



**Prosperous Communities
Committee**

2nd November 2021

**Subject: Membership of Keep Britain Today and implementation of
DEFRA voluntary Code of Conduct**

Report by:

Assistant Director of Commercial and Operational
Services

Contact Officer:

Ady Selby
Assistant Director of Commercial and Operational
Services

ady.selby@west-lindsey.gov.uk

Purpose / Summary:

To provide a response to the Full Council Motion
requesting consideration to be given to
becoming a member of Keep Britain Tidy and
implementing the DEFRA Voluntary Code of
Conduct.

RECOMMENDATION(S):

Committee are asked to approve that:

- a) Further consideration be given as to whether to implement the DEFRA Voluntary Code of Conduct as part of the broader review of resources in relation to environmental crime.**
- b) That this review of the above be presented back to Prosperous Communities Committee before the end of quarter 2 of the 2022/2023 financial year.**
- c) The Council does not become members of Keep Britain Today at this time, but will continue to support the campaigns they deliver and encourage other bodies to join.**

IMPLICATIONS

Legal:

The Council have a variety of legal obligations in relation to waste, fly-tipping and littering, however there are no legal considerations to be made in relation to this specific motion and its response.

Financial : FIN/104/22/MT/SSc

No financial implications arising from this report.

Staffing :

Implementing the DEFRA Voluntary Code of Conduct will have a staffing implication for the Council given the resources it will require. The overall scale of this is not understood in detail at this point.

Equality and Diversity including Human Rights :

None noted

Data Protection Implications :

None noted

Climate Related Risks and Opportunities:

The two matters referred to within this report have the potential to have a positive impact on the environment across the District.

The total impact is yet to be determined and further work may be required in order to assess this.

Section 17 Crime and Disorder Considerations:

Whilst not specifically referred to within this paper, there are various criminal offences that can occur in relation to the management of waste. The Council has powers to deal with some of these offences.

Health Implications:

Title and Location of any Background Papers used in the preparation of this report :

Risk Assessment :

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

No

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

No

1 Introduction

- 1.1 A motion to Full Council requested that the Council consider whether it should become full members of Keep Britain Tidy and also consider whether it should implement the DEFRA Voluntary Code of Conduct for Fast Food Outlets.
- 1.2 This paper has been produced in response to that motion and sets out recommendations in relation to both of these matters. The motion can be found here within Section 35 (Motion 1 – Combating Litter) [Agenda for Council on Monday, 2nd November, 2020, 7.00 pm | West Lindsey District Council \(sharedlincs.net\)](#)
- 1.3 It is proposed to further investigate the resource required to implement the DEFRA Voluntary Code of Conduct for Fast Food Outlets alongside other work to redefine the way the Council approaches environmental crimes.
- 1.4 It is also proposed that the Council does not become members of Keep Britain Tidy at this time, for the reasons set out within the report.

2 DEFRA Voluntary Code of Conduct

- 2.1 This code was introduced in 2004 and can be found here [Reducing litter caused by 'food on the go': A voluntary code of practice for local partnerships - GOV.UK \(www.gov.uk\)](#)
- 2.2 It essentially enables a framework and agreement to be put in place between authorities and businesses that contribute to litter generated by fast food or food on the go. The framework is entirely voluntary and no business can be mandated to sign up to it.
- 2.3 Each year participating fast food outlets and their local authority will jointly complete and sign an agreement form. It will say what each side is going to do about:
 - **Public Education** – The outlet might agree to put up a poster with an anti-litter message and the local authority might agree to talk to the local schools.
 - **Packaging** – The outlet might agree to see if it can be reduce the volume of its packaging.
 - **Waste** – The outlet might agree to comply with the Duty of Care on Waste Regulation.
 - **Litter** – The outlet might agree to clear litter on a daily basis from in front of his premises. If the outlet and the authority agree it is needed the local authority will provide a bin outside the premises.
- 2.4 In order to put in place the framework the code suggests doing two things:

- Assessment: establish when, where, how and as a result of whom, the litter arises, to help all parties work together to find a solution.
 - Solutions: using the assessment make suggestions centred on the four main themes of public education; packaging, waste and litter.
- 2.5 The code of conduct provides examples of how authorities have utilised the code of conduct to address specific issues that these areas are facing.

3 Proposed Way Forward for DEFRA Voluntary Code of Conduct

- 3.1 In order to implement the Voluntary Code of Conduct, the Council needs to resource the partnership establishment, initial assessment and suggested solutions.
- 3.2 The Council also needs to understand and assess the current scale of the issue in relation to this type of waste, along with what activity is already being undertaken in regards to the four areas of proposed solution.
- 3.3 Via the Council's Leader's Panel, officers are currently scoping a review into the overall approach taken in regards to fly – tipping and other environmental crime, which will include consideration of how we work with partners to address key environmental concerns. It is proposed that consideration as to whether to resource and seek to implement the Voluntary Code of Conduct should be done within this broader piece of work. It is not felt currently that the resources are available to carry out the work required to put the whole Code of Conduct in place.

4 Current Mechanisms

- 4.1 The Council currently has tools available to enable it to deal with some of the solutions that may be developed by any voluntary code of conduct. These are as follows:
- Proactive communications of key messages from the Lincolnshire Waste Partnership
 - Ability to check and issue fixed penalties in relation to businesses not having a commercial waste arrangement in place.
 - Provision of its own commercial waste service along with engagement and education of businesses as part of this.
 - Responding to reports of businesses who are causing excess litter.
 - Ability to issue fixed penalty notices for littering offences.

- The use of planning conditions in relation to waste management.

4.2 Alongside all of the above, there is not currently (based on reporting data), believed to be a specific issue in relation to premises such as those that serve “food on the go”.

5 **Keep Britain Tidy**

5.1 Keep Britain Tidy is an independent charity with three goals – to eliminate litter, end waste and improve places. Keep Britain Tidy works with people, businesses, organisations and public bodies to care for the environment on our doorstep. Keep Britain Tidy fights for people’s right to live and work in places they can be proud of and prosper in.

5.2 The group was formed in 1954 and over the years has been involved in organising some national events such as Clean for the Queen and the Great British Spring Clean.

5.3 The organisation encourages local authorities to become Members and offers different benefits, depending on the level of subscription. To summarise:

Essential Membership £995pa, offers access to advice forums, a free place at conferences and annual awards, access to a litter surveying app and access to campaign materials.

Expert Membership £1,995pa, offer as above plus extra place at conferences, an annual 1-2-1 with industry experts and support with social media campaigns.

Exemplar Membership £4,995pa, offer as above plus unlimited access to advice forums, additional places at conferences and awards ceremonies, discounted or free training.

5.4 Some years ago, the Council did hold a membership with Keep Britain Tidy. The Street Cleansing service did gain recognition at the annual Keep Britain Tidy Service Awards.

5.5 One of the benefits of entering a submission for the awards was an independent ‘mystery shopper’ type inspection. This is only now available as part of an extra service, above and beyond the three membership models.

5.6 Operational Services have for some years been members of the Association of Public Services Excellence (APSE) benchmarking group and the Street Cleansing service fully participates in the annual process.

5.7 As such, most of the benefits enjoyed by membership of Keep Britain Tidy are also available through APSE including;

- Annual benchmarking
- Use of a performance app
- Member forums and advice
- Conferences and trade shows
- An annual awards ceremony
- Training opportunities

5.8 It should also be noted that the Council can, and does, participate in national initiatives such as Clean for the Queen and The Great British Spring Clean. There is no compulsion to be members of Keep Britain Tidy in order to participate.

5.9 Taking all this into account, Officers consider there would be little value to becoming members of Keep Britain Tidy at this time.