



Keep Scotland
Beautiful

Clean and green, today and tomorrow.

CONSULTATION RESPONSE



RESPONSE TO THE SCOTTISH GOVERNMENT CONSULTATIONS:

- TOWARDS A LITTER-FREE SCOTLAND
- MARINE LITTER STRATEGY



Clean Up
Scotland

September 2013



PART OF THE
Keep Scotland Beautiful
CHARITY

Keep Scotland Beautiful's responses to:

TOWARDS A LITTER-FREE SCOTLAND: CONSULTATION ON A STRATEGY TO TACKLE AND PREVENT LITTER AND FLYTIPPING

and the

CONSULTATION ON DRAFT SCOTTISH MARINE LITTER STRATEGY

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1. Summary: KSB's approach to tackling Scotland's endemic litter problem

This is Keep Scotland Beautiful's response to both *Towards a Litter-free Scotland: consultation on a strategy to tackle and prevent litter and flytipping (TLFS)* and the *Consultation on Draft Scottish Marine Litter Strategy (MLS)*.

Keep Scotland Beautiful (KSB) welcomes wholeheartedly the publication of both documents and considers them to be an important step towards our shared goal of a litter-free Scotland. It does, however, consider there to be fundamental differences in the vision, outlook and methodology conveyed in the two consultations, and this response seeks to highlight these differences in a constructive way.

KSB has responded to each question in both consultations in Appendix 1 (TLFS) and Appendix 2 (MLS). In addition, this short précis provides a summary of KSB's approach to tackling Scotland's endemic litter problem as well as some general thoughts on both TLFS and MLS.

1.1 **About Keep Scotland Beautiful**

KSB is the independent charity which campaigns, acts and educates on a range of local, national and global environmental issues which affect people's quality of life. It is committed to making Scotland clean and green, today and tomorrow. KSB recognises the strong link between its own mission and those of The Scottish Government, which aims to create cleaner, safer communities. KSB is active in a wide range of activities in the areas of *sustainable development education, environmental quality and sustainability and climate change; our branded programmes are as follows:*



- *KSB supports ordinary people living in Scotland who want to help improve their local, national and global environments.*

- Teachers and young people trust KSB to guide them through the process of becoming [Eco-Schools](#) and [Young Reporters for the Environment](#), empowering them to take action towards an economically, socially and environmentally just world.
- The Scottish Government asks KSB to administer its [Climate Challenge Fund](#), just as Scotland's local authorities trust KSB to add value to their operations through the [Sustainable Scotland Network](#) and the [People & Places](#) programme.
- Local authorities and local community groups look to KSB to recognise and judge their remarkable efforts in beautifying their communities as part of the [Beautiful Scotland](#) and [It's Your Neighbourhood](#) campaigns.
- Judges, local authorities and community members also depend on KSB's long-term administration of the [Blue Flag](#) and [Seaside Award](#) programmes, and its recent adoption of the [Green Flag for parks](#) programme.
- And, of course, when local people, schools, groups and communities want to clean up their streets, parks and beaches, hundreds of thousands of them every year come to KSB and clean-up under the banner of [Clean Up Scotland](#) using KSB's free clean-up kits.
- KSB delivers to Scotland's media and politicians – local and national – news that matters to them and their audiences.
- Scotland benefits from its environmental charity, KSB, delivering environmental benefit.

1.2 **About Clean Up Scotland**

Clean Up Scotland (CUS) is the mass-engagement campaign which aims to quickly remove litter and mess so that Scotland shines when the world is watching in 2014, and to gradually change behaviour so that littering becomes as socially unacceptable in the future as drink-driving is now.

CUS launched in 2013 with a focus on environmental incivilities including litter (primarily cigarette litter, fast food litter and chewing gum), dog-fouling and flytipping. At its launch, CUS enjoyed the active support of more than half of Scotland's MSPs, as well as [The Scottish Government's Minister for Environment and Climate Change, Paul Wheelhouse MSP](#) and [VisitScotland's Chairman Mike Cantlay](#).

Since then, CUS has been forming a *national coalition* of public, private and voluntary organisations who share our goals for Scotland. Both COSLA and SOLACE have formally backed the Campaign, and each of Scotland's 32 local authorities is working at an operational level to support voluntary activity in their area. Many local authorities have taken the additional

step of using a localised version of the Clean Up Scotland brand to build local awareness and action, and many more are in the process of doing so.

CUS's partnership with VisitScotland has led to over 300,000 co-branded items being issued from visitor information centres, including 20,000 calendar guides issued through the national media as part of Year of Natural Scotland 2013. Historic Scotland, SEPA, SNH, Scottish Water and Scottish Canals are some of the other public bodies backing Clean Up Scotland.

CUS is engaging and partnering with companies who understand their responsibilities in solving Scotland's litter problem – such as McDonalds, Asda and Wrigley, who actively promote and support CUS's aims and activities by providing volunteers and resources. Other top Scottish companies, including ScotRail, BT and SSE, support the Campaign, as do several companies in the waste management sector.

With a key campaign goal to make Scotland shine when the world is watching, CUS partnered with The R&A in its outstanding litter-collection programme at the 2013 Open Championship at Muirfield. Almost 150,000 spectators, and a global TV audience, saw every litter collector (from local Eco-Schools Knox Academy and North Berwick High) wearing a Keep Scotland Beautiful t-shirt and every wheelie-bin on site with Clean Up Scotland branding. KSB is now in similar discussions with the Commonwealth Games and Ryder Cup organisers, both of which have given their support to the CUS campaign.

Most importantly, Clean up Scotland is motivating people across Scotland to get involved and clean up their area. Already in 2013, over 2,000 clean-up events have taken place involving 121,000 registered participants.

CUS has also engaged with national and local media to raise awareness and encourage participation. The PR campaign around the Campaign launch reached at least 2.2 million people living in Scotland through national and local press and online media coverage.

Specific campaigns and stunts, including on smoking litter, volunteering, and rewards for Clean Up Scotland Heroes of the Month, are reaching hundreds of thousands on a regular basis.

Most recently, CUS-commissioned opinion polling, which revealed that in the eight Scottish electoral regions between 66% and 75% of people had seen litter dropped in the previous three months, generated 36 articles in local and national newspapers, reaching over 900,000 people.

rising to over 3.6 million including online readers. In addition, there was significant local radio coverage.

CUS is Scotland's anti-litter campaign – it is *the* national anti-litter Campaign. It is unique in its engagement with this huge number of people in direct action on local environmental quality.

1.3 Links to the Scottish Government National Performance Framework

The Clean Up Scotland Campaign is a direct response to growing public demand for action on litter. That demand has been recognised by the Scottish Government in its public support for the Campaign, not least because of the aims and objective of Clean Up Scotland are so closely aligned with much of the Scottish Government's National Performance Framework.

The proven correlation between our litter problem and its implications for our nation's health, wealth and sense of individual security, mean that both TLFS and MLS are important to dealing with the Scottish Government's wider ambitions.

We believe that action on litter will be important in the following sections of the National Performance Framework:

Wealthier and Fairer

- We live in a Scotland that is the most attractive place for doing business in Europe
- We take pride in a strong, fair and inclusive national identity
- Our public services are high quality, continually improving, efficient and responsive to local people's needs

Healthier

- We live longer, healthier lives
- Our children have the best start in life and are ready to succeed
- We have tackled the significant inequalities in Scottish society
- We have improved the life chances for children, young people and families at risk
- Our public services are high quality, continually improving, efficient and responsive to local people's needs

Safer and Stronger

- We live our lives safe from crime, disorder and danger
- We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others

Greener

- We value and enjoy our built and natural environment and protect it and enhance it for future generations
- We reduce the local and global environmental impact of our consumption and production

2. Towards a litter-free Scotland – KSB’s summarised views

Specific replies to the questions in the consultation are contained in Appendix 1 – they follow the logic of Keep Scotland Beautiful’s overarching view on the consultation, which is outlined below.

Keep Scotland Beautiful (KSB) is fully supportive of a strategy to tackle litter and welcomes the opportunity to collaborate with The Scottish Government to deliver a change which will have a positive effect on people’s quality of life.

Furthermore, KSB welcomes the involvement of SG in the Clean Up Scotland (CUS) campaign up to this point, both in terms of its financial contribution and the backing of Cabinet Secretary Richard Lochhead MSP and Minister Paul Wheelhouse MSP.

2.1 Separating flytipping

KSB suggests that the inclusion of flytipping in this consultation document should be reconsidered. In KSB’s experience, the behaviours which lead to littering are fundamentally different to those which lead to flytipping. Litter is anti-social behaviour which is usually thoughtless and impulsive. Flytipping, on the other hand, is generally premeditated and driven by cost or inconvenience.

TLFS acknowledges that the behaviours which lead to litter and flytipping are different; furthermore ZWS’s report *Scotland’s Litter Problem; Quantifying the scale and cost of litter and flytipping* is focused specifically on litter, not on flytipping (1.3, p. 5).

The combination of both incivilities in the same consultation does a disservice to both; the issue of flytipping becomes marginalised, and similarly dealing with litter loses focus.

The logical conclusion of KSB’s views on this, combined with the previous assertions of Scottish Government and ZWS, is that these two separate issues should be dealt with in two separate

strategies, recognising that they arise from two different sets of behaviours which require two different action plans and two different sets of outcomes.

KSB would be happy to assist the SG with the formation of a distinct flytipping strategy, should this be requested. Flytipping, along with litter, is one of the six incivilities on which CUS focuses, and KSB continues to be committed to its reduction.

2.2 Participants and a partnership approach

The long-term relationship between KSB and SG has shown that a government/charity partnership is more successful in preventing and removing litter than either working alone. Neither governments nor charities alone are as effective at building national coalitions uniting business, the public sector, the voluntary sector, communities and individuals as they are working together.

In this case, KSB believes that SG through its delivery-partner WRAP/ZWS will find it difficult to achieve the outcome it seeks without KSB and CUS, and strongly endorses a partnership approach to reducing litter.

The Scottish Government's own Climate Change Behaviours Research Programme¹ points in the direction of our suggested partnership approach. In an approach outlined by the Cabinet Secretary for Finance and Sustainable Growth, it suggests the most effective way of changing behaviour is to adopt a genuine partnership approach, placing the Third Sector in the lead.

2.3 Comparison with the Marine Litter Strategy

KSB agrees entirely with SG's aim to ensure that this consultation complements the *Marine Litter Strategy (MLS)* proposals. KSB's own work brings those two areas together – beach clean-ups are a significant part of the CUS campaign, which in turn feeds into the Seaside Award and Blue Flag programmes administered by KSB.

However we do not consider that the approach of the MLS, which is based on partnership delivery through bodies such as KSB and the Marine Conservation Society, is replicated in TLFS. Instead TLFS appears prescriptive in its delivery mechanism (i.e. delivery through ZWS). KSB believes that this will limit the potential for genuine progress on litter, and would favour a partnership approach similar to that advocated in MLS.

¹ <http://www.scotland.gov.uk/Topics/Research/by-topic/environment/social-research/Behaviour-Change-Research>

2.4 Existing campaign versus new campaign

KSB notes that the consultation document makes mention (page 16, in Action 11) of the Clean Up Scotland campaign, and is pleased that SG is aware of the Campaign and its success. However, the indicative timetable on page 9 describes the launch of a separate campaign in 2015. KSB is working on the basis that this refers to a marketing campaign rather than an 'action' campaign, and would be keen to ensure that CUS is integrated with it. (KSB would welcome clarification that this is not intended to be a separate 'action' campaign).

Clean Up Scotland *is* the national anti-litter campaign which is already up and running – a marketing campaign which did not have CUS at its core would be confusing for the large number of organisations and people already engaged. It could damage what will by then be 2-3 years of CUS profile-raising and public and private investment.

The current year-round CUS activity is carried out successfully with relatively limited public funding, and its potential for success is limited only by finance. The partnership approach can deliver SG's objectives quicker, cheaper and more successfully.

3. Marine Litter Strategy – KSB's summarised views

Specific replies to the questions in the consultation are contained in Appendix 2 – they follow the logic of KSB's overarching view on the consultation, which is outlined below. KSB is fully supportive of a strategy to tackle marine (and coastal – see below) litter.

This is an issue on which KSB campaigns passionately across a range of its activities, including the Seaside Awards and Blue Flag programmes and coastal Eco-Schools, as well as its national anti-litter campaign, Clean Up Scotland (CUS) and the litter-related People & Places programme.

KSB is grateful that The Scottish Government (SG) and Marine Scotland (MS) has seen fit to recognise the work of KSB across these programmes in section 1.19 on p.10, as an example of interdependence and partnership working.

In the first half of 2013 there have been more than 100 coastal and beach clean ups under the CUS banner, involving over 10,000 volunteers, removing an estimated 13,000 bags of waste (equating to over 1.5m pieces of litter).

3.1 Language

KSB suggests that SG and MS recognise a distinction between coastal litter and marine litter. Coastal litter and marine litter are different issues, governed by separate legislation. Although KSB accepts that 'marine litter' is a useful catch-all, most litter (especially in densely populated coastal areas) is, in fact, 'coastal' litter i.e. it is litter disposed of on land rather than at sea. This distinction is noted in the definition in the document summary.

3.2 The partnership / networked approach

KSB welcomes the tone of the consultation document on a Marine Litter Strategy (MLS). It is based on the concept of interdependence between SG and charities such as KSB and the Marine Conservation Society (MCS). This is in contrast to the consultation on litter and flytipping – *Towards a litter-free Scotland (TLFS)* – which does not, on the face of it, seem to encourage such a partnership model.

KSB has recent evidence of the benefits of a partnership approach to coastal and marine litter. Together with the Scottish Seabird Centre (SSC) and the MCS, KSB appealed recently for people to “think first” before dropping litter, evoking the effect it can have on Scotland’s marine wildlife. The story featured in 22 national and local newspapers reaching around 380,000 people, not including the local radio broadcasts and online-only coverage which it also achieved.

Furthermore, local successes are leading to a sharing of best-practice and are informing national policy. Many of the historic and current regional models are excellent and good practice is abundant (e.g. the Beach Litter education pack developed by the Forth Estuary Forum and partners, and rolled out across Scotland by other coastal partnerships, and the current Marine Litter Strategy for the Firth of Clyde).

A scaling-up, matched by the provision of funding and resources at a central level, could yield benefits. Charities, working with government, can achieve real results and help change behaviour.

3.3 Funding

As alluded to above, existing communications, sharing of best practice and resource sharing currently happens on a small scale, with a strong willingness for greater collaboration. However, KSB considers that current efforts cannot be sustained, much less a scaling-up achieved, unless

additional financial assistance and capacity is added. KSB recommends that SG and MS recognise that key elements of the MLS will not be delivered without greater investment.

3.4 Recording

Street litter is recorded by KSB's Local Environment Audit and Management System (LEAMS) service. LEAMS records the source, type and grade of litter, which is a vital tool for local authorities to assess their progress on this key issue.

KSB considers there is a need for a similar monitoring and recording service for marine and coastal litter. In effect, this could take the form of an extension of LEAMS (to Category Zone 5 – beaches). KSB has the skillset to perform this role and provide the independent validation which, along with the information collected by MCS volunteers and SEPA, will help SG and MS fully understand our coastline litter problem.

The methodology is already used by KSB to monitor and grade all of Scotland's 56 award beaches – this would simply be an extension of this work.

3.5 Legislation

There are a number of key pieces of legislation in place in Scotland to help tackle marine and coastal litter. Better implementation, wider understanding, smarter delivery and enforcement of these laws would be beneficial and logical. (Particular reference should be paid to the EPA, and the Bathing Waters (Scotland) regulations 2008 where coastal and marine litter is specifically referred to with standards attributed).

However, there should be a clear link in the vision to the existing European, UK and Scottish legislation and the role that the enforcement of these legal documents plays in reducing marine and coastal litter.

APPENDIX A:

Towards a Litter Free Scotland

Consultation on a strategy to tackle and prevent litter and flytipping



CONSULTATION QUESTIONS

Strategic approach

Q1. Do you agree that the strategic approach proposed (Action 1) should form the basis of the National Litter Strategy's overall vision, mission, values and objectives?

Agree Partially agree Disagree

Please provide reasons for your answer.

Our response to the question is **Partially Agree**

Keep Scotland Beautiful (KSB) wholeheartedly agrees with The Scottish Government's overarching aim and with the articulated values (5.5).

However, aspects of this section appear confused.

KSB suggests that the inclusion of flytipping in this consultation document should be reconsidered.

In KSB's opinion, the behaviours which lead to littering are **fundamentally different** to those which lead to flytipping. Litter is anti-social behaviour which is usually thoughtless and impulsive. Flytipping, on the other hand, is generally premeditated and driven by cost or inconvenience.

KSB is of the view that these two separate issues should be dealt with in two separate strategies.

Additionally, the interchanging of the terms 'waste' and 'litter' throughout the document, e.g. 5.3, is likely to be confusing outside the industry. The thrust of this consultation is about litter, not about waste and recycling; important and as inextricably linked though those issues are.

For example, the waste reference in 5.2 (Vision) suggests an emphasis on infrastructure provision, which seems at odds with the four points under 5.1. This is about behaviour rather than provision. The MLS is far clearer on this issue.

Furthermore, we should like to make the following observations in relation to the objectives table 5.6 :

5.7 **Short-term delivery – we support the objective as expressed.**

5.8 **Medium to long-term interventions – we support the objective as expressed.**

Personal and organisational responsibility should be the key message underpinning the strategy and any associated action plan.

5.9 **Personal responsibility – we support the objective as expressed.**

KSB welcomes the acknowledgement that littering is a social problem. It should also be regarded as a cultural one. It will take a mixture of methodologies and interventions to create a non-littering norm. Importantly, a combination of Government bodies and Third Sector organisations should form a coalition/partnership to ensure successful delivery of agreed actions. Organisations involved should be played to their individual strength.

5.10 **Local authorities, land managers and the waste management industry – we support the objective as expressed but not the delivery mechanism**

Support for all stakeholders is welcome. The Scottish Government should be advised that there are already well established support networks in place which can be built on.

It is not necessary for ZWS to establish a duplicate or counter service as this would bring confusion to the market place. For example, KSB's long

established *People & Places Partnership* is a successful delivery model engaging most of Scotland's local authorities and many private companies.

5.11 Business and corporate responsibility – we support the objective as expressed but not the delivery mechanism

A collaborative approach should be taken. Many businesses are already, as part of CSR activity, engaged in litter action. This is done in partnership with the Third Sector; the Clean Up Scotland Campaign is a good example of success in this area and can be built upon.

The product development objective is welcomed; Zero Waste Scotland is well placed to do this.

5.12 Third sector and community groups – we support the objective as expressed but not the delivery mechanism

Scotland's litter problems, like smoking and drinking are cultural issues and solutions work best when delivered through bodies such as KSB which are expert at motivating and getting real results from community effort. Direct involvement of people to win hearts and minds and sound monitoring to ensure outputs will deliver the desired impact and legacy.

Advice and support to the community and voluntary sector, which would ensure long term engagement, should, therefore, be provided by suitably experienced Third Sector organisations. Winning hearts and minds is critical and it is an acknowledged fact that charities are the best vehicle to work through particularly in relation to behaviour change. Trust and confidence in the message carrier is vitally important.

ZWS should seek to engage the commissioned assistance of suitably experienced Third Sector organisations that have substantial experience of community engagement particularly on matters related litter and

environmental quality. The message of recycling would also be carried through this engagement.

We would recommend that Clean up Scotland be used as a pivotal vehicle to provide practical advice and to stimulate community engagement across Scotland; this is already happening but requires increased and sustained resourcing to reach its potential. It is a very good foundation to build on.

The evidence provided in research conducted by the Carnegie UK Trust's in their "Tackling Incivilities" (2012) report demonstrates the way in which communities can be empowered to work individually and together to achieve greater results than would be expected from a national campaign. Their research has been key to the operation of the Clean Up Scotland Campaign – as we have sought to facilitate, encourage and reward community engagement. We believe this needs to be central to any national strategy.

5.13 **Financial** – we agree with the objective as expressed

This objective is welcome. KSB is well placed to assist with the development and delivery of interventions as this is one of the charity's specialist areas of expertise. We should like to declare our interest in being involved from the outset.

Information strategic direction

Q2. Do you agree that improved communications (Action 2), education resources (Action 3) and business engagement (Actions 4 and 5) should be the National Litter Strategy's information focus for preventing litter?

Agree Partially agree Disagree

Please provide reasons for your answer.

Our response to the question is **Partially Agree**

In general terms, we would recommend that the Scottish Government considers delivering on the above question, through a broad partnership where each partner brings particular strengths and expertise. Success will only come if such a coalition is formed.

KSB is an established, independent, environmental charity which campaigns, acts and educates in this area. As we are Scotland's only national charity which exists, specifically, to take action to improve the environmental quality of Scotland, we would seek to be part of this coalition.

Improved Communications – vitally important and a mixture of methods should be adopted. Above the line marketing should be a feature through Greener Scotland, supported by below the line messaging via campaigns such as Clean up Scotland.

Learning from abroad – we would recommend that the Scottish Government consider examples of campaigns from other countries. In particular we would like to highlight the *Don't Mess with Texas Campaign* www.dontmesswithtexas.org a programme of the Texas Department of Transportation.

This DMWT Campaign has been operational for 27 years and has brought about year on year reductions in litter. As a result, the 26 million residents of Texas now have a very different relationship to litter and have developed a significant pride in the State. Crucially, the annual budget for the DMWT Campaign has not increased in real terms since 1986 largely as a consequence of the engagement and voluntary activity of the general public, businesses and institutions. (The behaviour change data related to the Campaign can be made available by KSB)

The success of the DMWT Campaign is part due to the relationship that the TDoT have with Keep Texas Beautiful, www.ktb.org the State equivalent of KSB. The State has formed a unique partnership with the charity which is regarded as a vital partner in the community engaging aspect of their anti-litter Campaign. Keep Texas Beautiful, like KSB, has a substantial number of affiliate organisations that assist in State wide clean ups, much like Clean up Scotland is doing at the moment.

KSB would urge the Scottish Government to acknowledge the very significant and vital role that environmental charities and voluntary organisations need to have to ensure the *Strategy* is successful. Charities have the ability to mobilise support, empower communities and win hearts and minds. This is an essential component for Scotland to be successful.

Education resources – Eco Schools Scotland (supported by the Scottish Government) is the only national, curriculum for excellence based, education for sustainability programme in Scotland. Owned and delivered by KSB it is active in 99% of Scotland's schools.

The litter and waste topics are being delivered as part of the programme and therefore this provides a significant foundation on which to build future messaging. In looking to 2020, KSB would welcome the opportunity of discussing how the Eco-Schools programme can be shaped for future years to help meet the needs of the *Strategy*.

We would welcome the development of appropriate new resources, linked to Curriculum for Excellence and the Scottish Government's Learning for Sustainability agenda for secondary and tertiary education providers. In particular, resources and programmes that link local and global environmental quality issues, such as *Young Reporters for the Environment*, are likely to have a more profound effect on pupils.

We would also recommend that before any new resources are to be developed for the nursery and primary sectors, consideration should be given

to the high quality resources already available and in use in Scotland's schools.

We would strongly recommend, where Eco-Schools is concerned, that any new resources should be developed in partnership with KSB and Education Scotland.

In addition, improved communication with target audiences outwith the traditional education system should be addressed. This is a missed opportunity in Actions 2 and 3. Reaching adults through direct community engagement could assist in addressing this audience.

Business engagement – we agree that this is vital. Again, we would propose that consideration be given to forming a collaborative approach so that best value for Scottish Government funds is achieved. This would include assessment of existing services such as green business clubs, KSB's People and Places partnership, the work of BIDs and Scotland's Towns Partnership.

Q3. If you are responding on behalf of a group/organisation: as a business or organisation (including litter duty bodies) would you find it valuable to have a national recognition scheme which supports you in encouraging positive behaviour (Action 5)?

Yes No Partially

Please provide reasons for your answer.

Our response to the question is **Partially Agree**

KSB supports the concept of a national recognition scheme for business. **KSB currently operates such a scheme across Scotland**, targeting action around litter, waste management and recycling as described in Action 5. This would be a good foundation to build on.

The programme rewards businesses that are involved in their local community and provides branded certificates and verification materials for

businesses to display on their premises. Accreditation is given based on performance linked to a gold, silver and bronze standard.

KSB believes the development of a competing scheme would be confusing as well as an inefficient and unnecessary use of public money. There are a number of schemes currently in use in Scotland based on the KSB model; they recognise good practice in litter and waste management including the promotion of the waste hierarchy.

Infrastructure strategic direction

Q4. Do you agree that businesses and other organisations have a key role to play in the design of products and packaging to reduce litter and that those with litter control responsibilities should be encouraged to recycle more (Actions 6 and 7)?

Agree Partially agree Disagree

Please provide reasons for your answer.

Our response to the question is **Partially Agree**

KSB recognises products and packaging as the area of expertise of WRAP/ZWS.

We are of the opinion, however, that a reduction in packaging at the point of sale, and guidance on portion size, would result in a measurable difference in the amount of fast food litter.

There is a lack of evidence that substantiates the notion that increasing ROTG will reduce litter. ROTG trials have shown high levels of contamination, and we would suggest that further research is needed to prove that providing ROTG facilities will reduce litter. It is imperative that revenue costs are identified and made available where new facilities are installed.

It is our informed opinion that **littering is unthinking, antisocial behaviour**. It is quite possible that those responsible are routinely recycling at home. It appears, therefore, unlikely that an increase in recycling facilities will stop people dropping litter.

In order to achieve a substantial uplift in the use of ROTG facilities it will initially be necessary for individuals to get into the habit of disposing of their litter in the bins provided.

Q5. Are you able to provide details of good practice in reducing accidental litter arising from waste and recycling collections (Action 8)?

Yes No

Please provide any details and/or evidence of good practice.

n/a

Q6. Do you agree the Code of Practice on Litter and Refuse (Scotland) 2006 should be revised (Action 9) to reflect the National Litter Strategy?

Agree Partially agree Disagree

Please provide reasons for your answer and, if applicable, any details of how you believe the Code of Practice on Litter and Refuse should be improved.

Our response to the question is **Partially Agree**

KSB agrees that Part II of the Code should be reviewed and it welcomes the update of the guidance available to those organisations with duties in line with the National Strategy. It would be useful to use Part II to highlight good practice within the industry and ensure this is widely publicised.

However, Part I of the Code is based on the legislation and already includes all of those with a duty under the legislation including local authorities, crown

authorities, designated statutory undertakers, education establishments, Scottish Ministers and those under duties imposed by the local authorities under Litter Control Areas.

We do not consider there to be any requirement to update Part I, unless it is the intention of the Scottish Government to increase the number of Duty Bodies.

It is important however, that those with a duty to comply with the Code of Practice do so. In particular, proper zoning of local authority areas will lead to targeting of resources to the locations most in need. It is important to note that, despite this having been a requirement of the legislation since 1990, not all local authorities have complied.

In relation to duty bodies other than the local authorities, there is a requirement to ensure that they demonstrate compliance with the Code of Practice. Currently, duty bodies are not held to account and therefore are not complying with the Code of Practice. They require to be monitored and we would recommend that the LEAMS model be endorsed as a mandatory requirement.

Q6a. Are there aspects of the Code of Practice on Litter and Refuse (either those mentioned at Action 9 or additional areas) that you believe should be improved. If so how?

Yes No

Please provide any reasons for your answer and details of any suggested improvements.

Our response to the question is **Yes**

As noted above, Part II would benefit from an update to reflect current good practice as it relates to implementation of the strategy. The current guidance was drafted eight years ago and practice has moved on since then and this must be reflected in the new guidance.

The Code of Practice is a highly effective vehicle for providing guidance on any new legislation and this could usefully be incorporated in Part II.

It would also be helpful, particularly in light of the proposals in the enforcement section, to have definitions for both 'litter' and 'flytipping' which will be easily understood. This will ensure all duty bodies have a sound understanding of their responsibilities.

It would also be useful to have these translated into legislation at the earliest opportunity as enforcement is likely to prove difficult without legal definitions if a distinction is made in the FPN schemes.

Q7. Do you agree that robust measures are needed to monitor National Litter Strategy progress and to measure success (Action 10) including requiring additional litter duty bodies to demonstrate how they are meeting their responsibilities (Action 9)?

Agree Partially agree Disagree

Please provide reasons for your answer.

Our response to the question is **Partially Agree**

There is no mention in the *Strategy* of an auditing and monitoring process. This is fundamental to measuring success. We would recommend the endorsement of KSB's LEAMS service for this purpose.

All Scottish local authorities participate in KSB's Local Environmental Audit and Management System (LEAMS) programme. This is the only independent and verifiable measure in use in Scotland. Scotland's local authorities welcome this assessment as this provides them with internal KPIs to ensure service standards for street cleansing are maintained and/or improved. In addition, LEAMS is built into many local authorities Single Outcome Agreements.

LEAMS has been proven to provide clearer and more useful data than the system used by the Performance Audit Group (PAG) for the motorway and trunk road network. Related to this, it is worth noting that a road operating company worked with KSB to collect years' worth of relevant information. LEAMS has also been proven to work on open spaces and on beaches.

In more recent developments KSB has been working with the Improvement Service to establish ways in which LEAMS data combines with attitudinal data to give the most complete picture of litter in Scotland. Developed over many years, this reinforces, in our view, the important, long standing and trusted relationship that exists between the public sector and KSB. This, in our view, is a solid foundation to build on.

A pilot group has been established and is currently trialling improvements to the system in order that it more accurately reflects the condition and public perception of streets and open spaces.

KSB welcomes the requirement for the other duty bodies to demonstrate how they are meeting their responsibilities under the legislation and the Code of Practice. There are current examples of where a strict monitoring regime has driven up standards and helped to maintain them (First ScotRail's system SQUIRE) and where standards are poor due to little or no monitoring (Network Rail). These support the *Strategy* focus on ensuring all Duty Bodies are required to report compliance with the standards in the Code of Practice.

KSB would be interested in discussing whether information currently collected under the AEQI section of LEAMS might also be brought under the requirement for reporting as this completes the picture of the cleanliness of streets.

Q8. Do you agree that the National Litter Strategy should support communities in developing local initiatives to prevent litter (Action 11)?

Agree Partially agree Disagree

Please provide reasons for your answer.

Our response to the question is **Agree**

KSB notes that the consultation document makes mention (page 16, in Action 11) of the Clean Up Scotland (CUS) campaign, and is pleased that the Scottish Government is aware of the campaign and its success to date.

Considerably more information on CUS can be found in our introductory text. However it is fair to say that CUS is motivating people across Scotland to get involved and clean up their area. This has led to the organisation of over 2,000 clean-up events involving 121,000 registered participants.

CUS complements KSB's other community improvement programmes such as Beautiful Scotland and It's Your Neighbourhood which are community-led and very local. CUS also has symbiotic link to community-led campaigns like the Aberdeenshire Litter Initiative and the Ayrshire Litter Volunteer Network.

However, the indicative timetable on page 9 proposes the launch of a separate campaign in 2015. KSB is working on the basis that this refers to a marketing campaign rather than an 'action' campaign, and would be keen to ensure that CUS is integrated with it. (KSB would welcome clarification that this is not intended to be a separate 'action' campaign).

CUS is the national campaign which is already established – a marketing campaign which did not have CUS at its core would be confusing for the large number of organisations and people already engaged. It would damage the significant momentum, and undermine the substantial 3 year investment in CUS – including profile-raising activity and public and private financial investment.

With modest investment, the current CUS campaign and associated voluntary activity is being delivered successfully. Its potential for success is limited only by finance. Developing further the partnership with KSB will

deliver the Scottish Government's objectives quicker, cheaper and more successfully.

Q9. Do you agree that future Zero Waste Scotland funding should focus on activity which supports the strategy's objectives, including requiring publication of approaches to litter delivery (Action 12)?

Agree Partially agree Disagree

Please provide reasons for your answer.

Our response to the question is **Agree**

Our response is based on the assumption that the ZWS funding in question is the Litter Innovation Fund and not the £26m allocated to WRAP for ZWS services to be delivered to Scotland.

KSB fully supports the aim of ZWS's grant funding of projects to support the *Strategy* to give best value for public money.

It is important that funding begins to support innovative and sustainable action against litter as the current short-term funding offered makes planning and delivery extremely difficult for community groups and organisations.

Taking, for example a 5 year period for grant distribution (the Scottish Government's Climate Challenge Fund is a good model to follow) would allow recipients to plan local solutions for the longer term. This needs thought through. KSB would welcome the opportunity to assist in the development of such a proposal.

It will also be vital to ensure that revenue costs are supported in addition to capital costs.

Q10. Do you agree that that the strategy should recognise the specific interventions that will be required for tackling flytipping (Action 13)?

Agree Partially agree Disagree

Please provide reasons for your answer.

Our response to the question is **Disagree**

KSB agrees that flytipping needs to be addressed. However, the issue of flytipping should be considered as a separate consultation.

In KSB's experience, the behaviours which lead to littering are fundamentally different to those which lead to flytipping. Litter is anti-social behaviour which is usually thoughtless and impulsive. Flytipping, on the other hand, is generally premeditated and driven by cost or inconvenience.

The *Strategy* acknowledges that the behaviours which lead to litter and flytipping are different; furthermore ZWS's report *Scotland's Litter Problem; Quantifying the scale and cost of litter and flytipping* is focused specifically on litter, not on flytipping (1.3, p. 5).

The combination of both incivilities in the same consultation does a disservice to both; the issue of flytipping becomes marginalised, and similarly dealing with litter loses focus.

The logical conclusion of KSB's views on this, combined with the previous assertions of SG and ZWS, is that these two separate issues should be dealt with in two separate strategies, recognising that they arise from two different sets of behaviours which require two different action plans and two different sets of outcomes.

Having led nationally on flytipping for nearly ten years, KSB is well placed to assist the Scottish Government with the formation of a distinct flytipping

strategy. Flytipping, along with litter, is one of the six incivilities on which CUS focuses, and KSB continues to be committed to its reduction.

Enforcement strategic direction

Q11. Do you agree National Parks Authorities should have the power to issue Fixed Penalties (Action 14)?

Agree Disagree

Please provide reasons for your answer.

Our response to the question is **Agree**

Enforcement by National Park staff has already been trialled during the Special Constable scheme in Loch Lomond and the Trossachs National Park. This met with limited success and there was a distinct lack of appetite among staff to take on this role.

There will also be cost implications for the Parks as they will have to ensure employees always work in pairs and this will require to be financially supported.

Finally, KSB would like to stress that the National Parks Authorities are not duty bodies under the legislation at this time. The duty bodies for the land within the national parks are the local authorities

Q11a. Are there other public bodies you believe the power to issue Fixed Penalties should be extended to, and why (Action 14)?

Yes No

Please provide reasons for your answer.

Our response to the question is **Agree**

Any of the duty bodies could be considered for this extension, eg the statutory undertakers including Network Rail and Scottish Canals.

It would also be useful to support these duty bodies by extension of the powers to British Transport Police.

Additionally, the Scottish Fire and Rescue Service might welcome the powers due to the number of flytipping incidents with which they deal.

Q12. Do you believe it would be valuable to have the option to offer a discount to encourage prompt payment of Fixed Penalties for littering (Action 14)?

Yes No

Please provide reasons for your answer. We would also welcome views on what level of discounts should be permitted.

Our response to the question is **No**

Evidence from the Dog Fouling (Scotland) Act 2003 Fixed Penalty Notice scheme does not suggest that a reduced penalty during the first 14 days provides any incentive for payment.

If this is being considered then it might be more useful for the fine to increase after the allotted time to a level which would cover the cost of reporting to the Crown Office and Procurator Fiscal Service.

Q13. Do you agree that the level of Fixed Penalties should be increased to £80 for litter and £200 for flytipping (Action 15)?

Agree Partially agree Disagree

Please provide reasons for your answer. If you do not agree, what level should the Fixed Penalties for litter and flytipping be set at, and why?

Our response to the question is **Agree**

We would support action that led to the reduction of litter.

However, our response is qualified with the following comment.

The problem issue with the current Fixed Penalty Notices (FPN) is not with the level of the fine, but with the level of payment. The consultation document does not make it clear how the issue of non-payment will be dealt with and therefore KSB believes that there is a danger in increasing the fine and, as a consequence, the non-payment rate.

There is no evidence to suggest that, when the littering FPN was previously increased, from £25 to £50, that this had any effect on anti-littering behaviour.

In relation to flytipping, KSB believes that there is a real possibility of local authorities opting to use a £200 FPN where previously they would have reported a crime to the COPFS. This would reduce the number of prosecutions being sought and further hinder the promotion of more severe penalties through the courts.

KSB considers that there will be a greater deterrent effect if the increased number of bodies with enforcement powers is introduced making it more likely that offenders will be caught and that people will then know someone who has been fined

Q14. Do you agree that the effectiveness of enforcement can be improved by reviewing training and guidance (Action 16)?

Agree Partially agree Disagree

Please provide reasons for your answer.

Our response to the question is **Partially Agree**

Appropriate training and support is a vital component in ensuring that FPN are issued and paid.

This will be particularly relevant for any organisations taking on enforcement powers for litter and flytipping for the first time or where new or updated legislation is introduced. It will also be important to provide refresher courses to existing enforcement officers.

KSB has provided enforcement training for local authority officers for a number of years and is currently working with the Environmental Fiscals to update this. KSB would be pleased to be part of any review of guidance and training – indeed KSB constantly reviews and updates its own training based on new legislation and policy and feedback from customers.

KSB agrees that such a review can improve effectiveness and enforcement – it is the best approach to achieve consistency. It will be important to review all available training and to ensure it is uniform and affordable. KSB's current training package is well used by local authorities.

KSB believes there is no requirement to provide standard paperwork, as is suggested in the consultation. This is already available in the legislation, the Code of Practice and the COPFS SRAWEB.

KSB would welcome a review of the guidance in relation to under-16s currently given by the Children's Reporter.

Q14a. What other training and guidance issues, if any, do you believe the review should address? Please provide details.

As above, guidance should be available in the revised Part II of the Code of Practice.

Q15. Do you agree there is a case for future improvements in the enforcement system to make it more effective in preventing littering and flytipping (Action 17)?

Agree Partially agree Disagree

Please provide reasons and/or evidence for your answer.

Our response to the question is **Partially Agree**

Part 6 of the Antisocial Behaviour etc (Scotland) Act 2004 gives powers to police officers to issue FPNs for litter and to police and SEPA officers for flytipping. KSB is, therefore, unclear why an additional power is necessary here.

KSB welcomes a review on the issue of littering from vehicles. The current legislation in relation to flytipping may be helpful. For example, the power to issue an FPN to the registered keeper of a vehicle, linked to improved access to the DVLA database, would be welcome for litter offences.

KSB supports the proposal to introduce a FPN for duty of care offences. In particular this would assist local authorities in the case of failure to produce documents under EPA s34.

For many years KSB and members of the Scottish Flytipping Forum, have been lobbying for the extension of the list of premises for Street Litter Control Notices and would welcome this.

In relation to flyers, feedback on the powers in the Clean Neighbourhood & Environment Act has been positive and this might provide a model for the Scottish Government.

Q15a. What priority do you attach to improving prevention through enforcement in the examples summarised below and referenced in Action 17?

1. High
2. Medium
3. Low
4. None

Potential improvements	Priority	Reason
Include litter under the anti-social behaviour Fixed Penalties regime	4	The power to issue FPNs for litter and flytipping are already available to police officers
Overcome barriers to enforcement in cases of littering from vehicles	1	Roadside litter is identified in the consultation document as a priority
Improvements to the waste carrier licensing system and duty of care compliance for businesses	1	This will give local authorities decent powers to prevent flytipping
Extend the list of categories to which a Street Litter Control Notices applies	1	This has been asked for a number of years
Explore whether there might be an effective mechanism for litter practitioners to intervene when printed materials create litter problems	2	Not a general problem and occurs generally in isolated incidences

Q15b. What additional areas, if any, could make the enforcement system more effective in preventing litter and flytipping?

Please provide details, reasons for these and what level of priority you would attach to these.

While this will remain a decision for individual local authorities, KSB believes that increasing the number of authorised officers within each local authority to include all of those with enforcement powers would significantly increase the potential for enforcement of the anti-litter legislation.

General comments

Q16. Do you have any further comments on or ideas for the National Litter Strategy?

Yes No

Please provide any details with reasons and evidence for these.

We have provided general comments in our introductory paper. A copy of our introduction can be accessed [here](#).

We also call for a consistent approach to the issue in Scotland rather than an ongoing series of pilots and short term funded projects.

Strategic Environmental Assessment

Q17. Do you have feedback on the findings of the assessment?

Yes No

Please provide details of any feedback.

Partial Business and Regulatory Impact Assessment (BRIA)

Q18. Are there particular issues you want to highlight with regard to the partial BRIA and the potential impacts on the third sector, business and the economy?

Yes No Partially

Please provide details.

Equalities

Q19. Are there any equalities issues that you wish to highlight so that these can be factored into the Equalities Impact Assessment for the National Litter Strategy?

Yes No Partially

Please provide reasons for your answer. We welcome views on potential impacts, either positive or negative, which you feel the actions in this consultation document may have on any particular groups of people.

APPENDIX B:
Draft Scottish Marine Litter Strategy



CONSULTATION QUESTIONS

Structure

Q1. Do you agree with the timescales outlined?

Yes No

Our answer to the question is **We do not agree or disagree**

Keep Scotland Beautiful (KSB) agrees that the timescales of the Marine Strategy Framework Directive (MSFD) and the Marine Litter Strategy (MLS) should be aligned, as long as there are no delays in implementation.

KSB does propose, however, the tidying up of a discrepancy between MLS and the strategy on litter and flytipping – Towards a Litter-free Scotland (TLFS). MLS proposes a review in 2015, while TLFS suggests a review in 2017. It would be beneficial if both strategies were reviewed at the same time, so that one does not hold the other up and so that consistency can be achieved.

Vision

Q2. Do you agree with this vision?

Yes No

Our answer to the question is **No**

Keep Scotland Beautiful agrees with the vision in principle. However, it believes that the strategy should go further, should explicitly mention coastal as well as marine litter, and should broaden the current narrow focus on waste.

KSB agrees that there must be a focus on reducing, reusing, recycling and recovering waste, but also believes that littering is in many cases unrelated to waste and arises out of a different behavioural mind-set. It is conceivable that diligent recyclers at home could be problem litterers outside.

While clean up activity is key to the removal of litter from coastal areas and beaches, the focus on reducing, reusing, recycling and recovering waste, should not be in isolation. There should be a clear link in the vision to the existing European, UK and Scottish legislation and the role that the enforcement of these legal documents plays in reducing marine and coastal litter.

It is widely understood that littering is less likely to occur in areas which are clean. In the first half of 2013, there have been more than 100 coastal and beach clean ups under KSB's Clean Up Scotland campaign, involving over 10,000 volunteers, removing an estimated 13,000 bags of waste (equating to over a million and a half pieces of litter).

These significant figures show just how vital a part clearing litter from our coastal environment plays as one of a suite of interventions.

KSB believes that SG/MS can build on current successes by supporting volunteer groups, empowering and rewarding beach managing authorities that regularly clean beaches and ensuring enforcement policies are consistent across Scotland.

Q3. Does the draft vision have the right level of ambition? If not, please offer alternative text or suggestions.

Our answer to the question is **No**

As noted above, whilst the vision is ambitious it could go further. For example, it might include a target an overall reduction of litter which may not be visible, for example micro-plastics. KSB would welcome an indication that this could be investigated at a later stage, perhaps during the proposed review in 2015. It is noted that an existing action in SD4 is monitoring of micro-plastics and this would allow the development of a more ambitious vision in the future.

As noted in our introductory text, KSB suggests inserting the word ‘**coastal**’ into the first line of the proposed vision. Including ‘marine and coastal litter’ clearly indicates the two areas litter can be left, and found, which impact the marine and coastal ecosystems. Both coastal and marine litter are referred to in the definition in the document summary.

This consultation suggests that litter from land based sources will not be tackled by the marine litter strategy, however it is important that litter on the coastal fringes (beaches / above high tide marks) is monitored as part of this picture as the two types are intrinsically linked.

Marine Strategy Framework Directive

Q4. Do you think implementation to achieve Good Environmental Status under Descriptor 10 will be sufficient or do you think additional action in Scotland is also necessary?

Yes No ***No to the first part of the question and Yes to the second***

Our answer to the first part of the question is **No**

KSB believes that achieving Good Environmental Status will not be sufficient.

Our answer to the second part of the question is **Yes**

The targets set by DEFRA are no more than this; they are not aspirational. Scotland has the opportunity to set percentage targets, particularly with the OSPAR Ecological Quality objective where the baseline is known.

Strategic Directions

Q5. Do you agree that Strategic Directions are a suitable way of outlining action under the Strategy?

Yes No

Q6. Do you agree with the list of Strategic Directions?

Yes No

If not, how would you reword them or what would you add?

Our answer to the question is **No**

Strategic Direction 1 – Industry awareness and behaviour change also needs to be included.

Strategic Direction 2 – This should also include reference to work on-going in Europe (*The Clean Europe Network*) and further afield, as detailed in the document summary. Litter which lands on our shores and seas can be sourced to areas outside our seas and from terrestrial sources in other countries.

Strategic Direction 3 – Agreed.

Strategic Direction 4 – Agreed, particularly with collating data, in addition to volunteer data, in a consistent and regular manner across the country. Linking litter monitoring on beaches to Part IV, Section 89 of the Environment Protection Act 1990 (EPA), and the associated Code of Practice on Litter and Refuse, could result in improved monitoring of coastal litter too.

Strategic Direction 5 – Stakeholder interaction at UK, EU and Global level is to be welcomed. As referred to in response to Strategic Direction 2, the links already in place should be supported and maximised.

Suggested additions to be considered:

The link with the National Litter Strategy cannot be seen as the only way of delivering Strategic Directions 1 & 2, particularly if the timescales are different, with implementation of the National Litter Strategy not due until 2015, when the review of the Marine Litter Strategy is proposed, and when monitoring of Good Environmental Status is due to be established in summer 2014. There is the possibility that these important strategic directions will not be implemented in line with the others, and that implementation may be put on hold.

As alluded to in the response to Strategic Direction 4, there are a number of key pieces of legislation in place in Europe, the UK and Scotland to help tackle marine and coastal litter issues. Better implementation, wider understanding, smarter delivery and enforcement of these laws would be beneficial and logical. (Particular reference should be paid to the EPA, and the Bathing Waters (Scotland) regulations 2008 where coastal and marine litter is specifically referred to with standards attributed).

Actions

Strategic Direction 1:

Q7. What are your views on the possible actions?

Q8. Which do you believe is the most important possible action in helping to deliver the Marine Litter Strategy?

Q9. Can one or more of these possible actions be delivered under existing activities or do you think more action is needed under the Marine Litter Strategy?

Q7. The possible actions are adequate, but the range required needs to be greater and more ambitious. Influencing product design, specifically for key items found on beaches, such as cotton bud sticks and sanitary items, and fishing line / nets / creels would be welcomed in particular.

Q8. Both actions are equally important. While industry and manufacturers must be encouraged / coerced to change design of products and packaging in order to reduce the number of disposable products available, it is essential that the public of Scotland are made aware of the impact of their actions, and advised of appropriate alternative behaviour that would be less damaging to the environment.

Q9. Both actions can be delivered under existing activities, but KSB believes it is unlikely that the targets and indicators for GES will be met this way. Additional direction, resources, and a consistent Scotland wide approach is needed under the Marine Litter Strategy to ensure that a significant difference is made. Many of the regional models are excellent (eg. Marine Litter Strategy for the Firth of Clyde), and good practice is abundant. A scaling-up, matched by the provision of funding and resources at a central level, could yield benefits. Charities, working with government, can achieve real results and help change behaviour.

Strategic Direction 2:

Q10. What are your views on the possible actions?

Q11. Which do you believe is the most important possible action in helping to deliver the Marine Litter Strategy?

Q12. Can one or more of these possible actions be delivered under existing activities or do you think more action is needed under the Marine Litter Strategy?

Q13. Do you think any of the existing actions need to be improved? If so, please provide details.

Our responses to the above four questions are consolidated as follows:

Many of the existing actions listed are not currently happening. As such it is difficult to answer these questions. This issue was raised with the Scottish Government prior to this response being drafted.

However, in answer to Q10/12 it is thought that expanding the Fishing For Litter project would be beneficial, as would the development of mariner courses for those in the shipping, fishing and recreational sectors. Once again a ramped up and expanded initiative would require additional funding and capacity to deliver.

One type of marine and coastal litter which the particular source can be specifically identified is Sewage Related Debris. KSB has called for the reintroduction of a public education campaign, such as Bag it and Bin it, to be revamped and communicated to the public to reduce sewage related debris and encourage appropriate disposal.

The action could be led by Scottish Water and key partners. The Clean Up Scotland campaign could assist with consistent and clear messaging spread via local authority, NGO, coastal partnership, school and community networks on prevalent items found during coastal and marine surveys. The Scottish Water case study suggests that hot spot areas will be identified to establish asset screen problems.

However, using localised behavioural change campaigns to influence the predominant current behaviour, many of which have proved successful in past, has not been presented as an action. KSB strongly believes that this should be included as a possible action.

Strategic Direction 3:

Q14. What are your views on the possible actions?

Q15. Which do you believe is the most important possible action in helping to deliver the Marine Litter Strategy?

Q16. Can one or more of these possible actions be delivered under existing activities or do you think more action is needed under the Marine Litter Strategy?

Q17. Do you think any of the existing actions need to be improved? If so, please provide details.

KSB is unsure which of the existing actions listed are currently underway and being delivered, and which are aspirational and still in the discussion phases and so should be listed under possible actions. As such it is difficult to answer these questions. This issue was raised with the Scottish Government, and clarification sought prior to this response being drafted.

Q14. Supporting and raising the importance of recycling and reusing materials where possible, and correctly disposing when not, is vital. Both actions would be welcomed, and investing in innovative technologies to recycle fishing net for example will help to ensure marine waste is seen as a resource.

Q15. Current legislation, marine and terrestrial, is not being policed and enforced as well as it could be. KSB would like to see this added as an action to the strategy to ensure that investment in this area is realised, and can then be reviewed. Deadline targets should also be considered to ensure that existing actions are delivered.

Q16. The MLS needs a lead body to take responsibility for monitoring and legislation enforcement. It must link to the Government's Zero Waste Plan, however, it is important that links to regional marine plans and to local authorities, the Crown Estate and private land owners with a remit for cleaning the shore are not ignored. Marine and coastal litter issues are not just about attaining zero waste and higher recycling targets, important as these may be.

Levels of litter can impact tourism, the health of those living in coastal communities and has high financial consequences to all users of the marine and coastal environment.

Strategic Direction 4:

Q18. What are your views on the possible actions?

Q19. Which do you believe is the most important possible action in helping to deliver the Marine Litter Strategy?

Q20. Can one or more of these possible actions be delivered under existing activities or do you think more action is needed under the Marine Litter Strategy?

Q21. Do you think any of the existing actions need to be improved? If so, please provide details.

Q18. The MLS must, as a minimum, link to the recommendations made by the Marine Strategy Framework Directive subgroup on litter. This will ensure consistent methodology, and should link through all possible actions. However, care must be taken to ensure that the EU methodology accounts for the specific nature of Scotland's vast and varied coastline and seas.

Q19. All possible actions have great merit; however improving monitoring should not delay implementation of other possible actions.

Q20. KSB believes that the delivery of the proposed possible actions would be difficult to achieve under the existing activities outlined.

Q21. A further action, as referred to in the answer to Q6, would be to monitor and record litter in line with key legislation in Scotland, as for land based sources, types and grades. The EPA and associated Code of Practice on Litter and Refuse should be, until a time when this is reviewed, considered for monitoring, particularly for coastal litter. This is currently carried out on all 56 Seaside Award and three Blue Flag beaches on an annual basis, and reported on, however could, with adequate funding,

be extended to capture all designated bathing waters, and a carefully selected number of Category Zone 5 beaches, as done and reported on for all other zones under the Local Environment Audit and Management System (LEAMS).

Strategic Direction 5:

Q22. What are your views on the possible actions?

Q23. Which do you believe is the most important possible action in helping to deliver the Marine Litter Strategy?

Q24. Can one or more of these possible actions be delivered under existing activities or do you think more action is needed under the Marine Litter Strategy?

Q25. Do you think any of the existing actions need to be improved? If so, please provide details.

Q.22 A national steering group on marine litter should be set up and chaired by Marine Scotland. Sharing best practice and prioritising actions will need to be led by one lead authority – KSB believes this should be Marine Scotland.

KSB would welcome an invitation to sit on the national steering / stakeholder group to assist where possible with the delivery of the strategy.

Q23. All proposed actions are of importance, but the first two are of more relevance to the aim and vision of Keep Scotland Beautiful. It is felt that regional marine plans must include actions to reduce litter, but close co-ordination of this to ensure consistent messaging across Scotland must be led by Marine Scotland.

Keep Scotland Beautiful works with all 32 local authorities and a number of public bodies, providing regular networking meetings with beach managers involved in the Seaside Award and Blue Flag programmes. This will continue, providing a mechanism for communicating key legislation, communication messages, and supporting the marine litter strategy.

The former Clean Coast Scotland network, chaired by Keep Scotland Beautiful, and supported by many NGO's, Government Departments, Public Bodies and the Scottish Coastal Forum could be resurrected to support the engagement of stakeholders.

Q24. Keep Scotland Beautiful strongly believes that while existing communications, sharing of best practice and resource sharing currently happens on a small scale, there is willingness for greater collaboration. In order for this to happen consistently across Scotland the Marine Litter Strategy must address all actions.

Q25. As stated in response to Q. 6 & 21, more should be done to support the delivery and use of the tools in our current legislative armoury. Seeking to support enforcement of both land based and marine based legislation in the UK, Europe and the Global context would be of great benefit.

Option for delivery

Q26. Do you think that Option 4 is the most appropriate mechanism for developing and improving policies under the Marine Litter Strategy?

Yes No

Any other views on the options outlined or other options not identified are also invited.

Our answer to the question is **Yes**

Assuming adequate funding is provided, KSB agrees that Option 4 will deliver on the actions outlined in the MLS and wholeheartedly welcomes the opportunity for the third sector to play a key part in the delivery of key strategic elements; as it welcomed Marine Scotland's inclusion of third sector bodies in the shaping of the consultation through the Marine Litter Steering Group.

However, it is imperative that for a networked approach to be successful, and for the vision of the MLS to be met, this option must be adequately resourced. A national stakeholder group, consisting of charities and public bodies, will not be able to support a dedicated policy officer to deliver real on the ground action with existing staff and resources, and it is essential that the 'resources available' are reviewed and enhanced.

If substantial resources are not made available to support the partnership approach, then real on the ground action will not be possible and key elements of the strategy will not be delivered, creating the risk that GES will not be met.

It is the appropriately funded partnership delivery of Scotland wide messages, consistent campaigning, reporting, led by Marine Scotland, that will make a tangible difference to the future of Scotland's seas and coastline.

Equalities

Q27. Are there any equalities issues that should be factored into the Equalities Impact Assessment for the Marine Litter Strategy?

Yes No

n/a

Strategic Environmental Assessment

Q28. Do you have any feedback on the findings of the Strategic Environmental Assessment?

Yes No

n/a

Partial Business and Regulatory Impact Assessment (BRIA)

Q29. Are there any particular issues that you wish to highlight with regard to the partial BRIA, and the potential impacts on the third sector, business and the economy?

Yes No

Our answer to the question is **Yes**

As Scotland's environmental charity, KSB has a vested interest in seeing a reduction in marine and coastal litter, and welcomes the *Strategy*. It is recognised that there are financial implications to the third sector if Option 4 is the preferred option and that these will need to be met in order to ensure delivery of the *Strategy*.

General

Q30. Are there other issues that have not been highlighted in this consultation that you would like to mention?

Yes No

n/a

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