

A CLEANER FALKIRK

A STRATEGY FOR CLEAN OPEN SPACES AND STREETS

2021-2026



Falkirk Council

Contents

1. Foreword

2. Background

- 2.1 Introduction
- 2.2 The Council's Legal Duty
- 2.3 The Council's Budget
- 2.4 The Council's Message

3. Litter and Refuse

- 3.1 The Legal Duty – What this means and where it applies
- 3.2 The Code of Practice
- 3.3 Zoning
- 3.4 Standards
- 3.5 Enforcement
 - 3.5a) Introduction
 - 3.5b) Prevention
 - 3.5c) Resources
 - 3.5d) Actions

4. Clean Roads

- 4.1 The Legal Duty – What this means & Where it applies
- 4.2 The Code of Practice
- 4.3 Standards
- 4.4 How we will achieve the Standards
- 4.5 Actions
- 4.6 Keeping Motorways Clean

5. Accountability

- 5.1 What this means
- 5.2 Monitoring our Work
- 5.3 Reporting Progress

6. Council Priorities

- 6.1 Prevention
- 6.2 Service Optimisation
- 6.3 Monitoring
- 6.4 Assets & Infrastructure
- 6.5 Enforcement
- 6.6 Demand Management
- 6.7 Disposal of Street Cleansing Waste

Appendices

I Useful Contacts & Information Sources

II Zoning Standards & Restoration Times

III Falkirk Performance 2004-19

IV Falkirk's Monitoring & Reporting Environment

V Enforcement Powers

VI Community Support

1. Foreword

Falkirk is a vibrant and growing area with plans to develop its full potential as a great place to live, work, and visit.

Our strategy ***A Cleaner Falkirk*** lays out our plans to continue our work in the transformation of our open spaces and streets to ensure that in, not only, meeting the Government's expectations we also reflect our community's desire to have a clean and healthy local environment free of litter, fly-tipping and dog waste.

This strategy is ambitious in its aspiration and will take time to fully deliver, but there is no alternative. It is our response to the Scottish Government's 2014 Litter Strategy 'Towards A Litter-Free Scotland' with the requirements of the Code of Practice on Litter and Refuse (Scotland) 2018 (COPLAR 2018).

This document explains how Falkirk Council and other relevant bodies including educational institutions, Network Rail and Scottish Canals should meet their legal duties to keep streets and open spaces for which they are responsible clean and free of litter. However it has never been more important for every section of the community to recognise that the Council can no longer be solely responsible for keeping Falkirk clean.

Street cleansing is one of the most important services any council operates. It is one which impacts on each and every member of the community and visitor every day of the year. Streets and open spaces which are clean, free of litter and dog dirt create a positive and welcoming environment. Whereas the opposite can feel threatening and can give the impression of a run down and value-less area.

The Council must keep roads and streets clean and free of debris and detritus (soil, stones etc). Weed growth can lead to blocked gulleys. This is important to ensure that roads and streets are safe for vehicles. It also reduces the costs of road and pavement maintenance.

Litter, fly-tipping and dog fouling however is quite another matter – they are totally avoidable – simply by individuals and/or businesses not throwing litter away and dealing with waste responsibly, and by cleaning up after their dog. It really is as simple as that. Unfortunately we have not yet reached a stage where everyone realises the damage caused by these selfish and irresponsible actions and the cost involved in cleaning up the mess they create.

Collecting litter not only costs money which could be better spent elsewhere, it is also a loss of resource because much of what is thrown away is recyclable.

Whilst the Council will continue to provide leadership it is now time for everyone to play their part and to take ownership of their environment to ensure we realise ***A Cleaner Falkirk***.

Convenor: Councillor Paul Garner

Portfolio Holder for the Environment

2. Background

2.1 Introduction

Within this document there are four principal reasons why we need a strategy, namely:

- Publication by the Scottish Government of the national Litter Strategy and COPLAR 2018;
- The importance of maintaining a clean environment and the need for a clear statement of how we intend to achieve this aim;
- The continuing pressure on Council budgets;
- The need to update our current Community Litter Plan and replace with a Falkirk Council Litter Prevention Action Plan.

More detail is given on these reasons below.

2.2 The Council's Legal Duty

Falkirk Council has duties under the Environmental Protection Act 1990 (EPA 1990). There are two duties within section 89 of the Environmental Protection Act 1990 that mean certain organisations (mostly public bodies) are to, as far as is practicable:

1. Keep land clear of litter and refuse
2. Keep roads clean

Duty 1 applies to land and roads of Local Authorities, Scottish Ministers, Crown Authorities, Crown Estate, educational institutions and transport Operators.

Relevant land in most cases must be owned or managed by these duty holders, be publically accessible and open to the air. It includes paved areas, roads, parks, embankments, land covered by water.

Litter is regarded as 'waste in the wrong place', individual or a small number of items are thrown down, dropped or deposited and left in a public place by any person.

Refuse is waste material or in general terms rubbish, including household and commercial waste, fly-tipped waste and dog faeces. Refuse generally tends to be larger items than those categorised as litter.

Duty 2 applies to roads owned and managed by Local Authorities and Scottish Ministers. Local authorities are responsible for A (except special roads), B and C class roads as well as local roads and Scottish Ministers are responsible for M class roads and special roads.

Example Duty Bodies

Transport Scotland (BEAR Scotland) – Motorways (M9, M80, M876)

Scottish Canals – Forth & Clyde Canal and Union Canal

ScotRail – 2 main lines and Larbert, Camelon, Falkirk Grahamston, Polmont, and Falkirk High stations

Forth Valley College of Further Education, Falkirk

Falkirk Council Estate – Schools, Buildings, Housing, Roads etc

Falkirk Community Trust Estate – parks, grounds, leisure and community facilities

Clean refers to the removal of detritus from roads, duty holders also need to consider what else might make a road appear unclean

Issued under the Environmental Protection Act 1990, COPLAR 2018 provides statutory guidance to organisations with a duty to fulfil the legal requirements of section 89, (1) and (2) of the Act.

COPLAR 2018 has been updated to align with the National Litter Strategy – Towards a Litter-Free Scotland and its aims of litter prevention and increased personal responsibility. A focus on prevention provides opportunity to engage in more proactive activities that encourage behaviour change and complement interventions in other areas.

The Council therefore, in conjunction with a number of other bodies, is required by law to keep streets/roads and open spaces which people have access to, clear of litter and refuse and clean.

Overall whilst difficult to measure objectively the positive impacts of living, working and/or visiting a clean, well-maintained environment are varied, long lasting and significant for both the resident members of the community and for visitors.

2.3 The Council's Budget

Some of the money spent on street cleansing/litter removal is avoidable – if there was no dropped litter, fly-tipping or dog fouling then the Council would not need to spend money collecting and disposing of it.

However much of the spend will always be necessary given the Council's duty to keep roads clean (which in turn is a matter of safety) which means that roads must be swept to remove debris and detritus which naturally collects on roads and streets.

Councils, including Falkirk, have had over many years to deal with tighter budgets, which has resulted in the constant need to examine new ways of fulfilling its duties with reducing resource. It is however, clear that resources are likely to be under continual review over the coming years.

Given this continuing pressure together with the Council's legal duty and the undoubted benefits to the wider community of maintaining a clean Falkirk means that all of the community must play its part in delivering the strategy and importantly the emphasis must alter from "cleaning up the mess" to "preventing the mess in the first place".

2.4 The Council's Message

Falkirk, though compact, straddles central Scotland and is anticipated to grow considerably over the next 20 years or so.

The Council has big plans which are detailed in our Local Development Plan 2 (2020 – 2040) and our City Deal Investment Zone Proposal.

Falkirk possesses an unrivalled combination of business, heritage and tourist assets, including the busiest port in Scotland (Grangemouth); two canals; the Antonine Wall and Helix Park and is positioned amongst the best transport links in Scotland.

Our vision for Falkirk is based on three themes:

- People
- Places
- Partnership

Clean and safe streets and roads, and open spaces free of litter and dog fouling are key elements in the delivery of all three of our long term objectives.

This Strategy should be viewed as underpinning and complementary to the overall developmental strategy of the Council.

Land in scope of the duties relates to all relevant land of a duty holder. A number of factors determine if land is classed as relevant land; generally, that it is publicly accessible land that is open to the air on at least one side and is under the control of the Council and responsible landowners.

3. Litter and Refuse

3.1 The Legal Duty

The Environmental Protection Act 1990 places a duty on the Council to ensure that streets/roads and open spaces are, ***so far as is practicable***, kept clear of litter and refuse.

What this means

The duty means that the Council and responsible landowners must remove litter and/or refuse within certain time limits.

Where it applies

The duty applies to roads/streets and pavements and other open spaces areas accessible by the public.

3.2 The Code of Practice

The updated Code of Practice introduces a new zoning system to help Councils categorise their area which in turn allows it to define how quickly each zone should be returned (when littered) to a litter free standard.

The details of the requirements for Falkirk are specified below.

3.3 Zoning

The Code advises the use of existing “small-area statistical geography” called Data Zones. The zones cover the whole of the country (6505 zones) and are consistent in size by population and with the local authority boundary. They have a regular shape

and, as far as possible, contain households with similar social characteristics (information on Data Zones can be found at www.sns.gov.uk).

Falkirk comprises 214 data zones.

Each zone will be examined in terms of its capacity to generate litter by determining:

- The intensity of footfall/vehicular movement;
- Number of litter generators/potential litter sources.

This enables each zone to be categorised: 1-6 (1 being the most likely to be littered and 6 the least likely); Now complete, this determines the time period by which the Council must remove litter and restore the area to a litter free state.

Each of the zones are of such a size that allows us to prioritise our working arrangements with our partners including Duty Bodies, and importantly to determine work priorities.

For work planning purposes we seek to characterise each zone, where practicable, in terms of:

- Litter data;
- Dog fouling data;
- Fly-tipping data;
- Leaf drop data;
- Winter maintenance priority (i.e. to determine the grit load);
- Likely presence and load of chewing gum;
- Likely presence and load of cigarette litter.

We will identify those areas where responsibility for maintaining cleanliness lies with our Duty Bodies and/or those areas that could be or are subject to enforcement notices by the Council and ensure that all are aware of their responsibilities with respect to maintenance of a clean environment.

3.4 Standards

The Code of Practice defines standards (A-F: A being clean) that the Council must meet. The standards are based on each of the 214 (geographical zones being designated 1-6 in terms of likelihood of being littered). Restoration to a clean condition must take place within a set period of time unless there are difficult circumstances such as snow and ice.

For example Stenhousemuir Lido area is defined by the Code as a Zone 3. This means it must be brought to the clean standard (standard A) within 3 days if it is in (for example) category D, 2 weeks if in C category and in 4 weeks if it is in the B category (which is regarded as a good standard).

This means that the zone must always eventually achieve the top, clean, standard.

The relevant standards are available as *Appendix II* to this document.

3.5 Enforcement

a) Introduction

Enforcement whilst important is only one tool which can help keep Falkirk clean. It must be recognised that it is actually a measure of the failure of a programme to successfully change behaviour. However, equally it must be recognised that it can help in changing behaviour.

The single most significant limit on enforcement is its sheer cost both in monetary terms and in time.

To maximise efficiency the overall focus of enforcement is to compliment the other actions specified in this document, to illustrate the Council's commitment to maintaining a clean Falkirk and importantly to be primarily preventative.

b) Prevention

Our enforcement focus is to reduce the need for the Council to spend time and money removing materials which needn't arise on the street in the first place or which can and should be removed by others who benefit from either the sale of "littering materials" or from a clean environment.

This is the only way of reducing costs and at the same time maintaining/ improving standards.

This means the use of coercive and consensual/partnering methods being employed linked to our Community Litter Action Plan.

c) Resources

The Environmental Enforcement Team is a Council resource devoted to "hard" enforcement, which involves individuals patrolling an area and where littering is witnessed a fixed penalty notice may be issued.

In the future, the Council seeks to examine the advantages in expanding the individuals who are able to issue FPNs.

We will also look to identify partnering arrangements whereby we can call on colleagues from other organisations to undertake joint patrols and who are able to if necessary witness the issuing of FPNs by our authorised officers.

d) Actions

The overall aim of the Council's enforcement policy is first and foremost prevention.

The Council will, with its partners (we already work with **Falkirk Delivers**: Falkirk Town Centre Business Improvement District), use all of its enforcement powers (as detailed in *Appendix V*) to achieve this aim.

Specifically we will:

- Use a calendar of focussed, and advertised, litter/dog fouling enforcement and education days using Fixed Penalty Notices;

- Promote the use of Litter Control Notices where necessary;
- Use, where necessary, Street Litter Control Notices (to ensure “litter producers” bear the burden of putting in place cleansing or preferably preventative measures to off-set their activities);
- For insecurely stored waste which may cause litter we will use our Duty of Care powers and where appropriate our licensing powers to assure prevention;
- We will also encourage business to ensure their waste is securely stored and not causing obstruction by using our powers under the Road (Scotland) Act 1984;
- We will use our licensing powers to specifically place controls on late opening food shops and licensed (including entertainment) premises to prevent littering and to encourage street cleansing (especially where cigarette litter is concerned);
- To ensure our processes and policies are aligned with the aims of this strategy we will undertake to review the relevant policies annually.

4. Clean Roads

4.1 The Legal Duty

The Environmental Protection Act 1990 requires the Council to keep roads, as far as is practicable, clean.

What this means

The duty means that the Council (and Transport Scotland through its contractor BEAR Scotland with regards the motorway network) must keep roads free of detritus, litter and refuse by removing it within certain time limits.

Where it applies

The duty applies to all roads (the metalled surface which means the tarmac top) under the Council’s control (this excludes motorways which are the responsibility of the Scottish Government).

4.2 The Code of Practice

The Code of Practice suggests that:

- A regular sweeping and maintenance schedule should be prepared to allow the duty to be met;
- It would be good practice to cut back vegetation that grows on to the road/pavement surface;
- Weed control is implemented and effective.

4.3 Standards

The Code of Practice defines standards (A-F: A being clean) that the Council must meet. The Standards are based on each of the 214 data zones. Restoration to a clean condition must take place within a set period of time unless there are difficult circumstances such as snow and ice.

How we will achieve the Standards

The Council intends to meet its statutory obligations, and by definition the standards detailed above, by implementing, monitoring and reviewing the actions in this strategy.

The Council in turn expects each of its partners (including the wider community) and duty bodies particularly in relation to Roads, Transport Scotland through its contractor, to do likewise.

4.4 Actions

To ensure that we are as efficient as possible and do not collect more debris than necessary we will:

- Optimise our gritting during the winter to ensure that we do not waste grit which then needs to be collected;
- Ensure free flowing channels to maximise the capture capacity of our road gulleys;
- Regularly review our weed killing programme;
- Ensure our drainage maintenance is optimised to ensure that detritus is not carried on to carriageways and pavements;
- Investigate the opportunities for using powers under the Roads (Scotland) Act 1984 that vegetation does not obstruct roads;
- Review our adjacent road planting to ensure that we minimise leaf drop onto roads and pavements.

4.5 Keeping Motorways Clean

Transport Scotland through its contractor BEAR Scotland, is responsible for maintaining a litter free and clean motorway network.

This means that Transport Scotland has the same legal responsibilities the Council has but for three sections of Motorway running through Falkirk, namely: M9, M80 and M876.

The Council will publish the cleansing and maintenance schedule of the motorway network running through Falkirk.

There are no trunk roads other than the Motorways serving Falkirk. Consequently there is no need for the Council and Transport Scotland to enter into arrangements for litter picking and road cleansing.

5 Accountability

5.1 What this means

Accountability means that we can be judged on how well we are performing against both the actions and aspirations contained in this strategy.

To be accountable we must make our performance and other information easily accessible. We already do this through publicly available committee reports and by publishing performance information through various websites.

We will continue to do this, but we will also seek opportunities for making our performance more locally focussed.

5.2 Monitoring our Work

Formal external monitoring is undertaken through a process known as LEAMS (local environmental audit and management system) administered by Keep Scotland Beautiful (KSB).

All of Scotland's local authorities report their street cleansing performance against the indicators developed by the Society of Local Authority Chief Executives (SOLACE) and are published annually. Our previous scores and contact details are given as *Appendix IV* to this document.

Routine daily monitoring of work and standards will be undertaken by the manual staff who carry out the cleansing work. We will undertake the training necessary to make this "self-assessment" process robust and auditable.

We will also use the following devices to monitor our work:

- customer surveys;
- complaints.

We will also attempt to identify volunteer ambassadors in each of the 214 data zones so that we can develop local partners to help not only monitor our work but to act as a focus for awareness raising.

We will publish results annually on the Council website – the web address will be <https://www.falkirk.gov.uk/services/bins-rubbish-recycling/rubbish-litter/street-cleaning.aspx>

5.3 Reporting Progress

The key indicators which are reported annually are:

- The Cost (£) of Street Cleansing per 1000 people;
- How clean are my local streets(%);
- How satisfied are residents with local street cleanliness(%).

The most recent data is available on the Improvement Service website (under Environmental Services): www.improvementservice.org.uk/benchmarking/tool.html

Our staff are part of an on-going project with the Improvement Service and other Councils to improve the usefulness of the indicators.

We will however consider whether there are other locally devised indicators that would help focus our work in delivering the strategy.

Performance of the service is monitored by the Council through reports to the Executive Committee. Committee papers are available on the Council's website.

Our full monitoring environment is summarised at *Appendix V*.

Information on aspects of the strategy will be placed on the Council website.

We will encourage other duty bodies to publish their monitoring data and seek to make available through a link on our website.

All of the key performance information will be shared on the Council's website.

We will work with our neighbouring Councils to identify where efficiencies can be created in cross-working and also to review any policy changes that may affect each other i.e. may lead to an increase in fly-tipping at Council boundary.

We will work with Zero Waste Scotland to ensure this strategy and associated actions are in keeping with the aspirations of the Governments Litter Strategy.

6 Council Priorities

6.1 Prevention

As stated throughout this strategy the prevention of litter, fly-tipping and dog fouling is the overall aim coupled with the minimisation of the presence of detritus and debris on our roads and streets.

The Council will provide leadership, organisational support, educational materials and an overall framework for others better placed to carry through the preventative agenda.

We will in particular look to our Duty Body partners to not only keep their spaces litter free, but to emphasis through structured programmes, the preventative message.

We will continue to work with our partners to review and further develop our Community Litter Action Plan which by definition will be our "Prevention Plan" to reflect the changing needs of our communities and partners and of the requirements of COPLAR 2018.

By so doing we will keep our costs down and enable our staff to concentrate our resources on the greatest areas of need, empower and engage with tools to manage and monitor as required, within a cost effective and efficient service delivery model.

6.2 Service Optimisation

COPLAR 2018 enables the Council to review its priorities which, in turn means that we will also have to review how we adapt and align our services and resources to meet our duties.

Our priorities are determined in line with the requirements of the Scottish Government's statistical Data Zones.

All Council services will be made aware of the importance of litter prevention in managing costs and this message will also be conveyed to our school children and young persons via our educational Institutions.

In addition to the actions contained in this strategy we also expect that each of our Duty Body partners take full responsibility for their spaces; and our other partners including Falkirk Community Trust and Falkirk Delivers make the necessary arrangements in their areas to prevent littering, fly-tipping and dog fouling.

6.3 Monitoring

We will continue to monitor the performance of 'street cleanliness' via the requirements of LEAMS (local environmental audit and management system) until replaced with the Litter Monitoring System, both being in line with the latest guidance from Zero Waste Scotland and Keep Scotland Beautiful.

We will also identify where efficiencies can be found in the reporting and investigation of litter, fly-tipping and dog fouling incidents across Council services, incorporating the latest technology and prevention approaches to ensure quick resolution.

6.4 Assets & Infrastructure

Given the evolving budgetary situation through the period of this strategy we will review our asset register regularly. However due to the cyclic need to replace vehicles, change will occur in line with our vehicle replacement policy.

To align assets with evolving service need we will undertake a continuous review of our existing asset base to determine that we plan for and have the most suitable vehicles and plant, staffing and shift patterns, bin types, locations and servicing frequency. This will also include a review of the signage used in association with prevention and enforcement activities.

We aim to, where possible, align assets to each of the statistical Data Zones.

6.5 Enforcement

Enforcement from an operational stand-point can be uneconomical as it does not directly or immediately cleanse a litter strewn area, and it can also be expensive without any guarantee of success.

However using the full suite of enforcement tools available to help prevent litter, fly-tipping and dog fouling in the first place is our aim. This, together with targeted enforcement days with our partners, will seek to strike the correct balance

6.6 Demand Management

The Council and its partners must plan and manage the demand for its services generally and in specific circumstances to ensure that spending is controlled and work is carried out effectively and efficiently. Specific circumstances where this is important is where the Council must or is employed to service large public events or where factors such as the weather interfere with the normal running of services.

Council run events will be serviced by Council staff and cleansing will be carried out to ensure the area is returned to a clean condition as soon as practicable after the end of the event.

The Council will in part through its licensing powers ensure that all private events will be cleansed to the same standard.

The Council will also seek to work with event organisers and, where practicable and on a cost recovery basis, carry out the work on the organiser's behalf.

Falkirk Community Trust (FCT) operates the areas' main recreational facilities and is therefore a vital partner in ensuring the whole visitor experience is excellent. We will work with FCT to ensure that the environment around facilities, are maintained in a condition which users expect.

6.7 Disposal of Street Cleansing Waste

The costs associated with litter, fly-tipping and dog fouling as stated are avoidable. They not only include the cost of collecting the material but also the cost for its disposal and also the loss of material that had it been properly disposed of would have been recycled.

There are also costs associated with the disposal of the mixed waste that is swept and collected from our streets and our street gulleys). The material includes grit and soil and green waste. Disposing of all of this material has significant revenue implications.

We will investigate the possibilities of recycling at least some of this material and the associated costs to determine whether or not there is a cost effective solution to help reduce the overall revenue burden.

APPENDIX I

Useful Contacts & Information Sources

ORGANISATION	CONTACT DETAILS
Falkirk Council	www.falkirk.gov.uk/contact-us/ www.falkirk.gov.uk/services/council-democracy/budgets-spending-performance/council-performance/ 01324 506070 Reporting tools via MyFalkirk
Dumb Dumpers (phone number for reporting fly-tipping)	http://dumbdumpers.org/ 0845 2304090
Scottish Environment Protection Agency (responsible for investigating illegal dumping)	www.sepa.org.uk/ 01786 457700
Police Scotland (powers to fine/prosecute litterers/dog fouling and fly-tippers)	www.scotland.police.uk/your-community/forth-valley/falkirk/ 101
Keep Scotland Beautiful (information on campaigning)	www.keepsotlandbeautiful.org/ 01786 471333
Zero Waste Scotland (information on national campaigning and government strategy)	www.zerowastescotland.org.uk/our-work/litter-flytipping 01786 433930
The Improvement Service (performance information)	www.improvementservice.org.uk/benchmarking/environmental.html 01506 283811
Falkirk Community Trust (responsible for keeping their sports/recreational facilities clean)	www.falkirkcommunitytrust.org/ 01324 590900
Scottish Canals (responsible for keeping the canals and land clean)	www.scottishcanals.co.uk/ 0141 332 6936 (Falkirk Wheel: 0870 050 0208)

Forth Valley College (responsible for keeping its campus clean)	www.forthvalley.ac.uk/ 01324 403000
Falkirk Delivers (Falkirk Business Improvement District helps with cleanliness of the town centre)	falkirkdelivers.com/ 01324 611293
Transport Scotland/Scotrail (responsible for keeping the railway and stations clean)	www.transport.gov.scot/rail 0141 2727100 www.scotrail.co.uk/ 0344 8110141
Forth Ports Authority (responsible for keeping the port clean)	https://forthports.co.uk/grangemouth/ 01324 668400
Transport Scotland/BEAR Scotland (responsible for keeping motorways clean)	www.transport.gov.scot/road/maintenance/operating-companies 0141 272 7100 Contact Page BEAR Scotland 01738 448 600
KEY INFORMATION SOURCES	WEBLINK
The Code of Practice on Litter and Refuse 2018	www.gov.scot/publications/code-practice-litter-refuse-scotland-2018/
Scottish Government: tackling Scotland's Litter Problem	www.gov.scot/Topics/Environment/waste-and-pollution/Waste-1/whodoeswhat/SharedResponsibilities/Litterandflytipping
The National Litter Strategy	www.gov.scot/Resource/0045/00452542.pdf
The Environmental Protection Act 1990	www.legislation.gov.uk/ukpga/1990/43/contents
Dog Fouling (Scotland) Act 2003	www.legislation.gov.uk/asp/2003/12/contents
Benchmarking Information	www.improvementservice.org.uk
Geographical Statistical Zones	www.sns.gov.uk

APPENDIX II

Code of Practice on Litter and Refuse (2016)

Zoning Standards & Restoration Times

Notes:

The “Zone” refers to the description the authority has given to each of its 214 (geographical) zones and runs from 1-6 depending on how likely it is to be littered;

The restoration time is the maximum amount of time it should take to clear the material; and

The amount of money spent by the authority in proportion to total spend on street cleansing determines the maximum time allowed to clear litter

Cleanliness Litter Grades

A	No litter or refuse is present on any type of land
B	Small amounts of litter and refuse (As a guide, less than 10 easily visible items or less than 20 small items of litter and refuse)
C	Moderate amounts of litter and refuse, with small accumulations (As a guide, 11-20 easily visible items or 21-40 small items of litter and refuse)
D	Significant amounts of litter and refuse, with consistent distribution and accumulations (As a guide, 21-30 easily visible items or 41-60 small items of litter and refuse)
E	Substantial amounts of litter and refuse with significant accumulations (As a guide, more than 30 easily visible items or more than 60 small items of litter and refuse)
F	Incidents of fly-tipping and hazardous materials (drug related waste, broken glass, chemicals, spillages)

Fly-tipping is the illegal dumping of waste - from a single bag of waste to large quantities of domestic, commercial or construction waste.

Restoration times based on 0-10% spend on prevention

Zone Category	F	E	D	C	B	A	Special Considerations
1	At the earliest practicable opportunity	1 hours	2 hours	3 hours	8 hours	Clear of litter and refuse	14 days
2		2 hours	4 hours	5 hours	10 hours		21 days
3		6 hours	8 hours	9 hours	12 hours		28 days
4		24 hours	36 hours	48 hours	3 days		35 days
5		48 hours	60 hours	3 days	5 days		42 days
6		14 days	21 days	28 days	42 days		n/a

Restoration times based on 11-20% spend on prevention

Zone Category	F	E	D	C	B	A	Special Considerations
1	At the earliest practicable opportunity	2 hours	3 hours	4 hours	10 hours	Clear of litter and refuse	21 days
2		4 hours	6 hours	8 hours	12 hours		28 days
3		8 hours	10 hours	12 hours	16 hours		35 days
4		36 hours	48 hours	3 days	5 days		42 days
5		3 days	4 days	5 days	8 days		49 days
6		21 days	28 days	35 days	49 days		n/a

Restoration times based on 21-30% spend on prevention

Zone Category	F	E	D	C	B	A	Special Considerations
1	At the earliest practicable opportunity	4 hours	5 hours	7 hours	14 hours	Clear of litter and refuse	28 days
2		6 hours	8 hours	12 hours	18 hours		35 days
3		12 hours	14 hours	18 hours	36 hours		42 days
4		3 days	4 days	5 days	7 days		49 days
5		5 days	6 days	8 days	12 days		56 days
6		28 days	35 days	42 days	56 days		n/a

Restoration times based on >30% spend on prevention

Zone Category	F	E	D	C	B	A	Special Considerations
1	At the earliest practicable opportunity	8 hours	10 hours	12 hours	24 hours	Clear of litter and refuse	42 days
2		12 hours	14 hours	18 hours	36 hours		49 days
3		24 hours	48 hours	60 hours	3 days		56 days
4		5 days	6 days	7 days	10 days		63 days
5		7 days	9 days	10 days	14 days		70 days
6		35 days	42 days	49 days	70 days		n/a

Link to zones via <https://www.falkirk.gov.uk/services/bins-rubbish-recycling/rubbish-litter/street-cleaning.aspx>

APPENDIX III

Falkirk's Cleanliness Standards 2004 – 2019 (compared to Scotland)

Benchmarking Data for Falkirk and Scotland 2010-2019						
YEAR	Spend per 1,000 population	Spend per 1,000 population (Scotland)	% of streets that are clean	% of streets that are clean (Scotland)	Residents satisfied with street cleanliness	Residents satisfied with street cleanliness (Scotland)
2010/11	17,661	19,852	94.0	95.4	71.3	73.3
2011/12	17,742	19,380	92.8	96.1	n/a	n/a
2012/13	16,014	17,534	93.7	95.8	74	75
2013/14	15,133	16,242	95.1	96.1	74	74
2014/15	15,677	16,921	94.6	93.9	77.3	74.3
2015/16	13,046	16,381	95.2	93.4	78.3	73.7
2016/17	13,230	15,014	94.5	93.9	78.7	72.3
2017/18	12,835	15,905	89.5	92.2	71.3	69.7
2018/19	12,417	14,841	91.1	92.8	63.9	66.3

The way in which streets were assessed was changed in 2013. Prior to then a Cleanliness Index (similar to the % of streets that are clean above) for the Council, was published by Audit Scotland on an annual basis. As can be seen from the above table for 3 years both systems of assessment were used and reported.

Falkirk Council's results using the original system and reported by Audit Scotland annually were:

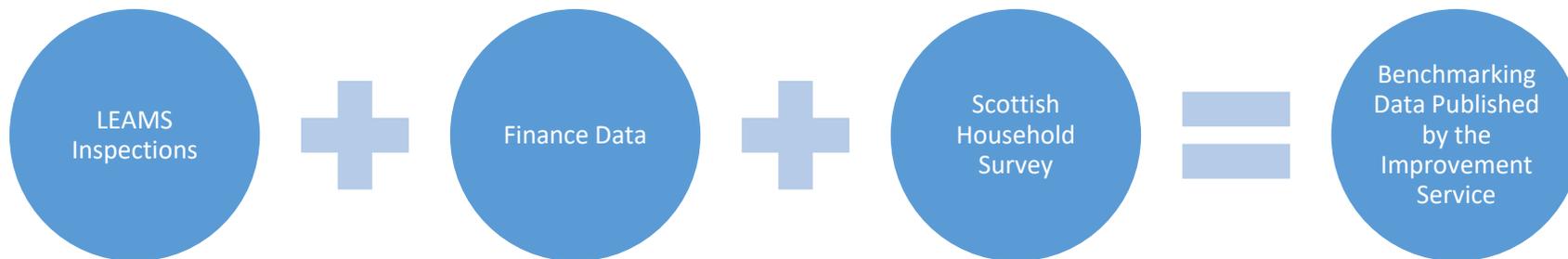
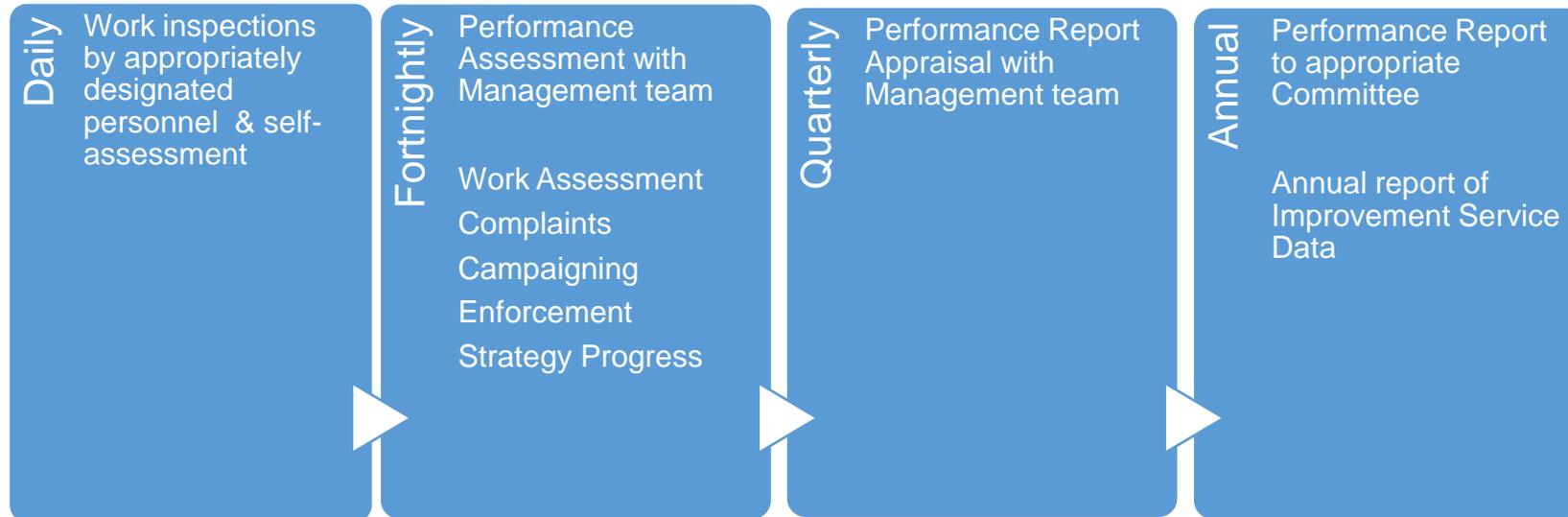
YEAR	2004/5	2005/6	2006/7	2007/8	2008/9	2009/10	2010/11	2011/12	2012/13
SCORE	65	66	72	70	71	72	72	73	73

Latest data, including data for neighbouring authorities is publicly accessible, and is available via <https://www.improvementservice.org.uk/benchmarking>

Improvement service link via <https://www.falkirk.gov.uk/services/bins-rubbish-recycling/rubbish-litter/street-cleaning.aspx>

APPENDIX IV

Falkirk's Monitoring & Reporting Environment



APPENDIX V - Main Enforcement Powers of the Council (at 2020)

Legislation	ENVIRONMENTAL PROTECTION ACT 1990							DOG FOULING (SCOTLAND) ACT 2003
	33	87	59	80	90	92	93	1
Offending Activity	Fly-tipping	Littering	Fly-tipping	Statutory Nuisance	Litter	Litter	Litter	Dog Fouling
Enforcement Action	Fixed Penalty Notice or Prosecution	Fixed Penalty Notice	Fixed Penalty Notice or Prosecution	Abatement Notice	Litter Control Area	Litter Abatement Notice	Street Litter Control Notice	Fixed Penalty Notice
Penalty	£200	£80	£200	£400*	Fine*	Fine	Fine**	£80
Action Against	Individuals (and legal entities such as Companies)	Individuals	Occupier of land	Person responsible (whose act, default or sufferance the nuisance is attributable)	Occupier of land	Occupier of land (crown authority, designated statutory undertaker designated educational institution or where a Litter Control Area applies)	Commercial and retail premises	Individuals
Objective	Penalty for fly-tipping	Penalty for dropping litter	Penalty for fly-tipping	The abatement of the nuisance or prohibiting or restricting its occurrence or reoccurrence	Prevent litter or refuse being detrimental to the amenity of the area	Stop recurrent defacement by litter or refuse	Stop recurrent defacement by litter or refuse	Penalty for not picking up dog faeces after dog
				* Fixed Penalty option – industrial, trade or business and £150 in all other cases. Conviction of non-compliance results in fine	*A Litter Abatement Notice must be served. Failure to comply could result in a fine.		** An application to the Sheriff Court for an Order must be made. Failure to comply with the Order could result in a fine	

Appendix V1: Community Support

1. Introduction

Litter is generally considered to be 'waste in the wrong place' where individual items, or a number of individual items, are thrown down, dropped or deposited in a public place by any person.

Litter is everyone's responsibility, and we should all do the right thing with our litter and to encourage residents to take greater responsibility. Littering is unacceptable, anti-social and impacts negatively on health and well-being.

Falkirk Council as the designated litter authority as outlined in the Environmental Protection Act 1990 (EPA 1990), has a responsibility for maintaining an acceptable level of cleanliness with respect to litter and refuse on Council adopted land.

Our Litter Strategy supports the Scottish Government's National Litter Strategy "Towards a Litter-free Scotland" which was launched in 2014 and the COPLAR 2018. The strategy was implemented to encourage people to take greater responsibility and for organisations to be more accountable as part of the overall focus on preventing litter and fly-tipping.

2. Developing & maintaining community support

Securing and maintaining community involvement and action is a key focus of the Litter Strategy. From individual support to community group, businesses and across Council services we will provide advice, guidance, and practical support to impact positive change in local communities and across Falkirk.

Our main focus of support will be provided and accessed via our website (<https://www.falkirk.gov.uk/services/bins-rubbish-recycling/rubbish-litter/litter-strategy-team.aspx>):

- Guidance on how to get involved;
- Guidance and advice on how to conduct a community litter pick event;
- Detail of how to access litter pick materials/arrange collection;
- Provide a range of communication materials to support local activity and to raise local awareness /encourage increased participation by residents of local group and activity within communities;
- Provide guidance on managing waste arrangements for local community events e.g. gala days/fun days;
- Provide a database of local groups, and contact information;
- Share examples of cross authority initiatives /identified successful activities across Scotland;
- Detail agenda/reports from an annual meeting which will be convened by Council to highlight prior year progress to convened groups, individual's stakeholders and interested parties in Litter Strategy progress.

Website guidance will be supported by social media, which will be used to regularly:

- Promote local community group/individual activity;
- Provide updates of local activity to generate engagement/participation;
- Provide a platform for sharing ideas/knowledge;
- Promote good practice and share outcomes of activity.