



**ZERO  
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SCOTLAND**

# Focusing on Prevention

Code of Practice on Litter & Refuse

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# Background

- Code of Practice on Litter & Refuse (CoPLAR) was last updated in 2006
- CoPLAR is statutory guidance for fulfilling duties required under Environmental Protection Act (EPA) Section 89 (1) and (2)
- Current review has been led by a Steering Group
- Focus on prevention to align with Scottish National Litter Strategy and The Christie Commission

# What is different: Duties

- Current CoPLAR mentions both duties under Section 89 but only provides guidance for one
- Proposed Code provides guidance on both:
  - Section 89 (1): to ensure that the land is, so far as is practicable, kept clear of litter and refuse
  - Section 89 (2): to ensure that the highway or road is, so far as is practicable, kept clean

# What is different: Materials in Scope

- For Duty 1: definitions of litter and refuse remain almost exactly the same
- For Duty 2: – a definition of detritus is included:
  - Dust, mud, soil, grit, gravel, stones, rotted leaf and vegetable residues, and fragments of twigs, glass, plastic and other materials which can become finely divided.

# What is different: Who has to take action

- There is no change in who have these duties
- The proposed Code does describe the types of organisations who have each duty
- Duty 1: Local Authorities, Scottish Ministers, Crown Authorities, Crown Estate, Educational Institutions, Transport operators and land subject to a Litter Control Area
- Duty 2: Local Authorities and Scottish Ministers



# What is different: Where do the duties apply?

- The current and proposed CoPLAR explain that “relevant land” is defined as mainly being open to the air, publically accessible and under direct control
- Proposed Code provides more clarity on what this includes, for example:
  - Hard Standing: roads, walkways, concreted land
  - Soft Standing: grass, bushes, verges, sand
- Duty 2 applies to roads which are responsibility of Local Authorities and Scottish Ministers



# What is different: Grading

- Current Code has four grades (A-D) for Duty 1 with subjective descriptions e.g. A Grade D area is heavily littered with significant accumulations.
- Proposed Code has six grades (A-F) for Duty 1 with objective descriptions e.g.
  - Grade C: Moderate amounts of litter and refuse, with small accumulations. As a guide, 5-15 easily visible items or 30-90 small items of litter and refuse
- Where a combination of small and easily visible items exist then 6 small should be regarded as 1 large item

# What is different: Grading (cont)

- Easily visible includes drinks containers, food packaging, carrier bags, newspapers, crisp food waste dog faeces etc.
- Small items includes but is not limited to cigarette ends, receipts, tickets, individual sweet wrappers, small food waste items
- For Duty 2 the proposed Code includes 4 grades (A-D) with subjective descriptions of the presence of detritus e.g. A Grade B has a slight presence of detritus on the road surface



# What is different: Zoning

- The current Code has 22 zones with generic descriptions e.g. zone 1 is Town Centres
- The proposed CoPLAR has 6 zones, based on objective figures of how busy it is (footfall/vehicle movement) and number of potential sources of litter e.g.
  - Zone 1 is Areas subject to extremely high footfall and/or vehicular movement (over 1000 movements per hour) and/or very high number of litter generators (20 or more).

# What is different: Zoning (cont)

- Examples of each zone are included so not expected to know footfall for all relevant land
- Potential sources of litter are split into two categories:
  - High risk includes fast food restaurants, pubs/clubs and secondary schools
  - Moderate-Low risk includes betting shops, leisure facilities and primary schools
- Areas subject to a significantly higher volume of footfall for a short period, should be upgraded to the appropriate zone on a temporary basis

# What is different: Prevention

- Current Code doesn't mention any tactics that can be used to fulfil the duties other than cleansing
- The proposed Code recognizes that preventing litter and refuse will contribute to Duty 1
- A range of prevention categories are highlighted including:
  - Improved monitoring
  - Service optimisation
  - Infrastructure
  - Demand management
  - Communications
  - Partnership Working
  - Engagement

# What is different: Response Times

- The current Code response time is linked to the zone and how heavily litter and refuse has accumulated e.g.
  - Zone 1: 6 hours to restore B to A, 3 hours to restore a C to A or 1 hour to restore D to A
- The proposed Code continues this logic but introduces the % spend on prevention activity as an additional variable

# What is different: Response Times (cont)

- For example:
  - Zone 1 (where 0-10% of spend is on prevention):  
8 hours to restore B to A, 3 hours to restore a C to A, 2 hour to restore D to A, 1 hour to restore E to A and ASAP for F to A
  - Zone 1 (where 11-20% of spend is on prevention):  
10 hours to restore B to A, 4 hours to restore a C to A, 3 hour to restore D to A, 2 hour to restore E to A and ASAP for F to A

# What is different: Response Times (cont)

- For all zones there is “Special Consideration” category, where requirements such as H&S, would prevent land being restored within “standard response times” e.g. 14 days for zone 1.
- A separate table of response times (not variable by prevention spend) is provided for Duty 2
- Zone 1: 14 days to restore B to A, 5 days to restore C to A and 1 day to restore D to A

# Next Steps

- Proposed CoPLAR is adopted, replacing the existing Code, by laying it in Parliament for 40 days
- Until this happens all details are subject to change in the final document
- Before laying in Parliament, Scottish Government will be undertaking an engagement exercise with Duty Bodies and Statutory Undertakers

# Next Steps

- When Code is adopted then additional guidance on each of the sections will be hosted on the ZWS Litter Knowledge Network
- Zero Waste Scotland are currently developing a new monitoring methodology and system to align with and support new CoPLAR
- Zero Waste Scotland engaging Local Authorities around Litter Prevention Action Plans and Community Litter Prevention Action Plans (contribute to prevention spend)





**Any other questions?**



**Thank you.**

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