

Preventing Cigarette Litter in England

Guidelines for Local Authorities

Department for Environment, Food and Rural Affairs
Nobel House
17 Smith Square
London SW1P 3JR
Telephone 020 7238 6000
Website: www.defra.gov.uk

© Crown copyright 2007

Copyright in the typographical arrangement and design rests with the Crown.

This publication (excluding the logo) may be reproduced free of charge in any format or medium provided that it is reproduced accurately and not used in a misleading context. The material must be acknowledged as Crown copyright with the title and source of the publication specified.

This document is also available on the Defra website.

Published by the Department for Environment, Food and Rural Affairs.

Printed on material that contains 100% recycled fibre for uncoated paper and a minimum of 75% recycled fibre for coated paper.

Product code PB 12540

Preventing Cigarette Litter in England

Guidelines for Local Authorities



Contents

Introduction	1
About this document	1
Guidelines – Preventing cigarette litter	2
Section one: Ashtrays – Choose the right ashtray	3
Placement	4
Design	5
Maintenance	7
Planning permission	7
Section two: Signage – Provide clear, consistent signage	8
Section three: Cleansing	9
Section four: Partnerships	10
Engaging local businesses	10
Section five: Be a leader	12
Section six: Educate – Change littering behaviour	13
Plan	13
Target areas	13
Determine educative techniques	14
Develop partnerships	16
Install ashtrays	16
Pre-campaign monitoring	16
Gather promotional items	16
Use the local media	16
Conduct a launch	17
Undertake campaign activities	17
During campaign monitoring	17
Post-campaign monitoring and reporting	17
Promote your success and identify learning	18
Section seven: Enforcement – Tackling irresponsible disposal	19
Legislation	19
Offence of dropping litter	19
Fixed Penalty Notices	19
Duty to clear land of litter and refuse and to keep highways clean	20
Street Litter Control Notices	20

Contents

Appendix 1: Cigarette butt counts	22
Choosing your survey transects	22
How big should the survey area be?	22
Survey dates and times	22
The transect survey	23
Monitoring cigarette bin usage before, during and after the campaign	23
Cigarette litter monitoring form	24

Introduction

Cigarette litter is England's most common type of litter, being present on 79% of streets. Littered cigarette butts are harmful to the environment, they are time consuming and costly to clean-up and they do not look good. Efforts are being made to reduce the problem (notably ENCAMS' cigarette littering campaign in February 2006, which resulted in an initial reduction of 35% within the ten campaign areas after a two week period). Smoking-related litter could rise in some places once smokefree legislation is introduced to England on 1st July 2007, when smokers will have to move outside to smoke. However, it is recognised that this will result in a reduction in the number of smokers and thereby a reduction in the total amount of smoking-related litter.

About this document

These guidelines have been developed by ENCAMS in conjunction with Defra to provide guidance, information and resources about cigarette litter prevention. They are aimed at local authorities to help them contain and reduce cigarette litter on their land and provide guidance on forming partnerships with businesses and retailers in their area. It also encompasses education, enforcement and cleansing. They also complement ENCAMS' cigarette littering prevention work, which includes a further campaign in June 2007. Defra and ENCAMS provide this information in the best of faith, and do not take responsibility for any implications arising out of these guidelines.

Smokefree legislation

The implementation, management and support of the smokefree legislation (Health Act 2006) is not the core business of ENCAMS. However, as some litter implications may arise after 1st July 2007 there are some stakeholders, especially local authorities, who may find this guidance useful.

There are approximately ten million smokers in England (Choosing Health White Paper 2004). From 1st July 2007 virtually all enclosed workplaces and public places in England will be smokefree. Those who wish to smoke will need to go outside or to designated smoking shelters.

Many offices and other types of workplaces (such as warehouses) are already smoke-free, meaning that the legislation is likely to have less of an impact in these areas. The most noticeable change will be felt outside of pubs and clubs, where smoking indoors has previously been commonplace. It is reasonable to expect that pubs and clubs in particular will see a significant change¹.

¹ 11 August 2006, pers comm., M Baker, CR Consulting

The Health Act will be enforced by local authority regulatory officers, mainly Environmental Health Officers². Similar smokefree legislation has been in operation in Scotland since 26th March 2006 and in Wales and Northern Ireland legislation came into force in April 2007.

Guidelines – Preventing cigarette litter

The Guidelines below provide advice about how to reduce and prevent cigarette litter, based on international and local experience. They are:

- 1) Ashtrays – choose the right ashtray to suit your context and needs;
- 2) Signage – provide clear, consistent anti-littering signage;
- 3) Cleansing – clean up littered cigarette ends;
- 4) Partnerships – work with local organisations;
- 5) Leadership – walk the talk and be a leader in your community;
- 6) Educate – change the cigarette littering behaviour of smokers; and
- 7) Enforcement – use the legislation and powers available where appropriate.

² <http://www.smokefreeengland.co.uk/>

Section one: Ashtrays – Choose the right ashtray

Ashtrays are an integral part of a sustainable solution to reducing cigarette litter. Ultimately, if all smokers used an ashtray then there would not be a litter problem. However, smokers will often cite a lack of ashtrays as a reason for littering cigarette ends.

Littering hotspots can be identified through analysis of local datasets, such as BVPI 199 and the Local Environmental Quality Survey of England, and will help inform decisions on the placement and frequency of bins. It is advisable to review the current number and placement of bins in your area prior to the implementation of the ban to ensure that there is adequate provision in areas of high footfall and particularly outside pubs, clubs and offices. Research suggests that people will not walk more than 12 metres to dispose of their litter. This may be worth considering when installing new ashtrays.

Research carried out by ENCAMS has shown that smokers are very fearful of setting general litter bins alight and prefer a dedicated cigarette bin to dispose of their butts. Their preference is for a dedicated cigarette bin:

- Large enough to hold a high volume of cigarette ends;
- Easy and clean to use, with large holes to insert the butt end; and
- Clear signage that indicates it is for butt ends.

To review the full research document into smokers and their attitudes towards cigarette disposal refer to the ENCAMS 'Smoking related litter Knowledge Bank'. The Knowledge Bank is available to order via ENCAMS and can be viewed at www.encams.org/knowledge/smokinglitter/

While it would be impossible to place ashtrays everywhere, you can help to maximise the use of new (and old) ashtrays by choosing the right type of ashtray to suit your context. The placement, design and visibility of your ashtray can all influence whether it is used or not.

Case study

Taunton Deane Borough Council introduced 22 stainless steel bins in the town centre, tailor-made for the Council. They have stubbing plates on the top of the bin with an ashtray beneath. The ashtray can then be emptied separately from the main litterbin. In addition to this, the bins have also been fitted with rat baiting stations at the base.

The bins are well used and the numbers of cigarettes disposed in them has increased as members of the public have become more aware of them. Although these bins are slightly more expensive than plastic ones, they have a longer lifespan and are more resilient to vandalism. The Council intends to purchase an additional five or six of the same bins each year.

www.encams.org/knowledge/smokinglitter/casestudies/taunton.pdf

Placement

There are a number of common cigarette litter hotspots where an ashtray could be installed. However, there are so many types of ashtrays (wall mounted, post mounted, litter bin mounted, free standing, windproof, vehicle ashtrays and portable ashtrays) it can be difficult to choose the most suitable one for the needs of the area.

Here are some suggestions for choosing the right type of ashtray in common litter hotspots:

- **Transition points** (e.g. transport interchanges, office/warehouse entrances and pub/hotel entrances) – Wall mounted ashtrays are useful at transition points such as the entrance to buildings and dedicated smoking areas. Consider the height of your installation if ashtrays are wall or post mounted. Portable freestanding ashtrays are a good choice for some buildings/designated smoking areas where a permanent ashtray cannot be installed (sometimes this is the case if a building is heritage listed – see the Planning permission section on page 7 for more information). Free standing ashtrays that are low to the ground (such as buckets) are not ideal as many smokers will attempt and fail to throw their cigarette end in the receptacle, meaning that a greater proportion end up being littered around the base of the ashtray.
- **Pedestrian areas** (e.g. open-air shopping malls) – Post mounted ashtrays are useful in areas of high footfall, such as open-air pedestrian shopping malls. Adding an ashtray or a stubber plate to a public place litter bin can be useful because they are already identified by the community as disposal areas for other types of litter, though do consider the research that shows smokers prefer dedicated bins. However, try to ensure that the ashtray/stubber plate is highly recognisable so that the ashtray is not filled with other types of litter. Also, a recognisable stubber plate with a large surface area will dissuade smokers from stubbing out (and therefore staining) the casing of the litter bin.

- **Designated smoking areas** – Ashtrays that hold a high volume of cigarette litter are most useful in these areas. Free-standing ashtrays tend to hold a high volume and so may be a good choice in this context. Some smoking shelters come with a wall mounted ashtray included in the structure.
- **On-the-Go** – Portable ashtrays are small enough to be carried around in the pocket or bag of a smoker. They are designed to be used ‘on-the-go’, which is especially useful when a public place ashtray is not available or convenient to the smoker. For some examples of portable ashtray manufacturers visit www.encams.org and look under the campaigns section.
- **Events** – You may wish to provide designated smoking areas at outdoor events. If so, a high volume, highly visible ashtray is a good option. For example, a ‘Butt Zone’ was used at an outdoor festival in Australia. Because it was signposted above head height smokers were able to identify its location from anywhere in the venue. Portable or ‘personal’ ashtrays are also useful at outdoor events which require a high volume, temporary solution to cigarette litter.
- **Outdoor eating areas** – Windproof ashtrays are small ‘table ashtrays’ designed to be used outdoors. They have a windproof cover to ensure that cigarettes ends remain within the ashtray. They are particularly useful for pubs with outdoor areas. (Some consideration may need to be given to attaching the ashtray to tables to prevent them from being stolen).
- **Vehicles** – Vehicle ashtrays are portable, cup shaped ashtrays that can be stored in the cup holder of a vehicle and removed to be emptied in a garbage bin. Obviously the safety of driving is very important so the hole at the top of the ashtray should be large and ideally, it should be able to be covered up so that ash doesn’t fly back into the smokers face when driving. Some smokers empty the contents of these ashtrays from their vehicles when stationary so you may wish to consider the inclusion of emptying instructions on the side of the ashtray.

Design

When choosing an ashtray it is important to consider its design. The design of an ashtray can influence its ease of use and therefore how much it is used by smokers.

Design includes the look and functionality of the ashtray. You may wish to consider the aesthetics of the existing street furniture with which you will want it to harmonise. Many ashtray manufacturers are able to provide casings in a range of colours, which may help it to blend in with the surroundings and other types of street furniture. It is also worth noting however, that smokers will still need to easily identify an ashtray from a distance, considering that they require an immediate disposal solution for a burning cigarette end. You should therefore try to strike a balance between harmonising with the existing street furniture and making the ashtray stand out. This could be achieved by placing a cigarette litter symbol on the front of the ashtray (see Section two).

Section one: Ashtrays – Choose the right ashtray

Ashtrays obviously need to be heat resistant. Most outdoor ashtrays will have a metal inner and some have a plastic outer. Heat resistant materials are melamine (a thermosetting polymer which is very resistant to heat), mild steel, stainless steel or anodised aluminium. Polyethelyene has good heat resistance but will burn if set on fire. There are some grades of polyethelyene that are flame retardant; however, they are not particularly weather resistant. Some ashtrays also have design features that aim to dampen the development of fire caused by smouldering cigarette ends by limiting oxygen.

Consider whether the ashtrays need to be weather proof. The performance of many plastics can deteriorate when left in sunlight, causing colour fading or brittleness. You may wish to check the impact performance, UV stability and colour-fastness of the ashtrays before purchasing. Stainless steel is very weather proof, and comes in a variety of grades. Grade 304 is a general grade that can show signs of staining and marking when cigarettes are stubbed out on it. Grade 316 is preferable as it has better weather and staining resistance. Also consider whether the ashtray has a 'hood' to ensure that it does not become filled with water during rain (a small amount of water obviously is little to be concerned about).

Many permanent ashtrays have vandal proof measures to ensure that they are not stolen, vandalised or damaged by vagrants seeking partially used cigarette ends. These measures include a range of locks and wall attachments.

Also consider the volume of cigarette ends that your ashtray will need to hold in between emptying. Most manufacturers can provide the volume of the ashtray.

You may also need to consider street clutter. If this is a problem for your locality, then the addition of dedicated ashtrays may not be suitable. Stubber plates or ashtrays attached to existing litter bins are one solution (see previous commentary for tips to remember when installing stubber plates). Another solution is the distribution of personal ashtrays.

Case study

Braintree District Council wanted to reduce cigarette litter by encouraging smokers to use portable ashtrays. A campaign was carried out to raise awareness and the Council purchased 1000 portable ashtrays. Media coverage was so successful that the Council had to order a further 400 ashtrays. In addition, the company supplying the ashtrays found five local newsagents who agreed to sell the product. One shop in Braintree has sold over 200.

Follow-up interviews with ashtray users showed that smokers were continuing to use them and welcomed a means of responsible disposal for their cigarette butts. More importantly cleansing staff have noticed a general reduction in the number of cigarette butts on the streets.

www.encams.org/knowledge/smokinglitter/casestudies/brain.pdf

A list of dedicated cigarette bin suppliers is available under the campaigns section of the ENCAMS website, at www.encams.org

Maintenance

Ensure that ashtrays are emptied by your existing cleaning contractor. Also ensure that the outside of the ashtray is kept clean. Request that your maintenance contractor (or street team) report it if the ashtray or its component parts are damaged or vandalised, as ashtrays that appear dirty or damaged are a deterrent to their use.

Planning permission

Under the Planning (Listed Buildings and Conservation Areas) Act 1990 any external alteration to a listed building requires a listed building consent from a local authority. The Secretary of State produces a list of such buildings. The placement of a wall mounted bin or receptacle on the side of such a building would be considered an alteration in this context. It is a criminal offence to make any such alteration without consent. Application forms for obtaining consent are available from local authorities either to download from their websites or on request. The application process requires documentation of ownership and detailed plans of any proposed alterations to be submitted with the application form. The local authority would consider the amenity value of any alteration but would be unlikely to grant consent if, in their opinion, the alteration would affect the character of the building.

Depending on locality and circumstances this application procedure can be protracted and prove a burden on staff time and resources. It would therefore be advisable to consider the benefits of portable free standing bins or receptacles in areas where such consent would be required, as in many cases these can provide an adequate disposal solution.

Section two: Signage – Provide clear, consistent signage

Clearly label public place ashtrays with consistent signage so that smokers (and non-smokers) can easily identify that a receptacle is designed solely for cigarette ends. This will help to reduce litter and cross-contamination (which can lead to fires).

The smokefree legislation requires clear signage to indicate where buildings and enclosed public places are smokefree. These signs will be available for free from the Department of Health, and a mailing was issued by Smokefree England to all businesses in March 2007, including guidance. Signage details are available on the website www.smokefreeengland.co.uk/

Keep this in mind when placing signs:

- Some ashtrays are labelled with non-smoking signage. This is not no-littering signage! It causes confusion and does not clearly communicate appropriate disposal to the smoker.
- Consistency with signage, symbols and even the type of ashtray you install is important, as it creates clear guidance for smokers wherever they are, ultimately resulting in cleaner streets.

Section three: Cleansing

Cigarette litter is time consuming to clean up because it is small and tends to get trapped in cracks and grates on the ground. While this is further incentive to prevent cigarette litter in the first place, cleaning up cigarette litter still needs to take place. Keeping litter hotspots clean, especially around ashtrays and signage, leads to less littering and more binning.

For further information, see the Cleansing Guidelines developed by the CIWM.



Case study

As part of an ongoing review of operations, Belfast City Council has reintroduced the traditional 'brush and cart' throughout the city, supported by mechanical sweepers. Street sweepers were provided with newly designed broom style brushes with flexible bristles, ensuring effective removal of debris such as cigarette butts. Training sessions were held to clarify cleansing standards and highlight the importance of thorough cleansing around street furniture and channels where smoking-related material can accumulate.

www.encams.org/knowledge/smokinglitter/casestudies/belfast.pdf

Section four: Partnerships

Partnerships can help to amplify the effect of your campaign and any subsequent work you undertake to improve local environmental quality. Local businesses, volunteer groups and community groups can provide local knowledge to enhance your promotions.

You may wish to consider creating a partnership with the following organisations:

- Local businesses in the target area;
- Business Improvement Districts;
- Local Chambers of Commerce;
- Town Centre Managers;
- Police Community Support Officers; and
- Universities or colleges.

Engaging local businesses

With the introduction of the smokefree legislation, local businesses will play an important role in cigarette litter prevention, by providing ashtrays and cleaning up cigarette litter. However, some local businesses often have to work hard to stay afloat, and it may make it difficult to engage them in this process. By focussing on 'what's in it for them' and by providing accurate, consistent information and resources, local businesses can be engaged as part of the solution to cigarette litter.

Here are some ideas about how to support and engage local businesses:

- 1) Local businesses need to know about their responsibilities under local law – provide this information in local newspapers, local trade journals or through your local Chamber of Commerce. You may also wish to write a letter to local businesses about the issue.

Smokefree England has already sent a mailing to all businesses in England in January 2007 setting out the regulations in a clear and understandable way. They specifically raised the issue of smoking shelters and cigarette litter and a further mailing to all businesses took place in March, including the free distribution of the mandatory signs.

- 2) Encourage local businesses to purchase and maintain ashtrays for installation on their premises – this is especially important for businesses that provide outdoor areas for patrons (such as cafes, bars and pubs). They may require windproof ashtrays for outdoor tables, or pole/wall mounted ashtrays near the entrance to their premises.

- 3) Provide other incentives to local businesses to maintain their image – e.g. giveaway free dustpan and brooms or portable ashtrays.
- 4) Provide free promotional resources to local businesses – e.g. table talkers, posters and/or branded coasters.

Case study

During the smoking litter campaign in 2006 Preston City Council found that one of the most successful parts of the campaign was to encourage businesses who are converting to a no smoking policy, to provide an ashtray outside their premises.

However, when the Council approached businesses in one particular location they found they were very reluctant to engage. The Council then approached the owner of the building in which the businesses were located who was very enthusiastic and supportive. He sent an email to all tenants of the building promoting the 'don't drop your butt' message and stating he was inviting the Council enforcement officers to visit the building.

www.encams.org/knowledge/smokinglitter/casestudies/preston.pdf

Cigarette litter is classified as street cleansing residues, and is not classified as hazardous or toxic waste. Cigarette litter can therefore be disposed of among other types of rubbish.

Section five: Be a leader

Set a good example and provide smokers in your own organisation with ashtrays and awareness about cigarette littering so that they can 'bin their butts'.

In order to do this, you could run an internal education campaign, as described below. In fact, if you have never run a community wide education campaign before, then you could use the staff education campaign as a 'trial run', enabling you to iron out any problems before the campaign is implemented on a wider scale.

Case study

In 2004 Toowoomba City Council, Australia wanted to reduce smoking related litter around the City. It was decided that they should run a small-scale campaign within the Council to change cigarette littering behaviour of staff before trying to change behaviour of the public.

A clean up was carried out around Council buildings and both official and unofficial smoking areas were identified. The number of cigarette stubs was counted during the clean up so any reduction could be monitored as each measure was introduced.

Firstly, all employees were exposed to educational material, which continued throughout the campaign. This measure produced a reduction of littered stubs from 1849 down to 1164 stubs. After one month all employees who smoked were then offered pocket ashtrays and 150 were given out. This produced a further reduction down to 966 littered stubs. The following month wall mounted ashtrays were installed in the smoking areas and this saw the amount of littered stubs fall to 753 – a 41% reduction in cigarette litter in total.

Following the success of the campaign and with the knowledge that the Council were leading the way, a citywide public campaign to reduce cigarette litter in Toowoomba was carried out.

www.litter.vic.gov.au/www/html/367-butt-litter-prevention-case-studies.asp?intSiteID=2

Section six: Educate – Change littering behaviour

Education campaigns highlight the problem of cigarette litter and call upon individuals to take action to change it.

In order for sustained and improved environmental change, the education campaigns should include the tools to change (e.g. ashtrays), awareness about why the change is needed (e.g. impact of littered cigarette butts) and a call to action (e.g. No Butts, Stub It, Bin It). Sometimes the threat of enforcement is the only way that people will change their littering behaviour, so this should be used where appropriate.

The following steps provide a framework by which to conduct a cigarette littering campaign:

Plan

You should start to plan your cigarette littering campaign several months in advance. While the promotional aspects of the campaign will be limited to a short timeframe, you will need time to prepare promotional items, advertising, galvanise support from partners and promote your message well in advance of the campaign actually beginning.

Create a list of aims and make sure they are measurable and specific, for example: installation of five ashtrays in litter hotspots; reduce cigarette litter by 20%; talk to 100 smokers about cigarette litter solutions.

Choose the dates of your campaign. The campaign should be conducted over a short timeframe – perhaps one to two weeks. Of course, you should notify your colleagues of your campaign dates as soon as possible.

Target areas

Identify the litter hotspots that your campaign will be targeting (e.g. outside office entrances in one street). Ensure that the size of the area is manageable with regard to the resources available to you. Transition points tend to attract more cigarette litter as smokers need to dispose of cigarettes before entering certain areas.

Section six: Educate – Change littering behaviour

Common cigarette litter hotspots are:

- Pubs/hotels;
- Office/warehouse entrances; and
- Transport interchanges.

You can identify litter hotspots through the results of your environmental quality surveying (e.g. BVPI 199). You may also wish to discuss litter hotspots with street cleansing staff and local businesses.

Determine educative techniques

A range of techniques have proved to be successful to reduce cigarette litter, as described below. You may wish to use a range of these techniques, depending on the resources available to you and the needs of your campaign.

Print advertising (e.g. billboards, A4 posters): Print advertising is useful because it enables you to promote your message to a wide audience. Clearly, the more locations you can utilise the better for your campaign. Depending on your budget, you may wish to consider advertising space such as billboards, on telephone boxes, at bus or train stops, in train stations or within buses. Repetition of the campaign message will help to change behaviour in the long-term. Identify advertising space that is available in your target areas and aim to book as much of this space as possible. Consider the use of 'unusual' advertising space which may specifically catch the attention of smokers (e.g. advertising on the footpath or 'Media Steps', split advertising up the steps at train stations). Many local authorities also have advertising space available to them – ensure that you make use of these spaces. Posters can also be provided to local businesses for display in their windows. Some manufacturers of ashtrays provide advertising space on the front of their ashtrays, while others provide artwork for advertising. ENCAMS has also developed artwork for a cigarette littering campaign, which is available under the campaign section of its website, www.encams.org



Face to face techniques: This can be a powerful way to reach your target audience. It involves a team of trained educators who are dressed in matching campaign t-shirts that promote the campaign message. They approach smokers in target areas in a positive way, to tell them about reducing cigarette litter and ask them not to litter their cigarette ends. The education team could also distribute personal ashtrays and reward smokers (with promotional resources described in this section) for observed appropriate disposal behaviour. The target audience is more likely to remember the message if they are given a positive verbal message by individuals in a recognised team with credibility. The team would need to be trained so they are well prepared for the campaign of action.

If you do undertake face to face education, ensure that you approach only smokers who are obviously of the legal age (16 years old, or if you are running campaigns after 1st October 2007 the legal age will be 18). Promotional resources should only be targeted at adults and education campaigns for cigarette related litter should never target children.



Sanctions and rewards: Sanctions are most commonly littering fines, or the threat of fines, which act as a disincentive to littering. Rewarding positive behaviour with small tokens of recognition helps to reinforce this behaviour. Rewards could include pocket ashtrays or key rings.

Case study

Southwark Council's education and awareness-raising about environmental crimes is currently carried out through a number of schemes, including the 'Stalking Litter' campaign. The campaign consists of a series of performances by actors dressed as giant pieces of litter such as a cigarette butt, a crisp packet and a cola can.

The performances are used as an opportunity to educate the public through leaflets, handing out promotional products such as pocket ashtrays and informing people of upcoming enforcement operations. This comical, innovative, 'tongue-in-cheek' approach enables the team to engage with members of the community who have been difficult to reach in the past with other marketing approaches.

www.encams.org/knowledge/litter/casestudies/campaign/southsl.pdf

Develop partnerships

Partnerships with businesses, volunteer groups and community groups can act as multipliers to spread your anti-littering message further. See Section four for more information about engaging local partners for inclusion in your campaign.

Install ashtrays

Install ashtrays in litter hotspots or improve the design or placement of existing ashtrays. See Section one to help you to choose the right ashtray for your area.

Pre-campaign monitoring

You will need to monitor the success of the campaign by using the cigarette butt count methodology to measure the change in butt litter on the ground. The first stage of monitoring should occur before the campaign begins. You will then compare these results with a second round of monitoring after the campaign. This methodology is further described in Appendix 1.

Gather promotional items

Promotional items promote the campaign message. They act as prompts to remind smokers about the impacts of cigarette litter, and to appropriately dispose of cigarette butts long after a short-term campaign has ended. Promotional items that serve a function as well as promote a message are likely to have more impact than those that would only be likely to be used once and then forgotten. Promotional items can be distributed directly through face-to-face interventions or at popular community centres (such as libraries and Town Halls). Partners should also be given promotional items to promote the campaign. Examples of promotional resources include: beer mats, car bumper stickers, car air fresheners, mint lollies and wallet cards.

Use the local media

Local media should be provided with a media release several days before the campaign starts. Local media are an important, cost-effective way to promote your anti-littering message to the local community. If you can provide a 'hook' to the media and a good photo opportunity, they are more likely to run your story. They should be invited to attend the launch and a high-ranking person within your organisation should be made available for an interview.

If you are using enforcement as part of your campaign, use the local media to promote any fixed penalty notices that you have issued.

Conduct a launch

After all the preparations, the campaign can finally begin.

A launch could be conducted on the first day of the campaign, in order to galvanise support and attract attention to the issue. All partners, local media and relevant staff should be invited to attend the launch. It should be held in a public place that is relevant to the campaign, such as an open pedestrian shopping area. The launch could consist of a short speech about the activities being conducted during the campaign week, giveaways of promotional items and a strong anti-littering message. The launch should be decorated with banners and posters to enable photo opportunities for local print media.

Undertake campaign activities

The education activities that you implement during the campaign are crucial to changing the littering behaviour of smokers. Promotional activities at litter hotspots should be undertaken at specific times during the day. If you are undertaking face-to-face interventions, ensure that the education team meets briefly at the end of each day to discuss their successes and any problems they encountered.

During campaign monitoring

It is useful to carry out monitoring during your campaign period to establish how effective the campaign is being. Please see Appendix 1 for details of how to carry out the monitoring.

Post-campaign monitoring and reporting

Now that your campaign is complete you can quantify your success by undertaking post-campaign monitoring. See Appendix 1 for a description of the methodology you could use to measure your campaign.

Two rounds of post-campaign monitoring are preferable. The first round should be undertaken 2-4 weeks after the campaign. The second round should be undertaken several months after the campaign to enable an understanding of the long-term impacts of the campaign.

The outcomes of the campaign should be compiled in a brief report for submission to your organisation, the partners who participated in the campaign and any funding bodies who supported your campaign. The report should make note of the outputs from the campaign (e.g. posters, promotional items) and outcomes (reduction in cigarette litter). It is important to understand the outcomes of your campaign in order to improve future campaigns and maintain a cleaner environment.

Promote your success and identify learning

You may wish to promote the success of your campaign to the local media through a media release, and internally through your organisation's intranet. You also may wish to share the positive outcomes of your campaign with your community through advertisements in the local newspaper or through regular communications channels (such as community newsletters). This encourages the community to maintain a clean environment and demonstrates the usefulness of such campaigns to ratepayers. If possible, you may wish to apply for an environmental award if you can prove that your campaign was successful. Not only is this a positive way to reinforce and extend the message of your campaign to the wider community, this recognition helps to instil pride in your ratepayers and your colleagues, rewarding their efforts.

Section seven: Enforcement – Tackling irresponsible disposal

Legislation

Powers and duties for dealing with litter are provided by Part 4 of the Environmental Protection Act 1990 (EPA 1990), as amended by the Clean Neighbourhoods and Environment Act 2005 (CNEA 2005). The following is a summary of the measures available for dealing with smoking litter:

Offence of dropping litter

Under section 87 of the 1990 Act it is an offence to throw down, drop or otherwise deposit, and then leave, litter in any place in the open air. A person found guilty of the litter offence may be fined up to level 4 on the standard scale (currently £2,500) in a magistrates' court and section 88 of the EPA 1990 allows an authorised officer of a litter authority to issue fixed penalty notices as an alternative to prosecution.

Section 27 of the CNEA 2005 inserted a new section 5A into the EPA 1990 so as to clarify that 'litter' includes the discarded ends of cigarettes, cigars and the discarded remains of other products designed for chewing'. This has the effect of making it clear to practitioners that action can be taken against this form of litter, including the use of fixed penalty notices as an immediate and cost effective deterrent.

Fixed Penalty Notices

Fixed Penalty Notices (FPNs) can be an effective enforcement tool as an alternative to prosecution. The number of FPNs being issued for litter has increased markedly in the last few years and the explicit definition of smoking materials as litter is likely to see that trend continue. The CNEA 2005 has introduced a greater degree of flexibility into the FPN regime. The level of the FPN can now be set locally within a range of £50 – £80, with an option for a reduced rate for early payment. In addition, the CNEA 2005 has enabled officers of a Parish Council and those not in the direct employment of the Local Authority, such as a cleansing contractor, to be authorised to issue FPNs for this offence.

Another power that has been introduced is the offence of an offender either failing to give a name and address or of giving incorrect details to an authorised enforcement officer. It is highly recommended that local authorities develop an enforcement strategy to ensure that consistent and appropriate penalties are issued. This will also ensure that in the event of non-payment of a FPN, the original offence is pursued through the magistrates' court.

Case study

Leeds City Council worked in partnership with ENCAMS as part of their 2006 campaign, with enforcement playing a large role in their activities. The Council ensured that enforcement staff were highly visible during the two week period, and sited them in hotspot areas. 170 fixed penalty notices were issued throughout the two weeks of the campaign, which was also heavily promoted in the media.

Duty to clear land of litter and refuse and to keep highways clean

Section 89 of the EPA 1990 imposes a duty on certain bodies for various descriptions of 'relevant land' and 'relevant highways' to ensure that these are, so far as is practicable, kept clear of litter and refuse, and in the case of highways, clean. In respect of streets and other public areas, local authorities must meet these requirements for 'relevant land', that is, publicly accessible land that is under their direct control, and 'relevant highways' maintainable at the public expense. The Code of Practice on Litter and Refuse provides practical guidance on the exercise of this duty, including response times for cleaning areas in which standards have fallen below an acceptable level.

In meeting these requirements local authorities will be expected to remove cigarette litter from streets and other public areas they have responsibility for.

Street Litter Control Notices

Sections 93 and 94 of the 1990 Act give local authorities the power to tackle street litter generated further to activities on adjacent premises. The legislation enables local authorities to serve Street Litter Control Notices (SLCNs) requiring businesses to clear up the litter and implement measures to prevent the land from becoming defaced again. The list of premises for which local authorities may issue notices is set out in the Street Litter Control Notices Order 1991, and the notices may be served for any type of litter that is causing defacement of the street, including smoking-related litter.

By virtue of a new subsection 93(3A) inserted by the CNEA 2005, notices can also now be served in relation to vehicles, stalls and other moveable structures used for commercial or retail activities on a street. The 2005 Act has also made it immediately an offence to fail to comply with the requirements specified in a Street Litter Control Notice. A person found guilty of this offence may be given a fine of up to a maximum level 4 (currently £2,500), or issued with a fixed penalty notice.

Section seven: Enforcement – Tackling irresponsible disposal

Full guidance covering litter legislation and fixed penalty notices for local environmental offences can be accessed through the following links:

Litter:

www.defra.gov.uk/environment/localenv/legislation/cnea/litter-refuse.pdf

Fixed Penalty Notices:

www.defra.gov.uk/environment/localenv/legislation/cnea/fixedpenaltynotices.pdf

Appendix 1: Cigarette butt counts

To assist the evaluation of any smoking-related litter campaign, it is essential to measure whether there has been a reduction in cigarette butts dropped on the ground. To do this successfully 'hotspot' sites need to be chosen and cleaned so that any cigarette litter build-up can be monitored. This process needs to be repeated over a set period so that improvements can be measured.

Choosing your survey transects

Within your area, choose a minimum of five areas that are hotspots for cigarette litter. These should be in primary or secondary retail areas. The size of the area should be 25m² (e.g. around bus stops) or 25 metres in length (e.g. high street).

To get busy footfall, the types of areas to include might be:

- The high street or a parade of shops;
- Outside nightclubs/bars;
- Outside cinemas/bingo halls;
- Outside restaurants/fast food outlets;
- Bus or train transport areas;
- Public buildings/office blocks;
- Car parks; and/or
- Road junctions.

How big should the survey area be?

Once the survey areas have been chosen, make a simple diagram illustrating the survey area or (unobtrusively) mark them out. Please note features such as type of bins, door entrances, etc.

Survey dates and times

Suggested smoking related litter monitoring dates are:

- Pre-campaign – Three times a week for a one week period;
- During the campaign period – Three times a week for a two week period (or whatever the length of the campaign; and
- Post-campaign – Three times a week for a one week period.

The monitoring should be conducted at least once a day at the same time. Take into consideration the times of street cleaning so, for example, if one of the transects is cleaned every three hours, monitor the litter before each clean up during that day.

When filling in the survey form to record the cigarette litter, please remember to note the time and day of the week you are referring to.

The transect survey

A survey form for you to use is provided at the end of this Appendix. At each of the chosen transects, the surveyors (it is preferable for surveyors to work in pairs) should:

- Count the individual cigarette butts deposited within each survey area – surveyors may find that a hand-held counter will assist in this;
- Note bins in or in proximity to the survey area, especially if they are dedicated cigarette bins, bins with stub plates or tab tidies;
- Note the weather conditions and any other information they think relevant e.g. what amount of cigarettes are new (i.e. 3D), or the proportion of cigarettes squashed flat, shops selling cigarettes nearby, etc.; and
- Take photographs of the sites at each stage.

Monitoring cigarette bin usage before, during and after the campaign

If possible monitor the usage of up to five dedicated cigarette bins in hotspot areas for cigarette litter before, during and after the campaign period.

The bins should be monitored at the same time on the same days of the week during the weeks stated below. As with the litter monitoring, the contents of the bins should be monitored at a consistent time each day and measured by weight.

- Pre-campaign – Three times a week for a one week period;
- During the campaign period – Three times a week for a two week period (or whatever the length of the campaign; and
- Post-campaign – Three times a week for a one week period.

Appendix 1: Cigarette butt counts

Cigarette litter monitoring form

LOCAL AUTHORITY NAME:

Survey area name/code:

Survey area size:

Surveyor(s):

Weather observations:

Any cigarette disposal facilities near or in the area (e.g. dedicated cigarette bin, bins with stub plates, tab tidies, etc.) Please detail type of facility and closeness to survey area:

Date	Time	Cigarette butt counts
Comments		
Comments		
Comments		
Comments		
Comments		
Comments		

PB12540

Nobel House
17 Smith Square
London SW1P 3JR
www.defra.gov.uk

