

Council FOI Request: Litter Enforcement Data 2021/22

Summary Report

- Information requested from 318 Councils (April-May 2023)
 - 277 Responses received (*includes split responses from newly formed councils on behalf of former/obsolete councils.*)
 - 261 Responses with full or partial information
 - 16 Responses stating they don't have any information
 - 48 Not yet responded

Note on number of requests made: There are now just 318 Principle Councils in England, however as some of these were only formed/amended in April 2023, some former council boundary administrative duties are still active while the new council establishes. Therefore FOI requests needed to be made to some now redundant council areas.

Note on number of responses received: Some newly merged or newly formed council areas responded with split data for their former council boundaries or on behalf of obsolete council areas. E.g. Eastbourne Lewes Council responded with data from the former Eastbourne Council and former Lewes Council - these have been counted as two separate responses.

Questions Asked:

	Littering Fines
1	Do you issue fines for littering? YES/NO
2	If so, at what level do you levy fines?
	The Government said in March 2023 that they are increasing the upper limit on fines for littering to £500.
3a	Will you be raising fines to this level?
3b	If not, at what level will you levy fines for littering?
	Enforcement & Statistics
4	Do you use an in-house team or private enforcement company to issue fines for littering?
5	How many fines for littering were issued in your council area in 2021/2022?
6	How many fines for car parking were issued in your council area in 2021/2022?
	Waste Management Statistics: Litter Bins & Costs
7	How many litter bins do you have in your council area now?
8	How many litter bins did you have 10 years ago?
9	Have you removed any litter bins in the past 10 years, and if so, how many?
10	What was your annual spend on litter clearance in 2021/2022 and how does this compare to 2011/2012?

Section 1: Littering Fines

1. How many councils issue Fixed Penalty Notices (FPNs) for Littering?

251 / 261 Councils say they issue fines (just 10 Councils admitted that they do not).

However, of these, only 207 actually issued any fines at all (54 issued no fines in 2021/22).
4 Councils said that although they can/do issue fines, no fines have been issued to date.

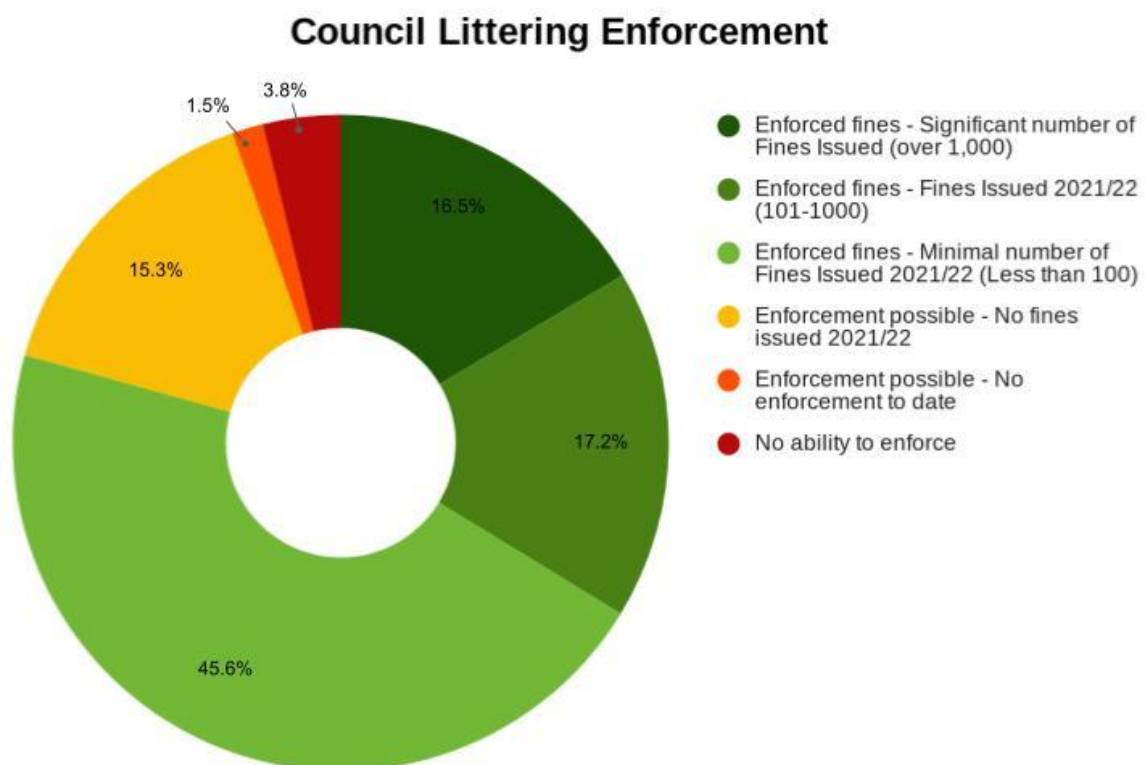
44 / 251 Councils (18%) that said they can/do issue fines, issued 0 fines.

54 / 261 Councils (21%) issued no fines

173 / 261 Councils (66%) issued less than 100 in a year.

Of the 207 who issued fines:

- 119 Councils = 1 - 100 fines
- 45 Councils = 101 - 1,000 fines
- 41 Councils = 1,000 - 10,000 fines
- 2 Councils = More than 10,000 fines



2. Value of Fixed Penalty Notices (FPNs) for Littering

Currently UK legislation allows councils to issue FPNs of up to £150, to be agreed locally or set at a standard rate of £75 if not specified.

Average fine value:

£92.36 (for early payment - within 7, 10, or 12 days)

£108.14 (if paid within 14 days)

£113.60 (without discounts/full FPN charged)

Maximum fine value:

52 Councils claim to charge the maximum £150 FPN with no discounts.

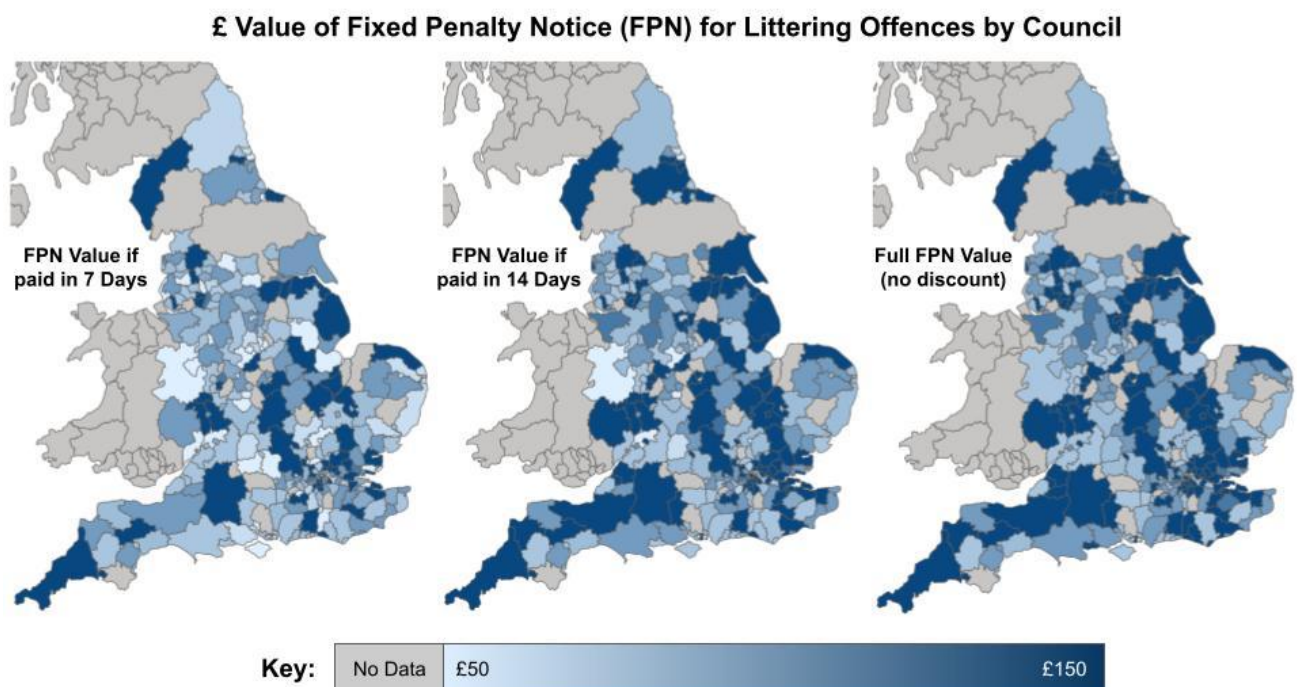
However, of these:

- 21 Councils issued over 100 FPNs
- 24 Councils issued 1-100 FPNs
- 7 Councils issued 0 FPNs

Smallest fine value:

£50 (no increase for delayed payment) by South Tyneside.

South Tyneside issued 2 fines in 2021/22, so still have a higher littering offence revenue than councils who charge the maximum FPN value but don't actually issue any fines.



Please note: The map doesn't accurately show the current council boundary areas in line with those as asked/responded. Some councils have split or merged, and although some of those did provide data for fine value, it wasn't possible to show all of these accurately using these digital map boundaries.

Responses of note:

Eastbourne Lewes Council interestingly claim they charge £75-£200 for littering FPNs, despite the maximum FPN value being £150 as set by the Government.

Cheltenham Council also claim they charge £200 if paid within 14 days with a discount to £90 if paid within 10 days, however their websites showed their maximum FPN as £150.

Durham County Council issue the maximum possible fine of £150 (reduced to £100 to incentivise early payment within 10 days), however also offer a reduction to £65 if you complete a litter awareness e-learning course. The only council to say they offer a litter awareness course as a penalty/preventative measure.

Littering from Vehicles

A few councils mentioned that they have separate fine amounts for littering from vehicles:

Council Area	Penalty for Littering	Penalty for Littering from Vehicle
Telford & Wrekin	£80 FPN (Reduced to £50 if paid within 10 days)	£150 FPN (Reduced to £80 if paid within 14 days)
Fareham	£80 FPN	£100 FPN
Wandsworth	£150 FPN	£100 PCN issued to Registered Keeper of Vehicle

Just two councils provided split figures for the number of fines issued for litter dropped on foot vs. litter dropped from a vehicle:

Leeds: Total of 60 FPNs issued, of which 15 from vehicles

Bradford: Total 71 FPNs issued - 25 FPNs from a person & 46 from a vehicle. However, an additional 115 PCNs (Penalty Charge Notices) issued for littering from a vehicle. So, a total of 186 fines were issued for littering.

“Bradford Council uses two methods of fines for littering. The first is the criminal method under Section 88 of the Environmental Protection Act 1990. Under this legislation, we issued 25 fines for littering from a person, and 46 for littering from a vehicle in 2021/2022. The other is the civil method, The Littering From Vehicles Outside London (Keepers: Civil Penalties) Regulations 2018. With this way, like parking tickets, the registered keeper of the vehicle receives the fine, regardless of who litters. Under this legislation we issued 115 fines in 2021/2022. This legislation is only used for littering from vehicles, not from person.”

3. Raising fines to £500 as per Government Proposal

In March 2023 The Government announced, as part of an Anti-Social Behaviour Action Plan, that they are increasing the upper limit on fines for littering to £500 from this year.

Nearly every council responded with a variation of 'no decision has been made yet'.

Some Councils provided insight into their policy amendment process. This will involve waiting for the Government to formalise the decision and bring legislation into effect before Council staff review existing policies and present a report to the relevant committee for scrutiny. Recommendations are then made to elected council members who vote on if/how it will amend their fixed penalty notice fees in line with the small print of the legislation.

It is likely that this will all take a significant amount of time to fully come into effect as some councils noted relevant committees meet to review and vote on instructions from the Government just once per year, and others noted that their FPN is fixed until 2024.

Negative Comments

- **Haringey:** "We are not aware of this"
- **Cheltenham:** "We will not be endorsing the recommendations for increased intrinsic value of fines here at CBC regarding this legislation".
- **Barking & Dagenham:** "Information not held as this is currently undecided but likely a lower amount"
- **Sheffield:** "Doubtful"

Positive Comments

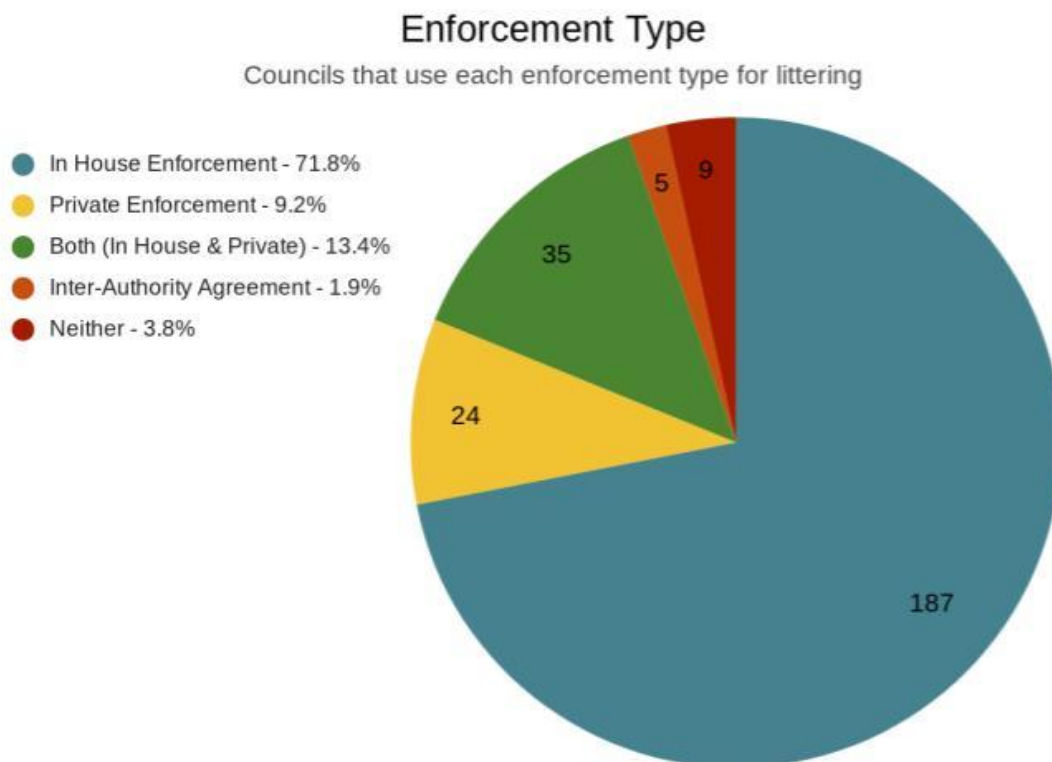
- **Lancaster:** Yes, subject to Council approval
- **North Norfolk:** Yes
- **Ribble Valley:** Yes

Section 2: Enforcement & Statistics

4. Litter Fine Enforcement Type

Councils reported that to enforce littering penalties they used:

1. In House Council Officers (some councils noted that they don't have an enforcement team or dedicated staff but that council officers hold powers to enforce)
2. Private Enforcement (External Company Contract)
3. Both In House Council Officers and Private Enforcement (some noted that council officers did not actively enforce in these situations but that council officers retained powers)
4. Inter-Authority Agreement with another council
5. Neither



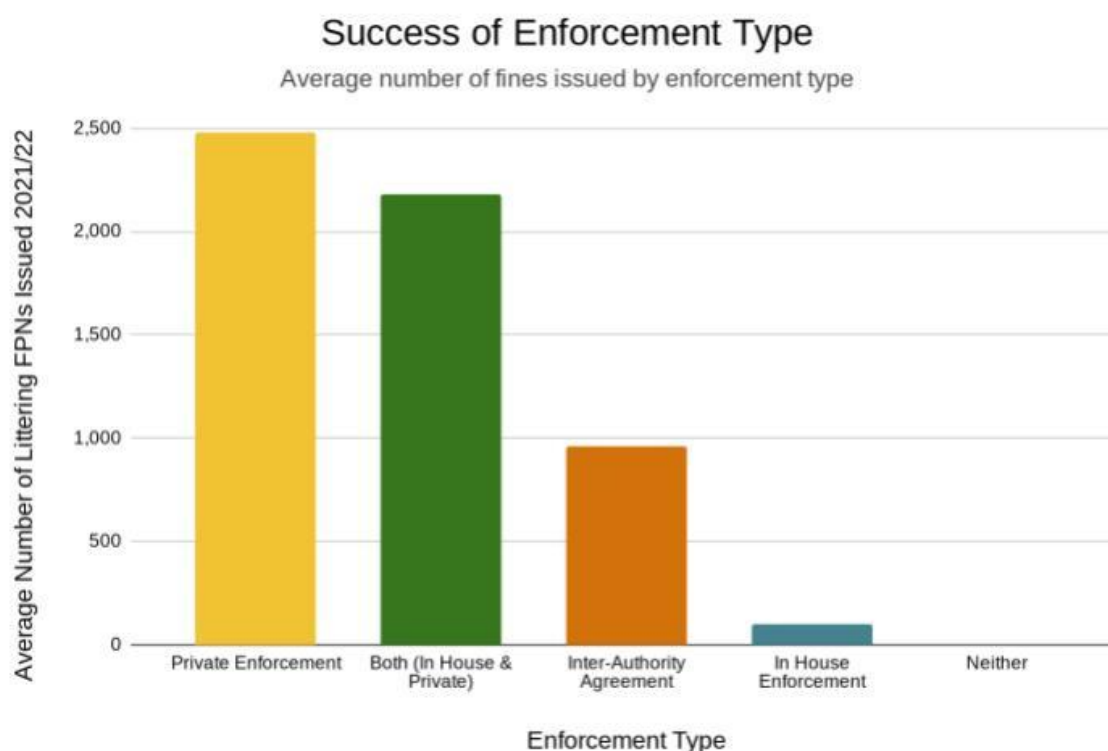
Private Enforcement Companies mentioned:

- Kingdom Local Authority Support
- National Enforcement Solutions (NES Ltd)
- EH Commercial Services Ltd
- Waste Investigations Support & Enforcement (WISE)
- ENVECO Waste Management

Inter-Authority Agreements are rare (just 5 Councils delegate to other authorities) but this appears to be relatively successful. Councils with this arrangement are:

Council Area	Inter-Authority Arrangement with	Number of Fines Issued
Southampton City Council	East Hampshire District Council	3,730
Havant Borough Council	East Hampshire District Council	352
Hart District Council	East Hampshire District Council	344
Arun District Council	Not specified (Also enforce in house)	1,113
Adur District and Worthing Borough Council	Not specified but presumably with each other (they appear to be two separate councils working in partnership)	219

Note: East Hampshire District Council contracted a private company, EH Commercial Services Ltd.



The most successful enforcement type is private enforcement company contracts.

Some councils who use in house enforcement methods only noted that they did not have an enforcement team or dedicated staff responsible for littering, but that council staff held powers to issue fines, which may explain the much smaller number of fines being issued.

5. FPNs for Littering Issued 2021/22

Again, no standardisation of data collection. Some keep data by calendar year, others by financial year. Where figures for two calendar years were given, a mean average was calculated.

Number of FPNs issued for littering 2021/22

- Total number issued: 165,325
- Average number issued: 633

Councils that issued the most FPNs for Littering Offences:

Council Area	Number of FPNs Issued	Enforcement Type
Lambeth London Borough Council	18,189	Private Enforcement
Manchester City Council	10,521	Both (In House & Private)
Ealing London Borough Council	8,476 <i>[111 Cancelled]</i>	Private Enforcement
Milton Keynes City Council	7,982	Both (In House & Private)
Enfield London Borough Council	7,675	Both (In House & Private)
Harlow District Council	6,111	Private Enforcement
Hounslow London Borough Council	5,860	Both (In House & Private)
Medway Council	Average 4,839 <i>[2021 - 5912 & 2022 - 3867]</i>	Both (In House & Private)
Kingston upon Hull City Council	4,504	Both (In House & Private)
Dudley District Council	4,143 <i>[4122 Private & 21 In House]</i>	Both (In House & Private)

While these council areas likely have a high density population (as they are largely cities or councils within the London area), this does show the level of enforcement for littering that can be achieved when council areas are proactive, and gives an insight into the scale of the littering problem.

Councils that issued the least FPNs for Littering Offences:

- 21% (54 / 261) Councils issued 0 FPNs for Littering

Note: Some councils mentioned their figures in 2021/22 were lower than “normal” due to covid restrictions/precautions.

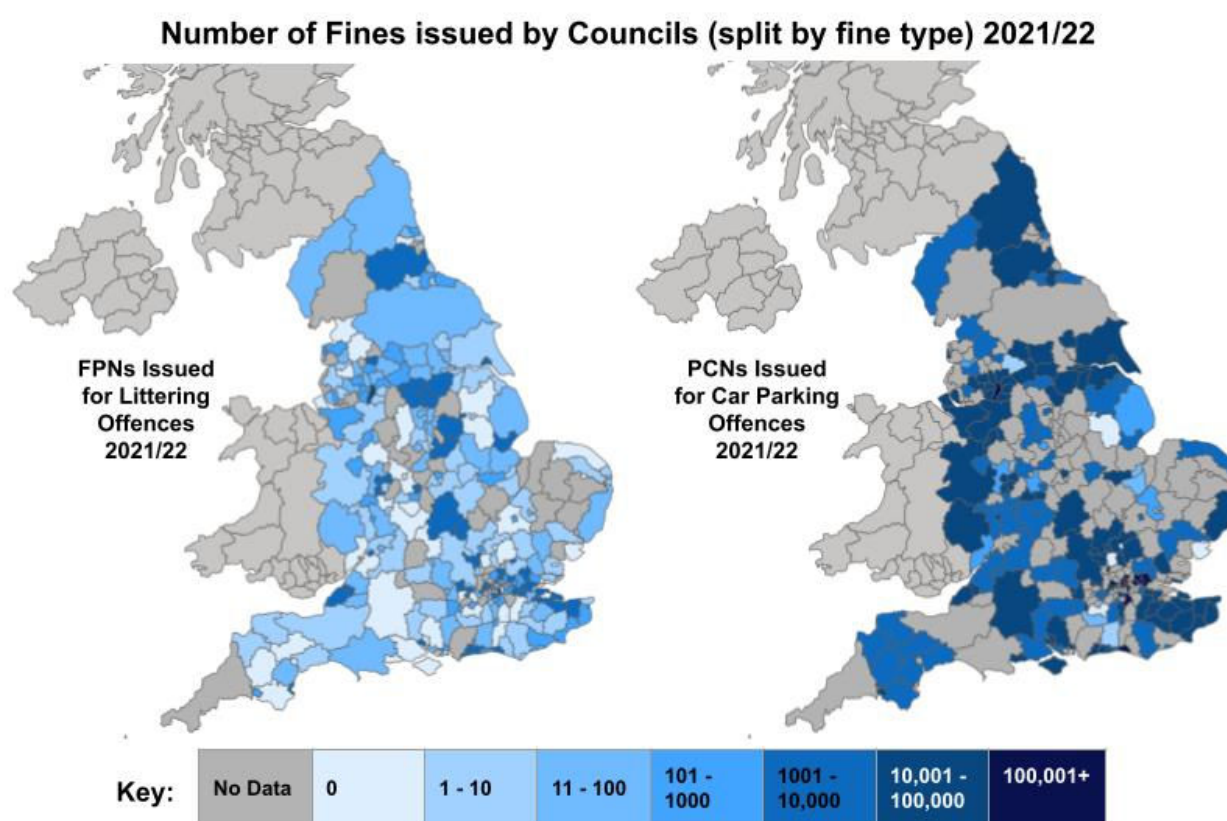
6. Car Parking Fines Issued 2021/22

Littering vs. Car Parking Fines

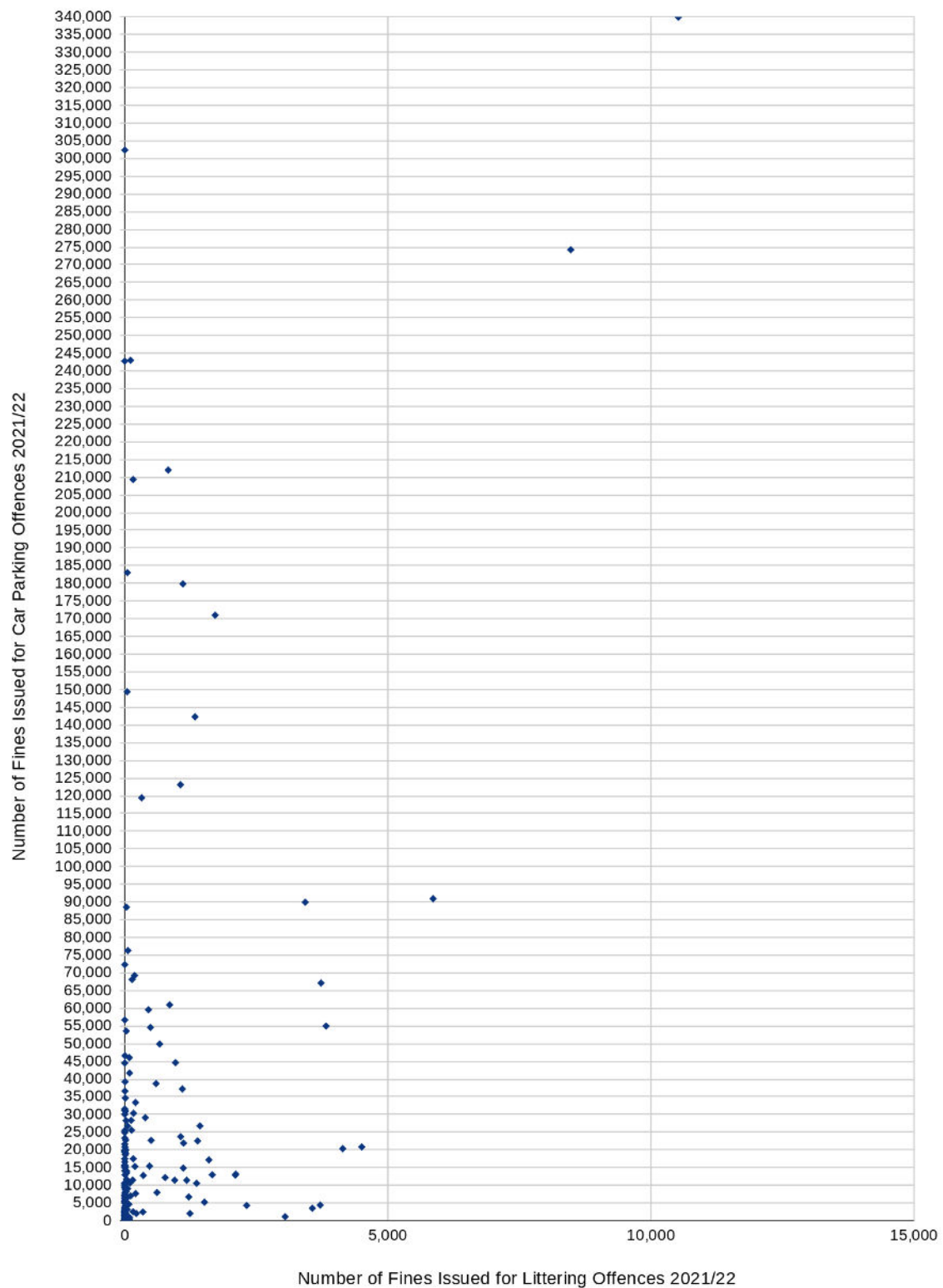
50 times more fines are being issued for car parking contraventions compared to littering offences.

	Littering Offences			Car Parking Offences		
	Total Fines Issued	Response Count	Average Fines Issued	Total Fines Issued	Response Count	Average Fines Issued
2021/22	165,325	261	633	5,753,498	183	31,440

The map below shows the number of fines (Fixed Penalty Notices (FPNs) for Littering and Penalty Charge Notices (PCNs)) issued by council area. The darker the area is filled, the higher the number of fines issued.



Please note: The map doesn't accurately show the current council boundary areas in line with those as asked/responded. Some councils have split or merged, and although some of those did provide responses, it wasn't possible to show all of these accurately using the digital map boundaries.

Comparison of fine types issued by Councils in 2021/22

Section 3: Other Waste Management Data

Litter Bins in Council Areas

7. Number of Bins in 2021/22

We asked how many litter bins were in their council areas. While 221 Councils did provide a figure for the number of bins in their area, the data accuracy is questionable and complex. Many councils added quantifiers and variables, or did not provide a complete total.

Councils provided figures that:

- did not include all bins in their authority area (e.g. Leicestershire answered '14')
- were a rough approximation (e.g. 'approx 500' or 'over 1000')
- counted the number of bins emptied, rather than the total number of bins.
- counted just those they had direct responsibility for emptying
- only included bins in specific area types (e.g. Council-run parks or on-street)
- excluded bins managed by open spaces, car parks, or parish and town councils
- were correct in a previous year, rather than now (e.g. Lambeth gave 2019 figure).

Many councils noted that town/parish councils or other private management companies managed some or all bins in their local authority area and had no figures for these.

8. Number of Bins in 2011/12

Rarely was any data held for 2011/12 and consequently very few councils provided any accurate figures.

9. Bin Removal

Few councils collect or hold data for whether they have removed any bins or how many they might have removed. Any who acknowledged they may have removed bins generally added a disclaimer that bins are only ever replaced or relocated nearby, never removed completely. Some gave a small number, but did not provide a reason for removal. Numerous councils noted that due to changes in waste management legislation, general litter and dog faeces is no longer required to be kept separate so many dog bins have been replaced with dual purpose bins (or simply removed if sited next to a general waste bin).

Responses of note:

- **Harborough Council:** "200+ Bins removed due to litter clearance cost"
- **North West Lancashire:** "10 due to misuse"
- **Hastings:** "Only removed bins that were being abused"
- **Enfield:** "Over the past 5 years 53 bins have been removed, mainly due to abuse by local shops and residents relating to illegal disposal of waste."

- **York:** “As a council we tend to move bins as opposed to removing them completely. I can advise that the only bins that may have been removed entirely where bins have been vandalised or abused by residents.”
- **Exeter:** “To date, litter bins have only been removed as and where they have been subject to excessive domestic waste fly tipping, or have caused higher levels of contamination than would otherwise occur were the bin removed.”

Generally no further comments were given on what the specific ‘abuse’ or ‘misuse’ by residents entailed (previous discussions with councils/contractors has shown some consider disposing of a carrier bag with picnic food packaging rather than individual items to be misuse, for example). No information given on whether removing those bins has led to an increase in littering and fly tipping in those areas.

10. Litter Clearance costs 2021/22 and a comparison with 2011/12

Very few councils have a breakdown of these costs, if they even have a cost of street cleansing at all. Very few had figures for 2011/12 as most don’t keep records that far back. Some noted that their costs for litter clearance were incorporated into staff costs but that the staff also had other duties. A couple responded stating they were unable to provide figures due to commercial confidentiality.

Of those that had a figure for street cleansing (also called Street Scene, Waste Management, Street Care, ‘Clean and Green’, Environmental Services, or “Public Realm” - York), many included costs for numerous additional services. Those mentioned were:

- | | |
|--|--|
| ● litter picking (staff and equipment) | ● fly-tipping collections |
| ● on-street bin emptying | ● fly-posting and graffiti cleaning |
| ● kerbside waste collections | ● dog-fouling |
| ● waste & recycling centres | ● supporting volunteer litter pickers |
| ● road sweeping | ● office, managerial and operational supervision costs |
| ● spillages/stains | |
| ● Removing shopping trolleys | |

Some also merge their grounds/road maintenance contracts and said their figures included:

- | | |
|------------------------------|------------------------------|
| ● grass cutting | ● traffic management |
| ● weeding & vegetation works | ● road surfacing |
| ● Leaf & detritus clearance | ● filling potholes |
| ● caretaking | ● beach cleaning |
| ● play area inspections | ● memorial/cenotaph cleaning |
| ● salt-spreading | ● and even burial services |

The responses collected were therefore nugatory as there’s no possible way of comparing or using the data in a meaningful way with so many variables.

Responses of note:

Interestingly, several councils didn't understand what was meant by "litter clearance". Some presumed it meant emptying bins only...

- **Mid Devon Council:** "We are unsure of what is being determined by litter clearance"
- **Hart Council:** Were unable to provide a figure, "however we did spend £8,980 on contractors to litter pick high speed road edges in 2021/22."

A Comparison with 2018 figures:

Although a higher percentage of responses were received for 2021/22, the number of littering fines issued is significantly lower, with the average being less than half compared with 3 years ago - a 54.2% reduction.

In 2021/22, 50 times the number of car parking fines were issued vs. littering fines, compared to 34 times in 2018/19.

	Littering Offences			Car Parking Offences		
	Total Fines Issued	Response Count	Average Fines Issued	Total Fines Issued	Response Count	Average Fines Issued
2018/19	233,626	169	1,382	4,379,310	93	47,089
2021/22	165,325	261	633	5,753,498	183	31,440

As noted above, a couple of councils blamed covid restrictions/precautions on lower numbers of fines issued in 2021, however there are councils that still managed to issue a substantial amount of littering fines regardless of this, which shows what is possible where councils proactively enforce penalties for littering.

Summary:**Littering Fines:**

- No consistency whatsoever in the FPN value or enforcement across councils
- Huge variables in accessible information about littering and FPNs from councils online - numerous councils have no details on their websites.
- 66% Councils issued very few fines and 54 Councils (21%) issued no fines at all.
- Contracting private companies for litter enforcement (while retaining in house powers of enforcement) appears to be the most effective.

General notes on data received:

- No consistent reporting or collection of data by Councils.
- Very few councils retain information from 10 years ago.
- Many councils do not know how many litter bins they have in their area.
- Almost no councils hold waste management breakdown figures which show the cost of litter clearance.