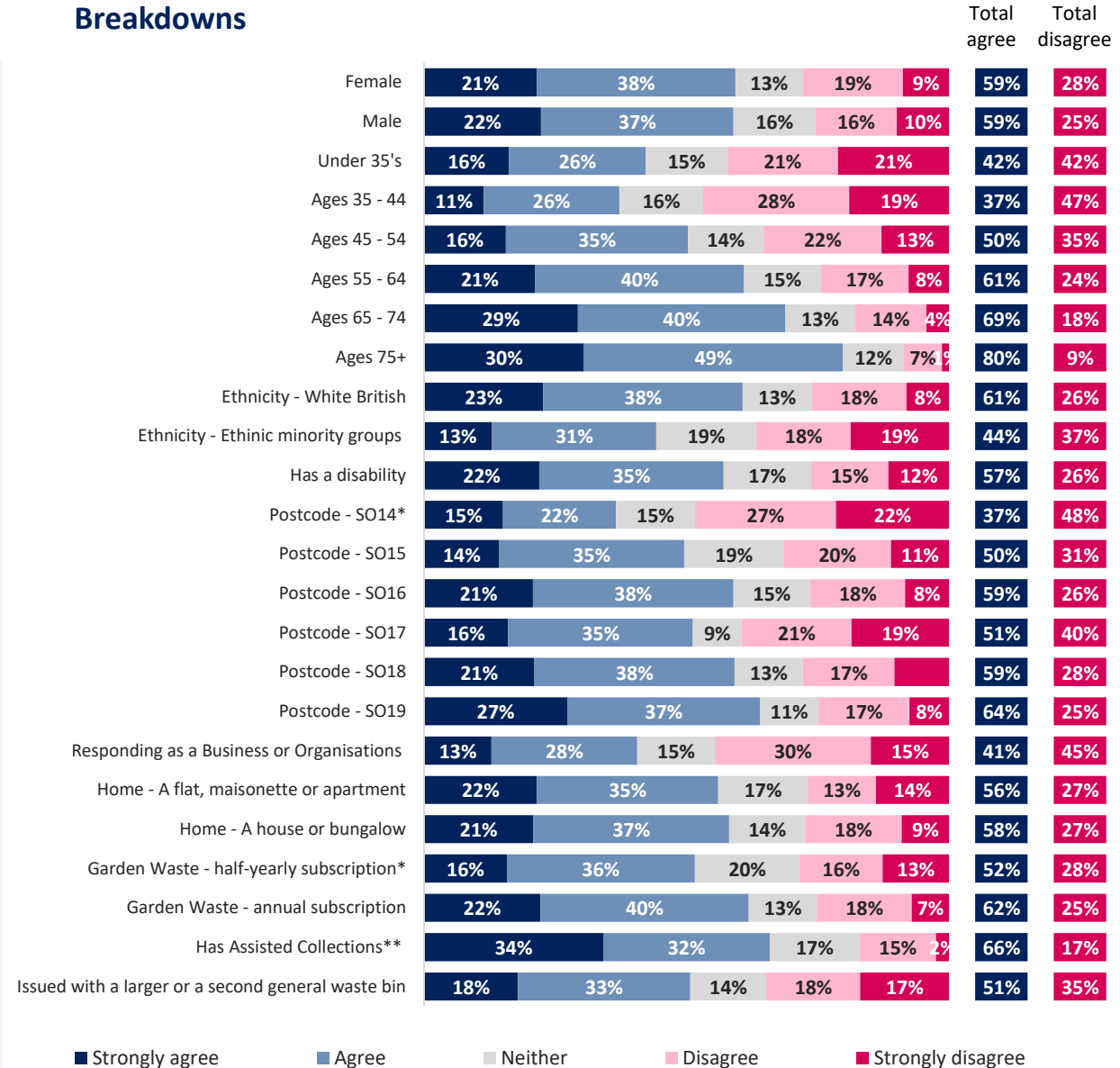
To what extent do you agree or disagree with keeping all other elements of the draft waste policy the same? (E.g. How often the bins are collected and the materials collected in each bin)



## Key points:

- A large proportion of respondents **agree** to keeping elements of the policy the same (**58%**).
- Those **aged 75+** agreed to the highest extent (**80%**), while those aged between **35- 44 & the SO14** postcode showed the lowest levels of agreement (**37%**).

## Breakdowns



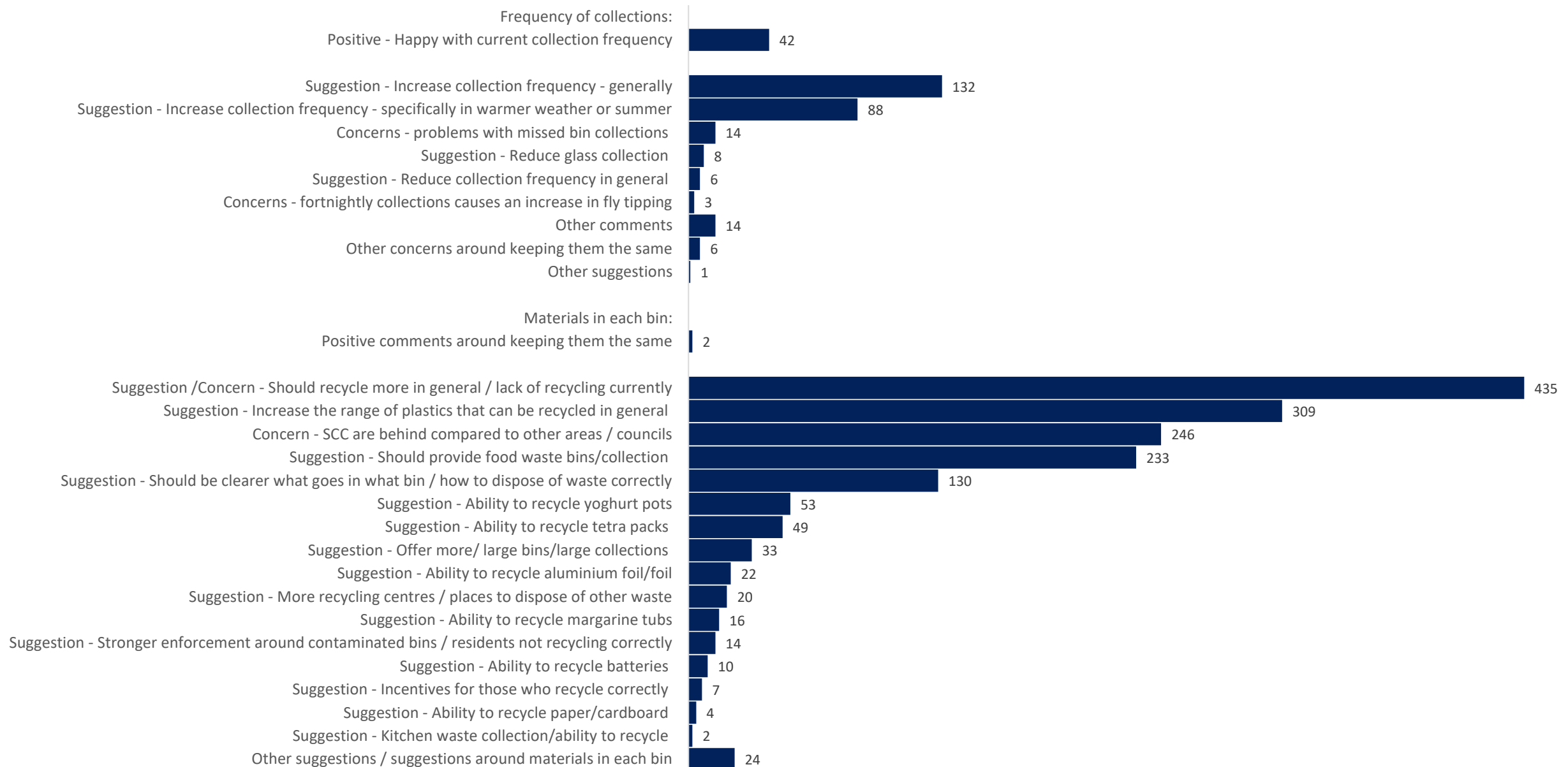
\*\*Sample size –fewer than 50 respondents \*Sample size –fewer than 100 respondents





# Elements of the policy proposed to stay the same

The following graph shows the total number of respondents that commented on this part of the consultation.



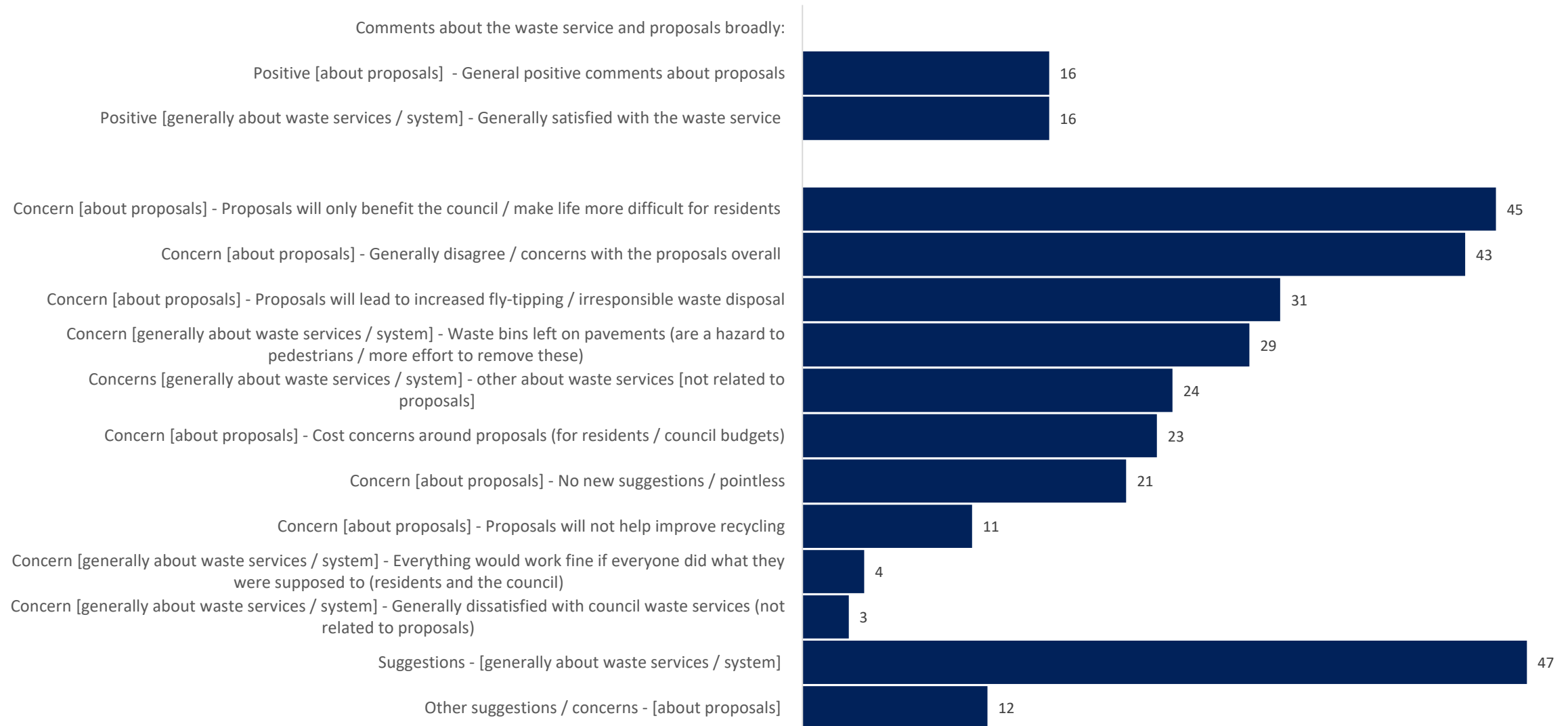


## Overall policy



# Overall feedback on the draft policy

The following graph shows the total number of respondents that commented on this part of the consultation.

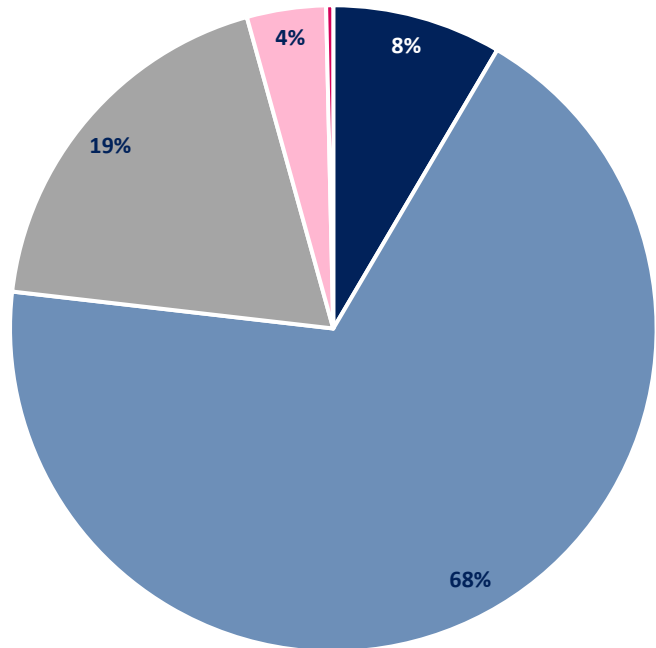




Total respondents | 1972

*“The draft strategy is easy to understand”*

**Total agree**  
1515 (77%)



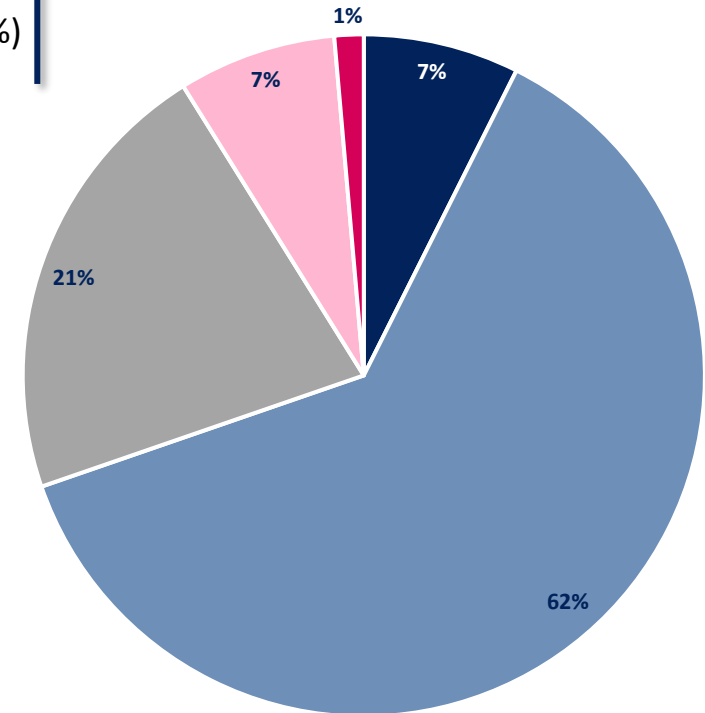
**Total disagree**  
85 (4%)

■ Strongly agree ■ Agree ■ Neither ■ Disagree ■ Strongly disagree

Total respondents | 1948

*“The draft strategy provides sufficient information”*

**Total agree**  
1358 (70%)



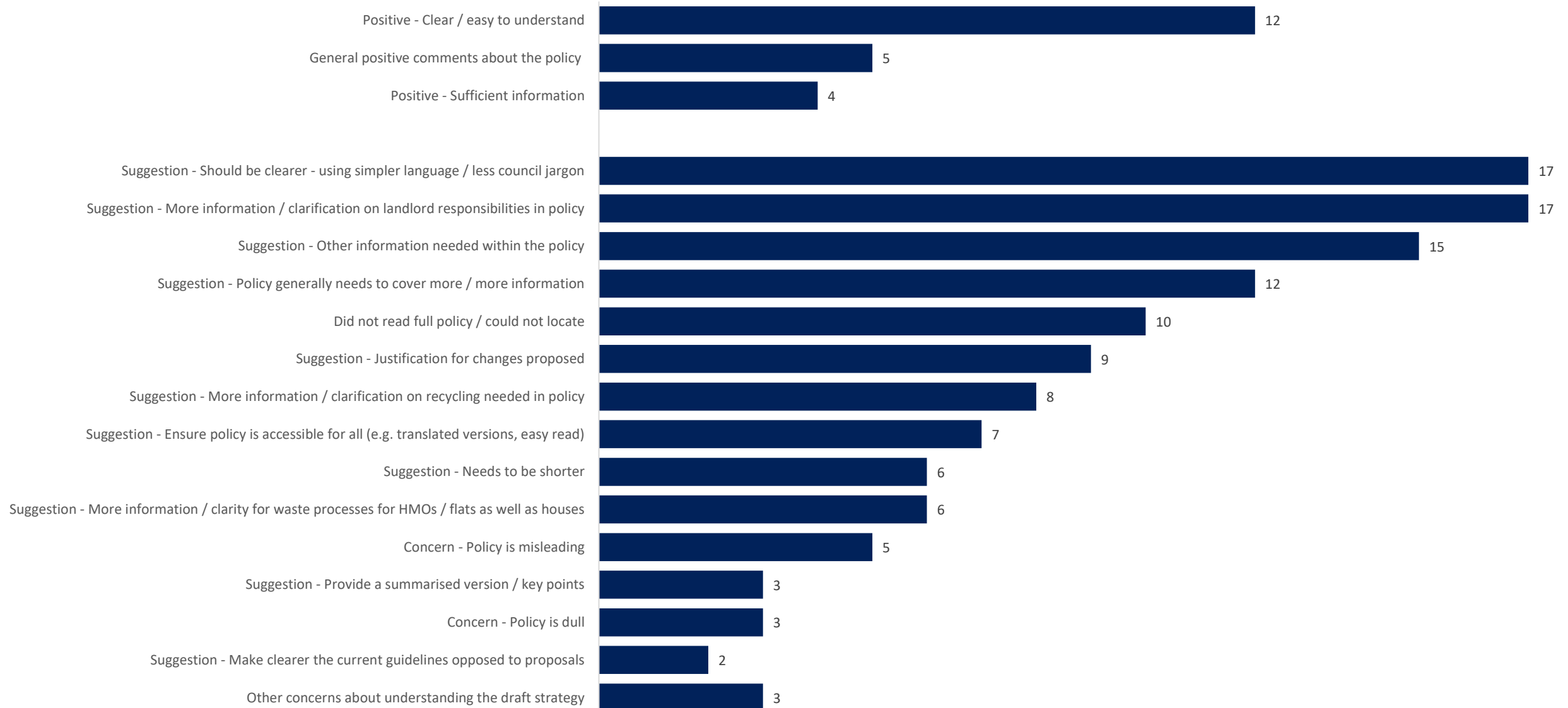
**Total disagree**  
173 (9%)

■ Strongly agree ■ Agree ■ Neither ■ Disagree ■ Strongly disagree



# Understanding / information on the policy

*The following graph shows the total number of responses by each theme of comment.*





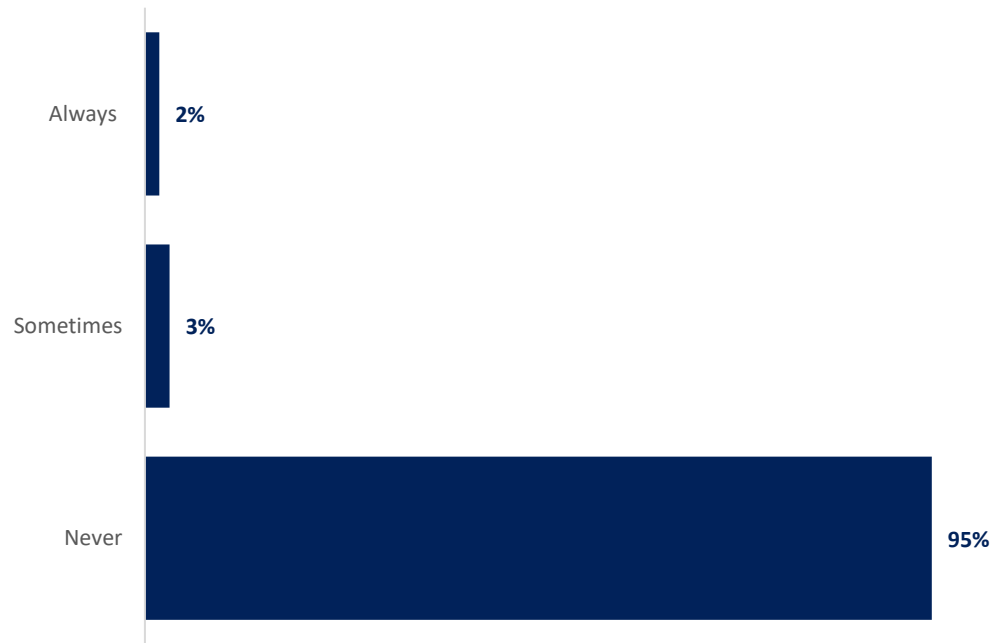
## Waste and recycling activity



# Waste and Recycling activity

Total respondents | 2568

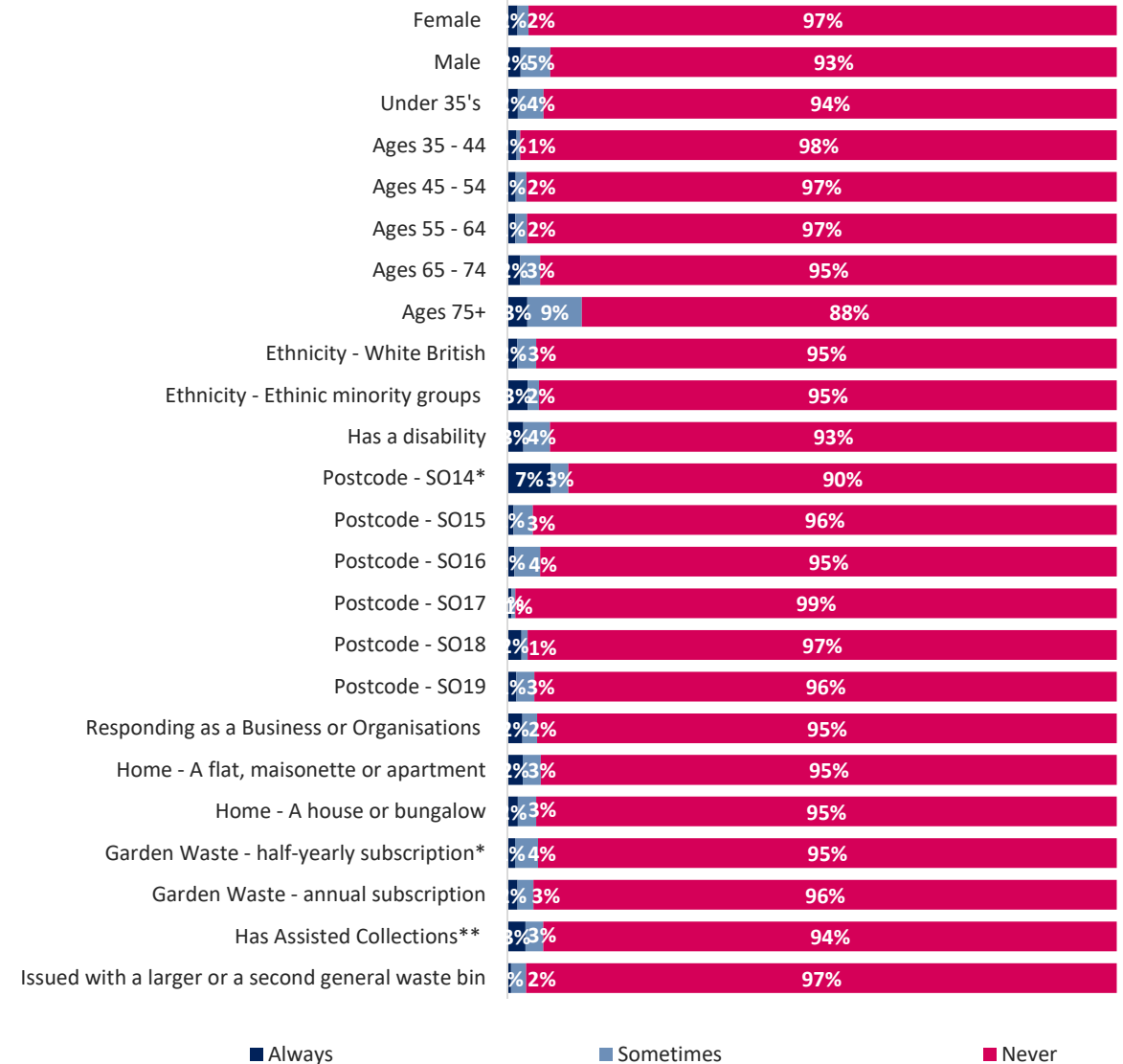
## Do you put your recycling in plastic bags in the recycling bin?



### Key points:

- The vast majority, 95%, of respondents 'never' put their recycling in plastic bags in the recycling bin.
- Those aged 75+ (8% always, 9% sometimes) and those living in SO14 (7% always, 3% sometimes) reported putting recycling in plastic bags most often.

## Breakdowns



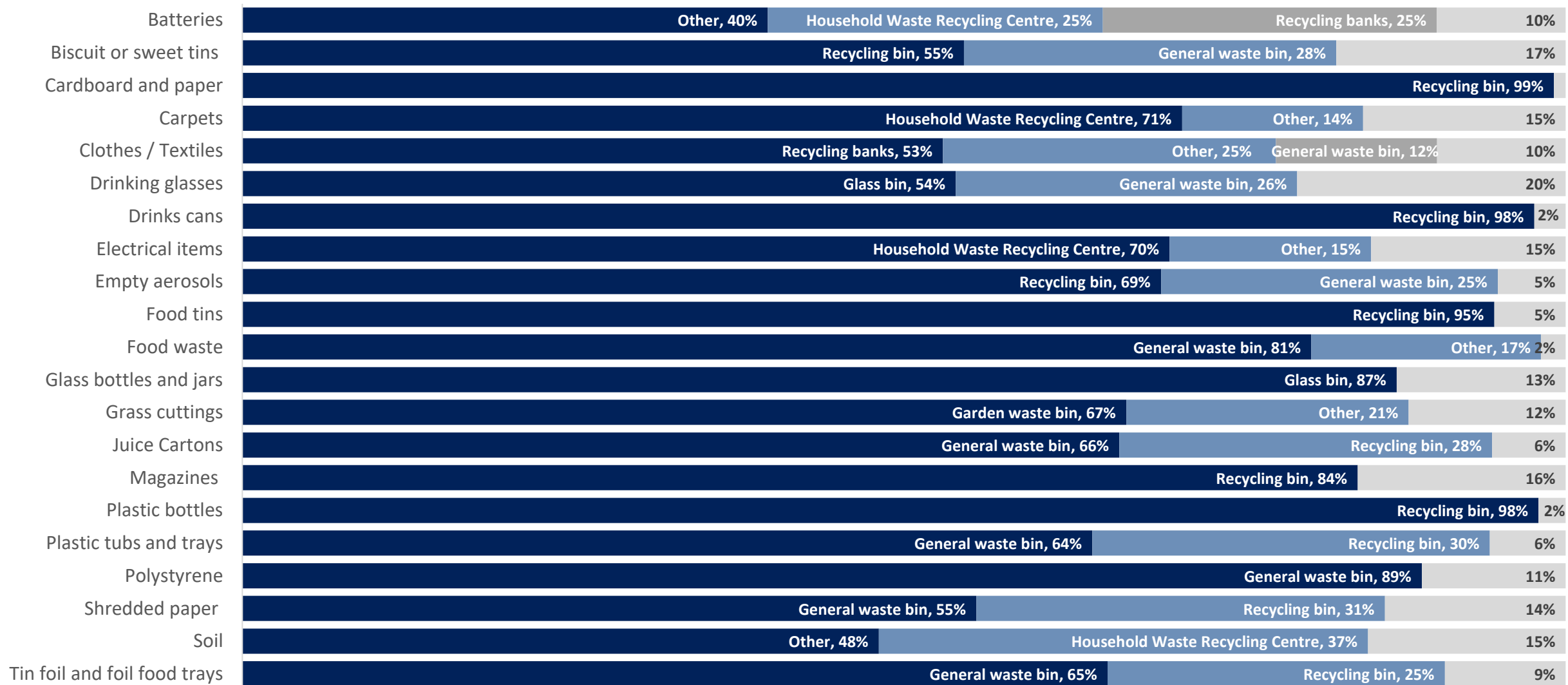
\*\*Sample size –fewer than 50 respondents \*Sample size –fewer than 100 respondents





# Waste and Recycling activity

Please select where do you dispose of the following items:



■ Most common route ■ 2nd ■ 3rd ■ All other disposal routes combined