

Clearer rules to support councils in fight against litter louts

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Legally binding guidance gives councils powers to clamp down on litter louts.

Councils across England have been given clear direction and stronger legal powers to clamp down on serious and persistent litter louts.

The updated guidance on how to deal with littering published today (Tuesday 3 March) has been put on a statutory footing, meaning local authorities now have a legal duty to follow it.

Under the rules, councils have the power to issue on-the-spot fines of up to £500 for littering, including when litter is thrown from a vehicle. Unpaid fines double after 28 days, and if the offender can't be identified, the owner of the vehicle will be held to account.

This will lead to a more consistent and tougher approach to tackling litterers across the country, freeing up councils to concentrate on the worst offenders and support them in tidying up towns and restoring pride in our communities.

The announcement comes ahead of this year's Great British Spring Clean, the UK's largest annual litter pick, organised by the charity Keep Britain Tidy.

Circular Economy Minister Mary Creagh said:

Once again, hundreds of thousands of volunteers across the country will be setting off to their local parks, streets and beaches for the Great British Spring Clean next week – and they deserve our thanks for looking after our community spaces.

But we must stop litter louts from spoiling them in the first place, which is why we are giving local authorities clear legal powers to take action.

Councils across the country will now take the same tough approach on litterers and ensure they are being brought to justice.

Allison Ogden-Newton OBE, Chief Executive of environmental charity Keep Britain Tidy, said:

As we gear up for this year's Great British Spring Clean, we are delighted that the government has recognised the importance of 'turning off the tap' of litter that blights communities up and down the country and pollutes our environment.

Local councils are responsible for keeping their public land clear of litter and refuse. The new statutory litter enforcement guidance will make sure all councils apply the same rules.

The guidance is clear that enforcement action should be proportionate, so that councils can focus

their resources on the worst offenders rather than pursuing cases where someone has accidentally dropped litter. If there is reason to believe someone littered on purpose, it is up to the council to decide if they think they have enough evidence to issue a penalty that could potentially be challenged in court

Councils must now follow the guidance by law, which will deter them from entering contracts with private enforcement companies that treat litter fines as a way of raising revenue. Anyone who believes they've been unfairly fined can refer to the guidance in court and challenge whether the penalty was proportionate.

The Government has already given councils further powers to clean up Britain's streets, with new guidance on how to seize vehicles used to dump waste published last week.

Councils will also work more closely with the police to identify, seize and crush vehicles - utilising new technology, such as drones and mobile CCTV cameras, to ensure cars and vans belonging to fly-tippers are identified and destroyed.

This Government is also bearing down on the most cynical waste criminals - by increasing the Environment Agency's enforcement budget by over 50% to £15.6 million, bolstering the Joint Unit for Waste Crime and hiring more former police officers, and introducing tougher checks and strong penalties.

Waste cowboys caught transporting and dealing with waste illegally will face up to five years in prison under new legislation.

Notes for editors:

The changes refer to two forms of guidance:

- The 'Code of Practice on Litter and Refuse (COPLR)' is statutory guidance that outlines the standards expected of local authorities and other duty bodies (e.g. National Highways) with regards to their duty to keep their land clear of litter and refuse.
- 'Litter enforcement powers: when and how to use them' is statutory guidance to support local councils to make good use of their fixed penalty powers for littering and related offences.

<https://www.gov.uk/government/news/clearer-rules-to-support-councils-in-fight-against-litter-louts>