

ANGUS COUNCIL

COMMUNITIES COMMITTEE – 14 AUGUST 2018

CHANGES TO THE CODE OF PRACTICE ON LITTER AND REFUSE – FOR INFORMATION

1. BACKGROUND

The Environmental Protection Act 1990 places a duty on local authorities to keep their land clear of litter and refuse, and also to keep public roads clean. Statutory guidance is provided in relation to these duties by the Code of Practice on Litter and Refuse (COPLAR). COPLAR 2006 has been reviewed in line with the Scottish Government's (SG) commitment in the National Litter Strategy. The replacement, COPLAR 2018, expands upon local authority duties and in view of the £1million the SG estimates is spent tackling litter and flytipping each week in Scotland, places a focus on litter prevention. COPLAR 2018 is due to be implemented from April 2019.

Cleanliness is a statutory performance indicator, measured via the Local Environmental Audit Management System (LEAMS). LEAMS uses the grading system stipulated in COPLAR 2006 to audit whether streets and parks have no litter present (Grade A), through to severe accumulations (Grade D). Land is zoned by use which influences the length of time permitted before cleaning must be completed to bring the area back to "A" grade.

2. OVERVIEW OF THE CHANGES

COPLAR 2018:

- Encourages us to influence behaviour so that less litter is dropped, and allows increased response times for cleaning in relation to the level of spend on litter and flytipping prevention measures (as a proportion relative to overall spend on litter and flytipping).
- Introduces a wider range of grades for cleanliness of land (A-F), reduces the number of zones, and stipulates that *all* council land will be audited e.g. including education and housing ground.
- Requires roads to be kept clean i.e. free of detritus (as well as litter and refuse) and introduces new cleanliness grades (A-D) and response times for detritus.

Response times in relation to spend on prevention activities

Given that COPLAR 2018 will apply to all council land, there is a need for us to quantify what our costs are in relation to litter prevention across the council, as well as our total spend on litter and flytipping. This work will be assisted by Zero Waste Scotland (ZWS) and will bring together representatives from all services.

There is much work being done with schools and community groups around litter prevention (and also campaigning and enforcement activity) and we are confident that we should achieve a reasonable level of preventative spend. Even if we achieve a spend band of 0-10%, we do not expect response times to be unachievable. The table below shows some examples of how the various bands of preventative spend affect response times to moderate levels of litter in different areas (there is no direct correlation between COPLAR 2006 and 2018, hence a range of times are shown for the 2006 code of practice).

Comparison of COPLAR 2006 and 2018 response times in relation to moderate litter					
Area	COPLAR 2006	COPLAR 2018 by amount spent on prevention as %age of overall spend on litter and flytipping			
		0-10%	11-20%	21-30%	>30%
Town High Street	Between 3 and 6 hours	9 hours	12 hours	18 hours	60 hours
Development with detached dwellings	Between 12 hours and 2 weeks	48 hours	3 days	5 days	7 days
Schools	24 hours	48 hours	3 days	5 days	7 days

Grades and zones in relation to land

Angus Council is one of six local authorities that are assisting ZWS with their trial of the proposed new Monitoring System that will assess cleanliness in terms of the revised COPLAR (it is expected that the trial results will be reviewed in October 2018). We have therefore already completed an exercise to zone all our land into one of the six new zones under COPLAR 2018, taking account of expected footfall, traffic and “litter generators” in the area e.g. fast food outlets or vans etc.

COPLAR 2018 introduces a wider range of grades for cleanliness of land i.e. A - F compared to the former A – D, which we consider will give a clearer picture of litter levels. While it is possible that ZWS’s new Monitoring System may result in a reduced score for Angus in relation to the number of sites with acceptable litter levels, we anticipate that any change will be similarly reflected by all Scottish local authorities.

Keeping roads clean

The Environmental Protection Act does specify that duty bodies have a responsibility to not only keep roads free of litter and refuse but to keep them clean, however this second duty has not previously been expressed via the COPLAR. COPLAR 2018 makes it an explicit duty to keep roads clean i.e. clear of detritus, and introduces a new grading system of A – D for cleanliness. These new grades may introduce some challenges, however any such difficulties should become apparent during the trial monitoring this year.

3. FINANCIAL IMPLICATIONS

It is expected that all the changes resulting from COPLAR 2018 will be met within existing resources. It is possible that there will be a requirement to carry out increased levels of mechanical sweeping to ensure the cleanliness of roads, however it is hoped that with increased attention to anti-litter measures across Scotland we may see a decrease in litter in the years to come which could positively impact resources.

4. CONCLUSION

There is a need for each service within the council to be aware that as a result of COPLAR 2018 they will be required to support litter and fly-tipping prevention activities where they can, and that all council land will be monitored for cleanliness. This should be facilitated by assistance from ZWS to engage across services, and also by the production of the council’s litter prevention action plan which will be in place by April 2019, in readiness for implementation of the new COPLAR.

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