

The background of the slide features a large, light blue watermark of the City of Vancouver's coat of arms. The crest is a shield divided into four quadrants. The top-left quadrant shows a sailing ship on the water. The top-right quadrant shows a stag's head with antlers. The bottom-left quadrant shows a beaver. The bottom-right quadrant shows a grizzly bear. Above the shield is a crown with four maple leaves. Below the shield is a banner with the motto "A NE FOR A".

Agenda Item 9

Litter Strategy Development

Title: Litter Strategy Development
Meeting: Executive
Date: 15 January 2019
Submitted By: Director of Development Services

1. Purpose of Report

- 1.1 The purpose of this report is to update members on the development of a litter strategy in relation to the revised Code of Practice on Litter and Refuse (Scotland) 2018 (CoPLAR).

2. Recommendation(s)

2.1 The Executive is asked to:-

- (1) consider the content of the report and the approach in the development of the Council's litter strategy and litter prevention action plan(s)**
- (2) instruct the Director of Development Services to develop a litter strategy in line with the requirements of the revised Code of Practice on Litter and Refuse (Scotland) 2018 (CoPLAR) and report back to Members in due course.**

3. Background

- 3.1 The Scottish Government's National Litter Strategy '*Towards a Litter-free Scotland*' (appendix 1) sets out Scotland's approach to creating higher quality local environments. It identifies three main areas of 'Information', 'Infrastructure' and 'Enforcement' around a core theme of personal responsibility to address litter and flytipping.
- 3.2 A key area of the strategy was to review the Code of Practice on Litter and Refuse (Scotland) 2006, a statutory guidance document issued under the Environmental Protection Act 1990.
- 3.3 The guidance explains how Falkirk Council and other duty bodies who have responsibility for their land will keep it clear of litter and refuse. These include for example educational institutions, Network Rail and Scottish Canals who should meet their legal duties (under the Environmental Protection Act 1990, section 89) with respect to keeping streets and open spaces. The Act places duties on certain organisations to, so far as practicable:
- to keep land clear of litter and refuse (duty 1)
 - to keep certain roads clean (duty 2)

- 3.4 The Scottish Government introduced the new CoPLAR in June 2018 (appendix 2), emphasising the role of litter prevention, particularly in relation to duty 1. The CoPLAR, aligned with the National Litter Strategy, encourages duty bodies to prioritise litter prevention to influence behavioural change and adopt a sustainable approach to clear litter and refuse.
- 3.5 Duty bodies must have regard to the code in that they outline the standard required for each duty, supports the prioritisation of where and when to tackle problems and provide the maximum timescales for restoring areas to the standard. Bodies are also encouraged to undertake robust monitoring.
- 3.5 A briefing session on the implications of the new code was held in August 2018 in conjunction with Zero Waste Scotland at Abbotsford House. This involved a number of services within the Council which have a responsibility to align activities with the CoPLAR.

4. Litter Strategy Development

- 4.1 The development of a litter strategy should be in alignment with the CoPLAR and should aim for all citizens and duty bodies in the Falkirk Council area to understand their responsibilities, to be accountable for their actions and to help keep the area clean. This is balanced with meeting the expectations of communities at a time of heightened budgetary pressures.
- 4.2 It is suggested that our approach should be to create a strategic framework outlining how the Council will carry out its responsibilities and provide leadership and support to other bodies and communities to prevent litter and flytipping.

5. Litter Prevention Action Plan(s)

- 5.1 The intention of the litter strategy is to provide a strategic approach to dealing with litter and flytipping. Within this approach, in order to take collective action and responsibility, the Council will work with partners to develop litter prevention action plan(s). The Council's own plan will outline each Service's preventative actions to tackle litter and flytipping in relation to three main areas; information, infrastructure and enforcement:
- Information: improving the sources, consistency and nature of messages
 - Infrastructure: improving the facilities and services provided to reduce litter and promote recycling
 - Enforcement: strengthening the deterrent effect of legislation
- 5.2 The Council will also aim to develop a Community Litter Prevention Action Plan for the Falkirk area. It will enable the Council to work with community partners to share resources, deliver objectives and provide knowledge to influence behavioural change. Examples of community partners include (but are not limited to) Community Green Initiative, Let's Get Grangemouth Clean, Communities along the Carron Association and Hallglen Clean Up.

- 5.3 Over the next few months the Council will liaise with partners and other Services to develop the strategy to implement the requirements of the CoPLAR and finalise the Litter Prevention Action Plans.

6. Prevention in Action

- 6.1 The following areas include examples of prevention tactics that are being developed or implemented at present:

Flytipping

- 6.2 A Scrutiny Panel on flytipping has been meeting in recent months “to examine the causes, effects and responses to fly tipping across the council area and make recommendations to scrutiny committee.”
- 6.3 A final report was presented at the Scrutiny Committee on 13 December 2018 and actions agreed will be incorporated in the development of the litter strategy.

Single Use Plastics

- 6.4 On 25 September 2018, the Executive agreed to reduce single plastic use across the Council. This commitment demonstrates an example of the Council adopting a prevention initiative to influence behaviour change.

Deposit Return Scheme

- 6.5 The Scottish Government announced that a Scottish deposit return system (DRS) for single-use drinks containers will be introduced in Scotland. A consultation has recently closed and the Scottish Government are considering the responses.
- 6.6 At present, it is unclear as to what the process for the introduction of a DRS will be and what material it will include. Whatever scheme is finally adopted, it is likely DRS could influence behaviour and support actions to prevent litter.

7. Consultation

- 7.1 Consultation in relation to flytipping has been carried out as part of a Scrutiny panel investigation of flytipping together with awareness sessions with community clean up groups. Further consultation work will be required in the development of the strategy and subsequent actions plans.

8. Implications

Financial

- 8.1 Potential service optimisation through implementation of DRS and other prevention initiatives could provide a cost reduction for council services.

Resources

- 8.2 In the development and implementation period of the strategy, it is envisaged that an officer would be allocated to this work. The focus would be on developing litter prevention actions and working with Council service areas and community partners to support the strategy. The cost of this would be met from existing resources.

Legal

- 8.3 None other than already included in the report.

Risk

- 8.4 None other than already included in the report

Equalities

- 8.5 None

Sustainability/Environmental Impact

- 8.6 None other than already mentioned within the report.

9. Conclusions

- 9.1 To meet the aspirations for a “Litter-free Scotland” and also the obligations within the revised CoPLAR, the Council, as a duty body needs to play its part.
- 9.2 The development and implementation of a new litter strategy will enable the authority to meet our statutory responsibilities and, working with community partners, deliver litter prevention at a local level.

Director of Development Services

Author: Ceri Hassall Assistant Waste Strategy Coordinator
Date: 18th December 2018

APPENDICES

Appendix 1: Towards A Litter-Free Scotland: A Strategic Approach to Higher Quality Local Environments, June 2014.

Appendix 2: Code of Practice on Litter and Refuse (Scotland) 2018, 17 May 2018

List of Background Papers:

None

ZERO WASTE

TOWARDS A LITTER-FREE SCOTLAND:

**A STRATEGIC APPROACH TO HIGHER
QUALITY LOCAL ENVIRONMENTS**

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1. FOREWORD

Scotland is a beautiful country and we all have a responsibility to keep it that way.

Towards a Litter-free Scotland is a strategic approach to creating higher quality local environments for everyone. It is the start of a journey with social, economic and environmental benefits for us all. And it's everyone's responsibility to do the right thing.

A litter-free Scotland matters to us as a society and as individuals. The way we feel about where we live, work and spend our leisure time has a huge impact on our health and wellbeing. One tonne of litter is around 20,000 visible items¹. Spread out along a pavement that would be one item, every metre, for 20 kilometres.

A litter-free Scotland matters to our economy. We don't want litter to affect the experience of visitors to Scotland or the places we do business. And the £53 million² of public money which is spent tackling litter and flytipping each year could be better spent on other services. Littered items such as plastic bottles and aluminium cans could also be worth £1.2 million³ when recycled.

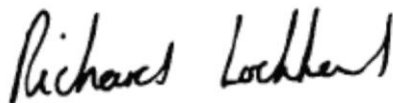
A litter-free Scotland also matters to our environment and wildlife. Designing out waste from products and services, and recycling materials that might otherwise become litter and flytipping, protects natural resources and helps to reduce harmful greenhouse gases.

With this, the first national litter strategy for Scotland, we are providing leadership on waste prevention. It helps people to do the right thing with waste, and places an emphasis on efforts to reduce, reuse and recycle more.

To help people make the right choices, and do the right thing, we have improved our litter communications. And to help deter offending, we have introduced higher fixed penalties for littering and flytipping. These reinforce wider efforts to improve local environments through activities such as street cleansing and encouraging people to clean up after their dogs.

As we build on the work already underway, it is vital that all the organisations with responsibilities and interests in tackling litter and flytipping work together. This strategy, and the forthcoming Marine Litter Strategy, provides a focus for doing so. I am grateful to the people and organisations which have shaped this approach through dialogue and consultation. I look forward to continued co-operation and collaboration as we take both strategies forward.

By doing the right thing, we can start to make a difference and enjoy cleaner, safer communities, and a cleaner, safer Scotland.



Richard Lochhead
Cabinet Secretary for Rural Affairs and the Environment
June 2014

¹ Scotland's Litter Problem: Quantifying the scale and cost of litter and flytipping – section 3.1.1.
Local authorities clear at least 15,000 tonnes of litter every year – section 3.2.1

² Scotland's Litter Problem: Quantifying the scale and cost of litter and flytipping – section 4.6

³ Scotland's Litter Problem: Quantifying the scale and cost of litter and flytipping – section 4.5.1

2. EXECUTIVE SUMMARY

‘Towards a Litter-free Scotland’ sets out Scotland’s approach to improving our environment by addressing litter and flytipping problems.

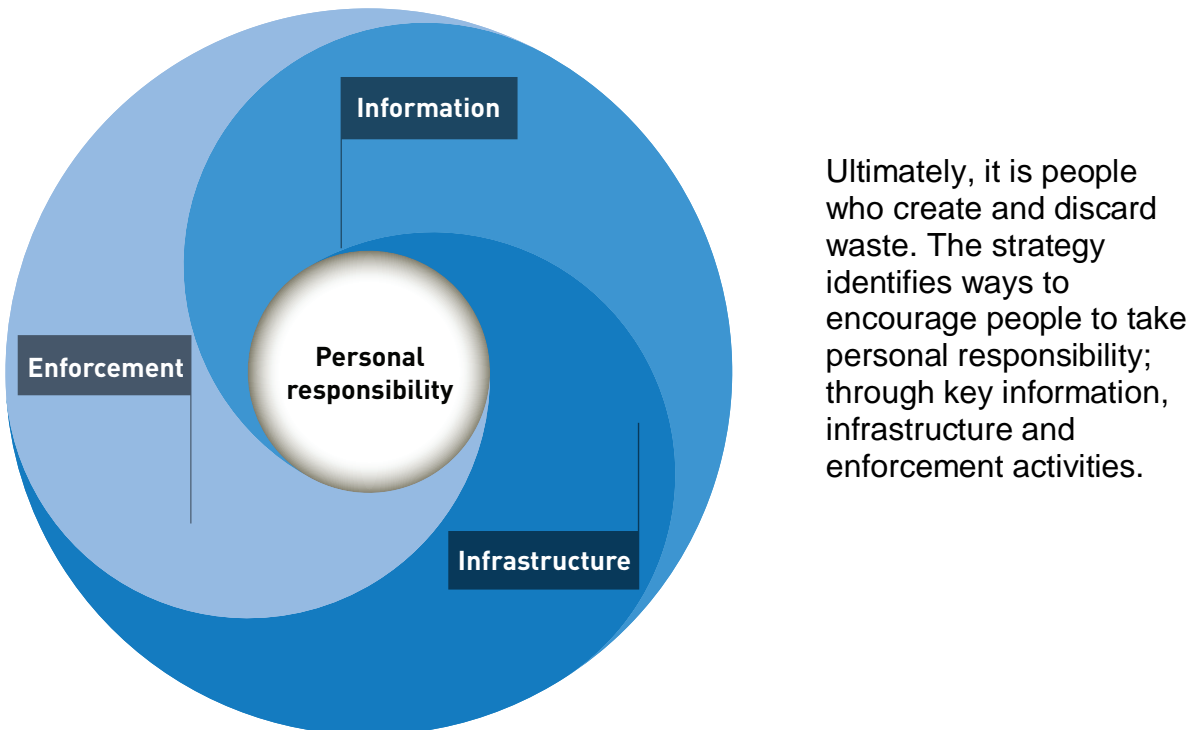


Figure 1: How interventions reinforce each other and encourage personal responsibility.

Our focus on preventing litter and flytipping aims to encourage personal responsibility and reduce the need for expensive clean-up or enforcement. We all pay for these in the end: either as taxpayers or as customers of goods and services.

We want this strategy to enhance and reinforce work already underway across Scottish local and national government, business, charities, voluntary organisations and community groups.

We can influence individuals’ behaviours when we work together and become a society which values its resources and which also benefits through:

- Reducing the damaging consequences of litter and flytipping for health and well-being, crime, property values, wildfires and even road accidents.
- Making better use of materials and products which otherwise end up as litter or flytipping.
- Cleaner, safer communities in which to live and do business.

This strategy is for people with a role in helping to tackle litter and flytipping and boost recycling. Its measures support each other. For example, when people know littering is a crime, and that they risk an £80 penalty if caught, it can discourage future offending.

Our actions are as follows:

Information

Communication - explaining why people should do the right thing with waste.

Education - encouraging long-term positive attitudes to waste and littering.

Local community action - helping people to take responsibility for their areas.

Infrastructure

Product and service design - working with businesses and designers to prevent materials from becoming litter.

Opportunities for recycling - increasing facilities in public places (such as Recycle on the Go) and increasing the range of commonly recycled materials.

Guidance - providing effective advice and best practice to the people whose jobs include particular responsibility to tackle litter and flytipping.

Funding and support - targeting resources on activity which delivers litter-free environments.

Research and monitoring - to increase understanding of how successful particular actions are in helping to reduce the problem, and informing future action.

Flytipping - further work to understand the reasons why people flytip and the possible solutions.

Enforcement

Strengthening the enforcement system - with effective laws and procedures that deter offenders.

Training - to support enforcement officers as they carry out their duties.

Summary

We will work with delivery partners to agree how best to deliver interventions and innovation.



This strategy complements other action to improve environmental quality, such as the development of a Marine Litter Strategy and wider street cleansing measures (including encouraging people to clean up after their dogs).

Its ambition is to position Scotland as a leader across government, business and communities to prevent litter and flytipping and to make wise use of resources. We are committed to showing leadership on tackling litter and flytipping and we can make a real difference when we all play our part.

Figure 2: The national litter strategy's links with other action to support cleaner, safer communities.

3. THE STRATEGIC OVERVIEW

3.1 **‘Towards a Litter-free Scotland’** sets out how Scotland can significantly reduce litter and flytipping and support cleaner, safer communities.

3.2 It recognises that if people do the right thing with waste, Scotland can save money and benefit from the economic value of litter and flytipped materials.

3.3 At the heart of the strategy is prevention: encouraging individuals to take personal responsibility to make sure that waste does not pollute the environment in the first place.

3.4 The strategy advocates a Scotland which benefits from better environmental quality and safer, more prosperous communities in place of the current problems of litter and flytipping.

3.5 The strategy’s actions are all about influencing people’s behaviours, in particular, motivating people to:

- Stop littering.
- Stop flytipping.
- Recycle in public places.

3.6 The strategy’s purpose is to influence these behaviours through interventions on:

- Information - improving the sources, consistency and nature of messages.
- Infrastructure - improving the facilities and services provided to reduce litter and promote recycling.
- Enforcement - strengthening the deterrent effect of legislation.

3.7 In influencing these behaviours and delivering these interventions, over a five-year period, the strategy sets the following approach:

- **People first:** delivering action that helps people to take personal responsibility and which reaches and includes all members of society.
- **Prevention:** prioritising action and innovation that proactively prevents litter and flytipping and boosts resource efficiency.
- **Accountability:** organisations with responsibilities and duties should deliver these efficiently and effectively, and according to their statutory responsibilities, particularly considering safety: no one should be at risk of harm in delivering interventions.

3.8 This approach is self-enforcing and delivery partners are expected to engage with it. The need for strengthened action may be considered following the strategy’s review in 2016-17.

Within this strategy:

Litter is waste in the wrong place: the wider environment. It can be all kinds of man-made materials or item associated with food.

Flytipping is illegal dumping of waste - from a bin bag of household waste to large quantities of domestic, commercial or construction waste.

Recycle on the Go is activities/facilities to make recycling easier in busy public places. It includes recycling bins and take back/rewards schemes.

Why does it matter?

3.9 Scotland has a rich environmental heritage. Its outstanding natural beauty, landscapes and biodiversity are recognised across the world, and living in a clean, safe community has social, environmental and economic benefits for us all.

3.10 By encouraging people to take personal responsibility for litter and flytipped material Scotland can avoid unnecessary spending on cleaning up and - if recycled - littered material could be worth at least £1.2 million a year⁴.

3.11 Evidence demonstrates that seeing litter and flytipping in a location can encourage people to discard even more items there⁵. It becomes accepted practice - a 'social norm'.

3.12 Reducing litter and reusing and recycling materials also makes good sense for business:

- People like to visit and shop in a clean and safe environment.
- Brand reputation can be damaged when products are discarded irresponsibly.
- Business efficiency can be improved by reducing packaging.
- And as the price of raw materials escalate, reusing, refurbishing and reprocessing materials makes good sense and provides a rich opportunity for innovation, skills and jobs.

3.13 This strategy's prevention focus is in line with a wider emphasis on efficiency in public services. It also contributes to [National Outcomes](#) which apply across public policy in Scotland:

- We reduce the local and global [environmental impact](#) of our consumption and production.
- Our [public services](#) are high quality, continually improving, efficient and responsive to local people's needs.
- We value and enjoy our built and natural [environment](#) and protect it and enhance it for future generations.
- We live in well-designed, [sustainable places](#) where we are able to access the amenities and services we need.

3.14 This strategy's focus on litter and flytipping complements wider action to improve environmental quality, such as tackling dog fouling and graffiti.

Litter and flytipping are a risk to public health and wellbeing.

At least £46 million of public money is spent removing litter and flytipping from the environment each year. And the wider negative impacts of litter impose at least a further £25 million in costs on our society and economy.

These are antisocial behaviours, and criminal offences.

Scotland's Litter Problem:
Quantifying the scale and cost of litter and flytipping – section 4.6

⁴ Scotland's Litter Problem: Quantifying the scale and cost of litter and flytipping – section 4.5.1.

⁵ Scotland's Litter Problem: Quantifying the scale and cost of litter and flytipping – section 5.1.3.

3.15 It will also support the Marine Litter Strategy, which has been developed in parallel to this strategy, since a significant amount of marine litter originates on land and reaches the sea via lochs and rivers (Zero Waste Scotland research⁶).

3.16 Broader work to create the conditions for a more resource efficient⁷ and circular economy⁸ is set out in the [Zero Waste Plan](#) (2010) and [Safeguarding Scotland's Resources](#) (2013).

3.17 This litter strategy has been shaped by dialogue and consultation, including an environmental assessment. Further details are in Annex A. It is also in line with the approach to influencing behaviour, in our [Low Carbon Scotland: A Behaviours Framework](#) (2013)⁹. Further details are provided in Annex B.



Figure 3: 'Scotland's Zero Waste Plan' and 'Safeguarding Scotland's Resources: Blueprint for a More Resource Efficient and Circular Economy'.

⁶ Scotland's Litter Problem: Quantifying the scale and cost of litter and flytipping - section 4.4.

⁷ Resource efficiency can boost competitiveness and reduce the impact on the environment through action to conserve and maximise the efficient use of energy, water and raw materials.

⁸ In a circular economy waste is 'designed out' of how we live. Materials are kept in use, retaining their value, for as long as possible before being recycled sustainably.

⁹ Low Carbon Scotland: A Behaviours Framework - How best can we influence behaviours?

Who will deliver this strategy?

3.18 Action to reduce litter, influence behaviour and ultimately deliver this strategy rests with a range of delivery partners – many of whom have specialist knowledge of tackling and preventing litter and flytipping, and resource management¹⁰.

3.19 Some delivery partners' responsibilities and interests will span the full range of actions in this strategy. For example, local authorities can have an influence in many ways through their action on managing land, clean up, town centres, tourism, economic development, community safety, licensing, education and enforcement.

3.20 Others will want to focus on specific areas. For example, business interest will focus on clean up and the role of product or service design.

3.21 Further interests include cross-cutting organisations such as Community Planning Partnerships, Business Improvement Districts and equalities interests as well as more targeted groups such as the [Environmental Crime Taskforce](#), Scottish Flytipping Forum, Transport Litter Group and the [Chewing Gum Action Group](#).

3.22 A co-ordinated approach, which delivers consistent messages, helps to make it clear what people need to do, and why. It recognises that people move across boundaries: between public and private land and across local authorities.

3.23 A common and consistent approach will help to influence behaviour and encourage people to take responsibility for their litter.

3.24 This strategy underpins work already underway and encourages partnership and collaboration by setting a clear direction of travel, while providing flexibility for organisations to develop their own objectives.

3.25 Organisations are encouraged to update their existing operating plans/strategies or develop action plans to cover how they will take forward specific actions in relation to the themes and interventions set out in this strategy.

3.26 Zero Waste Scotland will support this work by sharing existing best practice, and providing template action plans which organisations can draw on as required.

3.27 Zero Waste Scotland's own annual plan will outline the high-level actions it will take on behalf of the Scottish Government.

Delivery partners include:

- Landowners and land managers
- Businesses
- Resource management industry
- Scottish Government
- Local authorities
- Third Sector organisations, including environmental charities
- Local community groups
- Justice services

The range of delivery partners is extensive. This strategy does not attempt to provide a complete list.

¹⁰ The executive summary is designed for wider readership. Plain language materials will be produced through the improved communications action.

Action already underway

3.28 The Scottish Government, with Zero Waste Scotland, has:

- Developed a communications toolkit for delivery partners and a behaviour change marketing campaign to discourage littering.
- Commissioned a drinks container deposit-return scheme feasibility study.
- Started work to better understand links between enforcement delivery and the legal system.
- Supported the Transport Litter Group's Litter Week of Action to cut litter on the transport network.
- Taken forward legislation to:
 - Increase the fixed penalties for litter and flytipping, from £50 each to £80 and £200 respectively.
 - Create powers for Loch Lomond and the Trossachs National Park, and other public bodies, to issue fixed penalties.
 - Create a requirement for alleged offenders to provide their name and address to enforcement officers.
 - Clarify local authorities' powers regarding the placement and retrieval of bins, in order to reduce accidental litter.
 - Discourage large-scale flytipping, with new powers for SEPA and action to recover landfill tax from illegally deposited waste by Revenue Scotland and SEPA.
 - Introduce a charging scheme for single-use carrier bags - a highly visible form of litter - from October 2014.



Figure 4:
Transport Litter
Group's Litter
Week of Action.

3.29 We have committed up to £500,000 towards Keep Scotland Beautiful's [Clean Up Scotland](#) initiative in the period from 2013-2015. As a result of joint working (between Keep Scotland Beautiful, local authorities, businesses and communities) during 2013:

- More than 245,000 volunteers took part in the initiative.
- Around 3,500 clean ups (297 per month) took place.
- More than 2,000 tonnes of litter were removed across Scotland.

Innovation and creativity

3.30 To drive continued improvements to our local environments it is vital to look beyond simply doing the same things more effectively.

3.31 This strategy encourages delivery partners to identify what they can do to inspire people to take personal responsibility, and to maintain that behaviour. This can be developed through:

- Creativity - imaginative solutions that meet peoples' needs in relation to preventing litter and flytipping.
- Innovation - translating creative potential into practical initiatives.

3.32 The Scottish Government has identified three projects to take forward as early actions:

- **Community empowerment:** a pilot scheme that rewards communities which boost the number of voluntary clean ups in local black spots - land which others' are not already taking responsibility for. This incentive scheme provides a focus for communities to prioritise the problem areas that matter to them.
- **Improved product/packaging design:** a call for designers, industry and students/academics to come forward with ideas that prevent or reduce the impact of littered items in the environment. This could include designs which reduce the number of littered items (e.g. plastic sleeves on drinks bottles) or ways to keep items together (for example ring pulls). It could also encourage reusable products, such as coffee cups.
- **Tailored local messaging:** we will pilot a range of projects to influence behaviour, for example through street art, signs and bin design. These will be designed to motivate people to do the right thing: either by highlighting the effects of litter and flytipping on people and wildlife, or by focusing on tackling particular types of litter (such as smoking litter), or litter in a particular environment (e.g. on roadside verges, or in the marine environment).

3.33 Through a flexible approach, that considers audiences' needs and evolving attitudes, this approach can successfully influence behaviour.

What will success look like?

3.34 The following outcomes, which reflect the aspirations of Towards a Litter-free Scotland, will demonstrate the success of the strategy in achieving significant reductions in litter and flytipping by influencing people's behaviour:

	Outcomes
1.	Personal responsibility: people litter less because they are clear what is expected of them and are motivated to take their waste home, use a bin, or recycle it.
2.	Improved environmental quality: a shift in culture to value local environmental quality more highly. Human and animal welfare is better protected and local communities are attractive places in which to live, work and invest.
3.	Economic potential: the value of resources is realised through action and innovation to reduce, reuse and recycle material currently littered or flytipped.
4.	Co-ordination: organisations are better equipped to provide customers and staff with consistent messages, facilities and efficient services.
5.	Value for money: the cost effectiveness of public services is improved by reducing the scale of clear up required, at the same time as reducing the negative costs of litter and flytipping on wider society.

Monitoring impact

3.35 The Scottish Government will work closely with other delivery partners to establish an effective approach to measurement which clarifies:

- The scale of the existing challenges.
- The impact of actions to address these challenges.
- Baselines to support measurement.
- Key indicators to measure progress.
- Timescale for actions and benefits.

3.36 This strategy is intended to be implemented over a five-year period, with on-going programme arrangements to monitor delivery.

Roles and responsibilities

3.37 The Scottish Government's role is to provide leadership, alongside its resource efficiency partner Zero Waste Scotland. It will support delivery partners in developing their plans to take the strategy forward. The strategy's objectives are:

Scottish Government "To support delivery partners to create the conditions that encourage the public to take personal responsibility for preventing litter and flytipping."

The outputs are to:

- Inform and engage the public at a national level (prevention focus).
- Legislate, regulate and provide guidance where necessary (people first).
- Monitor and review national progress (accountability).

Landowners, land managers and resource management "To work with relevant partners to drive behaviour change, achieve more cost effective litter and flytipping clean up and realise the value of materials."

The outputs are to:

- Provide facilities and services and/or inform the public of what they need to do (prevention focus).
- Deliver enforcement where necessary and communicate the effectiveness of this (people first).
- Improve the monitoring and reporting of litter and flytipping on public and private land, and of actions taken to address them (accountability).

Business "To influence behaviour through innovation, staff training, corporate accountability, partnership with other organisations and education."

The outputs are:

- Customer engagement (prevention focus).
- Product and service design (people first).
- Improve the monitoring and reporting of litter and flytipping and of actions taken to address them, and boost recycling (accountability).

Third Sector and local groups "To work with public and private sector to prevent litter and flytipping and maximise resource efficiency."

Its outputs are to:

- Communicate messages to local and specialist audiences (prevention focus).
- Help shape others' litter plans and delivery arrangements (people first).
- Where appropriate, support monitoring (accountability).

4. INTERVENTIONS

4.1 The strategy identifies action to encourage personal responsibility through three intervention themes: information, infrastructure and enforcement.

4.2 Delivery partners are asked to develop their approaches to taking these forward.

Information – improved sources, consistency and nature of messages

4.3 Effective information and engagement can help develop a shared understanding of acceptable and unacceptable behaviour. This is central to motivating people to stop littering and flytipping and to recycle more.

4.4 Providing accessible, consistent information educates people to recognise their littering and flytipping habits, and motivates them to do the right thing.

Intervention 1. Communication

The goal is to communicate effectively and accessibly about litter, with consistent messages that engage the public and motivate behaviour change.

We ask delivery partners to enhance their communications activities and to make it clear why people should take personal responsibility for their waste.

We will:

- Run a national behaviour-change marketing campaign during 2014 and build on the delivery partners' [communication toolkit](#).
- Develop innovative and creative approaches to communication, such as using art, to highlight the effect of litter and flytipping on people and wildlife.
- Continue to promote re-use and repair through [Revolve](#) - the reuse organisations' quality standard.
- Continue to expand and promote the [Recycle for Scotland](#) initiative.
- Review the Dumb Dumpers [website](#) and public reporting mechanism to support people who wish to take action against flytipping.

Intervention 2. Education

Children and young people should have the opportunity to understand the importance of environmental quality, and the benefits of resource efficiency.

We will work with council education services and organisations such as Education Scotland and Young Scot to develop initiatives and resources that encourage young people to do the right thing with waste. We encourage delivery partners to contribute to the development of materials and to include these within their existing education projects.

The approach will explore how to build on or complement existing environmental and sustainability education initiatives, including EcoSchools and Learning for Sustainability.

Intervention 3. Local community action

Empowered local communities can take greater ownership of the quality of their local environments.

Communities can take preventative action such as building fences to restrict access to flytipping sites, or work with local businesses to educate their customers.

Community action includes local clean ups. High-profile examples of these are Keep Scotland Beautiful's Clean Up Scotland initiative and the Marine Conservation Society's Beachwatch programme. There are also highly-successful local initiatives which play a significant role in raising awareness and improving the quality of local environments.

We will discuss opportunities with delivery partners, particularly those in the third sector. We expect this will include:

- Support for local communities to clean up and prevent litter/flytipping problems on land which others are not already taking responsibility for. We will pilot an incentivised community clean up scheme to tackle litter black spots.
- Enabling participation in prevention and community clean up activity through dialogue with equality groups.
- Pilot action to address issues particular to rural communities, such as litter on remote beaches or abandoned vehicles.

We will encourage delivery partners to seek the input of the third sector and local communities when developing their delivery plans.

Infrastructure – facilities and services to reduce litter and promote recycling

4.5 Behaviour can be influenced by the way in which bins are specified, located and serviced, by product and packaging design, by improved guidance, and through targeted funding.

4.6 When facilities, services and processes are designed to be accessible it makes it easy for people to do the right thing with waste.

Intervention 4. Opportunities for recycling

Litter can be turned into a resource for Scotland.

We want to make it easy for people to recycle in public places. We will work with our delivery partners to increase Recycle on the Go facilities and explore how to boost the quantity, quality and range of material recycled.

This will include:

- Support for innovation: working with organisations to explore how to recycle more items such as chewing gum.
- Update the [Sustainable Events Guide](#) to help event organisers to plan how they will help people to recycle. For example, providing mobile facilities.



Figure 5: Recycle and Reward machine at the 2013 HebCelt Festival.

Intervention 5. Product design

Packaging plays an important role in protecting products. We believe some product and packaging design can be developed in ways that reduce litter and help people to take personal responsibility for their waste.

We will:

- Provide a focus for business interests to redesign products and packaging to reduce littering or reduce its impact.
- Encourage customer loyalty schemes that reward people for resource efficiency, such as reusable coffee cups.
- Encourage packaging from sustainable sources which can be reused or recycled.

We will work with delivery partners including the:

- [Product Sustainability Forum](#).¹¹
- [Courtauld](#)¹² signatories within the Food and Drink sector.
- [Packaging Recycling Group Scotland](#).¹³

Intervention 6. Service design

Business procedures, staff training and customer engagement can encourage personal responsibility for disposal of waste.

We will work with businesses, local authorities and others to:

- Encourage services and processes that minimise waste, such as the collection of old products for reuse, repair and/or recycling.
- Improve staff training and communications and make it easier for people to report litter and flytipping problems.
- Encourage more reuse and repair, and business models which could help reduce the flytipping of domestic products, such as leasing products and services.
- Encourage businesses to collaborate when commissioning waste collection services in order to ensure their bins are not contributing to litter problems.

We will support businesses through the communications toolkit. Businesses which are committed to sustainable growth, including efforts to tackle litter and flytipping, can receive recognition for their efforts through a nationwide scheme: the [Resource Efficiency Pledge](#).

¹¹ The Product Sustainability Forum includes grocery and home-improvement retailers and suppliers, academics, NGOs and government.

¹² The Courtauld Commitment is a voluntary agreement to improve resource efficiency and reduce the carbon and wider environmental impact of the grocery sector.

¹³ The Packaging Recycling Group Scotland is a group of trade organisations and companies from across the drinks and food-packaging supply chain.

Intervention 7. Guidance review

The Scottish Government provides formal guidance to organisations on what their roles and responsibilities are in relation to litter and flytipping.

We will review the [Code of Practice on Litter and Refuse \(Scotland\) 2006](#) (COPLAR) and work with delivery partners to develop effective approaches to delivery that reflect the priorities in this strategy and:

- Clarify organisations' responsibilities.
- Are consistent with [Recycle on the Go guidance](#) and the duty of care requirements around the Waste (Scotland) Regulations 2012.
- Support more effective cleanliness standards¹⁴, including tackling litter in trees, bushes and watercourses, and on public, private, urban and rural land.
- Support a proactive approach to identifying litter problems such as preventing accidental and wind-blown litter during recycling collections.
- Identify scenarios for particular action such as special events or extreme weather.
- Highlight how to make smarter use of existing powers - including planning and licensing.
- Support joint working and shared resources such as supporting collaboration with local communities, local authorities, businesses and land managers.
- Support decisions about litter/Recycle on the Go bin design, location and servicing.
- Showcase best practice in litter prevention and management (including the development of delivery or action plans).

We will:

- Work with stakeholders to develop the review, possibly including interim guidance.
- Convene a working group to consider what the guidance should include in relation to littering by young people under 16.
- Pilot interventions that support delivery including action to address accidental/wind-blown litter.
- Consider how to support training so that staff understand their roles in relation to the guidance.



Figure 6: Recycle on the Go facilities.

¹⁴ The current cleanliness standards are set out within COPLAR. Ministers' power to set the standard is contained within Section 89 of the Environmental Protection Act.

Intervention 8. Future funding and support

We will provide funding and/or advice for projects which aim to reduce litter and flytipping through information, infrastructure and enforcement interventions.

We will:

- Fund pilot projects to trial and evaluate interventions with potential for wider application.
- Explore how effective procurement (for example of infrastructure or services) can reduce costs for delivery partners.
- Signpost organisations to other funding sources.

It will be a condition of Zero Waste Scotland's litter, flytipping and Recycle on the Go funding that the recipient land managers/businesses commit to including litter and flytipping in delivery plans.

Intervention 9. Research and monitoring

Effective information gathering and analysis means that everyone can understand which measures work most effectively, and will help to prioritise and develop targeted interventions accordingly.

We will continue to develop an evidence-based approach based on problem materials. This will include: where issues occur, why, and how these might be prevented. We will also develop an approach to quantifying the scale of problems, and the impacts of actions to tackle them.

We will work with delivery partners to develop this further. This will:

- Define the outcomes more precisely and the best way to track them - taking account of quality: what matters most to the public, the impact on behaviour, the environment and the quantity of litter and flytipped material.
- Establish baselines and key performance indicators for the strategy and for specific interventions and pilots.

We will take into account the evidence and monitoring systems that already exist.

We will review the strategy in 2016/17 and 2020.

Intervention 10. Flytipping

There are already strong enforcement disincentives for flytippers, including the recent increase in fixed penalties and new SEPA enforcement sanctions. Most of the actions in this strategy will have an impact on flytipping as well as litter.

Furthermore, the current 'FlyMapper'¹⁵ pilot project aims to improve understanding of the nature, scale and geographical distribution of flytipping incidents on public and private land.

Flytipping is understood to be a deliberate act which may be motivated by the desire to avoid waste disposal or recycling costs. Action to improve our understanding of the factors which contribute to flytipping behaviour will allow us to bring forward further, better-informed, interventions in the future.

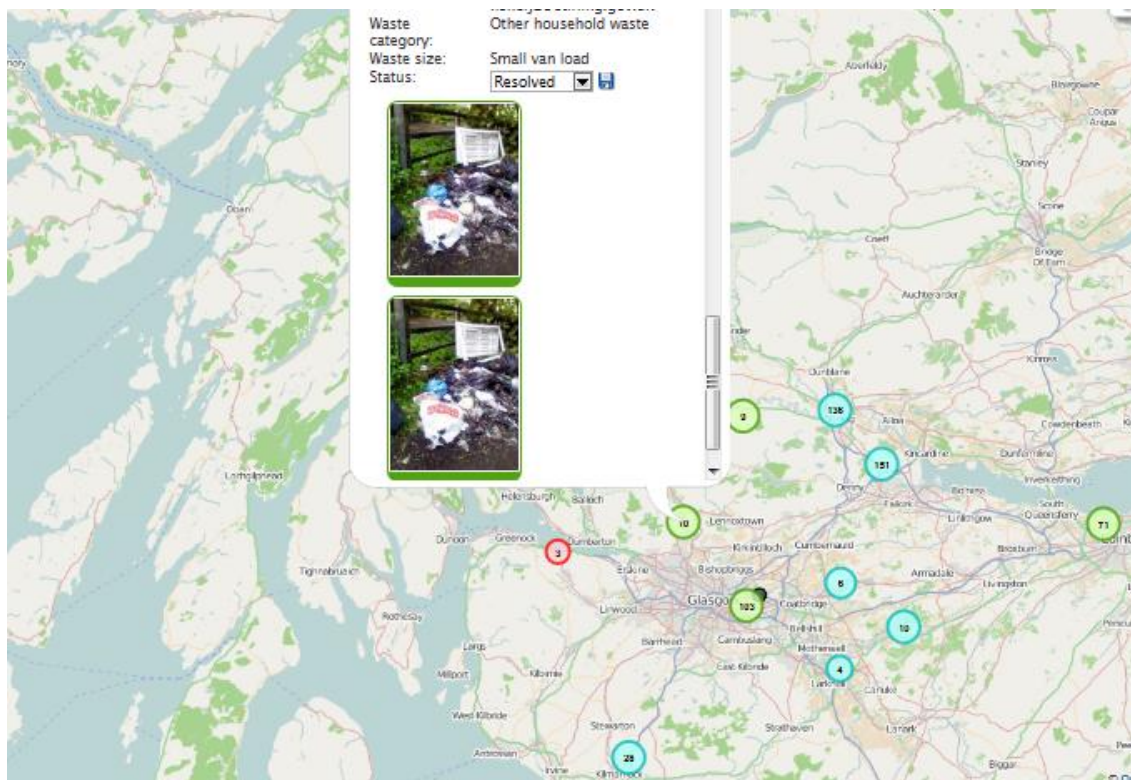


Figure 7: FlyMapper pilot project – example locations of flytipping incidents.

¹⁵ FlyMapper is an online reporting system for litter practitioners to record flytipping. It was developed by Zero Waste Scotland and SEPA, in partnership with Natural Resources Wales.

The bespoke app is for use in the field, recording the location, type, quantity and photograph of the material flytipped. FlyMapper enables easy identification of incidents and black spots.

Enforcement – strengthening the deterrent effect of enforcement

4.7 For some, the realisation that there are financial penalties for littering and flytipping, and a risk of being caught, is a significant motivator.

4.8 Effective legislation, enforcement and related communication are vital to reinforcing the deterrent effect.

Intervention 11. Strengthen the enforcement system

We want to build on our recent actions (see ‘Actions already underway’ at section 3) to boost the effectiveness of enforcement as a deterrent.

We will look for a suitable opportunity to legislate to remove barriers to enforcement in littering from vehicles.

Consultation on the strategy showed general support for further legislation, which we will discuss with key agencies including Police Scotland, Crown Office and Procurator Fiscal Service and local authorities:

- Waste carriers licensing and duty of care requirements.
- Making it easier for the police to issue fixed penalties.
- Making best use of [Litter Control Areas and Street Litter Control Notices](#).¹⁶
- A mechanism for litter practitioners to intervene when printed material, such as flyers, creates litter problems.
- Adjusting fixed penalty provisions to incentivise prompt payment.

We will continue to encourage organisations with enforcement powers to use them. We will also discuss with other public bodies whether they would benefit from having the power to issue fixed penalties for litter and flytipping.

Intervention 12. Enforcement staff training

Supporting enforcement staff to become confident and proficient in their understanding of legislation and application of correct procedures will lead to more effective delivery that:

- Boosts the quality of fixed penalties issued and their payment rate.
- Provides the Crown Office and Procurator Fiscal Service with the information it needs to consider further action when penalties are unpaid.

We will develop an employers’ guide to the content and standards they should specify when commissioning training. It will include:

- What processes and materials can help (including smart technology).
- How and when to target enforcement on black spots.
- How best to communicate enforcement action.

We will work with local authorities and other statutory bodies to review current approaches, and develop collaborative projects that help us better understand the impact of enforcement practices - including their deterrent effect. This will help inform effective models and guidance which will support delivery.

¹⁶ As outlined in ‘Towards A Litter-Free Scotland’ consultation Supplementary Information, page 4.

Environmental statement

5.1 An environmental report was published to support the national litter strategy consultation. Feedback on it has been taken into consideration when finalising the strategy. The [Post-Adoption Strategic Environmental Assessment statement](#) provides further details.

Equality Impact Assessment

5.2 An [Equality Impact Assessment](#) has been prepared to support the strategy's implementation. As delivery partners update their approaches they should reflect the continuing need to follow equality legislation and take account of best-practice, for example in delivering inclusive communications.

Partial Business Regulatory Impact Assessment (BRIA)

5.3 The purpose of a BRIA is to inform consideration of legislation or regulation and its impact on public sector or business. The high-level nature of the strategy means that there is no update to the [consultation's partial BRIA](#) at this stage. We will reflect on the consultation responses and further BRIAs will be produced to cover future legislation.

6. INFLUENCING BEHAVIOUR

ANNEX B

6.1 This strategy is informed by the Scottish Government's approach to influencing people's behaviour.

6.2 It is based on research and evidence that people's choices and behaviours are influenced by three contexts - [the Individual, the Social and the Material \(ISM\)](#).

6.3 Interventions to change behaviours - in this case littering, flytipping and recycling in public places - need to take account of all three contexts in order to have a greater impact.

6.4 The table below summarises the three ISM contexts and gives examples of how these are supported by actions within this strategy. (This is not a comprehensive summary.)

Context	Description	Example actions within this strategy
Individual	Includes an individual's values, attitudes, habits and skills, and their personal evaluations of the costs and benefits of an action.	<ul style="list-style-type: none">• Information (communications and education).• Enforcement (increased fixed penalties, and the organisations with the powers to issue these).
Social	Includes understandings that are shared amongst groups (e.g. social norms and shared meanings), people's networks and relationships, and the institutions that influence how groups behave.	<ul style="list-style-type: none">• Information (community action).• Enforcement (training for staff with litter and flytipping duties).
Material	Factors 'out there' in the environment and wider world. These include infrastructures, technologies and regulations, as well as other 'softer' influences such as time and the schedules of everyday life.	<ul style="list-style-type: none">• Infrastructure (Recycle on the Go facilities; product and service design).

6.5 Alternative formats or translations into other languages are available on request:

Email: EQ_CAT@scotland.gsi.gov.uk

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Code of Practice on Litter and Refuse (Scotland) 2018

**Statutory guidance on keeping land free of
litter and refuse, and roads clean**



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1.0 Introduction

This Code of Practice on Litter and Refuse (COPLAR) provides practical guidance on fulfilling the duties under the Environmental Protection Act 1990¹ (“the Act”), Section 89. These are to, as far as is practicable:

- keep land clear of litter and refuse (Duty 1)
- to keep certain roads clean (Duty 2).

Bodies that are subject to the duties must have regard to this code which:

- outlines the standard required for each duty
- supports prioritisation of where and when to tackle problems
- provides maximum timescales for restoring areas to the standard.

Bodies are also encouraged to undertake robust monitoring.

There are three main changes, compared with the previous code²:

- an emphasis on the role of prevention (particularly for Duty 1)
- revised grades and response times for each duty
- greater clarity about where litter/refuse should be removed from.

This code aligns with the:

- Scottish Government’s national litter strategy, Towards a Litter-Free Scotland³, which encourages litter prevention through measures which influence individuals’ behaviour
- conclusion that prevention in public services is more efficient than treatment as identified by the Commission on the Future Delivery of Public Services (The ‘Christie Commission’)⁴.

The code recognises that a range of delivery tactics, including clean up, are necessary. It provides bodies with the flexibility to widen their focus from clearing litter and refuse to more sustainable approaches.

Using their insight into who uses their land, and by collecting data through regular monitoring, bodies can develop effective local prevention tactics that reinforce Scotland-wide anti-litter messages and activities.

1 Environmental Protection Act 1990, [Section 89](#)

2 The Code of Practice on Litter and Refuse ([COPLAR](#)) 2006

3 National Litter Strategy: [Towards a Litter-Free Scotland](#)

4 The ‘Christie Commission’ was established by the Scottish Government to develop recommendations for the future delivery of public services. It published its [report in 2011](#)

This code is primarily for practitioners. It is admissible evidence in court proceedings relating to the dereliction of the duties, under sections 91⁵ and 92⁶ of the Act (as amended by the Antisocial Behaviour etc. (Scotland) Act 2004). If any provision of this code appears to the court to be relevant to a question in the proceedings, the court shall take this code into account. The Act, and its supporting Orders, are the primary source of information for bodies making delivery decisions.

This is the 4th COPLAR issued under Section 89 (7) of the Act. The first (in 1991) was replaced in 1999, and covered Scotland, England and Wales. The third (2006) applied exclusively to Scotland. This version replaces it. Its development was informed by a stakeholder steering group⁷.

Further advice, for practitioners and the public, about Section 89 and litter and flytipping more generally can be obtained from Zero Waste Scotland
www.zerowastescotland.org.uk/COPLAR

5 Environmental Protection Act 1990, [Section 91](#)

6 Environmental Protection Act 1990, [Section 92](#)

7 Comprised of Scottish Government, Association for Public Service Excellence, COSLA, Zero Waste Scotland, Keep Scotland Beautiful, Network Rail, Scottish Canals, Transport Scotland, Chartered Institute of Wastes Management and a former Christie Commission member.

2.0 Understanding section 89

2.1 The two duties (what action is required?)

The Act places duties on certain organisations to, **so far as is practicable**:

Duty 1: ensure that their land (or land that is under their control), is **kept clear** of litter and refuse. Descriptions of land are provided at [2.4](#).

Duty 2: ensure that public roads (for which the body is responsible) are **kept clean**.

The organisations that must comply with the duties are covered at [2.3](#).

This code supports the duties by setting a 'Grade A' standard for each: bodies should achieve this to demonstrate they have fulfilled their duties. (Section [3.1](#) provides details). The code also provides the maximum timescales for an area to be restored within.

Ultimately, it is for the courts to decide whether or not it was impracticable for a body to discharge its duty. Therefore, if a body believes there are circumstances that prevent it from fulfilling its duty/ies to the standard and/or within the appropriate response time it should have evidence to support its decision. It should also take steps to fulfil the duty at the next opportunity.

Further considerations are outlined within section [3.2](#) (see restoring areas to comply with the duties).

Understanding that the code covers two duties, and that the expected outcome of duty fulfilment is that land is clear of litter and refuse, and roads are clean, supports bodies to identify and understand what applies to them, and what they should aim to achieve.

Further advice can be obtained from Zero Waste Scotland
www.zerowastescotland.org.uk/COPLAR

2.2 Materials in scope of the duties (what is covered?)

To understand the duties, and this code fully, it is necessary to consider:

- what materials fall within the meaning of “litter” and “refuse”
- which materials the obligation of “keeping clean” relates to.

The Act does not specify descriptions or limits to what litter, refuse or keeping clean means. A guide is provided below and bodies may identify other items they consider relevant.

Duty 1 requires explanations of litter and refuse.

Litter. Litter is considered to be “waste in the wrong place” where individual or a small number of items are thrown down, dropped or deposited in a public place by any person and is left there. In addition, other provisions within the Act⁸ require appropriate and sufficient waste collection containers to be used to prevent material from escaping. Escaped materials should be treated as litter. Materials that could be considered as litter are wide ranging, including: food packaging, drink containers, smoking related materials including cigarette ends, chewing gum, food items, paper and plastic bags.

Refuse. Refuse should be regarded as waste material or rubbish, including household and commercial waste, flytipped waste, dog faeces⁹, animal carcasses and car parts. Refuse tends to be larger items than litter.

Duty 2 requires that roads, as well as being kept clear of litter and refuse, should be kept clean.

A key consideration is that they should be free of detritus. **Detritus relates to Duty 2 only; it should not be regarded as litter.**

Detritus. Detritus can include dust, mud, soil, grit, gravel, stones, rotted vegetation, and fragments of twigs, glass, plastic and other materials which can become finely divided. Leaf and blossom falls are to be regarded as detritus once they have substantially lost their structure and have become mushy or fragmented.

Guidance on weed growth is contained within the UK Roads Liaison Group’s ‘Well-Managed Highway Infrastructure’ code of practice¹⁰.

Identifying which materials are relevant to each duty supports bodies’ understanding of what to target in order to keep land* clear of litter and refuse, and roads clean.

*Descriptions of land are provided at [2.4](#)

Further advice can be obtained from Zero Waste Scotland
www.zerowastescotland.org.uk/COPLAR

8 Environmental Protection Act 1990, [Section 34](#) regarding duty of care (see Duty of Care – [A Code of Practice](#))

9 The Litter (Animal Droppings) [Order](#) 1991 was made under [Section 86](#) (14) and (15) of the Act and applies the provisions in Part IV of the Act on refuse to dog faeces on most types of public land. No further orders have been made with regards to animal droppings

10 UK Roads Liaison Group’s [‘Well-Managed Highway Infrastructure’](#) code of practice

2.3 Who has to take action?

Bodies that are subject to each duty¹¹ are categorised within the following table.

Duty 1: To Keep Land* Clear of Litter and Refuse
Local authorities
Scottish Ministers
Certain Crown Authorities that occupy or manage Crown Land
Crown Estate Commissioners
Crown Estate Scotland
Educational institutions including: universities, publicly-funded colleges and schools
Any operator of a relevant railway asset (such as a railway station and track)
Passenger transport executives
Light railway/tramway operators
Road transport operators, other than taxi or other hire cars
Canal operators
Port/dock/harbour/pier operators
Airport operators
Occupiers of relevant land within a Litter Control Area

*Descriptions of land are provided at [2.4](#)

Duty 2: To Keep Roads Clean
Local authorities – in respect of roads for which they are responsible
Scottish Ministers – in respect of motorways, and other special roads that are also trunk roads and certain other roads for which they are responsible

Action may be undertaken on the body's behalf, for example outsourced to road maintenance contractors for clean-up operations or other organisations for prevention activities. However, the responsibility of meeting the duties remains with the relevant body.

Bodies that are subject to each duty, and therefore need to take action, are identified within the tables above.

Further advice can be obtained from Zero Waste Scotland
www.zerowastescotland.org.uk/COPLAR

¹¹ The original definitions for bodies are provided in sections [86](#) and [98](#) of the Act, and are supplemented by the Litter (Statutory Undertakers) (Designation and Relevant Land) [Order](#) 1991, the Litter (Designated Educational Institutions) [Order](#) 1991 and The Railways Act 1993 (Consequential Modifications) [Order](#) 1999

2.4 Where do the duties apply?

Various factors determine whether land or roads are covered by the duties.

The first is that the land or roads must be directly associated with one of the bodies in [2.3](#). It must be:

- under their direct control and/or
- a road they are responsible for and/or
- occupied or managed on behalf of the Crown.

Further considerations then apply, and these are outlined for each duty below.

Duty 1

To be within the scope of Duty 1, land must also be publically accessible.

For local authorities, Scottish Ministers, Crown Authorities, Crown Estate Commissioners and education authorities the land should also be open to the air. This means land that is open to the air on at least one side¹².

In addition, Duty 1 extends to land that is not publically accessible for:

- education authorities
- railway operators and potentially other transport providers – for example tracks and track sides near stations and in urban areas¹³.

Duty 1 applies to:

- hard-standing surfaces – roads, walkways, concreted land
- soft surfaces – grass, bushes, trees, bare-earth surfaces, verges, embankments and open space
- unsurfaced roads
- land covered by water – canals, streams/rivers and ponds.

For the purpose of fulfilling the duty, local authorities, Crown Authorities, Crown Estate Commissioners and Crown Estate Scotland are not required to consider land that is below the place to which the tide flows at mean high water springs¹⁴. However, it is recommended that all bodies with coastal and marine boundaries take a practical approach and, where appropriate, include such land in their prevention and cleansing activities.

12 The Act, [Section 86](#) (13)

13 The Litter (Statutory Undertakers) (Designation and Relevant Land) [Order](#) 1991, as amended by Litter (Statutory Undertakers) (Designation and Relevant Land) (Amendment) [Order](#) 1992 which adds article 1 (3).

14 The National Oceanography Centre defines the height of [mean high water springs](#) as “the average throughout the year (when the average maximum declination of the moon is 23.5°) of two successive high waters during those periods of 24 hours when the range of the tide is at its greatest. The height of the mean low water springs is the average height obtained by the two successive low waters during the same period.”

This applies particularly in relation to beaches, which are used as public spaces such as bathing beaches/public amenity space. Scotland's National Marine Plan contains policy about tackling marine litter.¹⁵

In addition, where litter or refuse occurs on beaches of designated bathing water and is considered to be a risk to bathers' health then the Bathing Water (Scotland) Regulations 2008¹⁶ should be regarded.

For transport operators, mentioned in [2.3](#), details of land both covered by and excluded from Duty 1 is outlined within The Litter (Statutory Undertakers) (Designation and Relevant Land) Order 1991¹⁷, as amended by The Railways Act 1993 (Consequential Modifications) Order 1999¹⁸ and The Litter (Statutory Undertakers) (Designation and Relevant Land) (Amendment) Order 1992.¹⁹

The Litter Control Areas Order 1991²⁰, as amended by The Litter Control Areas (Amendment) Order 1997²¹, sets out the descriptions of land that can be designated as a Litter Control Area. These may include land that is open to the air – such as car parks, business parks, beaches and also enclosed spaces, shopping centres, cinemas, theatres, motorway service stations, and sports facilities.

Duty 2

Duty 2 applies to public roads that are the responsibility of either local authorities or Scottish Ministers.

Describing where each duty applies allows bodies to target the roads and land that should be clean and clear of litter and refuse.

Further advice can be obtained from Zero Waste Scotland
www.zerowastescotland.org.uk/COPLAR

¹⁵ [Scotland's National Marine Plan](#), 2015

¹⁶ As made by the Bathing Water (Scotland) [Regulations](#) 2008

¹⁷ The Litter (Statutory Undertakers) (Designation and Relevant Land) [Order](#) 1991

¹⁸ The Railways Act 1993 (Consequential Modifications) [Order](#) 1999

¹⁹ The Litter (Statutory Undertakers) (Designation and Relevant Land) (Amendment) [Order](#) 1992

²⁰ The Litter Control Areas [Order](#) 1991

²¹ The Litter Control Areas (Amendment) [Order](#) 1997

3.0 Fulfilling the duties – considerations

This chapter explains factors that apply to both duties. Subsequent chapters focus on specifics for each duty.

3.1 The standard

In order to fulfil the duties, each body's areas should be clear of litter and refuse and/or clean. This is 'the standard' and it is referred to as 'Grade A' for each duty.

Where there is deterioration from the standard, a body is expected to restore it. There are three points to consider:

- the scale of an area's decline
- the area's character and use
- how quickly a body should restore the area to the standard.

This code provides a series of grades to determine how well an area meets the standard for each duty or how significant its deterioration is. The grades are:

Duty 1 Litter and Refuse Grades: six grades, A to F

Duty 2 Detritus Grades: four grades, A to D

The grades are set out in chapters [4.1](#) (Duty 1) and [5.1](#) (Duty 2) using photographic examples and descriptions.

Subsequent chapters explain that by combining the grades with action to zone land and roads (to take account of its character, use and any additional circumstances) bodies can prioritise how quickly they should restore an area to the standard.

Defining the standard as a Grade A supports bodies in demonstrating fulfilment of each duty. Other grades indicate how far from that standard an area is. The grades provide bodies with a way to measure attainment or deterioration, and evidence their progress.

Further advice can be obtained from Zero Waste Scotland
www.zerowastescotland.org.uk/COPLAR

3.2 Zoning (how should different types of land and roads be treated?)

The first step towards fulfilling either duty is for bodies to categorise their land/roads as one of six zones – based on how busy each area is, and how many potential sources of litter it has. [Annex A](#) provides full details.

This code links the zone categories to the maximum time a body has before it should restore an area to the Grade A standard. (The maximum response time is determined by how far from the standard a zone has deteriorated, see [4.3](#) for Duty 1 and [5.3](#) for Duty 2).

The zoning process also provides valuable insight into sources and root causes of litter and refuse – which helps bodies to decide which preventative tactics to deploy.

Allocating zones

It is considered that two factors affect the rate an area declines, which are common to all land and road types:

1. **Footfall/vehicle intensity** is defined as the average hourly footfall over a seven-day period within the specific zone boundary. It is not expected that footfall/vehicle movement will be known for all areas of land. [Annex A](#) therefore provides a guide, which allows local knowledge to be applied in considering how busy an area is.

2. **Potential Litter Sources (PLSs)** are considered to be premises or sites that are a potential source of litter. PLSs have varying degrees of risk of litter being generated and therefore have been split into two groups (high risk and moderate-low risk) based on the type of premises and types of litter associated with the premises. This includes but is not limited to:

High Risk

- Fast food/food on the go outlets
- Major regular event locations
- Public houses/nightclubs
- Secondary schools

Moderate – Low Risk

- Betting establishments
- Bank ATMs
- Leisure facilities
- Primary schools

Where a combination of sources exists, four moderate-low risk PLSs should be regarded as one high risk PLS e.g. four high risk and eight moderate-low risk would become six high risk for the purpose of assigning a zone category.

Areas subject to a significantly higher volume of footfall/traffic than normal for a short period of time, such as one-off events, should be upgraded to the appropriate zone classification on a temporary basis. The original zone classification would resume thereafter.

Transparency

Categorising zones in this manner will standardise the measurement of intensity of land/road use and potential litter sources across all bodies with responsibility for fulfilling these duties. This shared starting point (and the code's grades) supports comparison of results, and the sharing of good practice, across bodies.

Bodies should assess and allocate their land/roads to the appropriate zone/s and make their findings easily accessible to members of the public – ideally by publishing the results digitally and online. Publications should also identify which duty response times apply and, for Duty 1, which response band. (See point [4.3](#)).

Zoning should be completed within one year of this code coming into effect and updated when a significant change to an area's use takes place. Zones should also be reviewed every two years to ensure they still reflect the use of the area. (Please note this does not mean a full rezone of land).

Restoring areas to comply with the duty/ies

These duties apply seven days a week throughout the year, and this code sets the maximum times that bodies have to restore areas to the standard when their grades deteriorate. Bodies are free to set themselves more challenging response time targets. They should also take account of complaints about an area's condition.

The principle behind how quickly an area should be restored is that a significant deterioration should be restored as a priority – to prevent accumulations occurring. So the bigger or more dangerous a litter or detritus problem is, the faster it should be tackled. For minor deteriorations, longer response times are acceptable.

Response times are outlined in [4.3](#) for Duty 1 and [5.3](#) for Duty 2.

In most zones, the standard can be restored within a body's normal operational hours. If the standard in zones 1-3 falls in the evening, this code recognises that it may not be practical to restore to Grade A within the response times identified. The time between 20:00 and 06:00 the following day can therefore be discounted for the purposes of assessing compliance. If the standard should fall to an unacceptable level during the evening, it should be restored to Grade A by 08:00.

Work schedules should be co-ordinated where responsibilities for different tasks are divided between departments or different organisations. For example, where responsibility falls to two separate bodies (or internal teams) for litter picking and grass cutting responsibilities or for Duty 1 (to keep land clear) and Duty 2 (keeping roads clean).

The code provides '**special consideration**' response times for zones 1-5 to account for:

- **Health and safety requirements** to help keep the staff safe before they litter pick: such as roads where traffic management needs to be installed.
- **Specialist equipment** being required for removal of materials or access to an area. For example, accumulations of chewing gum, restricted access canal embankments, railway tracks within 100m of platform end.

Special considerations are relevant to all zones, with the exception of Zone 6, as it already builds in extra time.

Additionally, bodies will wish to consider what is practicable and what is not practicable within the normal and special consideration timescales set by this code to restore areas covered by each duty.

For example:

- it may be considered impracticable to expect bodies to meet the duty on Christmas Day and/or New Year's Day, therefore they can be discounted for the purposes of assessing compliance
- it may not be practicable to meet the duties due to severe weather conditions or special events
- other legal obligations that could influence how practical it is to fulfil the duties or to do so within the code's response times. E.g. the Wildlife and Countryside Act 1981²² which protects nesting birds.

In such cases, every effort must be made to restore areas at the earliest opportunity.

It is up to the body to evidence why the special consideration times were applied or if it believed it was not practicable to fulfil their duty.

The purpose of zoning is to take account of differences in footfall and/or activities that influence how quickly an area can become littered. For example, within a town centre, a B litter and refuse grade area could rapidly become a D while on a country lane it could remain as a B for several days. By allocating zones, a body can adjust for this (which will help when planning how to meet its duty and restore zones to standard).

Further advice can be obtained from Zero Waste Scotland
www.zerowastescotland.org.uk/COPLAR

²² The Wildlife and Countryside Act 1981 ([Section 1](#)) makes it an offence if any person intentionally or recklessly takes, damages or destroys or otherwise interferes with the nest of any bird whilst the nest is in use. It is also an offence under the same section to obstruct or prevent any wild bird from using its nest.

3.3 Monitoring

To fulfil their duty/ies, bodies will wish to know that their zones are retaining the Grade A standard or, if areas have deteriorated, that restorative action is required.

Bodies should therefore have a monitoring regime that is robust and:

- identifies the scale of deterioration (using the COPLAR grades)
- supports restoration to standard within the appropriate response time (see chapter [4.3](#) for Duty 1 and/or [5.3](#) for Duty 2)
- takes account of where litter is most likely to occur (i.e. higher footfall areas are more likely to be affected than lower footfall areas).

Monitoring will help bodies to understand the effectiveness of their tactics in meeting the standard for each duty. For example, areas that are consistently graded as a D or E are not close to meeting the standard, and intervention tactics should be reviewed and adjusted.

By monitoring, each body will build evidence:

- that its land is/roads are correctly zoned
- it is complying with the code
- its duty/ies are being fulfilled.

In line with Environmental Information (Scotland) Regulations²³, details collected by Scottish public bodies should be publically accessible. Bodies are therefore encouraged to regularly publish the findings of their approaches to inspect and quantify progress.

This supports consistency across bodies and helps them to compare approaches, share good practice and benchmark.

The purpose of monitoring is to:

- identify how often areas being monitored are likely to need to be restored
- identify what action will help areas being monitored to meet or maintain the standard
- measure the level of deterioration from the standard – using the grades
- restore areas being monitored to the standard within the appropriate response time.

Further advice can be obtained from Zero Waste Scotland
www.zerowastescotland.org.uk/COPLAR

23 The Environmental Information (Scotland) [Regulations](#) 2004

4.0 Fulfilling Duty 1

4.1 Litter and refuse grades

These are set as grades from A to F, with A reflecting that no litter or refuse is present (the standard) and F that potentially dangerous materials need to be removed as early as practicable. Bodies should draw on the photographed examples, provided on pages 14 to 15, to assess their land and roads.

These grades should be used when monitoring. The guideline number of items specified in the following photographs should be applied to areas of 100m².

Note that:

- large items (larger than a credit card) include but are not limited to drinks containers, food packaging, carrier bags, newspapers, crisp packets/large sweet packets, cigarette packaging items, food waste (banana skin, sandwich etc.), and dog faeces
- small items include but are not limited to cigarette ends, receipts, tickets, individual sweet wrappers, and small food waste items (e.g. individual crisps)
- where a combination of both exists, six small items should be regarded as one large item e.g. 13 large items and 30 small items would become 18 large items making it a grade D
- flytipping is the illegal disposal of controlled waste – from a single bag of waste to large quantities of domestic, commercial or construction waste.

A body should be able to justify its litter and refuse grades and have evidence to prove that it is fulfilling its duty/ies.

Further advice and high resolution photographs can be found at www.zerowastescotland.org.uk/COPLAR

Litter and Refuse Grade A:

No litter or refuse is present on any type of land



Litter and Refuse Grade B:

Small amounts of litter and refuse



As a guide, fewer than 5 large items or fewer than 30 small items of litter and refuse

Litter and Refuse Grade C:

Moderate amounts of litter and refuse, with small accumulations



As a guide, 5-15 large items or 30-90 small items of litter or refuse

Litter and Refuse Grade D:

Significant amounts of litter and refuse, with consistent distribution and accumulations



As a guide, 16-30 large items or 91-180 small items of litter and refuse

Litter and Refuse Grade E:

Substantial amounts of litter and refuse with significant accumulations



As a guide, more than 30 large items or more than 180 small items of litter and refuse

Litter and Refuse Grade F:

Incidents of flytipping and hazardous/special waste (drug related waste, broken glass, animal carcasses, car parts, chemicals, and spillages)



4.2 Tactics – how prevention can be used to meet the standard

An area that has no litter or refuse does not need to be cleared. Bodies should therefore consider what they can do to encourage people not to litter in the first place. By implementing a sustainable approach to meeting the duty, bodies will have a greater degree of flexibility to allow resources to be used in a proactive manner.

The zoning exercise will help bodies to determine where litter and refuse problems are, and how they might prevent these. Drawing on zone assessment findings, bodies should then find ways to influence positive litter/refuse behaviours.

The decisions bodies make about appropriate preventative measures should be tailored to their zones' particular circumstances and may include, but are not limited to, the following examples:

- improved monitoring – understanding where and why a zone is not meeting the standard can help make decisions about further tactics to use
- communications – signs, news stories, marketing materials, social media
- engagement – stakeholder and community engagement
- partnership working – with other bodies/businesses/community groups to address problems across boundaries
- infrastructure – facilities/services including smart bins and recycle on the go containers
- service optimisation – cleansing schedules, action to reduce waste escaping from kerbside collections, deployment of temporary resources (such as for a short-life event), upskilling staff, litter pick grass areas before mowing
- enforcement – where, when and how enforcement teams are deployed or to create Litter Control Areas
- demand management – focus resources according to needs, for example one-off events or better weather means more visitors to parks.

In deciding the appropriate mix of tactics to develop and deploy, bodies may find the National Litter Strategy's content about influencing people's behaviour²⁴ helpful. It is based on research and evidence that people's choices and behaviours are influenced by three contexts: individual, social and material.

24 National Litter Strategy: Towards a Litter-free Scotland, [Influencing Behaviour Annex B](#)

Preventing litter and refuse from being dropped means that:

- areas should retain the standard (Grade A) for longer – as it should take longer for the grade to deteriorate
- the speed and frequency of restorative action to meet the standard can therefore reduce – meaning expensive clean-up operations can be focused on priority areas.

The way that prevention contributes to fulfilling Duty 1 is that when people dispose of materials responsibly, rather than letting them become litter or refuse, there is less for a body to remove in order to meet the standard.

How far prevention goes towards fulfilling the duty will be determined by the effectiveness of the tactics that each body decides to use.

Further advice can be obtained from Zero Waste Scotland
www.zerowastescotland.org.uk/COPLAR

4.3 Response Times

Duty 1 response times are structured as four bands that recognise bodies' investment in prevention. It reflects that effective measures increase the likelihood of zones being cleaner for longer, which reduces the need for rapid restoration.

The basic response times (band 1) are based on a body allocating between 0 and 10% of its overall litter and flytipping spend on prevention tactics. The response times (bands 2 to 4) increase in proportion to prevention spend.

Note that litter and refuse clearance should not count as prevention spend. Although it supports preventing further problems, the motivation for deploying it is to restore zones to the standard. However, activities that improve local environmental quality would be considered preventative spend. Bodies must be able to clearly demonstrate how they allocate spend if asked by a court to do so.

To justify moving up the extended response time bands, a body must continue to invest in prevention and be satisfied that the success of its preventative measures meets the standard. Consideration should be given to how this can be evidenced e.g. through regular monitoring.

It is expected that each body's response times will reflect its preventative spend in the previous financial year, unless it has certainty and evidence of its finance within a current financial year.

Special considerations are outlined within [3.2](#).

Bodies should also recognise their duties under The Bathing Waters (Scotland) Regulations 2008, where pollution by litter and refuse is of risk to bathers' health and safety. Remediation should take place within the response times indicated above or within a maximum of seven days, whichever is a lesser time period.

Once an area is restored, prevention tactics should support maintaining the standard.

Duty 1 response times

The bands and percentage of overall litter/flytipping spend on prevention tactics are:

Band 1: basic response times, based on 0-10% spend on prevention

Zone	F	E	Litter and Refuse Grade				A	Special Considerations
			D	C	B			
1	At the earliest practicable opportunity	1 hour	2 hours	3 hours	12 hours	Clear of litter and refuse		14 days
2		2 hours	4 hours	5 hours	24 hours			21 days
3		6 hours	8 hours	9 hours	48 hours			28 days
4		24 hours	36 hours	48 hours	7 days			35 days
5		48 hours	60 hours	3 days	14 days			42 days
6		14 days	21 days	28 days	42 days			No additional time

Band 2: Response times based on 11-20% spend on prevention

Zone	F	E	Litter and Refuse Grade				A	Special Considerations
			D	C	B			
1	At the earliest practicable opportunity	2 hours	3 hours	4 hours	24 hours	Clear of litter and refuse		21 days
2		4 hours	6 hours	8 hours	48 hours			28 days
3		8 hours	10 hours	12 hours	3 days			35 days
4		36 hours	48 hours	3 days	10 days			42 days
5		3 days	4 days	5 days	18 days			49 days
6		21 days	28 days	35 days	49 days			No additional time

Band 3: Response times based on 21-30% spend on prevention

Zone	F	E	Litter and Refuse Grade				A	Special Considerations
			D	C	B			
1	At the earliest practicable opportunity	4 hours	5 hours	7 hours	36 hours	Clear of litter and refuse		28 days
2		6 hours	8 hours	12 hours	3 days			35 days
3		12 hours	14 hours	18 hours	4 days			42 days
4		3 days	4 days	5 days	13 days			49 days
5		5 days	6 days	8 days	22 days			56 days
6		28 days	35 days	42 days	56 days			No additional time

Band 4: Response times based on >30% spend on prevention

Zone	F	E	Litter and Refuse Grade				A	Special Considerations
			D	C	B			
1	At the earliest practicable opportunity	8 hours	10 hours	12 hours	48 hours	Clear of litter and refuse		42 days
2		12 hours	14 hours	18 hours	4 days			49 days
3		24 hours	48 hours	60 hours	5 days			56 days
4		5 days	6 days	7 days	16 days			63 days
5		7 days	9 days	10 days	26 days			70 days
6		35 days	42 days	49 days	70 days			No additional time

As examples:

- For a body that allocates 0-10% (band 1) of its overall spend on litter and flytipping to prevention tactics, when its category 1 zone is of a D grade, it has two hours to restore it to an A.
- For a body that allocates >30% (band 4) of its overall spend on litter and flytipping to prevention tactics, when its category 1 zone is of a D grade, it has 10 hours to restore it to an A.

As effective prevention tactics reduce the scale of a zone's litter and refuse problem, the need for rapid and frequent restoration to standard also reduces.

Extended response time bands recognise this principle and reward bodies for investing in appropriate preventative tactics. A body can only progress through the bands when it can demonstrate that its tactics are effective and support meeting the standard.





Further advice can be obtained from Zero Waste Scotland
www.zerowastescotland.org.uk/COPLAR

5.0 Fulfilling duty 2

5.1 Detritus grades

The grades are A to D – with A reflecting that surfaces are free from detritus (the standard) and D that surfaces are obscured or at high risk of hazard caused by detritus. A body should be able to justify its grades and have evidence to prove that it is fulfilling its duty/ies.

Bodies should draw on the following photographed examples to assess their roads. These grades should be used when monitoring.

Detritus Grade A	Detritus Grade B
	
Road is free from detritus	A slight presence of detritus on roads and gullies
Detritus Grade C	Detritus Grade D
	
A significant presence of detritus on roads and gullies	Road surfaces are obscured or at high risk of hazard caused by detritus

Further advice and high resolution photographs can be found at www.zerowastescotland.org.uk/COPLAR

5.2 Tactics

Regular sweeping and maintenance schedules should be prepared by the bodies to allow the duty to be met. This approach can prevent small problems from escalating and ultimately becoming more expensive to fix. For example, regular removal of detritus will prevent difficult to remove build-up of materials and will also prevent other maintenance issues such as weed growth.

Where a hard surface of a road ends without a clear edge, for example a grass verge alongside a road, a logical judgement as to its definitive edge should be made. It should be regarded as good practice to cut back or remove any surface vegetation that infringes upon any hard surface of the road.

The tactics to support detritus-free roads should be deployed regularly to prevent small accumulations from becoming more significant, and expensive, problems to address.

Further advice can be obtained from Zero Waste Scotland
www.zerowastescotland.org.uk/COPLAR

5.3 Response times

The scale of detritus accumulations can be reduced through regular sweeping and maintenance. However, it cannot be reduced by influencing people as is the case for litter and refuse. Therefore there is a single set of response times

Special considerations are outlined within [3.2](#).

Duty 2 response times

Zone	Detritus Grade			A	Special Considerations
	D	C	B		
1	1 day	5 days	14 days	No detritus	28 days
2	2 days	10 days	21 days		35 days
3	3 days	14 days	28 days		42 days
4	4 days	28 days	42 days		56 days
5	5 days	35 days	56 days		70 days
6	7 days	42 days	84 days		No additional time

For example, this means that when a category 1 zone is of a D grade it should be restored to an A within one day.

The response times reflect the ongoing need for sweeping and maintenance in order to meet the standard.

Further advice can be obtained from Zero Waste Scotland
www.zerowastescotland.org.uk/COPLAR

Annex A

Zone	Description	Location Type	Example (Relevant in 2018*)
1	Areas subject to extremely high footfall and/or vehicular movement and/or very high number of potential litter sources.	This means areas that have the highest risk of litter regularly occurring or accumulating such as:	
		Major city centres	Edinburgh Glasgow
		Very busy visitor attractions	Helix, the home of the Kelpies Edinburgh Castle Strathclyde Country Park
		Areas in and around regular event locations	Scottish Events Campus Hampden, Scotland's National Stadium
		Primary commercial and retail areas in city centres	Princes Street Edinburgh Buchanan Street Glasgow
		Major transport hubs	Waverley Train Station, Edinburgh Buchanan Bus Station, Glasgow
		Land of designated educational institutions – schools, colleges, universities	University of Strathclyde Aberdeen College City Campus
		Other land, including canal land**, roads of 40mph or less, waterways and embankments, railway land and track within 100 metres of a railway station platform end, all within and around these areas with equivalent footfall/vehicle movements	
As a guide this should include areas where the average hourly footfall/ vehicle movements is more than 1,000 over a 7 day period and/or 20 or more high risk potential litter sources.			

Zone	Description	Location Type	Example (Relevant in 2018*)
2	Areas subject to high footfall and/or vehicular movement and/or high number of potential litter sources.	This means areas that have a high risk of litter regularly occurring or accumulating such as:	
		Small city centres and large town centres	Perth Hamilton Falkirk
		High density residential areas mixed with retail premises	Gorgie Road, Edinburgh
		Popular visitor attractions	Stirling Castle
		Primary commercial and retail areas in large towns/city suburbs	Livingston Designer Outlet
		Large, heavily used industrial estates	Tullos Industrial Estate, Aberdeen
		Busy recreational land – beaches, parks, walks, cycle paths, canal land** etc.	Glasgow Green Aberdeen beach boulevard
		Transport interchanges in busy public areas – car parks, bus stations, railways stations, ports, harbours, airports.	Aberdeen Airport Seagate Bus Station, Dundee
		Land of designated educational institutions – schools, colleges, universities	Holyrood Secondary School
		Other land, roads of 40mph or less, waterways and embankments, railway land and track within 100 metres of a railway station platform end, all within and around these areas with equivalent footfall/vehicle movements	
As a guide this should include areas where the average hourly footfall/ vehicle movements is 601-1,000 over a 7 day period and/or 15-19 high risk potential litter sources.			

Zone	Description	Location Type	Example (Relevant in 2018*)
3	Areas subject to moderate footfall and/or vehicular movement and/or a moderate number of potential litter sources.	This means areas that have a moderate risk of litter regularly occurring or accumulating such as:	
		Medium town centres	Kirkintilloch Stonehaven
		High density residential areas – predominately terraced, flatted, where more than 50% of the dwelling have no off road parking	Seaton, Aberdeen Merkinch, Inverness
		Moderately used visitor attractions	Nevis Range
		Secondary retail, office and commercial areas	St Catherine’s retail park, Perth
		Moderately used Industrial estates and business parks	Dryburgh Industrial Estate, Dundee
		Moderately used recreation land – beaches, parks, walks, cycle paths, canals land**	Callendar Park
		Transport interchanges with moderate usage – car parks, bus stations, railway stations, ports, harbours	Falkirk Bus Station
		Land of designated educational institutions – schools, colleges, universities	Mearns Primary School
		Other land, roads of 40mph or less, waterways and embankments, railway land and track within 100 metres of a railway station platform end, all within and around these areas with equivalent footfall/vehicle movements	
As a guide this should include areas where the average hourly footfall/ vehicle movements is 301-600 over a 7 day period and/or 10-14 high risk potential litter sources.			

Zone	Description	Location Type	Example (Relevant in 2018*)
4	Areas subject to low footfall and/or vehicular movement and/or low number of potential litter sources.	This means areas that have a low risk of litter regularly occurring or accumulating such as:	
		Small town/village centres	Huntly Duns
		Moderate to Low density residential areas – 50% or more dwellings have off road parking	Kinnaird Village, Larbert
		Suburbs of towns	Monkton Hall
		Low use industrial estates, business parks	Tillybrake Industrial Estate, Banchory
		Low usage recreational land – beaches, parks, walks, cycle paths, canal land**	Roseburn Park, Edinburgh
		Transport interchanges with low usage – car parks, bus stations, railway stations, ports, harbours	Alloa railway station
		Land of designated educational institutions – schools, colleges, universities	Ullapool High School Machanhill Primary School
		Other land, roads of 40mph or less, waterways and embankments, railway land and track within 100 metres of a railway station platform end, all within and around these areas with equivalent footfall/vehicle movements	
As a guide this should include areas where the average hourly footfall/ vehicle movements is 20-300 over a 7 day period and/or 5-9 high risk potential litter sources.			

Zone	Description	Location Type	Example (Relevant in 2018*)
5	Areas subject to very low/no footfall and/or vehicular movement and/or few/no potential litter sources.	This means areas that have little risk of litter regularly occurring or accumulating such as:	
		Land that is publically accessible subject to infrequent or little use, includes remote beaches	Large parts of Highlands where land is publically accessible but infrequently visited
		Land of designated educational institutions – schools, colleges, universities	Gartmore Primary School
		Other land including canal land**, roads of 40mph or less, waterways and embankments, railway land and track within 100 metres of a railway station platform end, all within and around these areas with equivalent footfall/vehicle movements	
		As a guide this should include areas where the average hourly footfall/ vehicle movements is less than 20 over a 7 day period and/or 0-4 high risk potential litter sources.	
6	Roads over 40mph and Operational Railway Land.	Any road/above the 40 mph speed limit including all surfaces within the road boundary. Operational railway land including the track, tracksides through to the fence line, excluding land and track within 100 metres of a railway station platform.	

* the body that holds the duty/ies is responsible for allocating zones and updating these

** as detailed in the Litter (Statutory Undertakers) (Designation and Relevant Land) Order 1991



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