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1. BACKGROUND

The Welsh Assembly Governments Guidance on Municipal Waste Management Strategies requires that each Local Authority in Wales write a formal Litter Plan.

This Plan sets out how Gwynedd Council manage litter and cleansing in their area.

Gwynedd Council are committed to improving cleanliness within the County to achieve and secure a high level of public perception and satisfaction.

Since Local Government reorganisation Gwynedd Council has succeeded in integrating the cleansing services provided to it's former 3 administration areas of Dwyfor, Merionnydd and Arfon into one service provided by the Municipal Section of the Highways and Municipal Services Department. This service is applied to the majority of publicly accessible Council land, regardless of departmental land ownership

2. DUTIES

There are a number of Duties designated to Local Authorities and other landowners with respect to Litter.

2.1. Environmental Protection Act

The Environmental Protection Act 1990 (EPA) imposes a duty on statutory undertakers (Duty Bodies) including Local Authorities to keep streets and other places to which the public have access to (and are under the direct control of the Local Authority) clear of litter and refuse so far as is practicable.

A Code of Practice on Litter and Refuse (COPLR) was issued under Section 89(7) of the EPA. The COPLR defines standards of cleanliness, which should be achievable in different types of location and under differing circumstances. It is concerned with how clean land is rather than how often it is swept, it does not therefore suggest cleaning frequencies but sets out how quickly different types of land should be returned to a set cleanliness standard. Further details of these standards and cleansing reaction times are set out in Appendix 8.3

2.1.1. Local Authority Duty

To comply with the EPA, Gwynedd Council must adhere to the cleansing response times in the COPLR. Resources are deployed seven days a week to the streets, roads and open spaces across Gwynedd in order that the County is kept clean and the response times adhered to when the need arises.

As a requirement of this Duty, Gwynedd Council have assigned zoning to its streets and roads. Each of these zones has a different priority for cleansing should they become littered.

2.1.2. Duty of Others

2.1.2.1. Statutory Undertakers

The EPA also places obligations on others to ensure that land under their control is also kept free of litter and refuse. These statutory undertakers include British Waterways, British Airports Authority, British Ports Authority and Network Rail. In the case of some of these statutory undertakers, the duty under the Act applies to areas of land to which the public do not have direct access, but which is visible to the public e.g. railway embankments, or the area of track beyond platform ends. The Governing Body of an

Educational Institution is also required to comply with the COPLR on land that it owns.

2.1.2.2. Publicly Accessible Land

In addition to those authorities described above a Local Authority can impose a duty on occupiers of other land that is publicly accessible to comply with the COPLR by designating the area a Litter control Area. This includes land such as public car parks, shopping centres, business parks, cinemas, theatres, sports facilities, as well as public open air land under the direct control of a number of bodies such as Community and Town Councils, urban development corporations, National Park Authorities and health service bodies.

2.1.3. Citizens Duty

Leaving or dropping litter is a criminal offence and carries a fine of up to £2,500. The EPA gives the Local Authorities powers to prosecute those who litter through issuing Fixed Penalty Notices (see Section 9).

2.1.4. Citizens Right

Every citizen has the right to take legal action against the Duty Body to get litter removed from an area which falls below the standard prescribed in the Code of Practice on Litter and Refuse for longer than is permitted. The process for doing this is described in Section 6.

3. POLICIES

3.1. Street & Highways Cleansing Policy

Whilst no formal policy is in place for this function, the Authority's current service specification for Street and Other Cleansing requires the cleansing of all specified streets, shopping malls, highways, cemeteries, shelters, promenades, designated beaches and public open spaces, the removal of abandoned and deposited waste materials and carcasses and the emptying and cleansing of litter bins to the standards set out in the Code of Practice on Litter and Refuse 1990 and any amendments thereof issued in 20 November, 1996. The Service is provided to ensure that restoration of zones in accordance with the COPLR is achieved at all times and the specification for other cleaning can require attendance to emergencies 24 hours a day.

3.2. Education and Awareness Raising Policy

Gwynedd Council does not currently have a formal policy on Education and Awareness Raising in relation to litter. However, the Council is committed to the ongoing education of school pupils on waste and other environmental issues, and sees a clear link between the work done on raising awareness of waste recycling and waste minimisation issues with other waste management issues such as littering. The way in which Gwynedd Council works with schools on litter and other waste related issues is set out in Section 8.

3.3. Enforcement Policy

Gwynedd Council does not currently have a formal policy for litter related Enforcement. Work will be taken forward in this area, as part of a service improvement plan. Gwynedd Councils current approach to enforcement is highlighted in Section 9.

3.4. Policy on Strategic Routes

Gwynedd Council has a long-standing contractual arrangement with the Welsh Assembly Government to clear litter from relevant sections of the A55 throughout Gwynedd.

3.5. Policy on Educational Land

The Environment Directorate has a Service Level Agreement (SLA) in place to cut grassed areas in the County's schools. Litter is cleared prior to this

work being undertaken. On occasion schools will request additional cleansing services of their grounds, for which a charge is made.

3.6. Policy on Private Land

The Council does not have a Duty to clear any litter or rubbish occurring on private land. Under such circumstances, the responsibility for clearing the area of rubbish lays with the landowners. Where the area has become a health hazard the Planning and/or Public Protection Departments can take action to clear the waste.

3.7. Beaches Cleaning Policy

Gwynedd Council goes beyond the requirements of the COPLR to keep beaches clean from May to September by extending this period to commence the week before Easter until the end of September. Additionally ad hoc winter beach cleaning is undertaken as Gwynedd recognises that some beaches are used for recreational purposes throughout the year.

4. PARTNERSHIP & COORDINATION

4.1. Co-ordination of Council Services

Gwynedd Council's cleansing regime, as carried out by the Municipal Services section, includes the requirement to clean publicly accessible Council owned land. This enables such land to be cleaned regardless of which department owns the land.

In addition the Municipal Services section may, on occasion, be asked to undertake litter clearance on un-adopted land and private roads for which a recharge is made.

In the future Gwynedd Council is looking towards setting up a more in depth Street Scene approach to improve their services to the public as a whole. This would include services such as street cleansing, grounds maintenance, refuse collections and recycling, car parks, public toilets and street lighting.

There are a number of further working relationships set up throughout the Council's departmental system, as described below, to ensure that Gwynedd is kept litter free.

4.1.1 Public Protection

It is a requirement of Public Entertainment Licences for outdoor events in Gwynedd for the event organisers to prove that they are able to deal with any additional litter and refuse created. Staff dealing with Public Entertainment Licence applications consult with colleagues in the Environment Directorate, who are able to offer advice and chargeable services to the event organisers should they be required.

4.2. Housing Associations

Publicly adopted roads to areas of housing owned by the three Housing Associations operating in Gwynedd are cleaned under the main cleansing arrangements set out above.

4.3. Town Councils

Gwynedd Council has working relationships with town and community councils, which assist with raising overall cleanliness levels in the county. In the case of Bangor City Council and Caernarfon Town Council specifically, that working relationship has contributed towards obtaining funding to assist with street cleansing work. This has enabled the installation of additional litter bins and a contribution to be made to purchase a designated Applied Sweeper.

4.4. Community Councils

Gwynedd's Community Councils have responsibility for sections of land and playgrounds in their area. Payment is made to the Environment Directorate to undertake cleaning in some of these areas. Additionally the Environmental Health Department makes a charge to some Community Councils for emptying dog-fouling bins; the situation is being reviewed, to aim at a consistent method of charging throughout Gwynedd.

4.5. Private Sector

Gwynedd Council are working with a number of fast food outlets to tackle litter as described in Section 5.8.

4.6. Community

Gwynedd Council assists groups wishing to undertake clean up events by collecting and disposing of any litter collected on request. A number of groups around the County regularly take part in Keep Wales Tidy's Clean-Up events.

Long standing clean ups are acknowledged by the County Council as assisting with the overall litter clearance in Gwynedd. The activities of some such groups are highlighted below:

Snowdonia Society regularly arranges to remove litter and waste from private land in the Snowdonia National Park.

Beddgelert voluntary group, Beddgelert in Bloom, have a good operational working arrangement with Gwynedd Council to oversee cleanliness in the village in exchange for a small donation to their Wales In Bloom funds.

A similar arrangement is in place in Criccieth where litterbags are kept in a central location to be collected by the County Council.

Such arrangements assist Gwynedd Council in meeting their obligations under the COPLR in popular, widely distributed, rural locations.

4.7. Riverine Litter

Gwynedd Council has worked in partnership with the Environment Agency in Maesgeirchen in Bangor whereby the Environment Agency provided the labour for a clean-up day and Gwynedd Council arranged for disposal of the waste collected.

Keep Wales Tidy, through its Clean Rivers project, works with voluntary groups to maintain the cleanliness of rivers in Gwynedd.

4.8. Coastal Litter

Seasonal Beach Wardens are employed by the Leisure & Amenities Section to carry general duties including assisting with beach litter. Additionally they take on an educational role with dog owners and are empowered to issue Fixed Penalty Fines for dog fouling on beaches.

Keep Wales Tidy are working with 8 volunteer Coast Care groups in Gwynedd at present, through their Clean Coast partnership. Many of these are in the Pen Llyn ar Sarnau candidate area for special conservation value. These groups have adopted 13 beaches and more than 40 volunteers regularly undertake beach clean-up works.

Volunteers, such as schools and community groups also carry out beach cleaning throughout Gwynedd.

5. SERVICE DELIVERY

5.1. Cleansing Service Specification

Gwynedd Council's cleansing function is carried out in-house by the Municipal Services section of the Environment Directorate. The Street and Other Cleansing service is output-based and as a minimum is intended to meet the requirements of the COPLR, with the specification including extended requirements to ensure a high level of satisfaction with the cleansing service.

The Street and Other Cleansing Service will in future be monitored by Inspectors trained to carry out audits of standards of work, according to the methodology set out in Keep Wales Tidy's LEAMS Monitoring System.

5.2. Street Washing

Gwynedd Council does not have a specific street-washing regime although mechanical sweepers utilised across the county are able to use water to suppress dust whilst sweeping. They additionally have a water lance for cleaning problem areas and to aid in the removal of dog fouling.

Graffiti removal is not covered under the main cleaning service, but the Council is in the process of reviewing and developing its arrangements for dealing with racially motivated or offensive graffiti.

5.3. Fallen Leaves

Leaf fall is treated as litter under the cleansing function and is collected for composting from all council highways to ensure street cleanliness and safety.

5.4. Chewing Gum

The Council does not currently have arrangements in place to clear up chewing gum, but some work has been carried out on a trial basis in Bangor Caernarfon, Pwllheli and Dolgellau.

5.5. Drugs Related Litter

The Council works with other agencies where possible to tackle drugs related litter. Sharps bins have been installed in a public toilet in Bangor, and in two public toilets in Caernarfon. Current observation in these locations shows that the bins are not being used as intended whilst sharps are still carelessly discarded.

The Council responds promptly to notification of sharps in children's play areas and other such areas. Work is being carried out on developing a Council-wide strategy for dealing with drugs related litter, both during and out of office hours.

5.6. Abandoned Trolleys

Since the introduction of store deposit schemes for trolleys they are no longer proving a problem throughout the county.

5.7. Fly tipping

Fly tipping is not a major problem in Gwynedd and the council has not taken any prosecutions to date but has worked successfully with the Environment Agency to secure convictions. Gwynedd Council has started using the Environment Agency's new 'Flycapture' database for reporting incidents of fly tipping. The 'Flycapture' database will provide information on quantities and types of waste fly tipped across local authorities, and the likely costs to local authorities of dealing with such actions.

In a bid to combat fly tipping the council permits each household two free bulky waste collections per year, with four items being accepted at each collection.

Manned community skips are currently deployed on a cyclical basis in six locations in the Dwyfor area of Gwynedd. The service is advertised in local weekly newspapers and post offices to raise awareness of the service.

Householders with vans are permitted entry to the councils 3 CA sites, but will be asked to prove that they are bringing their own waste if they make regular visits.

Any fly tipping that does occur is cleared up by the in-house cleansing service.

5.8. Fast Food Outlets

Litter bins located near to fast food outlets fill up prematurely with waste from the outlets customers, which has in the past hindered servicing of the bins. These outlets have been asked to empty the litter bins near to their premises into council-supplied refuse bags. The Council then collects these free of charge.

McDonalds restaurants in the county collect their own litter within the vicinity of their premises.

5.9. Litter Bins

5.9.1 Provision

Gwynedd Council does not have a policy for placement of litter bins and may be able to provide additional bins on request if sufficient budgets are available.

The council is currently in the process of updating its mapping system of litter bin locations.

Additional 240 litre wheeled bins are provided, seasonally, in Barmouth in view of the high numbers of holiday-makers visiting the area.

5.9.2 Emptying frequency

On the whole litter bins are emptied at least weekly. In town centres this may increase to two or three times a day in order to work to the specification that all litter bins must be emptied before they overflow. The cleansing workforce undertakes this service.

5.9.3 Parks

Litter bins are provided throughout Gwynedd's parks and children's play areas. The specification for emptying litter bins in public parks and children's play areas is as that for those in other areas as outlined above.

5.9.4 Lay-bys

Gwynedd Council has kept litter bin provision to a minimum in lay-bys to avoid their misuse. They are provided at a limited number of lay-bys used as picnic stopping areas as this facilitates litter clearance from these sites. Refuse is often left at lay-bys where bins are provided. It is thought that holiday makers who are not fully aware of the council's arrangements for refuse collection leave much of this.

5.9.5 Beaches

Litter bins are provided on amenity beaches in the summer season. A reduced winter service of cleansing on beaches sees the withdrawal of litter bins at this time. The specification for emptying these litter bins in summer is as outlined above.

5.10. Dog Fouling Bins

Dedicated dog fouling bins are provided in some park areas and in community council areas. The Environmental Health section of the Public

Protection department takes responsibility for placing and arranging the servicing of these bins.

5.11. Mechanisation versus Litter Picking

Gwynedd Council utilises a combination of mechanical sweeping and manual litter picking methods to clear litter. There is a preference for mechanical sweeping with manual litter picking used as required where mechanical sweeping is not as effective, such as on ornamental cobbled streets.

5.11.1 Parked cars

Parked cars do cause an obstacle to cleansing on occasion. It is acknowledged that this may cause cleanliness to fall in some areas. Leaflets are posted to residents asking them to move their cars for certain hours to allow for effective cleaning. These have had a mixed response from residents to date

5.12. Emergencies

Persons wishing to report a cleansing emergency should contact the Council offices in their area. If the emergency occurs outside normal office hours, the phone number for the area office should be rung. A recorded message will give details of the out-of-hours service.

5.12.1 Hazardous Waste

The Council works in partnership with the Environment Agency and Fire Brigade with regard to hazardous waste that may occur on highways or beaches. Flasks are used for containment and transport to chemical stores for temporary storage.

5.12.1.1. Road Traffic Accidents

The Council's Highway Maintenance service clears initial debris from road traffic accidents. They will then contact cleansing teams if glass and blood require removal.

5.12.1.2. Spillage

The Council's Highway Maintenance service also clears spillage on the highway, with the aid of the Police and Fire Brigade.

5.12.1.3. Animal Carcasses

The carcasses of sea mammals are often swept up on beaches. Where this occurs on amenity beaches in the summer removal would be prompt. Small carcasses arising in winter are generally not removed.

Anyone finding animal carcasses on beaches should report it to the Maritime Services or Beach Wardens.

5.13. Weeds & Detritus

There is a requirement to remove detritus from road channels to reflect the EPA requirement for roads to be clean. This removal by sweeping minimises weed growth, as the roots cannot readily take-hold.

The Street and Other Cleansing service specification requires that cleansing be carried out so that the cleansed surface and its edges and joints are visible and free of all traces of waste of whatever nature. It is required that special attention be given to ensure that weed growth is discouraged by thoroughly cleansing areas where growth is likely to occur. Where weed growth does occur in urban areas it may be dealt with by chemical spaying as part of the highway maintenance function. Additionally stunted weed growth in high-profile areas may be removed by hand.

5.14. Public Spaces

5.14.1 Beaches

Summer beach cleaning is carried out in line with the EPA. Beaches are cleaned as deemed necessary in winter.

5.14.2 Parks

Parks are cleaned, by manual litter picking, on a regular basis to uphold the cleanliness requirements of the EPA.

5.14.3 Events in Public Spaces

5.14.3.1. Licensed Events

Event organisers may be required to clean-up litter created following their events.

Gwynedd Council is able to provide additional bins for event organiser to manage their litter and waste. Where historical arrangements are in place there is no charge for this service. A limited number of material specific bins can be supplied to assist with on-site recycling at events.

5.14.3.2. Unofficial Events

Education & enforcement has reduced unofficial events, such as seasonal local bonfires. Where these do occur they are dealt with as part of the general cleansing service.

5.14.4 Misplaced trade waste as litter

Misplaced trade waste is cleared as part of the general cleansing regime. Letters are sent out to any identifiable culprits although no legal action is currently taken. Work undertaken in the major towns in Gwynedd through Keep Wales Tidy's Tidy Business Standards award scheme, from 1999-2002 has reduced the incidence of misplaced trade waste.

6. COMPLAINTS

Gwynedd Council does not have a specific complaints policy for cleansing but uses the standard Council complaints procedure.

The Council logs customer complaints. This information undergoes limited analysis. If the land that is littered is identified to be under private ownership the complaint is passed on to the Environmental Health Department.

The Council is committed to cleaning all its relevant land to the standard set out in the COPLR and would hope to be able to respond within the given time frame at all times.

If a member of the public is not satisfied that an area they have made a complaint about has been tidied in accordance with the COPLR, they have the right to take legal action against the Council. This involves seeking a Litter Abatement Order from a Magistrates Court, to force the Council to clean the area involved. The process for doing this is described below:

There is nominal cost of £3.50 to take a case such as described above to the Magistrates Court

- The Complainant must give five days written notice specifying the nature of the complaint to the manager of that relevant land i.e. Local Authority/Educational Establishment
- Following a complaint, a summons is issued against the duty body. If the complaint is successful a Litter Abatement Order is made.
- An order cannot be made if the litter has been cleared away by the time the case comes to court.

Maximum fine for failure to comply is £2,500 plus up to £125 per day of non-compliance

For further advice on how to take this course of legal action contact Keep Wales Tidy on 01286 674081 or 029 2025 6767

7. MONITORING

Gwynedd Council has recorded figures of 88% for the amount of streets of high or acceptable standard (Welsh Assembly Government Performance Indicator 5.5) in the past. This PI went unrecorded in the year 2003/2004.

Officers have recently been trained in Keep Wales Tidy's LEAMS Monitoring system. This will enable the authority to undertake monitoring to return the required PI.

7.1. Local Environmental Audit & Management System (LEAMS)

LEAMS is a system of monitoring of street cleanliness developed by Keep Wales Tidy in conjunction with the All Wales Waste Management Benchmarking Group.

Random inspections of highways, car parks and public open spaces, etc. are undertaken on a bi-monthly basis. The LEAMS system investigates the issues in detail and takes account of factors such as dog fouling, graffiti, fly posting and vandalism along with the sources and specific types of waste.

A feature of the LEAMS system involves independent inspections on a 6 monthly basis, undertaken by either Keep Wales Tidy or neighbouring authorities. These inspections serve to verify the consistency of scoring levels across authorities, thus ensuring that routine inspections are undertaken on a like for like basis.

8. EDUCATION & AWARENESS RAISING

8.1. Provision of Public Information

Gwynedd Council are not currently in a position to act proactively on the provision of littering information for members of the public.

8.1.1 Zoning Maps

The Council's cleanliness zoning maps are available for public viewing upon request.

8.2. Campaigns

Gwynedd Council has worked with Keep Wales Tidy and other bodies, to raise the profile of litter and fly-tipping issues within the county.

8.3. Programme of Schools Education

Gwynedd Council works proactively in schools to raise the profile of litter issues. This is carried out through schools involvement in the Eco School programme administered by Keep Wales Tidy and the councils own Green Schools programme.

8.3.1 Eco Schools

Eco-Schools is an international environmental education programme running in 27 countries. It is endorsed by the United Nations, and was launched in the UK for the academic year 1994-1995.

The Eco-Schools programme covers seven themes; Litter, Waste Minimisation, Energy, Water, Transport, School Grounds, and Healthy Living. Schools are free to begin work on whichever environmental area is of most relevance to them, based on the result of an environmental review. Schools which achieve the requirements of the programme are awarded an Eco-Schools Green Flag. There are also intermediary steps, with schools achieving bronze and silver awards.

8.3.2 Green Schools

The Gwynedd and Anglesey Green Schools Scheme is a unique and innovative bilingual environmental scheme that has been developed in partnership by Gwynedd Council, Isle of Anglesey County Council, and CYNNAL.

The main aim of the scheme is to encourage and support schools to undertake activities that will protect, improve and enhance the environment by reducing waste and littering, saving energy and natural resources, reducing and preventing pollution, caring for the local and global environment and travelling wisely.

The scheme, therefore, has a central role to play in ensuring that education for sustainable development is successfully delivered in local schools as it encourages children, young people and adults alike to develop the appropriate knowledge, values and skills to enable them to carefully consider the impact of their decisions and actions on the local and global environment to ensure that future generations can expect a decent quality of life.

All of the schools that subscribe to the Green Schools Scheme are required to formally adopt an Environmental Charter, establish a Green Group within the school and follow a three Award stage plan Bronze, Silver and Gold. Schools must demonstrate that they have successfully implemented the requirements of the Award-stage to receive a certificate of achievement and an environmental award and to be allowed to move to the next Award stage.

A total of 31 schools in Gwynedd (25% of all Gwynedd schools) are currently involved in the scheme and the remaining schools in the county will be invited to join the scheme annually with the target of getting the majority of the schools in the county to subscribe by the year 2007.

9. ENFORCEMENT

9.1. Litter

Gwynedd Council are not currently in a position to carry out extensive litter enforcement work. The Council are working on plans to take this area of work forward.

9.2. Dog Fouling

The Council Environmental Health Officers undertake enforcement work on dog fouling throughout the county.

10. APPENDICES

10.1. Code Of Practice on Litter and Refuse

The Code of Practice on Litter and Refuse (COPLR)

Copies of the COPLR are available from The Stationary Office and <http://www.defra.gov.uk/environment/localenv/litter/code/index.htm>

Order details: ISBN 011753479X. Priced £17.99

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E-mail: cardiff.bookshop@tso.co.uk

10.2. Zoning Maps

Zoning Maps for relevant council land are available to view by appointment.

10.3. Code of Practice - Cleanliness Standards Table

Cleanliness Standards					
ZONE		A	B	C	D
1	Town centres, shopping centres Major transport centres Central car parks Other busy public areas	Achieve after cleansing	6hrs	3hrs	1hr
2	High density residential High density industrial estates		12hrs	6hrs	3hrs
3	Low density residential Other recreational land including picnic areas and lay-bys Low density industrial estates		2 weeks	12hrs	6hrs
4	ALL OTHER AREAS		2 weeks	1 week	60 hrs
4r	Amenity beaches	1 May-30 September			
5b	Other beaches	Not specified			
6	Motorways and strategic routes Hard surface	Achieve after cleansing		4 weeks	1 week
	Motorways and strategic routes Grassed surfaces		Achieve after cleansing	4 weeks	1 week
7	Other roads Hard surfaces	Achieve after cleansing		Restore to grade A within 2 weeks	5 days
	Other roads Grassed areas		Achieve after cleansing	2 weeks	5 days
8	Educational establishments (Term time) Hard surfaces	Achieve after cleansing		24 hrs	24 hrs
	Grassed areas		Achieve after cleansing	24 hrs	24 hrs
9	Operational Railway land within 100 metres of platform end		Achieve after cleansing	2 weeks	5 days
10	Operational Railway land within urban zones		Achieve after	6 months	3 months

			cleansing		
11	Canal towpaths (in urban areas)	Achieve after cleansing		2 weeks	5 days
12	Land attracting large numbers of people	Achieve after cleansing	Restore to grade A within 24 hours of event	Restore to grade A within 24 hours of event	Restore to grade A within 24 hours of event

10.4. Summary of Environmental Protection Act 1990 (Part IV)

Section 87	<p>Offence of Leaving Litter Criminal offence of dropping, throwing, leaving or depositing litter in a public place and causing defacement (litter is “any thing” and may include commercial waste). Summary offence only. Maximum fine £2,500. Prosecutions by police or local authority. Average fine £115 (97/98)</p>
Section 88	<p>Fixed Penalty Fine for Littering Same offence as in section 87. £75 fixed penalty fine. Ticket given ‘on the spot’, with 14 days to pay. Issued by “authorised officer” of litter authority. Not intended for ‘dumping’ of trade waste.</p>
Section 89	<p>Duty to Keep Land and Highways Clear of Litter, etc. Sets out the legal duty to clear litter and refuse (including dog faeces) from relevant land and highways, placed upon local authorities, educational institutions, designated statutory undertakers and other duty bodies. The Code of Practice on Litter and Refuse introduced herein. This section does not contain any legal remedy. If the duty body fails, section 91 and 92 can be used. The Code can be obtained from the Government’s website (www.detr.gov.uk) or from HMSO (ISBN 011 753479 X) £17.99</p>
Section 90	<p>Litter Control Areas Principal Litter Authorities can designate as Litter Control Areas certain types of littered land to which the public has access. Includes car parks, cinemas, motorway service stations and camping sites. (Full description under SI 1991 No 633 and SI 1997 No 1325). There has to be detriment to the amenity of the area. Persons affected have 21 days to appeal. No legal remedy with this section, but sections 91 and 92 can subsequently be used.</p>
Section 91	<p>Summary Proceedings by Persons Aggrieved by Litter Enables members of the public to apply to Magistrate’s Court for a Litter Abatement Order to get an area that is under the control of a duty body cleared of litter and refuse. Non-compliance can lead to a fine up to £2,500.</p>
Section 92	<p>Summary Proceedings by Litter Authorities Principal Litter Authorities can serve a Litter Abatement Notice against owners or occupiers of certain types of relevant land (including land designated as Litter Control Area) that is defaced by litter, or if defacement is likely to recur.</p>
Sections 93 and 94	<p>Street Litter Control Notices Principal Litter Authorities can require owners or occupiers of certain types of commercial premises to prevent or remove accumulations of litter or refuse in streets and adjacent open land, where litter is related to their activities.</p>
Section 99	<p>Powers in Relation to Abandoned Shopping Trolleys Principal Litter Authorities can retrieve trolleys and charge for their return, or dispose of them.</p>

10.5. Summary of Environmental Protection Act 1990 (Part II)

Section 33	<p>Prohibition on unauthorised or harmful deposit, treatment or disposal, etc. of waste Foundation of waste licensing system; prohibits the deposit, treatment, keeping or disposal of controlled waste in or on land or whilst in transit, except under and in accordance with a waste management licence.</p>
Section 34	<p>Duty of Care, etc. as respects waste Places responsibility on any person producing or having control of waste; cannot rid themselves of that responsibility by transferring the waste to someone else.</p>
Section 45	<p>Collection of controlled waste Waste collection authorities must collect household waste, and do so free of charge. They can collect commercial waste if requested and make a charge. Any waste collected belongs to the authority. Also states types of household waste for which a charge may be made e.g. garden waste and clinical waste.</p>
Section 46	<p>Receptacles for household waste The waste collection authority can say how and where household refuse should be placed for collection. Non-compliance is an offence.</p>
Section 47	<p>Receptacles for commercial or industrial waste The waste collection authority can supply waste bins; it can require the premises owner to provide bins if their waste is likely to cause a nuisance. Non-compliance is an offence.</p>
Section 48	<p>Duties of waste collection authorities regarding disposal The waste collection authority will deliver all waste in accordance with the directions of the waste disposal authority. Waste can be retained for recycling.</p>
Section 55	<p>Powers for recycling waste Waste disposal and waste collection authorities can recycle waste, or sell it.</p>
Section 59	<p>Powers to require removal of waste unlawfully deposited Waste collection and waste regulation authorities can deal with fly-tipped controlled waste by serving a notice on the occupier of the land to remove the waste. In the event of non-compliance the authority can recover the costs of doing so from the recipient of the notice.</p>
Section 60	<p>Interference with waste sites and receptacles for waste Without consent no one may sort through or disturb waste in bins or waste deposited by the waste collection authority.</p>

These summaries are advisory and intended only as a synopsis of the law on litter and waste. It must not be relied upon to cover all the legal issues involved. The full texts must be consulted and legal advice sought before instigating action based on the above.