

Warwickshire Waste Partnership

17th June 2015

CLG Select Committee Inquiry into Litter

Recommendations

That the Waste Partnership notes the report and considers if any further action is required

1.0 Background

- 1.1 Litter remains an issue of local public concern, with levels of littering and fly-tipping failing to reduce substantially, despite campaigns and publicity aimed at changing public behavior, and despite a suite of powers and responsibilities for local councils and other bodies enshrined in legislation. The costs of managing litter and fly-tipping are significant – Keep Britain Tidy puts a £1 billion plus annual price tag on managing litter and its knock-on impacts nationally.
- 1.2 The issue of fly-tipping and litter control has been a topic of discussion and interest to the individual councils and for the partnership as a whole for many years. During the last parliament the Communities and Local Government Select Committee held an inquiry on the topic and a written representation was made on behalf of this partnership.

2.0 Evidence Submission

The Warwickshire Waste Partnership submission can be viewed via the following link:

<http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/communities-and-local-government-committee/litter/written/14285.html>

All the written submissions can be viewed on the Communities and Local Government Select Committee Website.

As a result of making the written submission, the partnership was invited to an oral evidence gathering session. Sean Lawson, Head of Environmental Services for Rugby, attended and gave evidence on behalf of the partnership.

The transcript of the oral evidence session can be viewed via the following link:

<http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/communities-and-local-government-committee/litter/oral/15861.html>

3.0 Final Report

The Select Committee published its report on the 14th March 2015 and the full report can be read via the following link:

<http://www.publications.parliament.uk/pa/cm201415/cmselect/cmcomloc/607/60702.html>

For convenience the conclusions and recommendations are detailed below:

Measuring litter

1. We consider that more and better data on litter are essential. We have a litter problem in England and we need to know if it is deteriorating or improving. The LEQSE survey provides a useful snapshot of the incidence of litter across England in a given year as well as annual trends. It should be continued to inform policy making. In future years, it would be more useful if a national survey counted the number of examples of each type of litter, to enable better assessment of the cost of clearing litter. In addition, there should be some assessment of population densities and how they relate to litter to help local councils to more accurately target their litter collection activities. (Paragraph 9)

The cost of litter

2. Because of the number of different bodies which collect litter and because the collection of litter is often part of other activities such as street cleaning, it is difficult to get a precise figure for litter collection costs. Nevertheless it is clear that the best estimate costs—from £717 to £850 million—represent significant expenditure by local authorities. (Paragraph 12)

Indirect costs

3. We can see that there may be a correlation between areas with a significant amount of litter and areas of social deprivation and crime—inner city areas in particular, often have people passing through. But the link may not be causal: an area may be littered because of an inefficient council. Claims by Keep Britain Tidy for indirect costs associated with litter need to be underpinned with strong evidence-based research in England. (Paragraph 17)

Fly-tipping trends

4. There has been a significant upsurge in the incidence of fly-tipping in England in the last 12 months. If this trend continues in future years, it will increase the burden on local councils and private land owners. (Paragraph 22)

Cigarette-related litter

5. We have heard arguments for and against local authorities working with the tobacco industry in relation to litter and, unusually, we heard both arguments from different parts of the Government as well. The Local Government Association believes the Local Government Declaration on Tobacco Control prohibits it from working with the tobacco industry. It is likely that many local

councils will follow suit. However, with DCLG's approach to engage with the industry in mind, other local authorities may take a different view and they must be allowed to make their choice. If a council does decide to work with the tobacco industry to reduce cigarette-related litter, we recommend that none of these activities should indicate support for the industry, nor should the industry be allowed to publicise their contribution to a joint project or use it to promote tobacco consumption. Local councils must ensure they are very clear about the purpose of any engagement with the tobacco industry. (Paragraph 29)

6. Tobacco attracts significant levies because of its lethal effects on health. Given the amount of cigarette-related litter, we strongly support the premise that a portion of these levies should be hypothecated and provided to local councils to pay for the cost of clearing cigarette-related litter. (Paragraph 31)

7. We recommend that the Tobacco Manufacturers' Association offer portable ash trays or 'mini bins', free of charge, at the point of sale to all who purchase cigarettes. (Paragraph 32)

8. We recommend that all public buildings install receptacles for disposing of cigarette-related litter in those areas where staff congregate to smoke, but not high profile positions. (Paragraph 33)

Chewing gum

9. This was a matter of considerable concern upon which the Committee deliberated at length. We are not, at this point, recommending a tax on chewing gum. However, this is the last chance for the industry to put its house in order. We recommend that our successor committee revisit this issue in one year unless it sees 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. In this regard it should have larger notices about not littering on all its packaging, wrappers and adverts. (Paragraph 38)

Fast-food litter

10. We recognise that what people eat, and where they eat it is changing. The increase in the number of fast-food outlets in many of our town centres is evidence of this and we are concerned about the increase in fast-food litter which is dropped over a wide area. We commend the work of McDonald's franchisees undertaking daily litter picks outside the perimeter of their restaurants. This is the type of action which we would expect to be the norm for all. We recommend the next Government bring forward in legislation an obligation requiring all shops, restaurants and retail food outlets to keep the perimeters of their premises free from litter. In addition, the fast-food industry should introduce 'on-pack' information on all branded take-away and fast-food packaging to remind consumers to dispose of litter responsibly. (Paragraph 43)

Penalties for litter

11. Although littering is a criminal offence, it is often acted against under civil powers by the use of fixed penalty notices. The Government has not collected data on the number of criminal cases, fines, FPNs issued or amounts collected since 2008/09. Without this information it is difficult to make an assessment of the effectiveness of FPNs, in particular, in meeting the policy objective to deter littering. In addition, even if all the FPNs issued were paid in full, the total sum would be a drop in the ocean compared with the total amount spent on clearing litter. We see a case for increasing the maximum FPN level both to encourage local authorities to make greater use of FPNs and to provide additional resources to remove litter. (Paragraph 46)

12. We recommend that the Government collect data on the use of FPNs and the level and collection of fines and assess whether the maximum fine should be increased. (Paragraph 47)

13. We recommend that the next Government provide our successor committee with data on the use of Community Protection Notices in October 2015, when the legislation will have been in force for 12 months. (Paragraph 49)

Penalties for fly-tipping

14. Fly-tipping is a serious problem for local authorities and private land owners, and it is increasing. There is therefore a need for local councils to increase their efforts both to deter fly-tipping and to penalise those who engage in it. We accept that prosecution is often difficult and costly and as a result the number of convictions for fly-tipping is low. The Government should introduce a national fixed penalty notice for small amounts of fly-tipping, which would require the lower standard of proof required for a civil penalty. (Paragraph 52)

15. Councils should be more proactively engaged with local voluntary groups and charities who may be willing to collect discarded goods from households free of charge to offset some of the costs to councils. In addition, we recommend that industry take away bulky items when they deliver replacements, as is already the case in relation to fridges. A charge should be built into the cost of the item to pay for this facility. Items included in this category would be televisions, cookers, washing machines, other large appliances, mattresses and sofas. New products—medium and large household items and appliances—should all have labels to remind customers to dispose of them properly. We further recommend that the Government encourage industry to implement these recommendations as good practice. (Paragraph 54)

Keeping roads and highways clean

16. It should be possible for local councils to coordinate with the Highways Agency or Transport for London to enable easy access for road and street cleaning. However, this is not happening. Nor are we convinced this is the most efficient approach to street cleaning since it is difficult to organise and it is not cost-effective for local authorities to have staff working through the night. It would be much better, and cost-effective to remove the anomaly

which gives the Highways Agency, and Transport for London in London, responsibility for maintaining trunk roads and another body responsibility for cleaning them. We understand that a proposal to transfer cleaning responsibilities for all purpose trunk roads to the Highways Agency has been under consideration by the Department for Transport for some time. We recommend that the Government make the Highways Agency responsible for cleaning trunk roads and make the necessary budget adjustments. Similarly, we recommend that responsibility for cleaning trunk roads in the London area should become the responsibility of Transport for London. (Paragraph 60)

Littering and fly-tipping from vehicles

17. The Government has been slow to update legislation relating to litter thrown from vehicles and fly-tipping from vehicles. We recommend that it bring into operation before the end of this Parliament long overdue legislation in the Clean Neighbourhoods and Environment Act 2005 providing for the seizure of vehicles involved in fly-tipping offences. We also recommend that it extend immediately to all local authorities in England, the powers in the Anti-Social Behaviour, Crime and Policing Bill 2014 to impose penalties on the owner of a vehicle from which litter is dropped. (Paragraph 64)

A strategy for change

18. We take no satisfaction in it but the evidence of our own eyes, the photographs tweeted to us, and the evidence we took during this inquiry lead us to the conclusion that England is a litter-ridden country compared to most of Europe, North America and Japan. Change is needed. (Paragraph 66)

19. We encourage councils think through their approach to bin types, location and strategy on bins for litter. They should not simply continue previous practice. In some places no bins may be better. In other places brightly-coloured, solar, compacting, talking bins or recycle on-the-go facilities may be the means of encouraging people to use them and to save on both the collection costs of litter and emptying bins. (Paragraph 71)

20. The failure to make a noticeable improvement in litter levels in the last 12 years points to a lack of vigour, if not complacency, within Government over the past decade. There is a division of responsibilities between departments which, as it currently operates, creates problems for industry and volunteer groups and has neither reduced litter levels nor stopped the rise in fly-tipping. We recommend that the Government create a national litter strategy for England with a clear framework for action. This must be underpinned with a coordinating role for local councils within their respective areas. (Paragraph 74)

21. We were minded to recommend a national clean-up England day as a way of encouraging and engendering a big push towards a cleaner England. However, the Government has read our minds and announced that there will be a Community Clean-up Day on 21 March. We welcome this initiative wholeheartedly and hope it will become an annual event. (Paragraph 75)

4.0 What Happens Next?

In relation to the Select Committee report, there will be a Government response. Normally Government departments are expected to respond to select committee reports within 2 months of publication, but the election and the change of ministers will inevitably delay this. It's difficult to say with any certainty at the moment how long it will take, and it may not be before the summer recess.

Select committee reports are not automatically debated in the House as there is simply not enough Parliamentary time to permit this. However, this Partnership could choose to consider how it may wish to respond to their conclusions and recommendations.

Background Papers

None

	Name	Contact Information
Report Author	Sean Lawson	sean.lawson@rugby.gov.uk