



## **CLEANER COMMUNITIES SERVICE STANDARDS (CCSS)**

**Appendix 1 – Litter Prevention Action Plan 2026-27**

**Appendix 2 – Litter Bin Standards**

**Appendix 3 – Fixed Penalty Notice Report**

**OPERATIONAL SERVICES NET's LAND & COUNTRYSIDE  
January 2026**

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## 1.0 INTRODUCTION

Littering is a persistent environmental issue that negatively impacts the quality of public spaces, harms wildlife, and contributes to a decline in local amenity. West Lothian Council recognises the importance of maintaining a clean, safe, and welcoming environment for residents, businesses, and visitors alike.

The 2025/26 Cleaner Community Service Standards (CCSS) outline the Council's approach to tackling litter and associated environmental concerns such as fly-tipping, dog fouling, graffiti, fly-posting and abandoned vehicles. The standards support West Lothian Council's broader environmental and community wellbeing objectives and are aligned with national legislation and other relevant statutory duties to ensure towns and villages within West Lothian thrive.

Through a combination of preventative measures, public engagement, enforcement, and responsive services, the Council aims to:

- Reduce the occurrence of littering and environmental offences
- Provide a consistent and high standard of street cleanliness across all zones
- Engage with communities, businesses, and schools to promote environmental responsibility
- Deliver value for money through efficient and effective street cleansing services

CCSS provides a clear framework for how the Council will manage and respond to litter-related issues with standards developed in conjunction with West Lothian Council's Litter Prevention Action Plan (LPAP). CCSS detail how we can empower and educate communities to take an active role in preventing litter, fostering a sense of shared responsibility and long-term environmental stewardship. Section 12 of the Service Standards provides a clear outline of the enforcement powers held as a Local Authority and the subsequent actions we can take where necessary.

Our new service standards set clear expectations for quality, timeliness, and accountability, ensuring a consistent and customer-focused experience. By strengthening cross-service working, teams collaborate more effectively, share expertise, and reduce duplication, leading to faster decision-making and better use of resources. This joined-up approach improves outcomes for customers, supports innovation, and creates a more resilient and responsive service overall. We continue to build strong working relationships with colleagues in planning, roads, education and environmental health.

### 1.1 Statutory Responsibilities – Code of Practice on Litter and Refuse (Scotland) 2018

The Environmental Protection Act 1990 places a legal obligation on local authorities and certain other landowners and occupiers to ensure that specified land under their control is kept clear of litter and refuse, so far as is practicable. In addition, the Act imposes a duty on local authorities or Scottish Ministers to ensure that public roads are kept clean, again so far as is practicable.

To support the effective implementation of these duties, a Code of Practice on Litter and Refuse was issued under Section 89 of the Environmental Protection Act 1990. This Code sets out the standards of cleanliness that should be achieved in different areas and under varying circumstances.

Importantly, the Code focuses on outcomes rather than processes—it is concerned with how clean land is, rather than how often it is cleaned. As such, it does not prescribe specific cleaning frequencies. Instead, it establishes response times by which land must be returned to an acceptable cleanliness standard when it falls below that threshold.

The aim of the Code of Practice is to provide practical guidance to those with statutory duties under Section 89 of the Act. It sets out reasonable and generally acceptable standards of cleanliness which are intended to be both achievable and proportionate.

The Code is built upon two key principles:

- Heavily trafficked areas should have litter and refuse cleared more quickly than areas with lower footfall or traffic.
- Larger accumulations of litter should be removed more promptly than smaller accumulations.

To support consistency and clarity, the Code categorises land into zones based on land use and footfall or traffic levels. It also defines grades of cleanliness which allow for the measurement and assessment of cleanliness levels in a standardised way.

When the cleanliness of a particular zone falls below the defined standard, the Code sets out a target response time by which the land must be restored to an acceptable grade. These response times serve as performance benchmarks for local authorities and other duty bodies.

This legal and operational framework underpins West Lothian Council's approach to street cleansing and environmental maintenance. It ensures that our services are both compliant with statutory requirements and responsive to local needs and conditions.

## **1.2 Litter Prevention Action Plan**

The Litter Prevention Action Plan (LPAP) is a key component of West Lothian Council's commitment to creating a cleaner, greener, and more sustainable local environment. Developed in line with Scotland's National Litter and Fly tipping Strategy 2023-27, the LPAP outlines targeted actions aimed at preventing litter at its source through a combination of education, infrastructure improvements, community engagement, and enforcement.

The plan takes a proactive, preventative approach, recognising that tackling the root causes of littering and fly tipping is more effective and sustainable than solely relying on reactive cleaning services. It focuses on changing behaviours, strengthening partnerships, and improving the visibility and accessibility of waste disposal infrastructure.

The plan will build on actions taken by the Cleaner Communities Team over the last two years to tackle littering and fly tipping such as:

- The introduction of the Don't Waste West Lothian fly-tipping campaign launched in 2023
- The introduction of three dedicated Glutton (Urban Clean) street cleaning teams in 2024
- Roll out of mobile CCTV camera to deter dumping rolled out from January 2024
- The introduction of smart compactor bins providing real time data and usage information
- Partnership working with community litter picking groups

The Action Plan is designed to:

- Prevent litter before it occurs through education and awareness campaigns
- Support behaviour change by working with schools, businesses, and local organisations
- Improve litter infrastructure, including placement and maintenance of litter bins
- Foster community ownership through volunteer support, clean-up events, and local initiatives

- Enforce existing legislation through visible and proportionate action against persistent offenders
- Monitor and evaluate litter trends using data to inform service improvements and resource allocation

The draft LPAP is included within Appendix 1 of these service standards.

## 2.0 GRADES OF CLEANLINESS & ZONING

To support consistency and clarity West Lothian Council's approach is to adopt the principals set out within the Environmental Protection Act and split into zones based on land use and footfall or traffic levels.

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

### 2.1 Grade A: no litter or refuse

#### Litter and Refuse Grade A:

No litter or refuse is present on any type of land



### 2.2 Grade B: predominantly free of litter and refuse, apart from a few small items

#### Litter and Refuse Grade B:

Small amounts of litter and refuse



As a guide, fewer than 5 large items or fewer than 30 small items of litter and refuse

**2.3 Grade C:** consistent distribution of litter and refuse with minor accumulations;

**Litter and Refuse Grade C:**

Moderate amounts of litter and refuse, with small accumulations



As a guide, 5-15 large items or 30-90 small items of litter or refuse

**2.4 Grade D:** heavily littered with significant accumulations.

**Litter and Refuse Grade D:**

Significant amounts of litter and refuse, with consistent distribution and accumulations



As a guide, 16-30 large items or 91-180 small items of litter and refuse

While Grade A represents the ideal standard of cleanliness, it is recognised that maintaining this level at all times and in all locations is not always practical. In some areas, technical constraints, environmental conditions, or intense and continuous usage may prevent the consistent achievement of this grade.

Grade A should therefore be viewed as the benchmark that can be achieved through thorough and effective conventional cleansing methods under normal circumstances. However, particularly in high-footfall or heavily trafficked areas, it is acknowledged that this standard may only be achieved temporarily before litter reaccumulates.

The purpose of setting Grade A as a target is to establish a clear and measurable objective, while also allowing for the practical realities of maintaining public spaces. The focus is not solely on maintaining Grade A at all times, but on ensuring prompt and proportionate responses when cleanliness levels fall below the standard.

## 2.5 Zones

The Code of Practice on Litter and Refuse divides land into a series of zones based on location, land use, and the volume of pedestrian or vehicular traffic. These zones are used to determine the expected standards of cleanliness and the response times for returning land to an acceptable grade following deterioration.

It is the responsibility of the local authority or other duty body to assess and assign areas to the appropriate zone, based on their characteristics and usage patterns. This zoning system ensures that service levels are both proportionate and targeted according to need.

- **Zone 1: Town Centres**  
Areas with high levels of pedestrian traffic, commercial activity, and regular public use typically central shopping areas and main streets.
- **Zone 2: High-Density Residential Areas**  
Residential neighbourhoods with a high concentration of housing and regular foot traffic, such as flats, apartments, and housing schemes.
- **Zone 3: Low-Density Residential Areas**  
Residential areas with lower housing density and less frequent footfall, such as suburban or detached housing developments.
- **Zone 4: Other Land Uses**  
Areas that do not fall into Zones 1–3, including mixed-use areas, open spaces adjacent to residential or commercial properties, and public facilities.
- **Zones 5 and 6: Beaches and Motorways**  
These zones refer to beaches and motorway verges. They are **not applicable** to, or are **not maintained by**, West Lothian Council.
- **Zone 7: Rural Roads and Verges**  
Roads and surrounding verges located in rural areas, generally experiencing lower volumes of traffic and usage.

This zoning system helps inform cleansing priorities, response times, and resource allocation across West Lothian, ensuring that the Council meets its statutory obligations while addressing local environmental needs effectively.

### 3.0 CLEANLINESS STANDARDS

Within Section 89 of the Environmental Protection Act 1990 definition is given as to how the standard of street and land cleanliness should be measured. Cleanliness is assessed based on the presence of litter and refuse and categorised into four grades as set out within Section 2.5 of the plan.

The Code of Practice establishes maximum response times for returning land that has fallen below acceptable standards (Grades C or D) to an appropriate level, typically Grade A. These times are based on the zone classification of the area.

For example, if a Grade D is identified in a Zone 1 (Town Centre) area, the Council must respond and return the site to Grade A standard within 24 hours. A new KPI will be introduced to measure this standard from the time an enquiry is logged, handled and closed off.

#### 3.1 Response Time

Category	Zone	Time taken to respond to cleanliness standard			
		A	B	C	D
1	Town Centre *	N/A	72 hours	48 hours	24 hours
2	High density residential	N/A	1 week	72 hours	48 hours
3	Low density residential	N/A	2 weeks	1 week	72 hours
4	Areas not falling into zones 1-3	N/A	2 weeks	1 week	72 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

**Table 1: Category response times from time reports are received, triaged and logged on system.**

**\* Village Centres will fall under the same time parameters as town centres within WLC's standards**

## 4.0 PLANNED OPERATIONS

As previously outlined, the Code of Practice on Litter and Refuse does not specify fixed frequencies for sweeping or the removal of fly-tipping. Instead, it focuses on the standard of cleanliness and the required response times when cleanliness falls below acceptable levels.

However, to support operational planning, resource allocation, and ensure that cleanliness standards are consistently maintained across West Lothian, the Council has developed a set of service frequencies. These frequencies are informed by:

- The zoning methodology outlined in the Code of Practice
- The availability of operational resources
- Local knowledge and service demand
- The objective to maintain areas at Grade A or B cleanliness

These planned frequencies provide a structured approach to street cleansing and environmental maintenance, enabling the Council to deliver a service that is both proactive and responsive.

The service frequencies by zone and service type (e.g. manual sweeping, mechanical sweeping, litter picking, and fly-tipping response) are outlined in the following section.

Zone / Category		Zone Summary / Remarks	Bin Emptying	Road Sweeper (Compact)	Road Sweeper (HGV)	Fly Tipping
1	Town/ Village Centre	This would include areas of high footfall associated with educational establishments.	Weekly x3	Monthly	N/A	3 Working Days
2	Residential high density	Terraced, tenement and flatted housing	Fortnightly	Quarterly	N/A	5 Working Days
3	Residential low density	Detached and semi-detached housing.	Fortnightly	Quarterly	N/A	5 Working Days
4	Areas not falling into zones 1–3	Dependant on Operational knowledge specific to the area concerned	N/A	N/A	12 Months (Minimum of)	N/A
5	Amenity Beaches	Not applicable to West Lothian Council	N/A	N/A	N/A	N/A
6	Motorways	Not maintained by West Lothian Council	N/A	N/A	N/A	N/A
7	Rural roads and verges	These areas have specific health and safety requirements to ensure safe operation	Annually x3	NA	As Necessary	7 Working Days

**Table 2: Service Frequencies**

**Note: Footpath sweeping is currently conducted on a reactive basis. Officers are working with waste colleagues to develop structured route plans. This will be included in the 2027/28 Service Standards.**

## 4.1 Reactive Services

While the planned service frequencies provide a structured operational cycle to ensure general cleanliness across West Lothian, the Council also retains the flexibility and capacity to deliver reactive services. This ensures that unexpected or urgent issues can be addressed promptly and that cleanliness standards are restored within the maximum response times outlined in the Code of Practice on Litter and Refuse.

The ability to respond reactively is a crucial part of maintaining public safety, environmental quality, and community confidence. The balance between routine and ad hoc service delivery is influenced by a variety of factors, including seasonal demands, unforeseen incidents, and service requests. As a result, routine works may occasionally be reprioritised based on operational need.

Typical reactive service responses include, but are not limited to:

- Removal of sharps and needles
- Collection of dead animals
- Response to winter weather-related emergencies
- Removal of graffiti Council-owned assets
- Glass & Dog Fouling

In 2024, the Council enhanced its operational capacity with the introduction of three new dedicated street cleansing teams (Urban Clean Teams). These teams play a vital role in both proactive maintenance and reactive response.

## 5.0 LITTER INTERVENTION

Littering currently carries a Fixed Penalty Notice (FPN) of £80 for 'littering offences under the Environmental Protection Act 1990'. The Litter Prevention Action Plan (LPAP) sets out the councils' actions around intervention and prevention.

A roadside litter campaign in collaboration with Keep Scotland Beautiful (KSB) and Falkirk Council launched late 2025 along the A801 route (Falkirk M9-Jct4 to West Lothian M8-Jct4) as part of year 3 actions supported by the National Litter & Fly-tipping Strategy.

The campaign will run to March 2026 which will offer the opportunity to launch into the yearly Spring Clean Campaign as well as feed into the (LPAP) action of phase 2 Don't Waste West Lothian (DWWL) around anti-litter. The purpose of running campaigns such as this aim to:

- Develop intervention methods around roadside litter
- Provide data and consistent monitoring to further assist in building the roadside litter picture
- Collect and segregate to look at defining 'waste types'
- Launch heavy media and communication package with onsite messages, retailer, online and radio communications.
- Involve communities and schools in synergy projects

## 6.0 FLY TIPPING

West Lothian Council is committed to maintaining a clean, safe, and sustainable environment for all residents, businesses, and visitors. Fly-tipping which is defined as the illegal dumping of waste on land **NOT LICENSED** to receive it. It is a criminal offence punishable by a fixed penalty or prosecution, which may result in a fine of up to £40,000 and/or imprisonment. This includes both commercial and domestic waste.



*Images of Local Hotspots in West Lothian*

## 6.1 The Council's Responsibilities

CCSS set out the Council's approach to preventing, investigating, enforcing against, and cleaning up fly-tipping incidents within West Lothian. Its purpose is to:

- Prevent and reduce the occurrence of fly-tipping.
- Set out clear procedures for enforcement and prosecution.
- Promote legal and responsible waste disposal.
- Support community reporting and engagement.
- Ensure effective coordination of resources for response and clean-up.

The Street Cleansing team work with the Council's Neighbourhood Environmental Team's teams (NET's) within NET's Land & Countryside to deal with instances of fly tipping and action any clear ups. A dedicated team of 4 Enforcement officers investigate all reported instances of fly tipping and coordinate removal. Duties include:

- Investigate all reported fly-tipping incidents.
- Remove fly-tipped material from public land within agreed service levels.
- Use CCTV or other surveillance methods in known hotspots.
- Issue Fixed Penalty Notices (FPNs) or pursue prosecution where appropriate.
- Promote public reporting and educate the community about legal disposal options.
- Work in partnership with Police Scotland, SEPA, and other agencies.

For fly tipping instances, fixed penalty notices (FPNs) of £500 will be issued where appropriate under the Environmental Protection Act 1990. Prosecution will be considered for serious, repeat, or commercial offences and where relevant partnership working with both SEPA, Police Scotland and the Procurator Fiscals office will be undertaken.

Vehicles used in fly-tipping will be recorded and reported to Police Scotland with the intention vehicles may be seized under relevant legislation.

## 6.2 Residents and Businesses

Residents and Business have a responsibility to dispose of their waste properly and to tackle the impact of fly tipping and/or side waste. Those responsibilities include:

- Dispose of waste legally and responsibly.
- Report any incidents of fly-tipping to the Council.
- Provide information or evidence where possible to assist investigations.

Commercial waste and irresponsible disposal has become an increasing problem over the last few years. Education and Enforcement officers continue work with local businesses to ensure that fly tipping is addressed. Information relating specifically to commercial bins can be found within Section 7.1.

## 6.3 Fly Posting

Fly-posting is the unauthorised display of posters, stickers, placards, or signs on public or private property, including street furniture, lampposts, walls, fences, and utility boxes. West Lothian Council is committed to tackling fly-posting to protect the visual amenity of our towns, villages, and rural areas, and to ensure public spaces remain clean, safe, and legally compliant.

Fly-posting is an offence under the following legislation:

- Town and Country Planning Act (Scotland) Regulations 1997, Section 186
- Environmental Protection Act 1990, Section 87
- Roads Scotland Act 1984

Unauthorised posters will be subject to removal and/or the issuing of Fixed Penalty Notices. Charges will also be applied where damage is caused to any council asset.

Fly-posting is actively monitored by the Council's NETs teams and enforcement officers. Where individuals or businesses are identified as responsible for fly-posting, they may be issued with a Fixed Penalty Notice of £80, or face further enforcement if the offence persists. Repeat offenders may also be referred for legal action.

All unauthorised posters and advertisements placed on council property will be removed as part of routine environmental maintenance or in response to reports. Fly-posting that is offensive, racist, or likely to cause harm will be prioritised for immediate removal.

Election posters or notices placed before permitted dates or in unauthorised locations will also be removed.

Some Statutory notices may be exempt under planning regulations if they meet strict criteria.

However:

- Statutory notices (e.g. planning notices, traffic orders, or public notices) must be displayed in accordance with legal requirements regarding placement, timing, and removal.
- If statutory notices are left beyond the required display period or cause obstruction or visual harm, the Council will remove them and a charge of £80 will be applied to the offender.
- Enforcement powers are limited to West Lothian Council Assets.

Organisations posting statutory notices are required to:

- Clearly label notices with contact information and date of posting.
- Remove them promptly once their purpose has expired.

#### **6.4 Abandoned Trolleys**

Within West Lothian a retailer's scheme operated by independent contractors to recover and return abandoned shopping trolleys to retailers is in place. There are two companies who can assist with a collection and both are available on West Lothian Council's website:

Trolley Wise (retailers other than Asda)  
TMS Collex (collect for Asda only)

#### **6.5 Reporting & Investigation**

Don't Waste West Lothian (DWWL) was launched in 2023 to encourage and increase public engagement around fly-tipping with various contact routes available including QR codes, online forms, via phone, or through the Council's mobile app.

Investigations will be undertaken by authorised officers who may gather evidence including witness statements, CCTV footage, and waste analysis. Where evidence supports enforcement action, the Council will pursue fines or prosecution. Since the introduction of DWWL the number of reported incidents has increased significantly which aids the team in being able to respond quicker to tackle dumping and investigate accordingly. Information will be provided within the Annual Fly Tipping Report regarding the exact locations and number of FPN's generated by new CCTV cameras currently being procured and installed.

#### **6.6 Clean-Up and Removal**

The Council will aim to remove fly-tipping from public land within the timescales set out within **Table 2 on Page 8** of this report.

Waste on private land is the responsibility of the landowner however the Council will provide advice or assistance where feasible. An information leaflet has been developed to offer information which officers will provide wherever necessary.

#### **6.7 Monitoring and Review**

Fly-tipping incident data will be recorded and monitored to inform strategic planning. The Cleaner Communities Service Standards and the LPAP will be reviewed annually or in response to legislative changes or significant environmental developments. An annual report will be produced to provide updates on proposed actions.

## 7.0 FOOTPATH OBSTRUCTIONS

### 7.1 Commercial Bins

The council will manage and enforce the placement of commercial waste bins on footpaths in a fair, proportionate, and risk-based manner to ensure public safety and accessibility. Businesses must ensure that bins are not stored on the public footway except during agreed collection times. We will work with local business to establish current agreed times but this is likely to be 07:00hrs – 10:00hrs and 14:00hrs – 16:00hrs. Overnight presentations are not permitted unless there are exceptional circumstances.

Presentation must not obstruct pedestrian movement, including access for wheelchair users, pushchairs, and people with visual impairments. Where bins are found to be causing obstruction or risk, the council will engage with the business to secure compliance and may require immediate removal. If an immediate safety issue is identified, the obstruction may be removed and all associated costs are recoverable.

Persistent or serious non-compliance may result in formal enforcement action in line with relevant legislation (Section 59 of the Roads (Scotland) Act 1984) and council policy, with the primary aim of maintaining clear, safe, and accessible footpaths for all users. Contravention of Section 59 of the Roads Scotland Act is a criminal offence and if convicted businesses may be liable to a fine if imposed by the Courts.

In December 2025, a working group for Commercial Waste was established within WLC. The purpose of this group is to identify opportunities for education and to work collaboratively with local businesses to encourage responsible waste disposal practices. Cleaner Communities are working alongside colleagues in the Planning Department to ensure that appropriate waste considerations are taken into account when granting consent for new developments, as well as when approving changes of use for existing buildings. This is particularly important where proposed business operations differ significantly from previous uses, resulting in substantial changes to waste generation and management requirements.

### 7.2 Table & Chair Permits

A business wishing to place tables and chairs outside its premises in West Lothian must obtain a valid Tables and Chairs (Section 59) permit from West Lothian Council before using any part of the public footway or road.

The business must apply for a permit with the required fee (currently £253.56), a clear location plan showing the proposed layout, and details of the furniture to be used. Tables and chairs must be positioned so that a safe, unobstructed pedestrian route is maintained at all times, including adequate access for wheelchair users and those with visual impairments. A clear 1.5m minimum width is required.

The business is responsible for complying with all permit conditions, ensuring the area is kept safe and tidy, and removing the furniture when the permit expires or if requested by the council.

If a business fails to carry a valid permit, Enforcement action will be taken under Section 59 of the Roads (Scotland) Act 1984 for the obstruction of a pedestrian footway.

Where unauthorised tables and chairs are identified:

- Officers will confirm whether a **valid permit** is in place.

- Consideration will be given to public safety risks, including obstruction of pedestrian access. If there is an **immediate risk** the business owner will be instructed to remove immediately.
- Failure to comply officers will remove and hold furniture with all associated costs recoverable.
- If **no permit** is in place a notice will be served which allows the business owner 28 days to obtain a valid permit.
- If after 28 days no permit is obtained an FPN (£30) will be issued.
- A-Boards are included and may be removed or the business fined if an obstruction is caused. (A Boards do not currently require a permit).

### 7.3 Street Furniture

All fences, rails, barriers, bollards, sign posts, street nameplates, cycle racks, bins and seating should meet the following criteria;

- Properly aligned (i.e. upright and not a safety hazard)
- Pointing in the right direction
- Structurally sound
- Fixed appropriately and securely to the ground
- Free of rust or corrosion that affects structural integrity
- Free of significant dents or other damage (with reported graffiti, fly posting or stickers removed)
- Free of unauthorised or out of date signage or other items.

Whilst enforcement powers may be limited within the Cleaner Communities team to bins and seating, all defects identified or reported will be recorded and passed to colleagues within Roads and Transportation.

### 8.0 DOG FOULING



West Lothian Council is committed to tackling dog fouling to maintain a clean, safe, and pleasant environment for all residents and visitors.

Dog fouling is currently dealt with on a reactive basis. Members of the public are encouraged to report repeat instances on the Council's website.

Where clear evidence is available—such as footage from a phone camera, CCTV, or direct observation by a Council officer—a Fixed Penalty Notice of £80 will be issued under the *Dog Fouling (Scotland) Act 2003*. If a report includes details of a regular offender, including approximate times and locations, targeted patrols may be arranged to increase the likelihood of enforcement action.

Stencilling ‘a part of nudge theory’ has been an effective measure in reducing dog fouling issues across West Lothian with hot spot areas targeted by officers. A programme to refresh stencilling is currently underway.

While dedicated patrols focused solely on dog fouling are not currently in place, officers will respond to intelligence-led reports by adjusting existing patrol routes when resources allow. Patrols are prioritised in areas with high levels of complaints or repeated offences. The Council relies on the support of the public to identify persistent offenders and problem areas. Reports should be as detailed as possible to assist in enforcement—ideally including times, descriptions, and any available evidence.

## 9.0 GRAFFITI

West Lothian Council recognises that graffiti is a form of vandalism that negatively impacts the appearance of communities and can contribute to a perception of neglect or anti-social behaviour. The Council is committed to removing graffiti promptly where appropriate and working with partners to discourage its occurrence. West Lothian Council strive to:

- To maintain clean and welcoming public spaces by addressing graffiti in a timely and appropriate manner.
- To discourage vandalism and reduce the impact of graffiti on residents, businesses, and visitors.
- To promote responsible citizenship through education and partnership working.

### Graffiti is split into 2 categories:

**Offensive Graffiti:** Content that is racist, sectarian, homophobic, or otherwise offensive is prioritised and removed as quickly as possible.

**Non-Offensive Graffiti:** General tagging, scribbles, or name markings are addressed as part of routine maintenance or reactive reporting.

Graffiti removal is carried out on a reactive basis. Response times as set out below:

Type	WLC Owned property/ Asset	Private Property/ Asset
Offensive	Removal 48 hours	Contact made within 24 hours. Stipulation to remove within 48 hours.
Non-Offensive	Removal 10 working days where resource allows.	Contact made within 1 week. Stipulation to remove within 10 working days.

Graffiti on **private property** (including utility boxes and shop shutters) is the responsibility of the owner, but advice and support may be offered.

Members of the public can report graffiti using the Council’s online reporting system or by contacting the Customer Service Centre.

An FPN may be issued whereby the offender will not be liable for additional costs associated with damage to property. However, Cost recovery for damage caused by graffiti comes from different statutory powers, primarily under the Antisocial Behaviour etc. (Scotland) Act 2004, which allows

councils to serve graffiti removal notices and recover the costs of removal. This decision would be made based on the extent and type of graffiti.

## **10.0 TRAVELLING ENCAMPMENT SITES**

In 2025 West Lothian encountered 23 illegal encampments on various areas of council owned open space across the county. Whilst encampment sites have been ongoing for many years the impact on service delivery this year has been significant. A working group has been established in October 2025 to agree cross service collaboration to both prevent access to unauthorised locations and to minimise the clean-up operations required on departure.

### **10.1 Legislation**

Under Scots law, the travelling community which includes Gypsy/Travellers and other nomadic groups have specific rights and protections. These rights are recognised under equalities legislation, housing law, and human rights frameworks, though they must also be balanced with local authority duties and land use regulations.

Key rights and relevant legal context:

- Gypsy/Travellers are legally recognised as a distinct ethnic group under the Equality Act 2010 in Scotland.
- This means they are protected from discrimination on the grounds of race, including direct and indirect discrimination, harassment, and victimisation.
- Under the European Convention on Human Rights (ECHR), incorporated into Scots law through the Human Rights Act 1998, Travellers have the right to respect for private and family life and the right to enjoy their traditional way of life, which may include living in caravans or travelling

### **10.2 Site Remediation Works**

Council enforcement officers have the authority to issue Fixed Penalty Notices (FPNs) for fly tipping however, this power is limited in responding to travelling encampment sites. Barriers exist around the evidential basis for determining who a fine or notice should be served upon, and where fines and associated correspondence would be delivered to. Where criminal acts occur, there are barriers to prosecution due to the requirement to meet the burden of proof of 'beyond a reasonable doubt'. Anti-Social Behaviour is often an issue on sites and officers are often reliant on attendance with Police support.

On notification from Housing's Safer Neighbourhood team that an encampment site is under establishment an enforcement officer from the cleaner communities' team will also attend site. This will occur within 24hrs from arrival. Enforcement officers will liaise with those on site to remind them of responsible waste disposal and that anyone fly tipping will be subject to prosecution. Enforcement officers will also work with Police Scotland to obtain any vehicle information that may allow prosecution. The majority of waste left behind on encampment sites is commercial waste as a result of occupants carrying out unlicensed work for local businesses and/or residents. As such, we are urging the public to ensure that all work involving waste disposal is carried out by SEPA-registered waste carriers, ideally selected through the Trusted Trader Scheme. West Lothian Council's social media platforms have been used to convey this message.

### 10.3 West Lothian Council Protocol

To address the issue proactively, a cross-departmental working group was established in November 2025. The group will work to consider further actions, including legal action, ways to streamline clean-up operations and exploration of further preventative measures.

Currently, we are assessing affected sites to determine viable ways to prevent re-entry. However, with all open space assets emergency access as well as access for council maintenance teams must remain unhindered. The Protocol for Encampment Sites (Operational Service Activities only) are outlined below:

Time	Activity	Action	Additional Tasks
Within 24 Hours	SNT Team, Police and Enforcement Officer will attend site.  Preparation by legal to contact Sherriff Officers.	A notice to quit is served. Enforcement Officer will issue information on waste disposal and prosecution for fly tipping.	Enforcement Officer will observe number of occupants
Within 48 Hours	Second visit by SNT, Enforcement and Police.	Enforcement Officer will observe site and record any fly tipping	Contact with voluntary litter pickers to request assistance.
Within 72 Hours	Third Visit by SNT, Enforcement and Police.	Enforcement Officer and record any fly tipping. FPN's issued when possible.	Classification of waste types. Preparation of tender documentation for specialist waste removal
Beyond 72 Hours	Enforcement team will attend site daily with SNT colleagues.	Enforcement Officer will observe site and record any fly tipping. FPN's issued when possible.	NET's team(s) mobilise within 24hrs of departure. Tender Issue and appoint contractor(s)

### 11.0 ABANDONED VEHICLES

Abandoned vehicles whilst not considered 'fly tipping' are dealt with on a priority basis within the service. The process for dealing with abandoned vehicles is:

- **Enquiry Received:** Council gets a report about an abandoned vehicle
- **Site Visit:** Enforcement officer visits the location to verify the vehicle's presence, details, and take photos
- **Assessment:** The officer checks if the vehicle meets DVLA's abandoned vehicle criteria and confirms land ownership

If it **doesn't** meet criteria, the vehicle may be reported to DVLA or Police Scotland or the enquiry is closed with reasons explained

If it **does**, a West Lothian Council warning notice is attached to the vehicle, with photos taken as proof. This gives the owner a chance to contact the council and arrange removal

- **Tracing Owner:** If no contact is made, the officer conducts a DVLA search to trace the registered owner

- **Statutory Notice Served:** Based on location and condition:
  - 24 hours if dangerous
  - 7 days if on council land
  - 15 days if on private land (served to the landowner)

Photos are taken again, and a courtesy letter/notice is sent to the owner.

- **Follow-up Visit:** After the notice expires, the officer checks if the vehicle has been removed.
  - If removed, the case is closed
  - If still present, arrangements are made with a contractor to remove it
- **Disposal:** The vehicle is either destroyed immediately, stored pending tax expiry and disposal, or held until enquiries conclude, potentially returned to the owner or disposed of
- **Overall duration:** The service commitment is to ensure abandoned vehicles are removed within 3 weeks depending on location

## 12.0 ENFORCEMENT POWERS HELD BY WEST LOTHIAN COUNCIL

Fixed Penalty Notice Category	Value of Fine	Value Source	Relevant Legislation	Fine Qualification
Fly- tipping	£500 – £40,000 and up to 5 years imprisonment or both.	Business Offender & Public Offender	Environmental Protection Act 1990 Section 33 (Offence) and 33a (Issue of FPN) Section 34 (Duty of Care)	Officer intervention, signed witness statement, image data or video data
Dog Fouling	FPN £80 £1000 on failure to provide details when prompted	Public Offender	Environmental Protection Act 1990 Dog Fouling (Scotland) Act 2003	Officer observation, signed witness statement, image data or video data
Littering	FPN £80 £2500 on failure to provide details when prompted	Business Offender & Public Offender	Environmental Protection Act 1990 Section 87 (offence) & 88 (issue of FPN)	Officer observation, signed witness statement, image data or video data
Abandoned Cars	£100	Salvage	Refuse Disposal Amenity Act 1978 DVLA Guidance	Meets Criteria
Trade Waste	£500 – £5,000	Business Offender	Environmental Protection Act 1990 Section 34 Section 59 of the Roads (Scotland) Act 1984	Officer intervention, image data or video data
Table & Chair Permit	£30	Business Offender	Section 59 of the Roads (Scotland) Act 1984	No Permit
Footpath Obstruction	£30	Business Offender & Public Offender	Section 59 of the Roads (Scotland) Act 1984	Reported & Found in-situ
Fly Posting	£80 Or recovery of costs (whichever is greater)	Business Offender	Town and Country Planning Scotland Act 1997. Section 186 Environmental Protection Act 1990 Section 87 Roads (Scotland) Act 1984b Street Furniture	Reported & Found in-situ
Graffiti	£75 Or recovery of costs (whichever is greater)	Business Offender & Public Offender	Antisocial Behaviour etc. Scotland Act 2004	Officer observation, signed witness statement, image data or video data

### 13.0 VOLUNTARY SUPPORT & COLLABORATIVE WORKING

West Lothian Council recognises the vital role that volunteers, schools, community groups, and individuals play in helping to maintain clean and litter-free environments across the region. We actively encourage and support community participation in tackling litter and improving local spaces.

The Council supports local litter picks and community clean-up events organised by schools, community councils, youth groups, residents' associations, and other volunteer organisations. Loan equipment such as litter pickers, gloves, and hi-visibility vests can be provided upon request, subject to availability.

Clean up bags are available from various hubs and the council service centre. A reporting process is in place to assist with collection following clean-up events.

The annual KSB National Spring Clean which runs for 4 weeks around Easter each year is fully supported by West Lothian Council. There is community and educational/ club specific awards with a true sense of civic pride obtained by communities. In addition, residents and groups interested in organising or participating in a community clean-up can find more information and register their event on the Council's website.

The Council's Cleaner Communities Team offers advice and support to new and existing volunteer groups. Education Officers work to develop ongoing partnerships with schools, businesses, and local organisations to promote environmental stewardship and shared responsibility.

The contribution of volunteers is invaluable with events and community-led initiatives regularly highlighted through social media and Council publications.



### 14.0 CONTACTS & REPORTING

West Lothian Council encourages residents and visitors to report littering and environmental issues to help maintain a cleaner and safer community. Prompt reporting allows the Council to respond quickly and allocate resources effectively.

You can report incidents of littering, overflowing bins, or general cleanliness issues via the following methods:

#### Online

Report littering and street cleansing issues using the Council's online form:  
Report a Littering Issue – West Lothian Council

**By Phone**

Contact the Council's Customer Service Centre:  
**01506 280000**

**By Email**

Email enquiries can be sent to:

**customer.service@westlothian.gov.uk** (or use relevant email provided on the council website)

**In Person**

Visit your local Council Information Service (CIS) centre for assistance with reporting environmental issues.

**14.1 PERFORMANCE MONITORING**

To ensure accountability and continuous improvement, performance indicators will be developed and introduced to monitor:

- Response times to reported incidents
- The effectiveness of cleansing operations
- The restoration of areas to required cleanliness standards
- LEAMS 'Local Environmental Audit and Management System' is the national monitoring programme looking at litter and other local environmental quality indicators on streets and roads across Scotland. Cleaner Communities Officers using LMS 'Litter monitoring system' to carry out spot audits and also via external verification supports annual performance return

These performance measures will help ensure that the reactive service remains responsive, efficient, and aligned with both statutory duties and community expectations.

**15.0 APPENDICES**

**15.1 APPENDIX 1**

**Litter Prevention Action Plan**



**WEST LoTHIAN COUNCIL  
LITTER PREVENTION ACTION PLAN**

**OPERATIONAL SERVICES NET's LAND & COUNTRYSIDE  
January 2026**

## **VISION**

West Lothian Council's vision for a future where Scotland's environment and communities are not blighted by litter and fly-tipping, and where materials remain within a circular economy is aligned with the aims and objectives of Scotland's National Litter and Fly tipping Strategy.

Working collaboratively with communities, volunteers and external organisations and partners towards this goal offers opportunities to prevent litter and fly-tipping, to promote and contribute to a thriving circular economy for Scotland as laid out in their 6-year National Litter & Fly-tipping Strategy. West Lothian Council recognises that continued reactive cleaning of litter, fly-tipping and dog fouling is not sustainable and that the current service delivery model is not recording a demonstrable reduction in littering activity. The Litter Prevention Action Plan sets out the short, medium and long-term actions that are required in order to effect a change in littering culture.

Short-term actions focus mainly on assessing the level and effectiveness of current reactive service provision and ensuring that available resources are directed to areas of greatest need while ensuring acceptable standards are maintained across the board. They also focus on gathering data that will enable medium and long-term actions to be properly developed, targeted and measured.

The West Lothian Council LPAP has as its core aim a transition from reactive cleaning to proactive prevention and behavioural change leading to a sustainable and revenue-reduced litter-free West Lothian while engaging and working with Internal and External Partners.

### **This vision encapsulates three core ideas that:**

- Urgent action is needed at scale across West Lothian and Scotland
- Effective action needs to be integrated and coordinated to address a range of drivers
- Tackling litter and fly-tipping can make an important contribution to addressing Scotland's throwaway culture and supporting the retention of products and materials in the economy

## **NATIONAL STRATEGY**

**The National Strategy outlines three cornerstones of intervention to tackle litter and fly-tipping:**

- **Behaviour Change** - Build understanding of litter perceptions and behaviour to enable targeted approaches for interventions and campaigns to be further developed and to further embed a shared approach between the Scottish Government, local authorities, public agencies, the third sector and communities to drive litter prevention and behaviour change across Scotland.
- **Infrastructure and Services** - Work with stakeholders to improve our understanding of the sources, amount and composition of litter in Scotland and to encourage a shared approach to services across local authorities, national parks and other bodies with a statutory duty to clear litter in Scotland that will effectively support litter prevention.
- **Enforcement** - Develop a more effective enforcement model to deter and robustly tackle littering and to Improve the consistency of enforcement practices.

This LPAP outlines the council's actions against each of these cornerstones.

The council will review the plan annually to ensure that we are fulfilling our actions and to help us identify areas where we can make further progress.

We realise we cannot address this issue alone, we will work collectively with local partners to share resources, deliver objectives, provide knowledge and ideas and influence others.

## **COLLABORATIVE WORKING**

### **Internal Partners**

The Cleaner Communities team will work with internal partners including but not limited to:

Operational Services Inc Other areas of NETs Land & Countryside,  
Waste Services  
Planning, Economic Development & Regeneration  
Education  
Social Policy  
Housing, Customer & Building Services  
Facilities Management  
Corporate Services  
West Lothian Leisure  
Elected members

### **External Partners**

We will work with External partners and encourage them to produce Litter Prevention Action Plans for their own areas, staff, customers, students etc. These would include the following as well as many others:

Zero Waste Scotland  
Keep Scotland Beautiful  
SEPA – Emphasis on waste carrier licence issues / fly tipping / organised crime  
Police Scotland and the Procurator Fiscal/Justice System  
West Lothian Litter Pickers / WLLP  
Local-PARC / 'West Lothian Partnership Against Rural Crime'  
Local businesses  
Community Councils  
Colleges and Education Providers  
Gala Committees  
Community Development Trusts  
Volunteer groups and individuals  
Housing associations  
Rail operating companies

## SCHEDULE OF ACTIONS

<b>Actions completed</b>	
<b>Actions to progress</b>	

<b><u>Behaviour Change Actions</u></b>	2023	2024	2025	2026	2027	2028
1a Set up a refreshed and sustained anti-fly-tipping and anti-littering campaign via social media, printed media, and events.						
1b Encourage the public to report issues of littering fly-tipping and dog fouling.						
1c Support national campaigns and help communities access the resources and information needed to deliver preventative messages in the community.						
1d Use Nudge Theory to encourage behavioural change, such as stencilling on the ground highlighting dog fouling in the area, directing people to the nearest bin.						
1e Collaborative Roadside Litter Intervention Launch with cross council working and partnership with KSB on the A801						
2a Continue to support community litter picks throughout West Lothian.						
2b Continue to work with local litter picking groups to provide equipment and disposal.						
2c Continue to identify funding opportunities that support and enable community litter picks						
2d Support and build on the annual Spring Clean Campaign promoting 'civic pride'						
3a Refresh data on litter bin locations, emptying frequency, and condition to allow the best allocation of resources.						
3b Continue to conduct litter audits for LEAMS/LMS						
3c Identify litter and fly-tipping hotspots and develop interventions targeted to specific areas						
3d Collaborate with KSB as part of year 3 actions around LEAMS replacement						
3e Develop LEAMS and further user expanded dashboards with AI e.g.; Power Bi						
4a Work with internal and external stakeholders to encourage the creation and implementation of their own Litter Prevention Action Plans.						
4b Review the WLC LPAP to recognise and include any actions set out in any Community Litter Prevention Action Plans.						
5a Develop educational materials and carry out education and engagement activities in schools and at events where resources allow.						

6a Create Key Performance indicators (KPI) to monitor performance and for benchmarking with other Councils						
6b Work with other Councils and partners in relation to best practice and sharing resources and expertise.						
7a Identify key litter sources and work with them to reduce the potential volume of litter both from deliberate littering and accidental spillage.						
7b Identify suitable behavioural change techniques that reduce the infrastructure requirements by encouraging the public to take litter home for recycling or return it to source						

<b><u>Infrastructure Actions</u></b>	2023	2024	2025	2026	2027	2028
8a Implement the Litter Bin Plan approved by Committee in 2021 and subsequent updates by following the criteria for the placement of new and existing litter bins.						
8b Move or remove litter bins according to the criteria set out in the Litter Bin Plan and the information gathered as per the survey carried out.						
8c Develop a bin replacement programme according to the information gathered during the survey to keep bins in good condition and fit for purpose.						
9a Use mobile CCTV to target fly-tipping hotspots to deter dumping						
9b Work with internal and external stakeholders to identify those responsible for fly-tipping.						
9c Work with private landowners on ways to deter fly-tipping on their property.						
10a Monitor the use of solar compactor bins following the successful trial carried out in 2021						
10b Review of targeted locations where solar compactor bins are located and relocate to maximise usage						
10c Look at the use of QR codes to be scanned by crews when emptying or by the public to report issues.						
10d Investigate the use of route optimisation software for emptying bins, litter picking and sweeping to improve efficiencies and level of service.						
10e Continue to look at innovative integrations with other Council platforms such as E-forms, CRM, Asset and Work Management tools as						

well as to support any App Development for Public use.						
10f Evaluate requirements of vehicles, sweepers, equipment to provide service as per duty 1 & 2 of COPLAR 2018						

<b><u>Enforcement Actions</u></b>	2023	2024	2025	2026	2027	2028
12a Ensure all staff are kept up to date with current legislation						
12b Review current approach to enforcement.						
12c Develop and implement Commercial Bin controls						
12d Contribute to consultations reviewing enforcement powers and changes in the law to make enforcement easier.						
13a Work with Zero Waste Scotland, Keep Scotland Beautiful, SEPA and the Government's Improvement Service and all interested parties to make it socially unacceptable to litter or fly-tip.						
13b Work with the other Council services to encourage behaviour change to reduce the need for enforcement.						
13c Publicise occasions of reactive response to deal with significant littering and fly-tipping to highlight the cost and consequences of such activities.						
13d Publicise annual fly-tipping report and current stats						

## **15.2 APPENDIX 2**

### **Litter Bin Standards**

West Lothian Council litter bin standards have been developed to provide more suitably designed general waste bins in targeted locations and recycling of litter and litter bin waste within West Lothian. This supersedes the Street Litter Bin Policy approved in 2021 and is also contained within the LPAP.

The use of pole-mounted litter bins, open top litter bins and dedicated dog waste bins have been discontinued. All new bins purchased meet a set of criteria which ensures they are fit for purpose, cost effective and help to reduce littering.

#### **Litter Bin Specification:**

- Minimum capacity of 120 litres
- be of closed top design
- be free-standing
- be dual purpose to collect litter and dog fouling
- include cigarette disposal points
- be provided in a standard colour scheme
- have West Lothian Council iconography and clear signage
- be of durable construction and design

#### **Suitability & Location:**

Bins should only be provided in areas which meet the siting criteria and where they will have a positive impact on littering levels and street cleanliness. Litter bins should be located in the following areas

- Outside main transport interchanges (train stations, car parks taxi ranks and active travel hubs)
- Outside schools and colleges
- Near fast food and convenience stores
- Entrances and exits to parks and open spaces
- Within West Lothian's three Country Parks
- Outside public and government buildings (health centres, dentists, libraries, churches etc)
- At public seating areas where there is ongoing evidence of littering issues
- Open spaces/grassed areas where dog walking is likely to occur
- Areas where people are likely to queue, for example, public toilets, ATMs
- Situated at entrances/ exits within cemeteries and memorial gardens

*Note: Types and frequencies differ within parks and cemeteries depending on site and need.*

#### **Solar & Compact Bins**

Following trials in 2021 74 solar Compactor Bins were purchased utilising COVID recovery funding and deployed across the council area. As of 2025 and into 2026 as part of the Litter Prevention Action Plan (LPAP) a review of the targeted locations will be undertaken to ensure that we are gaining full use of the compacting capacity in each bin and where there is low usage look to re-locate still within the ward area.

### 15.3 APPENDIX 3 Fixed Penalty Notices Report

The table below details Fixed Penalty Notices issued in 2025. While figures remain modest, work is underway to modernise resources and implement revised service standards. These measures are intended to improve operational effectiveness and compliance activity over the next reporting period, with increased FPN activity anticipated by 2027.

Reporting Period April 2024 – March 2025

MONTH	FPN	WARD 1	WARD 2	WARD 3	WARD 4	WARD 5	WARD 6	WARD 7	WARD 8	WARD 9	MISC	TOTAL
Apr-24	Flytipping	0	0	0	0	4	2	2	2	1	0	11
	Dog Fouling	0	0	0	0	0	0	0	0	0	0	0
	Litter	0	0	0	0	0	0	1	0	0	0	1
		0	0	0	0	4	2	3	2	1	0	12
May-24	Flytipping	0	0	0	0	1	0	0	1	0	0	2
	Dog Fouling	0	0	0	0	0	0	0	0	0	0	0
	Litter	0	0	0	0	0	0	0	0	0	0	0
		0	0	0	0	1	0	0	1	0	0	2
Jun-24	Flytipping	0	1	1	2	0	0	0	0	0	0	4
	Dog Fouling	0	0	0	0	0	0	0	0	0	0	0
	Litter	0	0	0	0	0	0	0	0	0	0	0
		0	1	1	2	0	0	0	0	0	0	4
Jul-24	Flytipping	1	0	0	0	0	0	2	2	0	0	5
	Dog Fouling	0	0	0	0	0	0	0	0	0	0	0
	Litter	0	0	0	0	0	0	0	0	0	0	0
		1	0	0	0	0	0	2	2	0	0	5
Aug-24	Flytipping	0	0	0	0	0	1	2	1	2	0	6
	Dog Fouling	0	0	0	0	0	0	0	0	0	0	0
	Litter	0	0	0	0	0	0	0	1	0	0	1
		0	0	0	0	0	0	0	1	0	0	1
Sep-24	Flytipping	0	0	0	1	4	0	2	0	0	0	7
	Dog Fouling	0	0	0	0	0	0	0	0	0	0	0
	Litter	0	0	0	0	0	0	0	0	0	0	0
		0	0	0	1	4	0	2	0	0	0	7
Oct-24	Flytipping	0	0	0	0	0	1	0	0	0	0	1
	Dog Fouling	0	0	0	0	0	0	0	0	0	0	0
	Litter	0	0	0	0	0	0	0	0	0	0	0
		0	0	0	0	0	1	0	0	0	0	1
Nov-24	Flytipping	0	0	1	8	0	0	2	0	0	0	11
	Dog Fouling	0	0	0	0	0	0	0	0	0	0	0
	Litter	0	0	0	1	0	0	0	0	0	0	1
		0	0	1	9	0	0	2	0	0	0	12
Dec-24	Flytipping	0	0	2	0	6	1	2	0	0	0	11
	Dog Fouling	0	0	0	0	0	0	0	0	0	0	0
	Litter	0	0	0	0	0	0	0	0	0	0	0
		0	0	2	0	6	1	2	0	0	0	11
Jan-25	Flytipping	0	1	1	4	0	2	5	0	0	0	13
	Dog Fouling	0	0	0	0	0	0	0	0	0	0	0
	Litter	0	0	0	0	0	0	0	0	0	0	0
		0	1	1	4	0	2	5	0	0	0	13
Feb-25	Flytipping	0	0	1	1	1	0	9	0	0	0	12
	Dog Fouling	0	0	0	0	0	0	0	0	0	0	0
	Litter	0	0	0	0	0	0	0	0	0	0	0
		0	0	1	1	1	0	9	0	0	0	12
Mar-25	Flytipping	0	1	2	0	1	0	0	1	0	1	6
	Dog Fouling	0	0	0	0	0	0	0	0	0	0	0
	Litter	0	0	1	1	0	0	1	0	0	0	3
		0	1	3	1	1	0	1	1	0	1	9

