



BRIEFING PAPER

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Litter

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Summary

Litter is perhaps one of the most significant low-level environmental crimes affecting the UK. There is no official statutory definition of litter but it is most commonly assumed to include materials that are improperly discarded. The four most littered items found in 2014/15 were: smokers' materials; confectionery packs; non-alcoholic drinks related litter and fast food related litter.

Levels of litter in England have hardly improved in over a decade and [81% of people have said](#) they are angry and frustrated by the amount of litter in the country. Local government net expenditure on street cleaning (which includes but is not limited to clearing litter) in 2015/16 was £683 million.

The Department for Environment Food and Rural Affairs (Defra) takes the policy lead on litter, but the Department for Communities and Local Government also plays a role since the responsibility for clear up and financial cost of litter is primarily borne by local councils. The Department for Transport also plays a role through the government company, Highways England (formerly the Highways Agency).

The House of Commons Communities and Local Government Committee published a Report on [Litter and fly-tipping in England](#) on 14 March 2015. The [Government Response to the Committee's Report](#) was published on 4 December 2015 and included a commitment to publish a national litter strategy. The [Litter Strategy for England](#) was published in April 2017 and contains a comprehensive overview of litter in context, as well as a number of commitments from Government on how it will address the range of associated issues.

Littering is a criminal offence with a maximum fine of £2,500. Fixed penalty notices (between £50-80) are also often used in lieu of prosecution in the courts. The Government consulted on proposals to increase the level of fixed penalty fines in the first half of 2017 and is analysing the responses. Community Protection Notices can also be used to address continuing or persistent littering. Members of the public are also able to apply directly to the courts for litter abatement orders if they feel that a litter authority is not fulfilling its duty to keep land clear of litter.

In London, there is also specific legislation which allows local authorities to issue civil penalties against the registered keeper of a vehicle for littering from the vehicle. The Government consulted on extending these powers across England in the first half of 2017 and is currently analysing the responses.

As part of waste policy, littering is a devolved issue. This Briefing Paper covers England only unless otherwise specified. Resources for Scotland, Wales and Northern Ireland are set out in Section 5 and more detailed responses can be provided on request by Members or their staff.

Littering is not the same as fly-tipping. Information on fly-tipping is available from the House of Commons Library Briefing Paper [Fly tipping—the illegal dumping of waste](#). Information on the plastic bag charge is available in the Library Briefing Paper on the [5p Carrier Bag Charge](#).

1. Litter

1.1 Litter Strategy for England

The 2015 Conservative Government published a [Litter Strategy for England](#) in April 2017. The Strategy acknowledged that better data on litter is required for measuring progress towards the Government's goal to achieve a "substantial reduction in litter and littering".¹ Robust measurement of litter poses a number of questions, including whether to measure by weight or number of littered items; whether to simply measure the presence or absence of litter and/or how long the litter has been present or absent. The former Government therefore set up a working group on data and monitoring to consider the data issues surrounding littering.

The Strategy highlights citizen science (data taken from the LoveCleanStreets app) as being a promising dataset which has the potential to support the Strategy, noting that this type of data will be supplemented with "more conventional datasets produced by robust surveying methodology".²

See Section 3.2 of this Briefing for more details on the Litter Strategy.

1.2 What is litter?

There is no statutory definition of litter but the courts have taken a wide approach to the term. The [Environmental Protection Act 1990 \(as amended\)](#) (s.98) provides for certain items to be included in the definition of litter (e.g. cigarette ends and chewing gum) but does not provide a full definition of the term. The Government's [Statutory Code of Practice on Litter and Refuse](#) (2013), gives a practical guide to the legislation and defines the terms litter, refuse and detritus. They are described as follows:

5.2 **Litter** is most commonly assumed to include materials, often associated with smoking, eating and drinking, that are improperly discarded and left by members of the public; or are spilt during business operations as well as waste management operations. As a guideline (see section 5.7 overleaf) a single plastic sack of rubbish should usually be considered fly-tipping rather than litter.

5.3 Under section 98(5A) of the Environmental Protection Act 1990, certain discarded smoking-related materials (cigarette ends, etc.), and discarded chewing gum and the remains of other products designed for chewing, are specifically stated to be items of litter. However, whilst both are litter when they are dropped (i.e. the dropper could be prosecuted under section 87 of the Environmental Protection Act 1990 for leaving litter), the standards in the Code of Practice on Litter and Refuse do not apply to trodden-in chewing gum. Duty bodies are not required to employ special cleansing methods to remove compacted gum or gum staining over and above normal cleansing regimes.

Litter is most commonly assumed to include materials, often associated with smoking, eating and drinking, that are improperly discarded.

¹ HM Government, [Litter Strategy for England](#), April 2017, p9

² HM Government, [Litter Strategy for England](#), April 2017, p17

5.4 **Refuse.** Refuse should be regarded as having its ordinary meaning of waste or rubbish, including household and commercial waste, and can include fly-tipped waste. Dog faeces are to be treated as if they were refuse when on certain descriptions of public land. (Dog fouling is a separate offence from littering.)

5.5 **Detritus,** which comprises small, broken down particles of synthetic and natural materials, arrive at the site through the same displacement effects associated with mechanical, human, animal and natural actions, most of which also determine the distribution of litter. Detritus includes dust, mud, soil, grit, gravel, stones, rotted leaf and vegetable residues, and fragments of twigs, glass, plastic and other finely divided materials. Leaf and blossom falls are to be regarded as detritus once they have substantially lost their structure and have become mushy or fragmented. A significant and avoidable source of detritus is uncollected grass cuttings and weed growth from seeds germinating in moist detritus.

5.6 Large accumulations of detritus, built up over months and years, can contribute to the uncared for impression an area exudes. Detritus on metalled highways must be removed as a requirement of the s.89 duty to keep highways clean and it is also recommended that detritus should be removed alongside litter and refuse by duty bodies from all other hard surfaces as well (see 3.0).³

The Code was last updated in 2006. In its Litter Strategy for England, the Government set out its intention to update the Code of Practice on Litter and Refuse to clarify certain standards and expectations, including where it relates to the Strategic Road Network and where it relates to the responsibility of land managers. This would be to take account of the changes in the technological and economic environment in which land-managers now operate.⁴

The Litter Strategy set out the Government's intention to update the Code of Practice on Litter and Refuse to clarify standards and expectations.

³ Defra, [Code of practice on litter and refuse](#), 2006, pp.11-12 [accessed 15 May 2017]

⁴ HM Government, [Litter Strategy for England](#), April 2017, para 5.1.4

2. Litter trends

2.1 Annual litter survey

Between 2001/02 and 2014/15 Keep Britain Tidy carried out an annual litter survey in England on behalf of the Department for Environment, Food and Rural Affairs (Defra). This was known as the Local Environmental Quality Survey for England (LEQSE). LEQSE Surveys have not been commissioned for 2015/16⁵ onwards (see further paragraph 1.7 below) and no further up-to-date national litter statistics have been published since the 2014/15 LEQSE Survey results. All the following data in this section is for 2014/15.

The survey considered seven indicators, including litter, fly-posting, graffiti and leaf and blossom fall. Each indicator was given one of seven grades at each site surveyed, according to the severity of the problem at that site. The grades are explained in Table 1 below. These are taken from the Government [Code of practice on litter and refuse](#).⁶ The scores are used to estimate average grades, making comparisons between regions and years simpler.

Grade	Description	Score
A	None of the issues present	1
B+	Not formally defined	2
B	Predominantly free with some minor instances of the issue	3
B-	Not formally defined	4
C	Widespread with some accumulations of the issue	5
C-	Not formally defined	6
D	Heavily affected by the issue	7

Table 1. Comparators used by the Local Environmental Quality Survey of England to indicate the levels found at each site of the seven headline indicators (litter, detritus, weed growth, recent leaf and blossom fall, staining, fly-posting and graffiti). Source: Keep Britain Tidy.⁷

Keep Britain Tidy explained:

The grading system follows the same principles as the Code of Practice on Litter and Refuse,⁸ which identifies four grades of cleanliness: A, B, C and D. This survey uses these, plus an

⁵ Keep Britain Tidy, [Food-on-the-go drives rise in fast food litter](#), 21 December 2015 [accessed 15 May 2017]

⁶ Defra, [Code of practice on litter and refuse](#), 2013.

⁷ Keep Britain Tidy, [Local Environmental Quality Survey of England 2014/15](#), December 2015, Figure 1 [accessed 15 May 2017]

⁸ Defra, [Code of practice on litter and refuse](#), 2006 [accessed 15 May 2017]

additional three intermediate grades, giving a total of seven. ... The intermediate grades are not individually defined. Put simply, if cleansing at any given site is not at an A standard, but is performing better than a B standard, it would be identified as a B+.⁹

The 2014/15 survey covered 7,200 sites in 45 local authorities (as did the 2013/14 survey), compared to 11,000 sites in 54 local authorities in previous surveys. More information on the survey methodology is available [here](#).

2.2 National trends

The [Local Environmental Quality Survey for England 2014/15](#) found that the trends seen in 2013/14 were broadly continuing. In relation to litter there was an overall reduction (of four percentage points) in the number of sites deemed unacceptable for litter since 2001/02.¹⁰ Put another way, 90% of sites in England were predominantly free of litter in 2014/15.

The percentage of sites at or above an acceptable standard (grade B and above) for each headline indicator in the 2013/14 and 2014/15 surveys are reproduced below.

Indicator	2014/15 Percentage of sites at or above an acceptable level	2013/14 Percentage of sites at or above an acceptable level
Litter	90%	89%
Detritus	73%	69%
Graffiti	98%	98%
Fly-posting	100%	100%
Recent leaf and blossom fall	88%	87%
Weed growth	86%	85%
Staining	90%	88%

Table 2. Headline figures for the seven indicators in the 2013/14 and 2014/15 surveys. Source: Keep Britain Tidy.

2.3 Regional litter levels

The 2013/14 survey included detailed regional breakdowns for the first time; the 2014/15 survey did not include this type of breakdown.

In its Regional Results Summary, the 2013/14 survey said:

All regions were recorded as being at an acceptable overall standard for litter, i.e. at grade B or above. West Midlands

⁹ Keep Britain Tidy, [Survey methodology 2014/15](#) [accessed 15 May 2017]

¹⁰ Keep Britain Tidy, [Local Environmental Quality Survey of England 2014/15](#), December 2015, p10 [accessed 15 May 2017]

achieved the best average grade, closely followed by the South West and East Midlands.

The North West and Greater London recorded the worst average grades; this is perhaps not surprising as the North West and Greater London are the most densely populated regions in England. Therefore, they are more likely to be at risk when it comes to a man-made problem like litter.¹¹

The grades for each site were converted to scores in line with Table 1 above, averaged and converted back to the equivalent grade. The scores and grades for each region are given below in Table 3. The closeness of the scores indicates that there is very little difference between the regions (a point which is made by the survey itself).¹²

Region	Average grade	Average score
West Midlands	B+	2.43
South West	B+	2.48
East Midlands	B+	2.49
East of England	B	2.58
North East	B	2.69
South East	B	2.70
Yorkshire and The Humber	B	2.76
Greater London	B	2.91
North West	B	2.93

Table 3. Regions of England ranked according to average litter grade (the lower the score, the higher the performance). Source: Keep Britain Tidy.

A slightly different table is obtained if the regions are ordered by the percentage of sites they have that meet an “acceptable” standard (grade B or above), as in Table 4 below.

Region	Percentage of sites at an acceptable standard
West Midlands	94.7
South West	93.3
East Midlands	92.8
East of England	92.7
South East	89.4

¹¹ Keep Britain Tidy, [How clean is England? LEQSE 2013/14](#), p.11, 2014 [accessed 15 May 2017]

¹² Keep Britain Tidy, [Local Environmental Quality Survey for England 2013/14](#), p.9 [accessed 15 May 2017]

Greater London	87.5
North East	87.0
Yorkshire and The Humber	83.0
North West	79.1

Table 4. Regions of England ranked according to the percentage of sites at an acceptable standard for litter (grade B or above). Source: Keep Britain Tidy.

The top four are the same in both tables, but the South East and Greater London are higher in Table 4 than Table 3, at the expense of the North East and Yorkshire and The Humber. The North West is bottom in both tables. However, while the first table seems to show that all regions had a similar average litter grade, the second shows that there was a considerable difference across England in the proportion of sites that are at an acceptable standard.

2.4 Litter trends by land use

The LEQSE survey considered differences according to land use. It defined ten types of land use, as follows:

- **High-obstruction housing areas:** Housing areas should be classified as 'High Obstruction Housing' if the proportion of dwellings with purpose-built off-street parking/garaging facilities is less than or equal to 50%. In these areas, there is a high risk of obstruction to mechanical channel sweeping operations, e.g. obstruction from parked cars. High obstruction housing areas can also include occasional small retail premises, offices, manufacturing, and warehousing sites.
- **Medium-obstruction housing:** Housing areas should be classified as 'Medium Obstruction Housing' if more than 50% of dwellings have purpose-made off-street parking/garaging facilities for up to two modern-day family cars.
- **Low-obstruction housing:** This land use includes all types of housing where more than 50% of properties have purpose-made off-road garaging/parking within the property boundary for three or more cars. In these areas, there is generally a low risk of obstruction to mechanical channel sweeping operations. The space available should be capable of accommodating all the parking requirements of residents (including, where applicable, boats and caravans, etc.) and most of the demand from visitors to the premises.
- **Industry:** includes Industrial and Warehousing developments, out-of-town Retail Parks (including food and non-food developments), and Science Parks (containing offices, laboratories and manufacturing processes).
- **Main retail and commercial:** This land use consists of the main town and city retail and commercial centres. Urban tourist 'hot spots', which are wholly or partially separated from a main town or city retail and commercial centre, are also included in this land use.
- **Other retail and commercial:** This land use class covers retail and commercial areas which are primarily located outside main

city and town retail and commercial centres (but excludes out-of-town or edge-of-town 'retail park/retail shed' developments, which are included with industry, warehousing and science parks).

- **Main roads:** Main Roads are all 'A' roads. However, if a main road is situated within main retail and commercial, other retail and commercial, or high obstruction housing area, then that transect should be recorded as that land use and not as a main road, due to the potential obstruction caused.
- **Rural roads:** This class comprises all highways that are located outside built up areas and are not included in the main roads or other highways land use classes, whether 'rural' in character or not.
- **Other highways:** Other Highways are made up of the following: Formal lay-bys, informal lay-bys, stub roads, underpasses, footbridges, un-metalled bridleways, metalled bridleways, narrow routes and alleyways, cycle ways and 'other' - this includes any other highway which is not listed above.
- **Recreation areas:** This land use is a combination of public open space and watersides. 'Public open space' includes parks, recreation areas, grassed areas, picnic sites, and paved areas, which are not classed as main or other retail and commercial locations. Officially signed and/or marked public footpaths and deconsecrated cemeteries should also be included in this land use category. 'Watersides' includes all publicly accessible areas adjacent to ponds, lakes, reservoirs, canals, rivers and estuaries.

More information about the definitions is available from the [Keep Britain Tidy website](#).

The 2014/15 LEQSE survey found that low obstruction housing, rural roads and recreational areas had the best litter levels, while industry and warehousing areas, other retail and commercial areas and high obstruction housing had the worst.¹³ It explains that generally, the less intensively used an area is, the less litter is found there. Land uses that are more intensive are often seen to have a poorer average standard of litter.¹⁴

Industry, warehousing, retail and commercial areas and high obstruction housing have the worst levels of litter.

2.5 Litter trends by litter types

The 2014/15 LEQSE Survey identified the most prevalent litter types as: smokers' materials, confectionery packs, non-alcoholic drinks-related litter and fast food related litter. Three types of litter significantly increased between 2012/13 and 2014/15: plastic bags, discarded food and drink and vehicle parts.¹⁵

¹³ Keep Britain Tidy, [Local Environmental Quality Survey of England 2014/15](#), December 2015, Figure 22 [accessed 15 May 2017]

¹⁴ Ibid., p14

¹⁵ Keep Britain Tidy, [Local Environmental Quality Survey of England 2014/15](#), December 2015, p.11 [accessed 15 May 2017]

The top 20 types of litter found on the highest percentage of sites in 2014/15 is shown below:

Type of litter	Percentage of sites surveyed
Smokers' materials	72.8%
Confectionery packs	61.4%
Non-alcoholic drinks-related	52.4%
Fast-food-related	32%
Snack packs	21.2%
Packaging	19.8%
Alcoholic drinks-related	18.6%
Paper tissue	16.6%
Vehicle parts	15.1%
Discarded food/drink	14.7%
Clothing	11.8%
Plastic bags	10.3%
Till receipts	7.7%
Dog fouling	7%
Royal Mail	6.8%
Newspaper	5.6%
Solid gum	5.3%
ATM slips	3.6%
Travel-related	3.5%
Bagged dog faeces	1.7%

The four most common types of litter are: smokers' materials, confectionery packs, non-alcoholic drinks related litter and fast-food related litter.

Table 5. Types of litter found at percentage of sites surveyed. Source: Keep Britain Tidy.¹⁶

The Communities and Local Government Committee published their report on [Litter and fly-tipping in England](#) on 14 March 2015. The report included some specific recommendations for frequently littered items: cigarette-related; chewing gum and fast-food litter. The [Government Response to the Committee's Report](#) was published on

¹⁶ Keep Britain Tidy, [Local Environmental Quality Survey of England 2014/15](#), December 2015, Figure 6 [accessed 7 June 2017]

4 December 2015.¹⁷ Relevant recommendations and the Government responses are included below.

Cigarette-related litter

The [2014/15 LEQSE Survey](#) found that smokers' materials, such as cigarette butts, remained the most frequently recorded items of litter. The prevalence of such material remained relatively consistent between 2004 and 2012, but there was a significant decline in the amount between 2012/13 and 2014/15. The Survey noted that this coincided with a reduction in the levels of smoking.

The Communities and Local Government Committee's recommendations included that a portion of the levies paid on tobacco should be hypothecated and provided to local councils to pay for the cost of clearing cigarette-related litter and that the Tobacco Manufacturers' Association should offer portable ash trays, or 'mini bins', free of charge to all who purchase cigarettes.¹⁸

The [Government Response](#) did not accept the Committee's recommendation and stated that, following a consultation and consideration of this matter, the Government had decided not to introduce a separate levy on the tobacco industry. It also noted that taxes on tobacco products are paid into the consolidated fund which is used to pay for public services, including cleaning up litter.¹⁹

In its Litter Strategy, the Government recognises that more needs to be done to tackle smoking-related litter, highlighting reducing the prevalence of smoking as "the most lasting way to reduce smoking-related litter". The Strategy does not prevent public bodies discussing the issue with industry where necessary, but asks that any such discussions are fully transparent.²⁰

Fast food-related litter

The [2014/15 LEQSE Survey](#) noted that fast food-related litter continued to increase: from 2004 fast-food related litter moved up three places in to fourth place in the 'top 20' litter types. It also revealed that 50% or more of main roads and industry and warehousing sites had fast food related litter present.²¹ Although snack-pack litter (e.g. crisp packets, biscuit packaging and cake wrappers) had significantly decreased over the previous 5 years (from 30% to 21%) it did rise slightly in 2014/15.

The Communities and Local Government Committee recommended that the Government should bring forward in legislation an obligation

¹⁷ [Government Response to Communities and Local Government Select Committee's seventh report of session 2014-15 on litter and fly-tipping](#), Cm 9097 [accessed 7 June 2017]

¹⁸ Communities and Local Government Select Committee Report, [Litter and fly-tipping in England](#), HC 607, 14 March 2015, paras 31 and 32

¹⁹ [Government Response to Communities and Local Government Select Committee's seventh report of session 2014-15 on litter and fly-tipping](#), Cm 9097, para 15

²⁰ HM Government, [Litter Strategy for England](#), April 2017, p32

²¹ Keep Britain Tidy, [Local Environmental Quality Survey of England 2014/15](#), December 2015, p15 [accessed 7 June 2017]

requiring all shops, restaurants and retail food outlets to keep the perimeters of their premises free from litter.²²

The Government highlighted that businesses already contribute and pay charges through business rates.²³ In its [Response to the Report](#), the Government did not accept the Committee's recommendation and stated that they would prefer to see a voluntary approach and strongly encouraged businesses to recognise the negative impact of litter, and the benefits to their own business and the economic health of the area of helping to ensure that the streets remain clean and attractive to customers.²⁴

The Government has committed to working with others to update Defra's 2007 voluntary code of practice *Reducing litter caused by 'food-on-the-go'*, including by taking into account new research and changing patterns of consumption.²⁵

Chewing gum

The [2014/15 LEQSE Survey](#) explained that solid gum refers to discarded, chewed chewing gum which could be picked up from the surface on which it has been found. Chewing gum is classed as staining after it has been trodden into a paved surface.

Following considerable deliberations, the Communities and Local Government Committee did not recommend a tax on chewing gum. However it did recommend that its successor Committee revisit the issue in one year unless it saw the industry making a much larger contribution to the costs of removing gum and staining and also encouraging its consumers to change their behaviour and achieving a significant reduction in litter.²⁶ The Committee has not yet revisited this matter.

The [Government Response](#) stated that it remains open to exploring other means of securing a proper contribution from the industry towards the costs imposed on the public purse by its products.²⁷

The Litter Strategy set out the Government's intention to work with relevant industries to tackle "problematic litter" such as chewing gum. It committed to increase the reach of the industry-funded [Chewing Gum Action Group](#), which is chaired by Defra. The Action group has funded research into the best methods for gum-staining removal from different surfaces, which was expected to be published in early 2017.

Plastic bags

²² Communities and Local Government Select Committee Report, [Litter and fly-tipping in England](#), HC 607, 14 March 2015, para 43

²³ Communities and Local Government Select Committee Report, [Litter and fly-tipping in England](#), HC 607, 14 March 2015, para 41

²⁴ [Government Response to Communities and Local Government Select Committee's seventh report of session 2014-15 on litter and fly-tipping](#), Cm 9097, paras 19 to 22

²⁵ HM Government, [Litter Strategy for England](#), April 2017, para 3.3.5

²⁶ Communities and Local Government Select Committee Report, [Litter and fly-tipping in England](#), HC 607, 14 March 2015, para 38

²⁷ [Government Response to Communities and Local Government Select Committee's seventh report of session 2014-15 on litter and fly-tipping](#), Cm 9097, para 18

The [2014/15 LEQSE Survey](#) found that 10% of sites had some plastic bag litter present, with fewer than 4% of sites having carrier bags that were recognisably supermarket bags (single or multi-use). Overall, the survey noted that plastic bag litter saw a significant decrease from 2006 (12% of sites affected) to 2012 (under 8% of sites affected). However, a significant increase in plastic bag litter was seen between 2012 and 2013 where it rose again to 10% of sites affected. It went on to note that this increase was driven by the increase in 'other retail' and non-branded' bags rather than supermarket plastic bags.

More information on legislation that has been introduced to combat plastic bag litter is set out in the [Library Briefing on 5p plastic bag charge](#).

2.6 Keep Britain Tidy Funding

Keep Britain Tidy is an independent charity. Previous Governments have given regular grants to [Keep Britain Tidy](#) and also funded Keep Britain Tidy's LEQSE surveys until 2014/15. A [LEQSE survey for 2014/15](#) was published by Keep Britain Tidy in December 2015. Keep Britain Tidy confirmed that a LEQSE Survey was not commissioned for 2015/16.²⁸ The previous Government did not commission any further LEQSE surveys from Keep Britain Tidy.

The Environment, Food and Rural Affairs Committee's Report on [Waste management in England](#) highlighted its concern that Defra's funding for Keep Britain Tidy reduced from £4.8 million in 2010/11 to £0.5 million in 2014/15.²⁹ The Committee recommended that Defra increase its funding for Keep Britain Tidy if evidence suggested it was necessary in the lead up to 2020.³⁰

²⁸ Keep Britain Tidy, [Food-on-the-go drives rise in fast food litter](#), 21 December 2015 [accessed 7 June 2017]

²⁹ Environment, Food and Rural Affairs Committee, [Waste management in England](#), Fourth Report of Session 2014-15, HC 241, para 37

³⁰ Environment, Food and Rural Affairs Committee, [Waste management in England](#), Fourth Report of Session 2014-15, HC 241, para 40

3. The cost of litter

Litter costs can be broadly split into two categories: direct and indirect costs.

- 1 Direct costs are borne by the principal litter authorities, who are responsible for clearing up litter and enforcing the law. In England, principal litter authorities are local councils and the Highways Agency.
- 2 Indirect costs are harder to quantify. In particular, there are health costs associated with infections from contaminated litter, accidents caused by litter, environmental damage, injuries to wildlife, and loss of tourism. There is also some evidence of a correlation between litter and crime (see below).

The Government has published an online guide which describes how local environmental quality, including litter, can be incorporated into an economic analysis of the area concerned.³¹

3.1 Direct costs

As there are a number of different bodies involved in collecting litter, it is difficult to accurately estimate the direct cost of all littering behaviour. As the [2012/13 LEQSE Survey](#) pointed out, the cost of litter goes beyond simply clearing it up:

The cost of England's litter problem is not only that of cleaning up. There are many other associated costs of litter. These include the cost of enforcement to try to deter people from littering, the cost of educating people to try to do the right thing and the cost of campaigning. This is of course on top of providing bins and other litter infrastructure.³²

It is up to local authorities to determine their own spending priorities. Central Government does not provide any specific (ie ring-fenced) funding to local councils for the purpose of litter clearance.³³

Figures are available for local authority expenditure on street cleansing up to 2015/16 (see figure 1 below). However, street cleansing includes additional activities, such as road sweeping and emptying bins, which means they do not reflect the cost of the collection of litter alone. The figures should therefore be used as indicative only.

Figure 1 below shows the net current expenditure by local authorities in England on street cleansing over the past decade. Net current

³¹ Defra, [Local environment quality: economic analysis](#), 5 August 2013

³² Keep Britain Tidy, [How clean is England? LEQSE 2012/13](#) [accessed 7 June 2017]

³³ [PQ 39270](#) [on Litter] 8 June 2016

expenditure was £627 million in 2005/06, growing year-on-year to a peak of £776 million in 2009/10. Since then it has declined year-on-year, reaching £683 million in 2015/16. Although the 2015/16 expenditure figure is higher than 2005/06 in cash terms, in real terms (2015/16 prices) this represents a -9% reduction from £754 million in 2005/06.³⁴

Net current expenditure on street cleansing peaked at £776 million in 2009/10, since then it has declined year-on-year to £683 million in 2015/16.

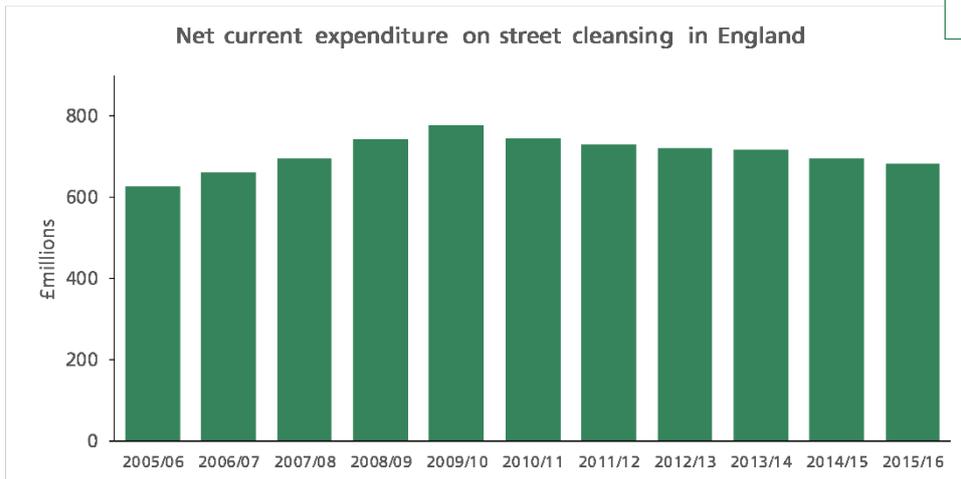


Figure 1. Net current expenditure on street cleansing in England for financial years 2005/06 to 2015/16.

Source: [DCLG Local authority revenue expenditure and financing data](#)

3.2 Indirect costs: a link with crime and deprivation?

In a press release published alongside the Local Environmental Quality Study of England 2014/15, Keep Britain Tidy said:

there remains a huge difference between the most deprived areas and wealthiest areas.

The reality is that in the poorest areas of the country, 25% of sites are unacceptably littered. This figure falls to just two per cent in the most affluent areas.³⁵

As with the 2013/14 survey, the [2014/15 LEQSE Survey](#) showed that the areas with more indicators of deprivation have significantly worse levels of cleanliness than less deprived areas. Citizen science data using an app such as LoveCleanStreets (LCS) to record litter also shows more litter incidents in areas of higher deprivation.³⁶ Figure 27 of the 2014/15 Survey showed that there appeared to be a correlation between social deprivation and low-level environmental crime: the more deprived an area, the more likely it is to have high litter levels.

³⁴ Note that the Litter Strategy states that street cleaning cost local government £778m in 2015/16, which reflects total expenditure. Figure 1 shows net expenditure which reflects the actual cost to the authority.

³⁵ Keep Britain Tidy, [Food-on-the-go drives risk in fast food litter](#), 21 December 2015 [accessed 7 June 2017]

³⁶ HM Government, [Litter Strategy for England](#), April 2017, p9

The [2013/14 LEQSE survey](#) referenced the “broken windows”³⁷ theory:

Graffiti and fly-posting are low-level environmental crimes, which are monitored in the survey. They are linked to anti-social behaviour, which can often escalate into more serious forms of crime, as postulated in the ‘broken windows’ theory. This is a criminological theory of the norm-setting and signalling effect of urban disorder and vandalism on additional crime and anti-social behaviour. The theory states that maintaining and monitoring urban environments in a well-ordered condition may stop further vandalism and escalation into more serious crime.

The [2014/15 LEQSE Survey](#) added that this is a complex issue that warrants further investigation. Giving oral evidence to the Select Committee on Communities and Local Government, the comedian, author and volunteer litter-picker David Sedaris said:

Why do I think there is more litter in deprived areas? I don't know. To tell you the truth, there is a Waitrose not far from me. I found one Waitrose bag last year. There is a Tesco Metro, which I think of as a litter supply store, not far away and I find Tesco bags all the time. I don't find containers that nuts came in. It is fast food. It is crisps. It is candy bars.³⁸

The evidence session was widely reported in the press.^{39 40 41}

In Response to the Committee's Report, the Government stated the link between litter and deprivation may not be causal and the evidence is not robust:

We agree with the Committee that the link between litter and deprivation may not be causal, and that the evidence on the indirect costs of litter is not robust. The amount of litter found in an area is likely to be affected by many factors, including population density and transience, local sources of litter, and the degree of obstruction to cleansing activity (such as on-street parking or other access issues), as well as the local council's priorities, resources and cleansing schedule. The Code of Practice on Litter & Refuse makes clear that litter authorities are expected to “identify when and where the greatest litter problems are likely to occur, and to put into place procedures to ensure that these do not build up and that acceptable standards are maintained.”⁴²

The Litter Strategy stated that:

Research has shown that community expectations and social norms relating to litter and local environmental quality vary significantly between different neighbourhoods. The two year

³⁷ [Broken Windows: The Police and Neighbourhood Safety](#). Kelling and Wilson (The Atlantic, 1982).

³⁸ Select Committee on Communities and Local Government, [Litter and fly-tipping in England, HC 607](#), Q110, 06.01.15.

³⁹ [The Guardian, British litter worst in world, David Sedaris tells MPs](#), 07.01.15.

⁴⁰ [The Telegraph, Poor people who shop at Tesco are more likely to drop litter, author David Sedaris says](#), 06.01.15.

⁴¹ [The Independent, Donald Macintyre's Sketch: Red Bull cans and KFC handwipes - insights into Britain's litter grip MPs](#), 06.01.15.

⁴² [Government Response to Communities and Local Government Select Committee's seventh report of session 2014-15 on litter and fly-tipping](#), Cm 9097, Para 10

Perceptions of Place Project (2009-11) sought to understand not only what drives people's perceptions of their local environment, but also how levels of deprivation affect the way people perceive their local environment, if at all. It found that people from more deprived communities were more likely to respond to personalised messages that appealed to their emotions and connection to specific places that were relevant to them. Those from less-deprived communities were more likely to respond to messages based on relevant economic arguments (such as the impact of poor local environmental quality on property valuations).⁴³

⁴³ HM Government, [Litter Strategy for England](#), April 2017, p28

4. Government policy and legislation

4.1 General policy

Defra has the policy lead on litter and its role includes setting the relevant standards, making sure the legislation is fit for purpose and working with partners in industry and in the voluntary sector. The Department for Communities and Local Government (DCLG) also has a role to play as local councils have responsibility for the bulk of street cleansing activities and tackling litter. This also means that local councils incur the bulk of the costs of clearing litter (see Responsibility for Litter Collection above). The Department for Transport, in particular the government company, Highways England, leads on litter issues affecting roads and transport.

In December 2015, the previous Government explained that:

the remit of central Government is principally to provide the framework of powers, responsibilities and duties within which local action can be taken to tackle specific problems. It is up to local councils, and their communities, to decide how to prioritise spending on tackling litter against their other local priorities.⁴⁴

In response to a PQ in June 2015 about whether the Department would consider appointing a Minister for Litter, the Minister of State for Communities and Local Government (Mark Francois MP) said: “there is no current intention to appoint such a Minister in this Department. DCLG ministers will of course remain strongly interested in this matter as it can be a significant issue for local residents”.⁴⁵

Litter policy sits within wider resource efficiency and waste policy, an area largely driven by the EU (see Box 1). Within the UK, litter policy is devolved. More information on Scotland, Wales and Northern Ireland is set out in Section 5.

Box 1: An EU Litter Prevention Strategy?

At the end of 2015, the European Commission made a number of legislative proposals introducing new targets and requirements for waste management in the EU. The proposals are currently being considered by the European Parliament and Council.

In March 2017, the European Parliament made a number of proposed amendments to the legislative package, including the following on litter:

- A definition of “litter” at EU level
- Making dropping litter an offence in all EU countries
- Requiring EU member states to develop a national litter prevention strategy
- Developing a common European methodology to measure litter
- Requiring EU member states to identify the main sources of litter and take measures to reduce them

⁴⁴ [Government Response to Communities and Local Government Select Committee's seventh report of session 2014-15 on litter and fly-tipping](#), Cm 9097, para 47

⁴⁵ [PQ 1498](#) [on Litter] 12 June 2015

- Requiring producers to pay for public information and communication campaigns on the prevention of littering
- Extending the definition of municipal waste to cover collected litter.⁴⁶

These proposals are being considered as part of the wider circular economy package.

In the context of Brexit, the former Government explained its approach to the EU circular economy package in November 2016:

The EU Circular Economy package has two elements: an action plan and amendments to waste legislation. There will be a series of initiatives launched under the action plan and the UK will be able to judge which of these to focus attention on in the future. We do not know when the negotiations on the waste legislative amendments will conclude, nor the deadline for transposing them into UK legislation. While the UK remains a Member State, all EU obligations will continue to apply. Any future changes in the law will be subject to full scrutiny and Parliamentary debate.⁴⁷

Further background information is available on the [Library Briefing Page on the EU Circular Economy Package](#).

4.2 Litter Strategy for England

In April 2017, the 2015 Conservative Government published a [Litter Strategy for England](#). The Strategy aims to reduce the amount of litter and littering behaviour with a variety of different approaches, including through education, enforcement and infrastructure—see Box 2 below.

Following publication of the Strategy, the then Secretary of State for the Defra commented:

Litter is something that affects us all – blighting our countryside, harming our wildlife, polluting our seas, spoiling our towns, and giving visitors a poor impression of our country.

Our litter strategy will tackle this antisocial behaviour by building an anti-litter culture; making it easier for people to dispose of rubbish; and hitting litter louts in the pocket.

We want to be the first generation to leave our environment in a better state than we found it, and tackling litter is an important part of our drive to make the country a better place to live and visit.⁴⁸

Box 2: Litter Strategy for England

The Litter Strategy for England committed to:

Send a clear and consistent anti-litter message by:

- developing, seeking funding for, and delivering a world class national anti-littering campaign
- inspiring and engaging local communities, and empowering them to take action, including introducing a new 'litter innovation fund' to pilot, implement and evaluate small scale local research projects that could be replicated more widely
- making a compelling business case for businesses of all kinds to invest in anti-litter activity

⁴⁶ European Parliament, [Amendments adopted by the European Parliament on 14 March 2017 on the proposal for a Directive of the European Parliament and of the Council amending Directive 2008/98/EC on waste](#), 14 March 2017 [accessed 15 June 2017]

⁴⁷ [HL3318](#) [on Recycling] 29 November 2016

⁴⁸ Gov.uk press release, [Government publishes new anti-littering strategy](#), 10 April 2017

- exploring voluntary and regulatory measures that aim to increase recycling and reduce litter
- working with stakeholders to look at innovative ‘nudge’ techniques’ to tackle littering behaviour

Improve enforcement against offenders, including:

- delivering on our Manifesto commitment to review the case for increasing fixed penalties for littering and related offences
- introducing new regulations to help councils tackle littering from vehicles
- providing improved guidance for councils on how to use their enforcement powers proportionately and appropriately, and
- raising councils’ and magistrates’ awareness of the range of sanctions available to tackle littering and fly-tipping

Clean up the country, including:

- supporting national clean-up days
- working with Highways England to put in place measures to deliver a lasting improvement in cleanliness at 25 priority litter hotspots on the Strategic Road Network, including updating the Code of Practice on Litter and Refuse to clarify the expected standards of cleanliness on the Network
- producing new guidance on “binrastructure” (the design, number and location of public litter bins and other items of street furniture) for local areas to help them reduce levels of litter
- working with the relevant industries to tackle certain types of particularly problematic litter, including fast-food packaging, smoking-related litter and chewing gum
- exploring the ways in which packaging and packaging design can contribute to reducing litter⁴⁹

4.3 Responsibility for litter collection

Litter authorities have a duty to ensure that, so far as reasonably practicable, their land is kept clear of litter and refuse.⁵⁰ Litter authorities generally refers to local authorities, but also includes statutory undertakers, educational institutions and the Crown (in each case in respect of its own land) and the Secretary of State.

The responsibility for keeping trunk roads that have been transferred to the Highways Agency or other special roads clear falls to the Secretary of State (in practice, this is done by the Highways Agency).^{51 52}

All organisations having a duty to collect litter are required to have regard to the [Statutory Code of Practice on Litter and Refuse for England](#). The Litter Strategy committed to working with members of the Litter Strategy Advisory Group (among others) to review and update this Code, in order to take account of new research and “changing patterns of consumption”.⁵³

⁴⁹ HM Government, [Litter Strategy for England](#), April 2017, Summary

⁵⁰ *Environmental Protection Act 1990*, section 89

⁵¹ *Ibid.*

⁵² Highways Agency, [Responsibility for clearing litter from motorways and roads](#), 08.02.13.

⁵³ HM Government, [Litter Strategy for England](#), April 2017, para 3.3.5

4.4 Littering as a criminal offence

Part IV of the [Environmental Protection Act 1990](#) (as amended) is the main legislation covering litter in England and Wales. Detailed [guidance](#) on the law as it is applied in England was published by Defra in 2006 and in Wales by the Welsh Government in 2007.⁵⁴

The law states that:⁵⁵

- It is a criminal offence to drop, throw or otherwise deposit litter and leave it anywhere that is publicly accessible (with or without payment) and open to the air;
- The maximum fine for littering is £2,500;
- It is not an offence to drop litter if it is authorised by law or if it is done with the consent of the owner or occupier of the area where the litter is dropped (except in the case of ponds, lakes or watercourses, where the owner or occupier giving permission for litter to be dropped must have control of the whole area of water for no offence to be committed).

It is an offence to drop litter and leave it anywhere that is publicly accessible and open to the air.

Enforcement agencies are required to use judgement in deciding which offence has been committed in a particular situation (for example, littering or fly-tipping).⁵⁶

4.5 Fixed Penalty Notices

In practice, fixed penalty notices are often issued in lieu of prosecution for littering offences due to the costs associated with going to court. This is permitted by section 88 of the Environmental Protection Act 1990 and is still a criminal penalty.

A fixed penalty notice sets a penalty to be paid within a set amount of time; it is not a fine or a criminal conviction. The recipient can opt for the matter to be dealt with in court instead of paying.

Currently the penalty amount can be set between £50-80 (depending on the locally set level) but the default in England is £75.⁵⁷ Offenders can be fined up to £150 in Wales.

In 2008-09 (the last year for which data is available) there were 30,678 fixed penalty notices issued, of which 19,039 were paid.⁵⁸ Fixed Penalty Notice data is collected and held by local authorities but there is no requirement to report it centrally to Government.

⁵⁴ Defra, [Litter and Refuse: Guidance on Part 4 of the Environmental Protection Act 1990 as amended by the Clean Neighbourhoods and Environment Act 2005](#), 2006 [accessed 7 June 2017]; Welsh Government [Code of practice on litter and refuse and associated guidance 2007](#), 31 March 2007 [accessed 20 July 2017]

⁵⁵ Environmental Protection Act 1990 (as amended), section 87

⁵⁶ Defra, [Litter and Refuse: Guidance on Part 4 of the Environmental Protection Act 1990 as amended by the Clean Neighbourhoods and Environment Act 2005](#), 2006 p6 [accessed 7 June 2017]

⁵⁷ Gov.uk guidance, [Fixed penalty notices, issuing and enforcement by councils](#), 9 May 2016 [accessed 20 July 2017]

⁵⁸ Figures are available from: <https://data.gov.uk/dataset/fixed-penalty-notice-litter>

Increasing Fixed Penalty Notice for littering?

The Communities and Local Government Committee highlighted in its Report on [Litter and Fly-tipping in England](#) that it is difficult to make an assessment of the effectiveness of fixed penalty notices as the Government has not collected data on the number of criminal cases, fines or fixed penalty notices issued (or amounts collected) since 2008/09.⁵⁹ It also recommended that the Government should assess whether the maximum penalty should be increased.

The previous Government agreed with the Communities and Local Government Committee's recommendation that a good case can be made for increasing the levels of fixed penalty fines that councils and other litter authorities can impose. The Litter Strategy for England set out the Government's intention to review the case for increasing fixed penalties for littering and a [consultation](#) and [draft regulations](#) were published in April 2017 which sought views on increasing "on-the-spot fines" for litter, graffiti and fly-posting in England.⁶⁰ The consultation closed on 18 June 2017. The Government has not yet published its response.⁶¹

4.6 Community Protection Notices

The [Anti-Social Behaviour Crime and Policing Act 2014](#) introduced the Community Protection Notice (CPN) in October 2014, which is intended to deal with particular ongoing problems or nuisances which negatively affect the community's quality of life by targeting those responsible. Its purpose is to stop a person aged 16 or over, business or organisation committing anti-social behaviour which spoils the community's quality of life. Behaviour has to:

- have a detrimental effect on the quality of life of those in the locality;
- be of a persistent or continuing nature; and be unreasonable.

More detailed information on how CPNs work is also available in a Home Office document [Anti-social Behaviour, Crime and Policing Act 2014: Reform of anti-social behaviour powers: Statutory guidance for frontline professionals](#).

Community Protection Notices can be used by local authorities or the police against people or organisations that are suspected of repeated littering. It does not provide an immediate response to general littering but can provide a response to littering that is continuing or persistent in nature. A CPN can include any or all of the following:

- a requirement to stop doing specified things;
- a requirement to do specified things; and/or

⁵⁹ Communities and Local Government Committee, [Litter and fly-tipping in England](#), Seventh Report of Session 2014-15, 14 March 2015, HC 607, para 46

⁶⁰ Gov.uk consultation, [Reducing litter: penalties for environmental offences](#), 10 April 2017

⁶¹ See Gov.uk consultation, [Reducing litter: penalties for environmental offences](#)

- a requirement to take reasonable steps to achieve specified results.

It is a criminal offence to breach a Community Protection Notice. The Home Office has not required the police or other local agencies to report on the use of these powers so there is not comprehensive data available on the use of CPNs.

The *Anti-Social Behaviour Crime and Policing Act 2014* repealed several anti-litter measures and replaced them with Community Protection Notices, including:

- Street Litter Control Notices;⁶²
- Litter Clearing Notices;⁶³
- Dog Control Orders;⁶⁴
- Defacement Removal Notices;⁶⁵
- Litter Abatement Notices.⁶⁶

The Government said the profusion of different notices prior to the introduction of CPNs was confusing and unhelpful.⁶⁷

More information on Community Protection Notices is set out in the [Library Briefing Paper on Anti-Social Behaviour – new provisions](#).

4.7 Littering from vehicles

Local authorities in London may issue civil penalties to the registered keeper of a vehicle when an enforcement officer witnesses littering from the vehicle, pursuant to the [London Local Authorities Act 2007](#) (section 24).

For the rest of the country, the [Anti-Social Behaviour, Crime and Policing Act 2014](#) contains a measure (section 154) that would make littering from vehicles a civil offence and allow penalties to be imposed on the registered keepers of the vehicle (rather than needing to establish the culprit). However, this section is not yet in force.

Therefore, currently enforcement officers outside London must know exactly who in the vehicle threw the litter out in order to take action against the offender. The Select Committee on Communities and Local Government recommended that this power be extended to the rest of the country in its Report on litter and fly-tipping in England.⁶⁸

In response the previous Government said that it would be important to get the details of any such scheme right, including matters such as the size of the fine, the form and content of the penalty notice and the exceptions to the keeper's liability. The Litter Strategy announced the Government's intention to introduce new regulations to extend the

⁶² *Environmental Protection Act 1990*, sections 93-94.

⁶³ *Environmental Protection Act 1990*, sections 92A-92C.

⁶⁴ *Clean Neighbourhoods and Environment Act 2005*, sections 55-62.

⁶⁵ *Anti-social Behaviour Act 2003*, sections 48-52.

⁶⁶ *Environmental Protection Act 1990*, sections 92.

⁶⁷ [Anti-social Behaviour, Crime and Policing Bill - Commons Library Research Paper, pp.31-32](#)

⁶⁸ Communities and Local Government Select Committee Report, [Litter and fly-tipping in England](#), HC 607, 14 March 2015, para 64

London approach to the rest of England. A [consultation](#) on the level of the fines and how they should operate ran from 10 April 2017 to 18 June 2017 and the Government is currently analysing feedback.

4.8 Highways England

The Highway Code states:

Be considerate. Be careful of and considerate towards all types of road users, especially those requiring extra care (see Rule 204).

you **MUST NOT** throw anything out of a vehicle; for example, food or food packaging, cigarette ends, cans, paper or carrier bags. This can endanger other road users, particularly motorcyclists and cyclists.⁶⁹

The introduction to the Highway Code clarifies that the use of the emboldened and capitalised words “must not” indicates that the action referred to is a legal requirement. If it is disobeyed the person is committing a criminal offence.⁷⁰

Highways England is responsible for cleaning litter on motorways and some A roads. It can be contacted on 0300 123 5000 to report litter spilling from vehicles or skips on these roads. Highways England states that it collects more than 7,000 tonnes of litter from the roads it is responsible for each year.⁷¹

In April 2014, the Highways Agency launched its “Bag it. Bin it!” campaign, which is aimed at reducing the litter on motorways and major A roads.⁷²

[Highways England’s Litter Strategy](#) sets out how Highways England works with stakeholders, suppliers and staff to change the behaviours of those who drop litter on major roads and trunk roads in England.⁷³ The Strategy includes a useful map setting out responsibility for litter clearance on the trunk road network. The UK Government’s overarching Litter Strategy for England commits to working with Highways England to put in place measures to deliver a lasting improvement in cleanliness at 25 priority litter hotspots on the Strategic Road Network, including updating the Statutory Code of Practice on Litter and Refuse to clarify the expected standards of cleanliness on the Network.⁷⁴

The Government has also established a working group on roadside litter, to help identify and promote best-practice in roadside litter prevention.⁷⁵

⁶⁹ Highway Code, [Rule 147](#), November 2014.

⁷⁰ Gov.uk, [The Highway Code, Introduction](#) [accessed 7 June 2017]

⁷¹ Gov.uk, [Litter on England’s major roads](#), 4 August 2015 [accessed 20 July 2017]

⁷² Highways Agency, [£6 million cost to collect litter on motorways – Bag and Bin it. Highways Agency asks road users](#), 7 April 2014

⁷³ Gov.uk, [Highways England’s Litter Strategy](#), 29 June 2016 [accessed 20 July 2017]

⁷⁴ HM Government, [Litter Strategy for England](#), April 2017

⁷⁵ Ibid.

4.9 Individuals' power to require litter clearing

Most local authorities have webpages giving advice about litter, and many also have dedicated helplines on which to report litter. There is a [Gov.uk webpage](#) directing the public to the relevant local authority in order that they may report litter throughout the UK.

If a member of the public feels that a litter authority is not fulfilling its duties to keep public land clear of litter, he or she may apply to a Magistrates' Court for a litter abatement order.⁷⁶ If the court is satisfied that the litter authority is in dereliction of its duty under section 89 of the Environmental Protection Act 1990, it may issue a litter abatement order requiring the body to clear the area of litter. Legal advice should be sought on the merits of a particular case. The Library briefing paper [Legal help: where to go and how to pay](#) (CBP3207) provides more helpful information.

Powers to make litter clearing and street litter clearing notices under sections 92-93 of the Environmental Protection Act 1990 were repealed in October 2014 (see Community Protection Notices above).⁷⁷

⁷⁶ [Environmental Protection Act 1990, section 91](#).

⁷⁷ Repealed by Schedule 11(1) of the Anti-social Behaviour, Crime and Policing Act 2014

5. Local action against litter

Local action groups tackling litter can register on the [Litteraction website](#) which covers the whole of the United Kingdom. At the time of writing, around 1000 groups were registered.⁷⁸

[Keep Britain Tidy](#) is an independent charity which started with working against litter 60 years ago. It runs a number of campaigns at a national and regional level to improve the quality of communities and landscapes. More information about its current campaigns is available on its [website](#). Keep Britain Tidy opened its [Centre for Social Innovation](#) in June 2015 which aims to change behaviour through observation and application by sharing best practice.

Other examples of charities and campaigns working against litter are:

- [Clean Up Britain](#): a charity aiming to transform the behaviour of litterers and radically reduce the volume of litter dropped in the UK.
- [The RSPCA](#): concerned about the hazard litter presents to animals, and has a webpage giving information on how to help prevent injuries to pets and wildlife.
- [The Chewing Gum Action Group](#) brings together local authorities, manufacturers, Government and Keep Britain Tidy. It is chaired by Defra and it runs annual campaigns, which local authorities and other organisations can apply to be a part of.
- [Hubbub](#): a charity which aims to change littering behaviour. It launched its 'NeatStreets' campaign with Westminster City Council, which focuses on encouragement rather than punishment to tackle litter. This new approach was trialled between May to September 2015 on Villiers Street in Westminster.
- [Bin it! Schools programme](#): the Wrigley Company's long-running anti-litter education programme aimed at 11-13 year olds. It aims to encourage young people to make a change to their community and environment. The programme supplies free resource packs for teachers containing teachers' notes, activity cards, posters and games.
- [Clean for the Queen](#): in 2016 community volunteers organised over 5,000 events across the country in honour of the Queen's 90th birthday. Over 300,000 bags of rubbish were collected.
- [Beautiful Boroughs project](#): in London 10 boroughs are working with this project, run by CleanupUK. The project aims to encourage people in the boroughs to form groups to keep the local area free of litter and discourage littering.

⁷⁸ HM Government, [Litter Strategy for England](#), April 2017, p27

6. Devolved Administrations

6.1 Wales

Littering is an offence in Wales under the same legal provisions as it is in England (see section 3 above).

In 2013, the Welsh Government estimated that the cost of cleaning up litter in Wales was £70 million.⁷⁹ The Welsh Government works with Keep Wales Tidy, Natural Resources Wales and the 22 Welsh Local Authorities to deal with the problem of litter.⁸⁰

The Welsh Government funds Keep Wales Tidy to assess levels of cleanliness in Wales using the Local Environmental Audit and Management System (LEAMS). LEAMS records street cleanliness by measuring the amount of litter found on 50 metres of a street. It also records Adverse Environmental Quality Indicators (AEQI), including: fly-posting; graffiti; dog fouling; vandalism; weeds; and detritus.⁸¹

The results of these audits are published in annual [surveys](#) by Keep Wales Tidy. Detailed information about the methodology used by LEAMS is also available [online](#). More information is available on the [Welsh Government webpage on Litter](#).

6.2 Scotland

Littering is also an offence in Scotland under the Environmental Protection Act 1990 (as amended), however, the specifics and details of the offence are different in Scotland. Resources and information for Scotland are available on the [Scottish Government webpages on Litter and fly-tipping](#).

Figures [published](#) by the Scottish Government in 2014 stated that £78 million was spent tackling litter and fly-tipping each year in Scotland. This figure includes education, enforcement and clean up.

Scotland published a [national litter strategy](#) in June 2014 which sets out Scotland's approach to addressing litter and fly-tipping problems.⁸² In January 2017 the Environment Secretary in Scotland (Roseanna Cunningham) announced that the Scottish Government would introduce new statutory litter guidance to encourage duty holders to attach greater priority to preventing litter from arising in the first place.⁸³

[Zero Waste Scotland](#) is the Scottish Government's resource efficiency delivery partner. It works with land owners, local authorities

⁷⁹ Welsh Government, [Litter](#), May 2013, [accessed 7 June 2017]

⁸⁰ Welsh Government, [Litter](#), 15 May 2013 [accessed 12 July 2017]

⁸¹ Welsh Government, [LEAMS](#), 18 January 2017 [accessed 19 July 2017]

⁸² Scottish Government, [Zero Waste, Towards a Litter-free Scotland](#), June 2014 [accessed 29 June 2017]

⁸³ Scottish Government, [Boost for action to tackle litter](#), 27 January 2017

and other stakeholders including the charity [Keep Scotland Beautiful](#), to tackle litter and flytipping.⁸⁴

6.3 Northern Ireland

Keep Northern Ireland Beautiful estimates that the cost of “cleaning up after litterers” to be over £43 million in 2015-16.⁸⁵

Under the [Litter \(Northern Ireland\) Order 1994](#) it is an offence to throw down, drop or otherwise deposit in, into or from any place open to the air and then leave litter. The Department of the Environment has issued detailed [Guidance on Litter](#) which can be referred to for further information.

Litter is defined under Article 2 (2) of the Order as:

any refuse, filth, garbage or any other nauseous, offensive or unsightly waste or any waste which is likely to become nauseous, offensive or unsightly but not animal droppings⁸⁶

A person found guilty of the litter offence may be fined up to £2500. Alternatively, an authorised officer may issue fixed penalty notice. The on-the-spot fine for dropping litter is £80.⁸⁷ There is also separate guidance to district councils on the use of fixed penalty notices on the [Executive website](#).

The charity Keep Northern Ireland Beautiful is part-funded by the Department of the Environment. The rest of its funding comes from private partnerships.⁸⁸ In its [National Benchmarking Report](#) published on 12 April 2017, the charity estimated that in 2016-17 more than £43 million was spent on cleaning the streets of Northern Ireland.⁸⁹

Further information and [links to research](#) on issues surrounding littering in Northern Ireland can be found on the charity’s website.

⁸⁴ Scottish Government, [‘Litter and flytipping’](#) [accessed 13 July 2017]

⁸⁵ Keep Northern Ireland Beautiful, [Conference Aims to Nudge Litter Into the Bin](#), 23 March 2017

⁸⁶ Department of the Environment, Northern Ireland Executive, [Guidance on Litter](#), 2012 [accessed 12 July 2017]

⁸⁷ Belfast City GOV, [Anti-litter campaigns](#) [accessed 13 July 2017]

⁸⁸ [‘Mission Statement’](#), Keep Northern Ireland Beautiful [accessed 12 July 2017]

⁸⁹ [‘Report highlights progress cleaning Northern Ireland’s streets and parks’](#), 12 April 2017, Keep Northern Ireland Beautiful [accessed 13 July 2017]

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