Response template for e-mail and postal returns

**About you**

**1. What is your name?**

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**2. What is your email address?**

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**3. Would you like anything in your response to be confidential?**

1. No 🞏
2. Yes 🞏

If you answered Yes to this question please give the reason why you are requesting anything within your response be confidential:

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**4. Are you responding as or on behalf of:**

1. an individual
2. a local authority
3. a business
4. a trade association
5. a professional body
6. an NGO
7. a consultant
8. another type of organisation

If you answered h. please specify

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**5. If you are replying as an individual, do you:**

1. run your own waste business
2. work for a business or organisation in the waste sector
3. neither of the above

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**6. If you are not replying as an individual, what is your business or organisation?**

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**7. If you are responding as a business or part of an organisation, where is it established, or if you are responding as a householder, where do you live?**

1. England
2. Wales
3. England and Wales
4. Located elsewhere

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**Part A: Guidance for householders**

**Q8. Does the guidance clearly set out the duty of care requirements for householders?**

🞏 Yes 🞏 Yes with conditions (please specify) 🞏 No

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**Q9. Does the guidance provide sufficient detail on the reasonable steps householders should be expected to take to ensure that waste is transferred appropriately?**

🞏 Yes 🞏 Yes with conditions (please specify) 🞏 No

What other reasonable steps, if any, should be included?

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**Q10. Does the guidance provide sufficient detail on how a householder can demonstrate they have met their duty of care?**

🞏 Yes 🞏 Yes with conditions (please specify) 🞏 No

What other reasonable means of demonstrating the householder has met their duty of care should be included, if any?

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**Q11. Is the guidance clear enough on a householder's right to reject a fixed penalty notice, and to provide evidence to the local authority to deter prosecution?**

🞏 Yes 🞏 Yes with conditions (please specify) 🞏 No

Do you have any further comments on the presentation of a householder's means of challenging a fixed penalty notice?

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**Part B: Guidance for local authorities**

**Q12. Does the guidance provide sufficient detail for local authorities to use the fixed penalty notices effectively?**

🞏 Yes 🞏 Yes with conditions (please specify) 🞏 No

What other guidance, if any, should be included to ensure effective use of fixed penalty notices?

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**Q13. Does** **the guidance provide sufficient detail on how the new fixed penalty notices should be used proportionately?**

🞏 Yes 🞏 Yes with conditions (please specify) 🞏 No

What other guidance, if any, should be included on proportionate use of fixed penalty notices?

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**Q14. Is the guidance clear on how duty of care offences happening across local authority borders or the England and Wales border should be handled?**

🞏 Yes 🞏 Yes with conditions (please specify) 🞏 No

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**Q15. Is the right for a householder not to pay an FPN, and to provide evidence to justify a case not being taken to prosecution, clear in the guidance?**

🞏 Yes 🞏 Yes with conditions (please specify) 🞏 No

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**Q16. If you are a local authority that would make use of the FPN, would you carry out awareness raising activity alongside it as recommended in the guidance?**

🞏 Yes 🞏 Yes with conditions (please specify) 🞏 No

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**Q17. What resource requirement would you expect the good practice reporting guidance to place on local authorities?**

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**Q18. What, if anything, should be added to or removed from the list of recommended reporting requirements?**

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