National Litter and Flytipping Strategy (Scottish Government)

To: All Chief Executives, Main Contacts and APSE Contacts in Scotland. For information only to England, Northern Ireland and Wales

1 Executive Summary

The National Litter and Flytipping Strategy was published by Scottish Government on 28 June 2023. This replaces the previous National Litter Strategy that was published in 2014 and is set to last for six years. The new strategy sets out a refreshed approach to tackling litter and flytipping problems while contributing to the circular economy, protecting Scotland's environment and ensuring safer and cleaner communities. The government's vision explains that urgent action is needed at scale, that effective action needs to be integrated and coordinated, and that tackling the litter and flytipping issues can make an important contribution to supporting the retention and materials in a circular economy. The strategy sets out how national and local government, business, third sector, communities and individuals can work together to achieve this change. The National Litter and Flytipping Strategy 2023-24 Action Plan was released alongside the overall strategy covering all of the actions of the first year of the strategy.

2 Context

The scale of the litter and flytipping problem in Scotland

67% of respondents to Keep Scotland Beautiful's annual Scottish Litter survey believe that litter is a problem in their local area while 87% believe it is a Scotland-wide problem; it is also believed that this problem is worse in more deprived areas, with 81% of respondents in the most deprived fifth of neighbourhoods seeing litter often in their local area compared to 68% in the least deprived. During 2021/22, litter was observed on four out of five sites audited by local authorities and Keep Scotland Beautiful across 12,803 individual sites. It is estimated that £60.7 million of public money is spent annually by local authorities cleaning up flytipping and littering alongside education and enforcement activities, and an additional £21 million is spent by other public and private bodies. Flytipping alone costs over £10 million of public money every year to clean up over 60,000 reported incidents. The indirect costs of these environmental, economic and social impacts are

estimated to exceed £196.7 million, bringing the total cost annually of dealing with litter and flytipping in Scotland to £280.8 million. This is a huge, avoidable cost to the public sector.

The design of the strategy takes into account the Scottish Government's existing environmental commitments on preventing litter entering the marine and coastal environment, addressing factors contributing to climate change (e.g. reducing waste sent to landfill) and sustaining and enhancing biodiversity and ecosystems on land and sea.

3 Litter Objectives

7 objectives for litter have been identified:

Litter Behaviour Change	
Objective 1:	Build understanding of litter perceptions and behaviour to enable targeted approaches for interventions and campaigns to be further developed.
Objective 2:	Further embed a shared approach between Scottish Government, local authorities, public agencies, the third sector and communities to drive litter prevention and behaviour change across Scotland.
Litter Infrastructure and Services	
Objective 3:	Work with stakeholders to improve our understanding of the sources, amount and composition of litter in Scotland.
Objective 4:	Encourage a shared approach to services across local authorities, national parks and other bodies with a statutory duty to clear litter in Scotland that will effectively support litter prevention.
Objective 5:	Encourage a shared approach to services across local authorities.
Litter Enforcement	
Objective 6:	Develop a more effective enforcement model to deter and robustly tackle littering.
Objective 7:	Improve the consistency of enforcement practices

4 Flytipping Objectives

7 objectives have also been identified for flytipping:

Flytipping Behaviour Change	
Objective 1:	Build understanding of behaviours that lead to flytipping, enabling targeted approaches to be developed.
Objective 2:	Develop and adopt a shared approach and consistency of information between Scottish Government, local authorities, public agencies and the third sector in relation to flytipping behaviour change across Scotland.
Flytipping Infrastructure and Services	
Objective 3:	Improve our understanding of the sources, amount, spatial distribution and composition of flytipping in Scotland.
Objective 4:	Support the ongoing development of consistent, accessible and effective waste management services and infrastructure.
Objective 5:	Provide support to private landowners and land managers that experience flytipping on their land.
Flytipping Enforcement	
Objective 6:	Develop a more effective enforcement model to deter and robustly tackle flytipping.
Objective 7:	Improve consistency of enforcement activity across Scotland via effective partnership working.

5 The Strategy

Delivery structure

The delivery structure of the strategy is outlined below:

1. A high-level Strategy setting out a vision for a litter and flytipping free Scotland, a set of Outcomes which articulates what 'success looks like' and a set of Priority Actions to mobilise action of sufficient scale and scope.
2. Legislative action, through the Circular Economy Bill and additional secondary legislation, which will put in place provisions to prevent litter and flytipping, and improve enforcement when it does occur.
3. An Action Plan, which will set out in detail the range of actions needed to deliver the outcomes and vision and the ownership of each action. It will be reviewed annually to incorporate learning, successes and emerging insights gained through collaboration and additional data. This will mobilise key sectors and policy areas and ensure coherence and alignment with key strategies.

Governance and Monitoring

Governance

A new Governance and Delivery Framework will guide and review progress. It is anticipated that the governance structure will involve:

- A high-level Strategy Delivery Group to oversee the delivery plan and ensure momentum is maintained. It will agree priorities, drive implementation, review progress and adapt plans as required; and be supported by
- Topic-based Action Delivery groups covering, for example, data and enforcement, which will shape delivery of specific actions; and
- Mechanisms to engage more widely with stakeholders, such as the Flytipping Forum

Monitoring

Monitor the scale of litter and flytipping at a national and local level will take place. It is intended that strategy progress will be reviewed at the mid-point (3 years) and end of the strategy's life (6 years). Improved data is crucial. This includes reporting of issues by the public and communities; national reporting and monitoring by bodies with a statutory duty to clear litter and flytipping; citizen science and measuring outcomes. Current data does not give a full picture of local and national patterns, particularly for flytipping. Further quantitative and additional qualitative data can be collected through citizen science. They will also take steps to maximise the contribution of research to ensure that interventions are based on the best available evidence.

Outcomes – what does success look like?

Litter

- Behaviour change: Individuals, communities and organisations have greater awareness of the problems caused by litter, understand their responsibilities in preventing litter and are enabled and motivated to behave responsibly.
- Infrastructure and Services: Scotland's infrastructure and services are fit for purpose, they encourage and enable responsible behaviour and they prioritise action and innovation that proactively prevents litter and supports a circular economy.
- Enforcement: There is a strong and consistent enforcement model across Scotland that is fit for purpose and acts as a proportionate deterrent and effectively stops people from littering.

Flytipping

- Behaviour Change: Individuals and businesses have a clear understanding of their responsibilities to dispose of waste appropriately and are fully informed on the potential consequences of not doing so and are enabled and motivated to behave responsibly.

- Infrastructure and Services: There is a resilient national framework which provides consistent, accessible and joined-up services that prevent flytipping where possible and tackle it effectively where it does occur.
- Enforcement: There is a strong, consistent enforcement model that is fit for purpose and acts as an effective deterrent for flytipping behaviour. There is more consistent and coordinated enforcement activity across Scotland through effective partnership working.

6 Initial priority areas

Litter Behaviour Change

- Working with key stakeholders to test collaborative approaches to delivering innovative behaviour-based interventions, evaluating their impact and the potential for wider roll-out.
- This may include a focused, localised campaign or activity to target an item or location to reduce litter. Existing data will be used to identify and target litter types or items (e.g. cigarette or vaping litter) and hotspots (e.g. roadside litter at motorway slip roads).
- Developing and delivering a national community-focused education programme that will build capacity and capability within local communities to enable them to take action at a local level to tackle litter and littering behaviour.

Litter Infrastructure and Services

- Working collaboratively with key stakeholders to scope options to improve the effectiveness, efficiency and consistency of prevention activity, to stop items being littered in the first instance, that could be trialed and, if successful, scaled up across Scotland.
  - Examples of this type of action include encouraging a move away from single-use disposable items, communications to help influence individual and social perceptions of littering, and improving access to and use of waste and recycling infrastructure (e.g. litter bins, 'on the go' recycling facilities, or household waste recycling centres) to increase opportunities for recycling or responsible disposal.
- Working alongside local authorities and other relevant stakeholders, develop and promote a national online litter hub by March 2024 to provide information, advice and support to community groups and other relevant local organisations on tackling litter and littering behaviour.
- Developing a Litter and Flytipping Data Strategy to explore and identify the data necessary to support local and national action planning, monitoring and evaluation activity.
- Considering opportunities to improve the quality and consistency of citizen science reporting to aid data collection and future policy development.

Litter Enforcement

- Conducting an evidence review of enforcement of litter and flytipping offences to better understand, and address, the key barriers to current enforcement practices.
- The introduction of new powers to impose a civil penalty on the registered keeper of a vehicle from which a littering offence is committed.

Flytipping Behaviour Change

- Ongoing communications to remind householders and businesses of their existing duty of care obligations in relation to waste.
- Supporting households and businesses to appropriately dispose of their waste through proactive work with online operators to identify, target and stop adverts by unlicensed waste operators.
- Targeted communications to highlight new powers through the Circular Economy Bill, subject to parliamentary passage, for enforcement authorities to seize vehicles linked to flytipping and the introduction of fixed penalty notices to households not complying with their duty of care when disposing of waste (e.g. using an illegal waste carrier).

Flytipping Infrastructure and Services

- Working collaboratively with key stakeholders to scope options to improve the effectiveness, efficiency and consistency of prevention activity that could be trialed and, if successful, scaled up across Scotland.
    - Examples of this type of action include communications to help influence individual and social perceptions of flytipping; work to optimise use of infrastructure designed to minimise flytipping (e.g. household waste recycling centres); and communications and joint working to ensure enforcement acts as an effective deterrent
- Developing guidance and carry out trials to better support private landowners to deter and deal with flytipping affecting their land.
- Simplifying and streamlining existing flytipping reporting channels, following a review of Dumb Dumpers.
- Developing a Litter and Flytipping Data Strategy to explore and identify the data necessary to support local and national action planning, monitoring and evaluation activity.

Flytipping Enforcement

- Raising fixed penalty notices for flytipping in Scotland to the current maximum of £500 and consider amending legislation so that these could be increased to £1000 if required in future.
- Exploring the possibility and benefits of enabling local authorities and national parks to use

civil penalties to enforce flytipping offences. Supporting key stakeholders to review guidance on roles and responsibility of SEPA, local authorities, national parks and Police Scotland to improve the investigation and enforcement of flytipping offences.

- Increasing use of digital technologies to detect and disrupt fly-tippers, especially unregistered waste carriers advertising on-line (as well as rogue operators operating behind a Waste Carrier Registration).
- Through the Circular Economy Bill introduce new powers to allow local authorities, SEPA and Police Scotland to seize vehicles involved in flytipping offences; and a new fixed penalty regime to allow the issuing of fixed penalty notices for breaches to householder duty of care obligations in relation to household waste.
- Consulting on proposed improvements to the waste carrier licensing regime, which will aim to give SEPA improved scrutiny and control over who is able to obtain and hold authorization to handle waste. This will make it easier to keep criminals out of the waste collection business, strengthen SEPA's ability to revoke authorisations and improve SEPA's enforcement notice powers.
    - This action will complement Strategy commitments to increase the use of digital technologies to detect and disrupt flytippers and the introduction of fines for breaches to householder duty of care obligations.

7 Other Legislation & Developments

- Extended Producer Responsibility for packaging is being introduced in a phased manner from 2024
- Recycling Improvement Fund will continue to be invested in to enhance local authority recycling infrastructure
- National Digital Waste Tracking will be continually developed to provide better data and enable more effective tackling of waste crime
- Scotland's Single-Use Plastics Regulations will continue to be supported and evaluated for its effectiveness

8 Action Plan 2023-24

The National Litter and Flytipping Strategy 2023-24 Action Plan outlines actions to be undertaken in the first year of the Strategy alongside the organization responsible for the delivery of the action. The Action Plan will be reviewed on an annual basis to incorporate learnings, successes and emerging insights gained through collaboration outlined in this first year plan. The actions have been sorted below by organisation:

Scottish Government

Litter

Proposed change in legislation: Introduction of new powers to impose a civil penalty on the registered keeper of a vehicle from which a littering offence is committed.

Flytipping

Proposed changes in legislation: A new fixed penalty regime will be introduced to allow local authorities to issue Fixed Penalty Notices for breaches to householder duty of care obligations in relation to the disposal of household waste.

Proposed changes in legislation: New powers will be introduced to allow enforcement authorities to search and seize vehicles suspected to be involved in illegal waste activity.

Proposed changes in legislation: Raise the current value of Fixed Penalty Notices, which can be issued by local authorities, Police Scotland and Loch Lomond and Trossachs National Park, to the current maximum in Scotland of £500.

Sharing information and best practice: Share information and support resource sharing between key stakeholders including the Litter Managers Network, Scottish Partnership Against Rural Crime and Flytipping Forum.

Litter and Flytipping

Development of more effective enforcement practices: Conduct an evidence review of the enforcement of litter and flytipping offences to better understand, and address, the key barriers to current enforcement practices.

Strategy governance and delivery

Governance and communications: Implement a Governance and Delivery Framework, to manage delivery of the strategy, leveraging the knowledge and skills of stakeholders to lead delivery of actions and provide an established engagement mechanism to support co-ordination, innovation and sharing of information.

Keep Scotland Beautiful

Litter

Targeted behaviour-based interventions: Work with key stakeholders (local authorities, duty bodies and businesses) to test collaborative approaches to deliver one or two innovative behaviour-based interventions utilising existing data to identify and target litter types or items (including new and emerging types), evaluating their impact and potential for wider roll-out.

Empowering communities: Work alongside local authorities and other relevant stakeholders, develop and promote a national online litter hub to provide information, advice and support to community groups and other relevant local organisations on tackling litter and littering behaviour

Engaging communities: Create and deliver a national community-focused litter education programme that will build capacity and capability within local communities to enable them to take action at a local level to tackle litter and littering behaviour.

Data Improvement: Litter and Flytipping
Developing litter data: Building on work completed to date with regards to LEAMS and LMS, engage with a wider range of stakeholders and ensure a common approach to data management, analysis and use.

Improving consistency of litter data: Actively promote, and improve quality and consistency of citizen science to support litter data collection, and complement existing programmes.

Scottish Environmental Protection Agency (SEPA)
Flytipping
Supporting a more effective mechanism for citizen reporting of flytipping: Simplify existing flytipping reporting channels through the closure of Dumb Dumpers.

Clarification of roles and responsibilities: Support key stakeholders to review guidance on roles and responsibility of Scottish Environment Protection Agency, local authorities, national parks and Police Scotland in investigating and enforcing flytipping offences.

Support for landowners: Develop guidance and carry out trials to better support private landowners to deter and deal with flytipping affecting their land.

Increase use of digital technologies to detect and disrupt flytippers: Enhance the use of open-source research to identify unregistered waste carriers advertising on-line (as well as rogue operators operating behind a Waste Carrier Registration) and, where they are found, apply both online interventions to deter and disrupt their actions, as well as capture information to support

their investigations leading to enforcement action.

Data Improvement: Litter and Flytipping
Improving consistency of flytipping data: Engage and work with a wide range of stakeholders to establish data requirements. Develop structures which improve consistency of this flytipping data and incorporate it into a new Scottish national database on flytipping.

Developing flytipping data: Explore the development of a live picture of flytipping across Scotland.

Zero Waste Scotland
Litter and Flytipping
Joint working between stakeholders: Work collaboratively with key stakeholders to scope options to improve the effectiveness, efficiency and consistency of prevention activity that could be trialed and, if successful, scaled up across Scotland.

Data Improvement: Litter and Flytipping
Developing a Litter & Flytipping Data Strategy: Explore and identify the data necessary to support local and national action planning, monitoring and evaluation activity.

9 APSE Comment

APSE encourages our members to engage with the new National Litter & Flytipping Strategy and acknowledges the great deal of work that has been undertaken by our membership on tackling these problems under very difficult financial circumstances.

Discussions about litter and flytipping are a regular feature of APSE Scotland's different advisory groups which are free to attend for APSE members, as well as this, litter and flytipping is also a regular part of our annual Scottish Fleet, Waste and Grounds seminar which recently took place in Aviemore. All presentations from this event can be accessed by clicking here. Since the publication of the new strategy, the Litter Managers Network, which APSE provides the Secretariat for, has undertaken its first workshop with Zero Waste Scotland and other stakeholders. This workshop had focused discussion in relation to behaviour change and prevention as well as data. The next workshop which will be led by Zero Waste Scotland and Keep Scotland Beautiful will take place on the 24 August in Stirling. To register to attend this important in person meeting please click here In addition, as a follow up to the first workshop and discussions which was held on the 22 June, Zero Waste Scotland have issued a short survey for Litter Managers Network contacts to complete. Please click here to provide additional comments and thoughts, responses should be

submitted by no later than **Tuesday 22 August**.

We also encourage you to engage with APSE's Land Audit Management System quality inspection system for monitoring grounds maintenance and/or street cleansing, as this is a really useful tool for measuring the quality of localities while benchmarking against other local authorities and compliments the LMS.

APSE performance networks is also a renowned resource for trend data on waste an litter management issues and is used by Government Administrations across the UK. Given the service has stood councils in good stead for over 25 years it would be obtuse for any system to be developed or delivered which did not make full use of this rich source of data that is uniquely geared to not only monitoring performance but enhancing service improvements trends through its data network meetings. You can view details of LAMS and the street cleaning benchmarking service using this link or contact performance.networks@apse.org.uk to set up a demonstrator Teams call on LAMS.

Garry Lee,
Research and Coordination Officer
glee@apse.org.uk

Louise Melville,
Principal Advisor (Scotland)
lmelville@apse.org.uk

Sign up for APSE membership to enjoy a whole range of benefits

APSE member authorities have access to a range of membership resources to assist in delivering council services. This includes our regular advisory groups, specifically designed to bring together elected members, directors, managers and heads of service, together with trade union representatives to discuss service specific issues, innovation and new ways of delivering continuous improvement. The advisory groups are an excellent forum for sharing ideas and discussing topical service issues with colleagues from other councils throughout the UK.

Advisory groups are a free service included as part of your authority's membership of APSE and all end with an informal lunch to facilitate networking with peers in other councils. If you do not currently receive details about APSE advisory group meetings and would like to be added to our list of contacts for your service area please email enquiries@apse.org.uk.

Our national advisory groups include:-

- FM and Building cleaning
- Catering (School Meals)
- Cemeteries and Crematoria
- Cost of Providing/Cost of Living Network
- Highways and Street Lighting
- Housing, Construction and Building Maintenance
- Local Authority Commercialisation, Income and Trading Network
- Parks, Horticulture and Grounds Maintenance
- Recovery and Renewal
- Renewables and Climate Change
- Roads, highways and street lighting
- Sports and Leisure Management
- Vehicle Maintenance and Transport
- Waste Management, Refuse Collection and Street Cleansing

Visit www.apse.org.uk for more detail

Association for Public Service Excellence
3rd floor,
Trafford House,
Chester Road, Manchester M32 0RS.
telephone: 0161 772 1810
fax: 0161 772 1811
web: www.apse.org.uk

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