



# Litter and the Law

a guide for the public

Keep Britain Tidy 



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# Introduction

This leaflet aims to identify the rights and responsibilities of all who play a part in the quality of the local environment. Whether it is as a statutory duty, as a moral obligation or in response to a legal measure, everyone has a responsibility to deal with litter in an acceptable way.

## **The role of Keep Britain Tidy**

ENCAMS (Environmental Campaigns) runs Keep Britain Tidy, a campaign aimed at encouraging the public to dispose of materials appropriately, so materials do not become litter. ENCAMS also provides free publications on litter related issues through a telephone ordering line 01942 612639 and its website [www.encams.org](http://www.encams.org).

## **Litter measurements**

On behalf of the government, Keep Britain Tidy carries out annual surveys across England measuring all forms of litter including: smoking related materials, fast food packaging, confectionery wrappers and hazardous articles such as broken glass and syringes. The information is used



to detect trends in litter deposits, to help local authorities and other land managers to make more efficient use of their resources, to allow Government to set a benchmark for improvements, as well as to inform Keep Britain Tidy's future litter campaigns.

## **Litter campaigns**

Keep Britain Tidy conducts hard-hitting public campaigns that aim to change people's behaviour when it comes to littering. Every campaign is based on market research and is therefore carefully targeted to influence a particular audience. For current campaign details or to order or download free copies of our leaflets, posters and campaign materials, visit the Keep Britain Tidy website at [www.encams.org](http://www.encams.org).

# Litter Laws – Responsibilities and Rights

Disposing of litter inappropriately is unacceptable. Not only is it antisocial and unpleasant, littering is also ILLEGAL, and those who throw down, drop, or deposit and leave litter in any place, can be fined or face a court prosecution.

Areas continually degraded by litter, or private land that frequently accumulate litter and refuse, can give rise to a sense of civic shame and fear of crime, and set the scene for other environmental crimes and antisocial behaviour such as fly-tipping and graffiti. Not only are there laws governing an individual's behaviour, but action can also be taken against businesses where their activities contribute to littering, and against occupiers or private landowners who frequently allow their premises to be defaced by litter and refuse.

One important government document is the Code of Practice on Litter and Refuse. This is a guide for bodies who have a legal duty to keep certain types of land clear of litter and refuse, and sets out the standards to which the land must be cleansed. It is important that the public understands what is classed as clean and what is genuinely unacceptable according to the Code. Duty bodies can be held accountable by the public should the statutory standards fail to be met.

If you are a member of the public and you are concerned about litter, there are legal methods available to require the persons and bodies responsible for different types of land, public and private, to clean up when the standards have clearly fallen, and to take measures to prevent litter accumulating to unacceptable levels.

Litter can be as small as a sweet wrapper, as large as a bag of rubbish, or it can mean lots of items scattered about. The legislation also specifically clarifies that discarded gum products, cigarette ends and matches are types of litter.

The offence of leaving litter (section 87 of the Environmental Protection Act [EPA] 1990) applies where a person throws down, drops or otherwise deposits any litter in any place in the open air in the area of a principal litter authority to which the public has access with or without payment, and leaves it. There are some exemptions to this offence, including littering that is authorised by law or done by or with the consent of the person having control of the land: for full details please consult the legislation.

£547 million – The estimated cost to local authorities to clean and clear streets of litter and refuse in 2005-2006.

# Responsibilities for Duty Bodies

The EPA 1990 sets out a LEGAL REQUIREMENT FOR CLEANSING. Section 89 of the EPA 1990 makes certain duty bodies responsible for keeping their land clear of litter and refuse and their highways clean. It also gives both local authorities and citizens a basis from which to take legal action to get areas that are degraded by litter and refuse cleaned up if standards are not being met.

## Who are duty bodies?

They are organisations with a legal responsibility for keeping certain types of land clear of litter and refuse, and certain highways clean – often described as a ‘cleansing duty’. Duty bodies include crown authorities (royal parks), principal litter authorities (local authorities), governing bodies of designated educational institutions (including schools, colleges and universities), designated statutory undertakers such as transport companies, train and tram operators, airports and port and harbour authorities.

## What are their responsibilities under the cleansing duty?

Quite simply, to make sure that land under their control and to which the public have access (with or without payment) is kept free from litter and refuse, and certain highways under their control are kept clean, as far as is practicable. Guidance on these duties is contained in a government document called the *Code of Practice on Litter and Refuse*



which accompanies Part IV (s.89) of the EPA 1990.

The full code can be viewed at: [www.defra.gov.uk/environment/localenv/litter/code/index.htm](http://www.defra.gov.uk/environment/localenv/litter/code/index.htm)

## What do the cleansing duties involve?

The code seeks to encourage duty bodies and other land managers to maintain their land within acceptable cleanliness standards. The emphasis is on the consistent and appropriate management of an area to keep it clean, not on how often it is cleaned. This is dependent on effective monitoring of environmental conditions and the coordination of a carefully prioritised cleansing regime in response to litter trends, weather patterns and human activity.

## How do you know if a place is clean enough?

Compliance with the code is expected through:

- (i) Monitoring the cleanliness of areas according to a series of grades, and cleansing to ensure land is kept to an acceptable standard.
- (ii) Cleansing a littered area to achieve the recommended standard within the response times set out for a range of land uses that are zoned according to how intensively pedestrianised and trafficked they are. Should the standards fall to unacceptable levels the response times are provided as a last resort.

It is a part of the duty to remove refuse. Refuse comprises any waste or rubbish and includes household and commercial waste, including fly-tipped waste. Dog fouling is defined as refuse when present on certain types of public land such as public footpaths, picnic areas, parks and recreation grounds, and is therefore required to be cleaned up by the duty body responsible for that land.

Highways (including motorways, trunk roads, roads maintained at public expense and certain rights of way) must be kept 'clean'. This means that as well as keeping them free from litter and refuse, they should also be cleansed of detritus (where possible, for example, it is possible on hard, paved, surfaces but not on dirt tracks or verges). Detritus forms from leaf and blossom fall, rotted organic matter, grit, gravel, soil and stones, as well as broken-down particles of synthetic materials such as glass. The grading scale in the code also prescribes recommendations for the cleansing of detritus from all hard surfaces. It is not part of the

statutory duty to clear detritus except on highways, but it is advisable to do so as part of an effectively managed cleansing regime.

The photographs opposite illustrate the cleanliness grades defined by the Code of Practice on Litter and Refuse:

**Grade A** No litter or refuse

**Grade B** Predominantly free of litter and refuse apart from some small items

**Grade C** Widespread distribution of litter and refuse with minor accumulations

**Grade D** Heavily affected by litter and refuse with significant accumulations

A grade A effectively means that no litter or refuse, in any shape or form, is present on the land or highway.

The presence of even one small piece of litter or refuse automatically downgrades the environment to a grade B. A grade B is an acceptable standard for areas with soft or other types of surfaces that are difficult to clean to a grade A. These include grassed and landscaped areas, and terrain such as earth or sandy or pebbled beaches.

The presence of litter and refuse that is significant enough to form a few minor accumulations (grade C) or significant accumulations (grade D) is regarded as unacceptable.

## Response times according to zoning

Duty bodies are required to zone their land according to the zoning requirements implicated by the Code of Practice on Litter and Refuse. Land is zoned according to how intensively it is used by the public. Each zone has a response time within which the duty body should return land or highways to an acceptable standard.

- **High intensity of use** (busy public areas)
- **Medium intensity of use** ('everyday' areas, including most housing areas occupied by people most of the time)
- **Low intensity of use** (lightly trafficked areas)
- **Areas with special circumstances** (where issues of health and safety and reasonableness and practicability are dominant considerations when undertaking cleansing operations).

The table overleaf can help you work out how quickly a high intensity area should be returned to cleanliness grade A. For example, high use zones such as town centres or busy transport hubs should be restored to an acceptable standard within six hours of a deterioration in cleanliness.



	Type of zone			
	High intensity of use	Medium intensity of use	Low intensity of use	Special circumstances
<b>Nature of the area</b>	Areas which, through intense pedestrian and/or vehicular movements, are prone to fluctuations in litter and refuse and require both high levels of monitoring and frequent cleansing.	Areas affected by moderate levels of pedestrian and vehicular activity and therefore less prone to fluctuations in litter and refuse, usually situated outside centres of retail or commercial activity, but used regularly by members of the public.	Areas subject to low or infrequent levels of pedestrian and vehicular activity and therefore less prone to fluctuations in litter and refuse, often located in more rural areas.	Types of land where issues of health and safety and reasonableness and practicability are dominant considerations when undertaking environmental maintenance work (includes legislative restrictions for all land types).
<b>Maximum response time to restore to grade A standard if it falls below grade B</b>	'1/2 a day'. This means by 6 p.m. if reported before 1 p.m. or by 1 p.m. the next duty day if reported between 1 p.m. and 6 p.m. on the previous day.	'1 day'. This means by 6 p.m. the following evening.	'14 days'	'28 days' or as soon as reasonably practicable.
<b>Type of land (duty applies to relevant land/highways within these categories – refer to specific guidance in s.11 of the code for full details)</b>				
<b>Retail, office and commercial</b>	Primary and secondary retail, office and commercial areas.	Primary and secondary retail, office and commercial areas.		
<b>Housing land</b>		Areas of housing (except those located within primary or secondary retail, office and commercial areas which fall within high intensity areas).		
<b>Industrial areas</b>		Industry/warehousing/retail parks.		
<b>Roads</b>	Main roads and other highways running through the above areas.	Main roads and other highways running through the above areas.	Rural roads and other highways running through the above areas. Motorway and trunk road roundabouts and lay-bys, approach and slip roads connecting to these roads.	Carriageway, verges and central reservations of motorways and trunk roads.
<b>Transport interchanges</b> (includes railways, bus stations, ports, harbours, docks, airports, etc.)	Publicly accessible areas in and around transport interchanges in busy public areas (most likely to be major airports, ports, harbours, bus, train and tram passenger stations in cities and town centres and car parks).	Publicly accessible areas in and around transport interchanges located in these areas (most likely to be suburban and important town harbours, bus, train and tram interchanges, car parks and haulage operations).	Public areas in and around transport interchanges located in these areas. Also operational rail land between platforms and within 100 m of platform ends.	
<b>Educational land</b> (most schools, colleges and universities)		Land of designated educational institutions (most commonly schools, colleges and universities), during term time, other than weekends or half term holiday.	Land of designated educational institutions (most commonly schools, colleges and universities) when being used for a purpose authorised by governing body or managers during holidays.	
<b>Public open spaces</b>	Parks and open spaces located in busy public areas, or with strategic national importance, or parts of other open spaces subject to high intensity of use.	Parks and open spaces located in areas as described above, or parts of other open spaces subject to medium intensity of use.	Parks and open spaces located in areas as described above, or parts of other open spaces subject to low intensity of use.	
<b>Waterside land</b> (includes canal waterways, marinas, inland navigation towpaths and towpaths to which the public have access in urban areas)	Waterside land in areas with high intensity of use.	Waterside land in areas with medium intensity of use.	All other waterside land.	
<b>Beaches</b>				Amenity beaches should be generally clear of all litter and refuse between 1 May and 30 September inclusive. Individual local authorities should decide the level of cleanliness that they are able to provide to any non-amenity beaches and where practicable, beaches must be inspected from time to time and cleaned as necessary.
<b>Other areas</b>	Other busy public areas.		All other areas.	

\*This is a simplified table to summarise the types of land that may fall under the direct control of duty bodies. Please refer to the full version of the Code of Practice on Litter and Refuse and to the necessary sections of the EPA 1990 for more comprehensive information on what forms relevant land for a duty body at <http://www.defra.gov.uk/environment/localenv/index.htm>

# Litter laws

Litter laws are set out (principally) in the Environmental Protection Act 1990. During 2005 and 2006 new powers and enforcement measures became available to tackle a range of environmental crimes affecting local environmental quality such as fly-tipping, graffiti and littering, by way of amendments to the 1990 Act (and others) by the Clean Neighbourhoods and Environment Act 2005.



## Responsibilities for the Public – the Offence of Leaving Litter

### **Section 87 EPA 1990 – offence of leaving litter – prosecution and fixed penalties**

A person is guilty of an offence if they throw down, drop or otherwise deposit any litter in any place in the area of a principal litter authority which is open to the air on at least one side, and leave it. It is immaterial whether the litter is deposited on land or in water.

Littering is not just an offence in public places such as shopping and recreation areas, pavements, public spaces and car parks, but on any private land, as well as land covered by water, as long as it is open to the air. The offence of littering is described in s.87 of the EPA 1990 and its scope was extended by the Clean Neighbourhoods and Environment Act (CNEA) 2005.

Certain officers, including Police Community Support Officers and authorised officers of a local authority, national park authorities or parish or town councils, may issue a fixed penalty notice for a litter offence under s.88 of the EPA 1990 as an alternative to prosecution. The fixed penalty charge will be £75, but may vary as local authorities can set the amount of fixed penalties locally within a range prescribed in regulations. If, instead, the offender is prosecuted in court, and convicted, they may be fined up to level 4 on the standard scale (currently £2,500) for each offence.

# Litter Laws to Ensure the Duty to Cleanse is Enforced

## **Making a complaint about litter and refuse – litter abatement orders and summary proceedings for persons aggrieved by litter**

In the first instance, a complaint about a litter problem may be made by telephone or in writing to the local authority being specific about location, type and amount of litter. Some local authorities have litter 'hotlines' and should be able to respond quickly to complaints. If your council does not have a special number to ring, litter complaints are usually dealt with by cleansing, environmental health or technical services departments.

If this fails to resolve the problem, s.91 of the EPA 1990 gives an individual the right to take legal action (by formal complaint to the Magistrates' Court) to get litter removed where an area consistently falls below the standard for longer than is allowed.

If an area managed by a duty body falls below the standard set out in the Code of Practice on Litter and Refuse and the duty body will not put matters right, you can take legal action to get a litter abatement order through a magistrates' court. You can do this as a resident, someone who works in the area, a regular visitor, or anyone who has a genuine interest in the locality



and who is aggrieved by the defacement of the area by litter or refuse. You can act as an individual or as a representative of a local community organisation or voluntary group who has an interest in the locality. The legislation requires that five days' written notice is given to the duty body, with the details of the intended complaint, prior to proceedings being instituted. If the case is successful, the court can issue a litter abatement order requiring that the litter and refuse from that area be cleared away. It is an offence not to comply with a litter abatement order, and the body can be fined up to level 4 (£2,500) plus a daily fine of one-twentieth of that level for each day the offence continues after conviction.

Land that is applicable for this measure is defined in detail in s.86 of the EPA 1990. In general, it must be open to the air on at least one side and under the 'direct control' of the duty body. It applies where the public is entitled or permitted to have access with or without payment.

As with any legal action, the process may be time-consuming and complicated. To obtain a litter abatement order it is necessary to have a more thorough understanding of the relevant sections of the EPA 1990. This section outlines what is a very complex piece of legislation.

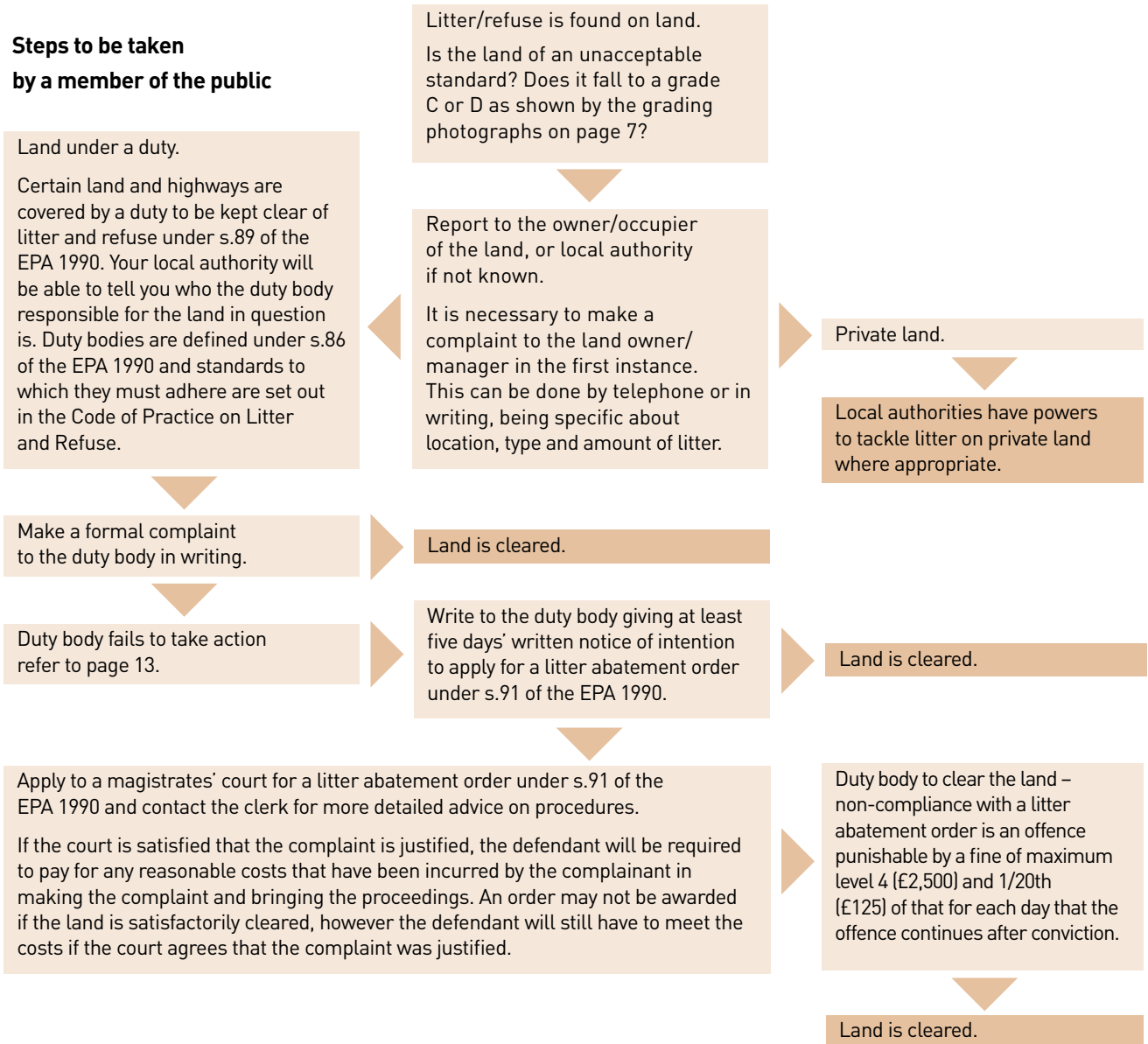
However, it should be remembered that this legislation was created to allow individuals to improve the cleanliness of their local environment if they felt it was not up to standard. For more detailed information, please refer to government guidance on the litter legislation which can be viewed at: [www.defra.gov.uk/environment/localenv/index.htm](http://www.defra.gov.uk/environment/localenv/index.htm)

### **Public policing**

Even though it is infuriating to see someone littering, ENCAMS does not advocate putting personal safety at risk. The same applies if you see litter thrown from cars. Police officers or litter wardens are empowered and trained to deal with offenders. If you have information about a littering incident you should report it to the police, the local authority or a litter warden, and it is up to them to decide whether they wish to proceed any further. You also need to be willing to attend court to give evidence if required. Whilst it is possible to take a private prosecution, it would be at your own expense and you will need strong evidence, notes and ideally photographs gathered at the scene of the incident to prove your case in court.

# Taking Action Against Litter and Refuse

## Steps to be taken by a member of the public



# What Can Local Authorities Do?

## **Local authorities have additional powers over other duty bodies. Enforcing the requirement for duty bodies to keep land clear of litter and refuse – litter abatement notices**

Section 92 of the EPA 1990 enables local authorities to take action where another duty body is failing to keep its relevant land clear of litter and refuse. The power to issue a litter abatement notice is available to principal litter authorities other than county councils and may be used where any relevant crown land, or land of a designated statutory undertaker, or governing body of a designated educational institution is defaced by litter or refuse, or the defacement is likely to recur.

A litter abatement notice may specify either or both of the following:

- A requirement for the litter or refuse to be cleared within a certain time. In specifying a time period, local authorities should take into consideration the response times and guidance provided in the Code of Practice on Litter and Refuse for the type of land and litter in question.
- A prohibition on permitting the land to become defaced by litter or refuse.

It is an offence to fail to comply with a litter abatement notice, which is punishable by a fine of up to level 4 (£2,500) plus a daily fine of one-twentieth of that level for each day that the offence continues after conviction.

## **Local authorities have powers to work with businesses that are causing undue litter and refuse on public land.**

### **Dealing with street litter outside of premises**

Where a litter problem can be clearly traced to certain types of businesses such as 'food on the go' establishments, mobile vendors or market stalls, a local authority can issue a street litter control notice. This can be used to compel the occupier, or the owner of business or retail premises to clear up litter and implement measures to prevent the land from becoming defaced again. Street litter control notices are issued under s.93 and s.94 of the EPA 1990.

### **Voluntary code of practice for food on the go**

Defra have produced a voluntary code of practice for "Reducing litter caused by 'Food on the Go' which sets out recommendations to help businesses, local authorities and other land owners or occupiers to work together to resolve litter problems. For more information see:

[www.defra.gov.uk/environment/localenv/litter/pdf/fastfoodcop.pdf](http://www.defra.gov.uk/environment/localenv/litter/pdf/fastfoodcop.pdf)

## Removal of shopping trolleys

Schedule 4 of the EPA 1990 is an adoptive schedule under s.99 of the EPA 1990 which allows a local authority to seize, store and dispose of abandoned shopping and luggage trolleys in its area. This measure applies to any shopping or luggage trolley on any land in the open air that appears to be abandoned. This includes land that is covered by water. Exceptions include land on which off-street parking is provided for shopping trolleys that have been used by customers, any land designated for trolley parking facilities, or any land in which the owner of the trolley has legal estate. A local authority must keep any trolley for a period of six weeks and if the trolley has not been claimed by this time, the local authority may either sell or dispose of it. The provisions allow for local authorities to recover the costs of seizure, storage and disposal from the owner of the trolley.

## Distribution of free literature

Local authorities can designate areas by order, where it is an offence to distribute free printed materials such as leaflets and fliers without consent. Authorised officers can seize any materials that are being distributed without consent in a designated area, and the offence is punishable by a fine of up to £2,500 or a fixed penalty notice of £75 or such other amount (within a prescribed range) that is set locally by the authority. Designations are made under s.94B and s.3A(2) of the EPA 1990.

## Local authorities have powers to tackle litter and refuse on private land

### Powers for tackling litter and refuse on private land

Local authorities have a power to issue a **litter clearing notice** under s.92A-s.92C of the EPA 1990 where land that does not fall under the litter duty (under s.89) is defaced by litter or refuse. The notice may require occupiers or, if the land is unoccupied, landowners to clear up and, where appropriate, take steps to prevent the land from becoming heavily littered again. Land must be restored within a minimum of 28 days (or longer if the notice allows) to a standard specified by the local authority under the terms of the notice. Failure to comply with a notice is an offence. The local authority can clean up the land and recharge the costs. Every occupier or owner of land has at least some responsibilities for its upkeep and for the safety of visitors. There is also other legislation that could be relevant to ensure that those responsible for private land, act to keep it clear of litter and refuse:

**Section 59 EPA 1990** provides powers for waste regulation authorities and waste collection authorities to require the removal of waste unlawfully and knowingly deposited.

**Part III (Statutory Nuisance) EPA 1990** allows district councils to serve an **abatement notice** if an accumulation or deposit is considered to be prejudicial to health or a nuisance. Inert material, however, would not be categorised as a statutory nuisance.



**Section 215 Town and Country Planning Act 1990** allows an authority to serve a notice on the owners and occupiers of land, requiring the site to be tidied up if the condition of any land is in such a state as to adversely affect the amenity of the neighbourhood.

**Section 22 (3) Control of Pollution Act 1974** provides a power to district councils to arrange, with the agreement of the person owning or occupying the land, for the cleaning of land in the open air (other than a highway) to which the public has access.

**Section 78 Public Health Act 1936** provides powers for district councils to sweep and cleanse any court, yard or passage which is used in common by the occupants of two or more buildings (but is not a highway repairable by the inhabitants at large) and which is not regularly swept and kept clean to the satisfaction of the authority.

**Section 34 Public Health Act 1961** provides a power to remove from any land in the open air any rubbish that is seriously detrimental to the amenity of the neighbourhood. Rubbish is defined as including rubble, waste, paper, crockery and metal.

**Section 6 Refuse Disposal (Amenity) Act 1978** gives district councils the powers to remove from land open to the air or on a highway anything that has been abandoned without lawful authority. If the land is occupied, the council must give notice of their intention to remove.

**Section 4 Prevention of Damage by Pests Act 1949** allows a local authority to serve a notice requiring an owner to remove, at their own expense, accumulated waste where damage by pests is likely to occur.

The Code of Practice on Litter and Refuse is primarily aimed at those with a duty to keep their land clear of litter and refuse, however the standards and management advice in it provide a useful tool for all land managers. For more information about the code and other related legislation please refer to:

[www.defra.gov.uk/environment/localenv/litter/code/index.htm](http://www.defra.gov.uk/environment/localenv/litter/code/index.htm)

# Facts and Common Assumptions About Litter

## **Litter doesn't clean itself away**

Some litter can take years to degrade, causing significant harm to wildlife and habitats as well as lowering the aesthetic quality of areas and contributing to further crime.

## **You could be prosecuted**

In 1990 there were 2,543 litter prosecutions. In 2002 there were 332 litter prosecutions. The drop in prosecutions can be credited to the extension of the fixed penalty notice scheme to cover litter offences.



For instance throughout 2004-2005, there were 713 litter offences prosecuted in a court of law, whilst 17,428 fixed penalty notices were issued. Local authorities are now issuing more fixed penalty notices for littering than ever before – and more people are paying up when they get caught. The total number of fixed penalty notices issued for litter rose by 32% between 2005-2006 and 2006-2007 – from 33,033 to 43,624. Over this period the number of payments arising from fixed penalty notices for litter rose by 49% – from 18,002 in 2005-2006 to 26,818 in 2006-2007.

## **Fly-tipping is another serious environmental crime**

Fly-tipping is a term to describe the act of the illegal dumping of rubbish – or the deposit of waste on any land with no licence to accept waste. Favourite hotspots are lay-bys, farmland and public open spaces. Types of waste can range from a single plastic sack, larger items such as furniture, white ware including fridges, tyres, car parts and hazardous wastes such as oil drums, televisions and asbestos. Hazardous or not, the dumping of any waste is illegal and comes with a serious cost for the offender – either 12 months' imprisonment and up to £50,000 in a magistrates' court, or both or five years and an unlimited fine in a crown court, or both. Local authorities carried out 1,371 prosecutions in 2006-2007, of which 94% achieved a successful outcome.

## **Most prevalent litter**

From the Local Environmental Quality Survey of England carried out by Keep Britain Tidy in 2006-2007 (see [www.encams.org](http://www.encams.org)), the most commonly found types of litter across all sites surveyed were:

- Smoking related litter (78% of all sites)
- Confectionery related litter (67% of all sites)
- Non-alcoholic drinks' related litter (52% of all sites)

## **Public disgust at littering**

Most of the population voice their disgust at seeing litter in the streets, but research by ENCAMS (2006) showed that nearly half of the general population admitted to dropping litter. Despite the fact that all of the people who took part in this research admitted to dropping litter, they blamed the litter problem on teenagers and school children. People thought that some forms of litter were more acceptable than others; they said it was okay to drop apple cores because they broke down into the environment. Glass bottles, dog excrement and clinical waste, on the other hand, were not seen as okay because they posed a threat to public health.

The research by ENCAMS found that between 2001 and 2006 there had been a significant change in people's attitudes towards litter. In 2001, dog owners did not clean up after their pets fouled in a public place. Six years later not cleaning up after a dog had become socially unacceptable behaviour.

There was also more awareness about litter in 2006 than in 2001. More people felt guilty about dropping litter and were more likely to notice and talk about the two biggest components of litter: smokers' materials and chewing gum. Nevertheless, they were still dropping those items, and car and fast food litter were found to be on the increase.

## **Lack of bins is a poor excuse**

For security reasons, a number of bins have been removed in the last decade, particularly in railway stations and on underground railway networks. Bins can cost between £150 and £800 each and must be waterproof, UV resistant and fire resistant. Each bin has to be emptied, cleaned and maintained. However, they are essential in providing disposal facilities for the public and local authorities have powers to provide them in any street or public place under the Litter Act 1983.

## **Public confessions**

Research by ENCAMS (2006) showed that littering was deemed to be acceptable when an individual's sense of personal responsibility had been taken away: because everyone else was doing it (for example, cinema, theatre, pop concert, football or rugby match, bowling alley), they were drunk, or the material that they were littering was biodegradable. It was considered most acceptable to drop litter when an area was already dirty and run-down, but not when it was tidy and presentable. It was considered most excusable to drop litter when everyone else was doing it, but not when in respectable company.

# Useful Contacts

UK Acts from 1988, including the EPA 1990 and the CNEA 2005, and statutory instruments published since 1987 can be downloaded from:

[www.opsi.gov.uk/legislation/index.htm](http://www.opsi.gov.uk/legislation/index.htm)

Printed copies of the EPA 1990 and the Code of Practice on Litter and Refuse can be purchased from The Stationery Office:

w: [www.tsonline.co.uk](http://www.tsonline.co.uk)

t: 0870 600 5522

The EPA 1990 Current Law Statutes. Annotated by Stephen Tromans:

**ISBN-10: 0421507802**

**ISBN-13: 9780421507807**

Environmental Protection Act Code of Practice on Litter and Refuse:

**ISBN 13: 9780117523630**

**ISBN 13: 9780117534797**

The following publication *Litter – organising a clean up* can be downloaded from: [www.encams.org](http://www.encams.org).

More information on local environmental quality may be obtained from Defra's website at:

[www.defra.gov.uk/environment/localenv/index.htm](http://www.defra.gov.uk/environment/localenv/index.htm)

More information on the voluntary code for food on the go is located at:

[www.defra.gov.uk/environment/localenv/litter/pdf/fastfoodcop.pdf](http://www.defra.gov.uk/environment/localenv/litter/pdf/fastfoodcop.pdf)

## **Disclaimer**

This document can only serve as a guide to, and synopsis of the law relating to, litter. It does not constitute legal advice. It may be misleading if relied upon as a complete explanation of the legal issues involved. If any matter is to be acted upon, the full texts of Part IV of the Environmental Protection Act 1990, the Clean Neighbourhoods and Environment Act 2005 and relevant statutory instruments must be consulted.

## **ENCAMS**

Elizabeth House, The Pier, Wigan WN3 4EX

t: 01942 612621 F: 01942 824778

e: [enquiries@encams.org](mailto:enquiries@encams.org)

ENCAMS runs the Keep Britain Tidy campaign





The Keep Britain Tidy Campaign is run by ENCAMS



[www.encams.org](http://www.encams.org)

