

Litter – the responsibilities of universities and colleges in Scotland

Background

Part IV of the Environmental Protection Act 1990 (EPA) makes an offence of leaving litter and makes provision for controlling and cleaning litter in Scotland. The Act identifies organisations that have a legal responsibility for keeping public places clear of litter, now called ‘Duty Bodies’, and very clearly identifies universities and colleges as being ‘Duty Bodies’. The EPA also gives members of the public and local authorities the right to take legal action to get areas cleaned of litter.

Clarifying the detail

The detail of these issues is not addressed in the EPA, however this gap has been filled by a Code of Practice that has recently been produced by the Scottish Executive (‘Code of Practice on Litter and Refuse’, October 2006 SE/2006/164) and this is available at <http://www.scotland.gov.uk/Resource/Doc/160549/0043662.pdf>. In addition, a guide for the public (Litter and the Law in Scotland) is available at <http://www.keepsotlandbeautiful.org/documents/LitterLaw.pdf>

This Code of Practice

- defines standards of cleanliness that are achievable in different locations and circumstances based on an approach of how clean the land is rather than how frequently it is swept.
- sets out how quickly the land should be returned to a set cleanliness standard.
- provides guidance on a range of other related issues such as the approach to litter management, service provision, awareness raising, enforcement

What is litter?

The EPA does not define litter but the Code of Practice accepts the popular interpretation that “litter is waste in the wrong place”.

What does this mean for universities and colleges?

The following table reproduces the overall standards of cleanliness set out in the Code of Practice:

Grade A – No litter or refuse

Grade B – Predominantly free of litter and refuse, apart from a few small items

Grade C – Wide spread distribution of litter and refuse with minor accumulations

Grade D – Heavily littered with significant accumulations

Example photographs for each standard are shown in the Code of Practice.

The Code sets the following response speed for clearing of litter in educational establishments:

Hard Surface Areas – Return to standard A within 24 hours

Grassed Surface Areas – Return to standard B within 24 hours