

Cleaner Communities – Current Litter Policy

Background

Code of Practice on Litter and Refuse (Scotland) 2018

The Environmental Protection Act 1990 (the act) imposes a duty on local authorities and certain other landowners and occupiers (the duty bodies) to keep specified land clear of litter and refuse so far as is practicable. The Act also places a duty on local authorities or Scottish Ministers to keep public roads clean so far as is practicable.

The Code of Practice on Litter and Refuse issued under section 89 of The Environmental Protection Act 1990 defines standards of cleanliness which are achievable in different locations and under differing circumstances. It is concerned with how clean land is, rather than how often it is swept. The Code of Practice does not, therefore suggest cleaning frequencies. Rather it sets out how quickly different types of land should be returned to a set cleanliness standard.

The objective of the Code of Practice is to provide practical guidance on the discharge of the duties under section 89 of the Environmental Protection Act 1990 by establishing reasonable and generally acceptable standards of cleanliness which those under the duty should be capable of meeting.

The Code of Practice is based on the following two principles:

- Areas which are habitually more heavily trafficked should have accumulations of litter cleared away more quickly than less heavily trafficked areas; and
- Larger accumulations of litter and refuse should be cleared more quickly than smaller accumulations.

The Code of Practice provides a cleanliness standard based on land use. It sets out grades of cleanliness and divides land into zones according to usage and volume of traffic. If the cleanliness of an area falls, the Code of Practice sets out a response time that is the target for the duty body to restore the land to a particular grade of cleanliness.

Grades of Cleanliness

The Code of Practice is based on the concept of four standards, or grades, of cleanliness:

GRADE A: no litter or refuse;

GRADE B: predominantly free of litter and refuse, apart from a few small items

GRADE C: consistent distribution of litter and refuse with minor accumulations; and

GRADE D: heavily littered with significant accumulations.

Whilst Grade A is the ideal, it is not reasonable to expect that standard to be maintained at all times in all places; technical difficulties may make it impossible to achieve in some circumstances, and it is unlikely to be maintained for long periods in the most heavily trafficked areas. Grade A should be seen as the standard which thorough conventional sweeping should achieve in most circumstances.

Zones

Zoning is based on location and land use. The Code of Practice divides land types into broad categories or zones according to land use and volume of traffic. Within the broad range of zones it will be the local authority or other duty body to allocate geographical areas to a particular zone. Zones within West Lothian are as follows:

Zone 1: town centre

Zone 2: high density residential

Zone 3: low density residential

Zone 4: areas not falling into zones 1–3

Zones 5 and 6: these zones relate to beaches and motorways that are either not applicable to, or not maintained by West Lothian Council.

Zone 7: rural roads and verges

Cleanliness Standards

The Code of Practice defines the maximum response times when a litter problem is reported within or to a local authority. The standard of street cleanliness is assessed in terms of 'litter' and measured using the 4 grades as A, B, C and D. An example would be when a grade D is identified within a Zone 1, the council has 1 hour to respond and return the grade D to a grade A.

Category Zone		Time taken to respond to cleanliness standard			
		A	B	C	D
1	Town Centre	N/A	6 hours	3 hours	1 hour
2	High density residential	N/A	12 hours	6 hours	3 hours
3	Low density residential	N/A	2 weeks	12 hours	6 hours
4	Areas not falling into zones 1–3	N/A	2 weeks	1 week	60 hours
5	Amenity Beaches	N/A	N/A	N/A	N/A
6	Motorways	N/A	N/A	N/A	N/A
7	Rural roads and verges	N/A	N/A	2 weeks	5 days

In summary, these maximum response times will only ensure minimum standards as defined by the Code of Practice on Litter and Refuse (Scotland) 2006. The Cleaner Communities service endeavour to maintain all sites to an acceptable standard which requires the service to achieve either a grade A or B.

SERVICE FREQUENCIES

As previously indicated, the code of practice does not stipulate the frequency of sweeping, and is more concerned with the cleanliness standard. However in order to provide a degree of operational planning, service frequencies have been designed around resource availability, the code of practice and the zoning methodology to ensure that cleanliness standards are maintained and are as follows:.

Zone / Category	Zone Summary / Remarks	Litter Picking	Road Sweeper (Compact)	Road Sweeper (HGV)

1	Town Centre	This would include areas of high footfall associated with educational establishment, particularly secondary schools	Daily	Monthly	NA
2	Residential (high density)	Terraced, tenemental and flatted housing	Weekly	Quarterly	Quarterly
3	Residential (low density)	Detached and semi-detached housing.	Weekly	Quarterly	Quarterly
4	Areas not falling into zones 1–3	The service applied to these areas will be dependent on Operational knowledge specific to the area concerned	NA	NA	NA
5	Amenity Beaches	Not applicable to West Lothian Council	N/A	N/A	N/A
6	Motorways	Not maintained by West Lothian Council	N/A	N/A	N/A
7	Rural roads and verges	These areas have specific health and safety requirements to ensure safe operation	3 x annually	NA	Quarterly

REACTIVE SERVICE

The above service frequencies provide an operational cycle that ensures the general coverage of the authority area required to maintain cleanliness standards. However the service retains the operational capacity to react to ad hoc events that require a more speedy response to improve the standard of cleanliness of an area within the maximum timelines detailed in the code of practice. The balance of routine and adhoc works is influenced by many factors and can result in the need to reprioritise routine works on a needs basis, but in general terms include reaction to issues such as:

- Sharps and needle removal
- Dead animals
- Flytipping
- Winter emergencies

Following the introduction of the reactive teams in 2017, performance indicators will be developed and introduced to monitor the performance of the teams and their response times to incidents and returning streets to the required standard.