

National Litter and Flytipping Strategy

Update and Year 2 Action Plan
2024 - 2025

October 2024



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1 Introduction

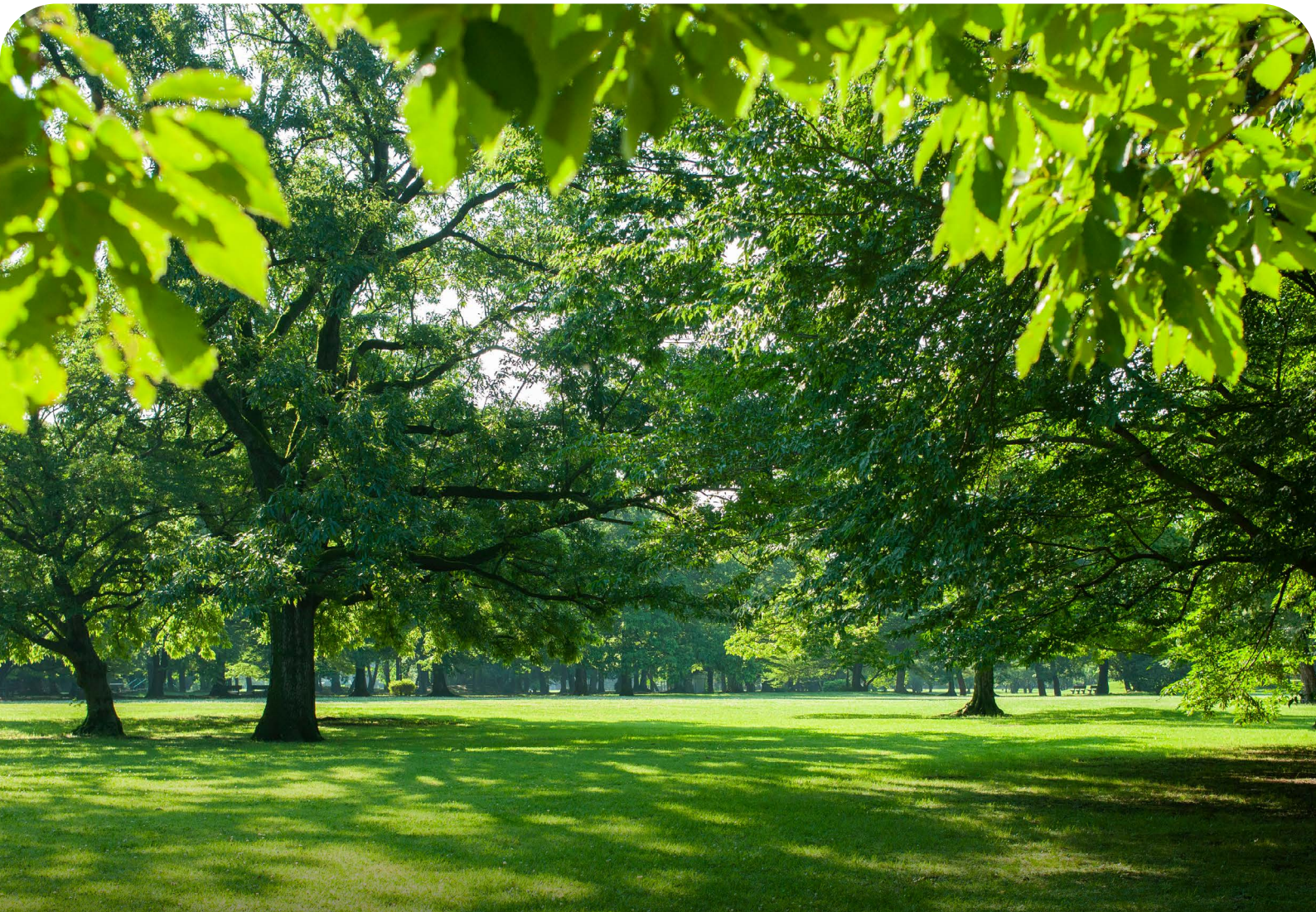
This report sets out the progress made on the actions in the [National Litter and Flytipping Strategy \(NLFS\) Year One Action Plan](#) and outlines actions for the next phase, which includes a number of continuing actions.

The Year One Action Plan noted the intention that it would be reviewed on an annual basis to incorporate learnings, successes and emerging insights gained through collaboration. The governance and delivery framework enables a wide range of input into the delivery of actions and development of

future activity. Details of the groups involved in delivery and governance are provided in [Annex 1](#).

The two sections that follow provide an update on progress on year one actions and actions that are being taken forward in year 2.

The Scottish Government, SEPA, Zero Waste Scotland and Keep Scotland Beautiful would like to thank all the organisations and individuals who have supported the work on the Strategy.



2 Year one action plan - update on progress

With the exception of the Circular Economy Act actions all Year 1 actions were undertaken between June 2023 and March 2024.

Year 1 action	Lead Organisation	Progress/update
Litter		
1. Proposed change in legislation: Introduction of new powers to impose a civil penalty on the registered keeper of a vehicle from which a littering offence is committed.	Scottish Government	The Circular Economy Bill was passed by the Scottish Parliament on 26 June 2024. This section of the legislation requires secondary legislation to come into effect.
2. Targeted behaviour-based interventions: Work with key stakeholders (local authorities, duty bodies and businesses) to test collaborative approaches to deliver one or two innovative behaviour-based interventions utilising existing data to identify and target litter types or items (including new and emerging types), evaluating their impact and potential for wider roll-out.	Keep Scotland Beautiful	A collaborative behaviour-based intervention was developed and delivered in the Forth Valley. This focused on tackling food and drink on the go litter and delivered a measurable reduction in ground litter. The intervention was delivered in partnership with Clackmannanshire Council, Falkirk Council, Stirling Council, Forth Valley College and supported by Coca-Cola Europacific Partners (CCEP). Further information is provided in the news story ^[1] and full report ^[2] .
3. Empowering communities: Working alongside local authorities and other relevant stakeholders, develop and promote a national online litter hub to provide information, advice and support to community groups and other relevant local organisations on tackling litter and littering behaviour.	Keep Scotland Beautiful	The Online Hub went live on 1 April 2024, active promotion of the Hub and the information available will take place in Year 2, data will be gathered on numbers accessing and utilising the Hub, this is scheduled to be included as part of the evaluation in Year 2. ^[3]

1 Keep Scotland Beautiful (2024b). [Intervention delivers significant reduction in food and drink on the go litter in Forth Valley](#) [online] Keep Scotland Beautiful [Accessed 24 Sep. 2024].

2 Keep Scotland Beautiful (2024c). [National Litter and Flytipping Strategy Forth Valley Litter Intervention Food on the Go January 2024 - March 2024](#). [online] Keep Scotland Beautiful. [Accessed 24 Sep. 2024].

3 Keep Scotland Beautiful (2024a). [Community Litter Hub](#). [online] Keep Scotland Beautiful. [Accessed 24 Sep. 2024].

Year 1 action	Lead Organisation	Progress/update
4. Engaging communities: Create and deliver a national community-focused litter education programme that will build capacity and capability within local communities to enable them to take action at a local level to tackle litter and littering behaviour.	Keep Scotland Beautiful	A national community focused litter education programme has been developed and successfully tested in four council areas across Scotland, the format and content has been revised and updated in line with feedback, ready for wider roll-out.
Flytipping		
5. Proposed changes in legislation: A new fixed penalty regime will be introduced to allow local authorities to issue Fixed Penalty Notices for breaches to householder duty of care obligations in relation to the disposal household waste	Scottish Government	The Circular Economy Bill was passed by the Scottish Parliament on 26 June 2024. This section of the legislation required secondary legislation to come into effect.
6. Proposed changes in legislation: new powers will be introduced to allow enforcement authorities to search and seize vehicles suspected to be involved in illegal waste activity	Scottish Government	The Circular Economy Bill was passed by the Scottish Parliament on 26 June 2024. This section of the legislation required secondary legislation to come into effect.
7. Proposed changes in legislation: Raise flytipping fines to the current maximum in Scotland of £500	Scottish Government	SSI 2023/335 ^[4] , which came into force on 1 January 2024, increased the fixed penalty to £500.
8. Sharing information and best practice: Share information and support resource sharing between key stakeholders and fora including the Litter Managers Network, SPARC and Flytipping Forum.	Scottish Government	This action has not been fully delivered in Year 1. Delivery partners have attended a range of meetings and engagements to share resources and updates on the Strategy, however, this has not been undertaken in a co-ordinated way.
9. Supporting a more effective mechanism for citizen reporting of flytipping: Simplify existing flytipping reporting channels through the closure of Dumb Dumpers.	Scottish Environment Protection Agency	This action was completed with Dumb Dumper and taken offline in March 2023.

4 legislation.gov.uk (2023). [The Fly-tipping \(Fixed Penalty\) \(Scotland\) Order 2023](#). [online] Legislation.gov.uk. [Accessed 24 Sep. 2024].

Year 1 action	Lead Organisation	Progress/update
<p>10. Clarification of roles and responsibilities: Support key stakeholders to review guidance on roles and responsibility of SEPA, local authorities, national parks and Police Scotland in investigating and enforcing flytipping offences.</p>	<p>Scottish Environment Protection Agency</p>	<p>The initial review of roles and responsibilities highlighted that dividing incidents between enforcement agencies based on scale, location or waste type (as done previously) was not effective or desirable moving forward. SEPA has trialled an alternative approach with partners where partners come together during investigations to explore appropriate enforcement action using the full range of enforcement options available, to drive better enforcement outcomes.</p> <p>This includes the increased use of Civil Monetary Penalties available to SEPA and enhanced/improved reporting to COPFS by a Local Authority/Police Scotland/SEPA which covers all offences involved (for example where offenders have failed to register as carriers of controlled waste). The trialling of this approach will continue into year 2.</p>
<p>11. Support for landowners: Develop guidance and carry out trials to better support private landowners to deter and deal with flytipping affecting their land.</p>	<p>Scottish Environment Protection Agency</p>	<p>The Flytipping Private Landowners Grant Fund was established with 3 successful applicants awarded money to take forward varied interventions. See case study for more detail^[5]. The fund will run again in Year 2 administered by Zero Waste Scotland.</p> <p>An outline of the kinds of guidance landowners are looking for has been developed. Some of the issues flagged require further engagement with a range of stakeholders to address.</p>

5 Zero Waste Scotland (2024). Case study: Tay Salmon Fisheries Private Landowner Grant Fund. [online] Zero Waste Scotland. Available at: <https://cdn.zerowastescotland.org.uk/managed-downloads/mf-yyqbdidp-1727970516d> [Accessed 8 Oct. 2024].

Year 1 action	Lead Organisation	Progress/update
<p>12. Increase use of digital technologies to detect and disrupt flytippers: SEPA will enhance its use of open-source research to identify unregistered waste carriers advertising on-line (as well as rogue operators operating behind a Waste Carrier Registration) and, where they find them, apply both online interventions to deter and disrupt their actions, as well as capture information to support their investigations leading to enforcement action.</p>	<p>Scottish Environment Protection Agency</p>	<p>Through our targeting of unauthorised collectors on Facebook we have achieved the following results in year 1: Number of profiles identified – 234 Profiles closed – 24 Texts to unlicensed operators – 39 Information notices issued – 13 Waste carrier applications received – 7 FMPs issued – 1</p>
<p>Litter and Flytipping</p>		
<p>13. Development of more effective enforcement practices: Conduct an evidence review of enforcement of litter and flytipping offences to better understand, and address, the key barriers to current enforcement practices.</p>	<p>Scottish Government</p>	<p>The Review of litter and flytipping enforcement was published in June 2024^[6]. The review findings demonstrate that the actions underway are addressing many of the enforcement challenges.</p>
<p>14. Joint working between stakeholders: Work collaboratively with key stakeholders to scope options to improve the effectiveness, efficiency and consistency of prevention activity that could be trialled and, if successful, scaled up across Scotland.</p>	<p>Zero Waste Scotland</p>	<p>Zero Waste Scotland held 11 workshops from August 2023 to March 2024, engaging sectors from local authorities to producers and retailers of littered and flytipped items. The workshops aimed to gather opinions on improving litter and flytipping prevention in Scotland.</p> <p>Additionally, Zero Waste Scotland collaborated with University College London from January to March 2024 to research litter and flytipping causes and behaviours. This research informed the report, “Causes of Litter and Flytipping: A behavioural systems mapping project,” to be published in the autumn.</p>

6 Scottish Government (2024). Litter and flytipping offences - enforcement review: final report. [online] www.gov.scot. Available at: <https://www.gov.scot/publications/review-enforcement-litter-flytipping-offences-final-report/> [Accessed 24 Sep. 2024].

Year 1 action	Lead Organisation	Progress/update
Data Improvement: Litter and Flytipping		
15. Development of a Litter & Flytipping Data Strategy to explore and capture the data necessary to support local and national prioritisation, prevention, monitoring and evaluation	Zero Waste Scotland	A Data Strategy Recommendations paper has been developed, drawing upon a number of sources. This included the outputs from the other year one data related actions, and targeted research, including a data mining exercise, all of which focused on data relating to litter and flytipping prevention.
16. Developing litter data: Building on work completed to date with regards to LEAMS/LMS, engage with a wider range of stakeholders and ensure a common approach to data management, analysis and use.	Keep Scotland Beautiful	A Data Management Group has been established with clear Terms of Reference and representation from key stakeholders, regular meetings held to review progress on data actions, discuss issues and opportunities and consider wider data requirements for Strategy. Work was undertaken to develop a Data Register involving engagement with 24 stakeholders and identification of 49 relevant datasets, identifying gaps in existing data as well as similarities and differences, index of relevant research developed, and report prepared on barriers and options for development for the Litter Monitoring System.
17. Improving consistency of litter data: Actively promote and improve quality and consistency of citizen science to support litter data collection, and complement existing programmes.	Keep Scotland Beautiful	Work is undertaken to create index of datasets related to citizen science, 25 datasets identified of which 14 are directly relevant, engaged with 8 relevant stakeholders, work also undertaken to establish how citizen science can be used to support technical data.

Year 1 action	Lead Organisation	Progress/update
<p>18. Improving consistency of flytipping data: Engage and work with a wide range of stakeholders to establish data requirements. Develop structures which improve consistency of this flytipping data and incorporate it into a new Scottish national database on flytipping.</p>	<p>Scottish Environment Protection Agency</p>	<p>A report has been produced collating figures on incident data and enforcement data across local authority areas. A set of agreed reporting requirements and an assessment of the reliability and consistency of the data collected is included in the report. The report also sets out recommendations to improve the collection of information on flytipping going forward. A summary will be published by the SDG/SG.</p>
<p>19. Developing flytipping data: Explore the development of a live picture of flytipping across Scotland.</p>	<p>Scottish Environment Protection Agency</p>	<p>A report has been produced which carried out a first stage feasibility study into a system which contains a live picture of flytipping. Included in it is the benefits and potential issues of a live picture system, a set of criteria for what stakeholders want from the system and an assessment of existing systems to meet these criteria. It also outlines the steps required for a pilot system to be developed.</p>
<p>Strategy Governance & Delivery</p>		
<p>20. Governance and communications: Implement a Governance and Delivery Framework, to manage delivery of the strategy, leveraging the knowledge and skills of stakeholders to lead delivery of actions and provide an established engagement mechanism to support co-ordination, innovation and sharing of information</p>	<p>Scottish Government</p>	<p>The NLFS delivery process has also established project-specific governance mechanisms to provide oversight of Strategy delivery. The Strategy Delivery Group creates clear channels for decision making, monitors progress against the vision, creates ownership amongst stakeholders to support successful delivery and provides a consistent communications channel for stakeholders' input.</p>

3 Ongoing activity and new actions

Continuing actions have been delivered since 1 April 2024. New actions have a blue background and will be progressed by 31 March 2025.

Year 2 action	Lead Organisation
Litter	
1. Targeted behaviour-based interventions (Continuation of Year 1 Action 2): Work with key stakeholders (local authorities, duty bodies and businesses) to use existing qualitative and quantitative data to identify and target litter types or items (including new and emerging types), develop, and implement an innovative behaviour-based intervention (for example, assessing the effectiveness and costs of intervention to tackle roadside litter using new littering from vehicles provision), evaluating its impact and potential for wider roll-out.	Keep Scotland Beautiful
2. Empowering communities (Continuation of Year 1 Action 3): Further develop and expand the Hub to widen range of information, advice and support available to community groups and other local organisations (including peer support) to enable them to tackle litter and littering behaviour, and provide basic information for communities in relation to flytipping.	Keep Scotland Beautiful
3. Engaging communities (Continuation of Year 1 Action 4): Implement a phased roll out of education programme nationally to build capacity and capability in community groups and other local organisations to tackle litter and littering behaviour.	Keep Scotland Beautiful
Flytipping	
4. Improve communications on current householder duty of care obligations in relation to the disposal household waste. All delivery partners will consider action that can be taken to raise awareness of the duty of care in advance of the Circular Economy Act section that will introduce the Fixed Penalty Notice regime coming into force.	All partners
5. Support householders to dispose of waste responsibly. SEPA will promote the waste carriers register on the SEPA website and review public accessibility to the information.	Scottish Environment Protection Agency
6. Sharing information and best practice (Continuation of Year 1 Action 8): Share information and support resource sharing between key stakeholders and fora including the Litter Managers Network, SPARC and Flytipping Forum.	Scottish Government

Year 2 action		Lead Organisation
7.	Review the role and remit of the Flytipping Forum to ensure the current approach is helpful to sharing expertise, information and co-ordinated action.	Scottish Government
8.	Improve enforcement by providing the Cairngorms National Park Authority with enforcement powers, replicating the current powers that Loch Lomond and the Trossachs National Park have.	Scottish Government
9.	Improving enforcement work with COPFS to ensure any guidance or other relevant resources is shared with stakeholders where appropriate.	Scottish Government
10.	Clarification of roles and responsibilities (Continuation of Year 1 Action 10): SEPA will extend and expand the trial of the new enforcement approach model to more local authority areas.	Scottish Environment Protection Agency
11.	Support for landowners (Continuation of Year 1 Action 11): the landowners guidance document will continue to be developed with case studies from the grant fund applicants, good practice from landowners and information on section 59 ^[7] . The other flagged issues will be taken to SDG to consider how best to progress. A landowners group will be formally established to support this.	Scottish Environment Protection Agency
12.	Private landowner's grant (Continuation of Year 1 Action 11): Zero Waste Scotland will promote and administer the relaunched grant in 2024/25 and will continue to encourage development of innovative projects that aim to prevent flytipping on private land.	Zero Waste Scotland
13.	Use digital technologies to detect and disrupt flytippers (Continuation of Year 1 Action 12): Continue to use digital interventions to deter and disrupt unregistered waste carriers advertising online (as well as rogue operators operating behind a waste carrier registration).	Scottish Environment Protection Agency
Litter and Flytipping		
14.	Joint working with stakeholders (Continuation of Year 1 Action 14): Through engagement with stakeholders, develop an approach to improving the effectiveness, efficiency and consistency of prevention activity, building on engagement undertaken in Year 1.	Zero Waste Scotland
Data Improvement: Litter and Flytipping		
15.	Development of a Litter & Flytipping Data Strategy (continuing Action 15 in Year 1): the Data Management Group will review the recommendations paper and support the development of a work plan to continue to development of the Data Strategy.	Zero Waste Scotland

7 Section 59 of the Environmental Protection Act 1990 ("the 1990 Act") provides that the Waste Regulation Authority (SEPA) and Waste Collection Authorities (Local Authorities) can, in certain circumstances and by service of notice, require the occupier of land to remove and/or to eliminate or reduce the consequences of unlawfully deposited waste.

Year 2 action	Lead Organisation
<p>16. Developing litter data (continuing Action 16): Building on existing litter data collection and analysis, engage with a wider range of stakeholders and ensure a common approach to data management, analysis and use - improving collection, analysis and use of data, based on initial activity completed in Year 1, linking with the data strategy and development of LMS, including the prioritisation of data sets collected in Year 1 and the use, relevance and data sharing agreements.</p> <p>Also building on identified gaps in data collection in Year 1, defining options for collecting the missing data and potentially engaging with academics to research the cause and effect of littering, utilising current litter data.</p>	Keep Scotland Beautiful
<p>17. Improving consistency of litter data (continuing Action 17): Actively promote and improve quality and consistency of citizen science to support litter data collection and complement existing programmes and utilising the Delivery Plan developed in Year 1.</p>	Keep Scotland Beautiful
<p>18. Leadership, management, and facilitation of the Data Management Group to support litter and flytipping data actions, (Continuation of Actions 15-19), recognising that the group provides an important resource for the development and delivery of these actions.</p>	Keep Scotland Beautiful
<p>19. Developing flytipping data: map the data collection process currently being undertaken by enforcement agencies against the information that they can be required to supply to Scottish Ministers (as set out in Section 13 of the Circular Economy Act) to better understand the most effective way to progress towards effective and accurate national reporting</p>	Scottish Government

Annex 1

The Governance and Delivery Framework for the National Litter and Flytipping Strategy includes the following Groups:

Group	Members	Involvement
Strategy Delivery Group (SDG)	Scottish Government, Keep Scotland Beautiful, Scottish Environment Protection Agency, Zero Waste Scotland* , Litter Managers' Network (LMN), Scottish Land and Estates, Scotlink, Police Scotland, Federation of Small Businesses	The 4 delivery partners take the chair on a rotating basis. The delivery partners meet monthly and the full SDG meet every 1-2 months to provide input and advise on the actions being taken to deliver the Strategy.
Communications Group	Scottish Government, Keep Scotland Beautiful, Scottish Environment Protection Agency, Zero Waste Scotland	The 4 delivery partners take the chair on a rotating basis. Group meets when required to identify and agree priorities and delivery arrangements for communications activity in relation to the Strategy.
Data Management Group (DMG)	Keep Scotland Beautiful, Scottish Government, Scottish Environment Protection Agency, Zero Waste Scotland , Marine Conservation Society, Transport Scotland, South Lanarkshire Council, Glasgow City Council	Chaired by KSB, TOR agreed by members, meetings every 6-8 weeks, work programme in place, aims to develop and improve consistency of litter and flytipping data across all actions in Strategy.
Community Reference Group	Keep Scotland Beautiful, reps from a range of councils and community groups	Chaired by KSB, TOR agreed by members, meetings every 6-8 weeks, helps to inform the development and delivery of litter actions, specifically on community litter hub and education programme, option for issues from other delivery partners to be considered by group if necessary.
Future Delivery Group	Zero Waste Scotland (Chair), Keep Scotland Beautiful, LMN Chair, Glasgow City Council, Falkirk Council, Loch Lomond & Trossachs National Park, Stirling University	Fixed chair. Has met three times to provide input into the development of the future delivery model

*Organisations in **bold** are the delivery partners





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