Consultation on National Litter and Flytipping Strategy

Island Communities Impact Assessment

Scottish Government
Riaghaltas na h-Alba
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Introduction to the Islands (Scotland) Act 2018

1. The Islands (Scotland) Act 2018 provides for a new duty on the Scottish ministers and other relevant public bodies that they must have regard to island communities in exercising their functions and in the development of legislation.[1]

2. Section 13 of the 2018 Act obliges Scottish ministers to prepare an island communities impact assessment (ICIA) in relation to legislation which, in their opinion, is likely to have an effect on an island community which is significantly different from its effect on other communities in Scotland.

3. Section 13 of the 2018 Act states that an ICIA must:
   a. Describe the likely significantly different effect of the legislation
   b. Assess the extent to which the Scottish ministers consider that the legislation can be developed in such a manner as to improve or mitigate, for island communities, the outcomes resulting from the legislation
   c. Set out the financial implications of steps taken under this subsection to mitigate, for island communities, the outcomes resulting from the legislation

4. The Scottish Government's island communities impact assessments guidance sets out four stages that must be undertaken prior to preparing an ICIA.[2] These are:
   a. Developing a clear understanding of the objectives and intended outcomes of the policy, strategy or service including any island needs or impacts
   b. Gathering data, identifying evidence gaps and identifying stakeholders
   c. Consulting with appropriate stakeholders
   d. Assessing whether there are any issues resulting from the proposed policy that are significantly different from those that would be experienced on the mainland, or on other islands

5. If any significantly different impacts are identified, an ICIA will be required.

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[1] https://www.legislation.gov.uk/asp/2018/12/enacted
[2] https://www.gov.scot/publications/island-communities-impact-assessments-guidance-toolkit/

Framing

6. This partial screening assessment seeks to complete the first two stages of the ICIA process by identifying whether there are issues which merit further exploration through research and engagement with island representatives.

7. Demographic, economic and social impacts should all be considered as part of the ICIA process.

Background, policy objectives and intended outcomes

8. Litter and flytipping are well-documented indicators of local environmental quality and have significant social, environmental and economic impacts, and health implications.

9. Litter and flytipping are defined as follows:

Litter is waste in the wrong place: the wider environment. It can be all kinds of man-made materials. The Environmental Protection Act (1990) defines littering as 'throwing down or dropping an item in any public open space'.[3]

Flytipping is illegal dumping of waste - from a bin bag of household waste to large quantities of domestic, commercial or construction waste.[4]

10. Research indicates that at least 15,000 tonnes of litter is disposed of into our urban and rural environment and is subsequently cleared by local authorities every year. This is composed of around 250 million easily visible items.[5]

11. A further 26,000 tonnes of waste is flytipped each year and dealt with by local authorities, with an estimated 61,000 incidents occurring per year. This estimate

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[3] https://www.legislation.gov.uk/ukpga/1990/43/section/87
[4] https://www.legislation.gov.uk/ukpga/1990/43/section/33
[5] https://www.zerowastescotland.org.uk/sites/default/files/Scotland%27s%20Litter%20Problem%20-%20Full%20Final%20Report.pdf

excludes the vast majority of cases on private land.[5] For both litter and flytipping these figures are likely to represent an underestimate due to data limitations.

12. Litter and flytipping have both direct and indirect costs for society. Scotland spends at least £53 million of public money on litter and flytipping each year in direct costs (for clearance, education and enforcement activities). Indirect costs are the negative impacts or consequences of litter that impact on society more widely, for example encouraging other crimes, mental health and wellbeing. Research suggests that indirect costs are likely to exceed £25 million. This cost does not include a comprehensive estimate for marine litter.[5]

13. The strategy will identify a suite of measures to prevent litter and flytipping and therefore reduce impact on local environmental quality. It will build upon the previous five-year strategy 'Towards A Litter-Free Scotland: A Strategic Approach to Higher Quality Local Environments'[6] and aim to provide an agile strategic framework to accommodate the changing landscape. A review of the National Litter Strategy was completed in 2019 and provides a snapshot of the activities that took place within the first five years of the strategy.[7] Whilst progress has been made, litter still poses a significant challenge.

14. In March 2021, Keep Scotland Beautiful in partnership with Zero Waste Scotland and Scottish Government hosted a litter summit;[8] this provided an opportunity to reflect on work that had been carried out under the first strategy and start to define future priorities for tackling litter.

15. As this is a developing strategy area, the specific actions and related policy detail have not been defined and it is therefore not possible to identify outcomes. The

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[6] https://www.gov.scot/publications/towards-litter-free-scotland-strategic-approach-higher-quality-local-environments/
[7] https://www.gov.scot/publications/five-years-review-scotlands-national-litter-strategy/pages/1/
[8] https://www.keepscotlandbeautiful.org/news/mar-2021/scottish-litter-summit/#:~:text=On%20Wednesday%2017%20March%202021,of%20dog%20fouling%20and%20graffiti.

actions will be co-developed with a range of stakeholders through working groups and the consultation process. The following thematic areas have been identified:

- Behaviour change: This theme recognises the need for improved communications and engagement, but also the need to take a holistic approach to behaviour change; understanding key audiences, issues and developing a framework to identify solutions that enable behaviours to be changed. It should also be noted that the key behaviours related to littering will differ from those for flytipping. Successful measures under this theme would improve the accessibility, consistency and nature of messaging that motivates people to change their behaviour.

- Services and infrastructure: In order for prevention of litter and flytipping to be effective there need to be services and infrastructure in place to support people to behave responsibly. This includes services offered by local authorities, but also more widely looking to businesses and community groups. Successful measures under this theme would ensure Scotland's services and infrastructure are fit for purpose and prioritise action and innovation that proactively prevents litter and flytipping and supports a circular economy.

- Enforcement: Enforcement and deterrents have been identified as an important link in the chain for achieving the prevention of litter and flytipping. This has been identified from numerous stakeholder calls to review the enforcement process and procedures, and to understand if alternative solutions are available (such as education or volunteering for those who cannot afford to pay fines), with collaborative measures seen as crucial. Success in relation to this theme would ensure there is a strong and consistent enforcement model across Scotland that acts as a proportional deterrent.

- Data and research: Underpinning any next steps, improved data is crucial to successfully understanding the root causes of the issue, evaluating the success of any interventions, collaborating successfully and monitoring progress. This includes reporting of issues by the public and communities, national reporting and monitoring, citizen science and measurable outcomes.

> Success for this theme would include an improved understanding of the behaviours, attitudes and drivers behind both littering and flytipping behaviours and developing an evidence base that can facilitate the implementation and monitoring of effective policy interventions.

Litter and flytipping have the potential to impact across society, as there are social, environmental and economic consequences. Particular geographies such as islands or remote communities may feel the impacts more acutely due to greater exposure to litter and flytipping (particularly in relation to coastal litter) and fewer, or more challenging disposal routes for waste items. Whilst specific actions have not been defined, the strategy will likely focus on individual behaviours.

Gathering data, identifying evidence gaps and identifying stakeholders

16. An internal scoping workshop was held, involving relevant members of Zero Waste Scotland staff, with the aim of identifying ways in which the impact of the strategy may differ for island communities.

17. At this stage, it is difficult to identify specific impacts for island communities. The following areas potentially warrant further investigation:
   a. Beach litter
   b. Tourism
   c. Waste collection and transportation
   d. Digital inclusivity

18. These issues are explored in more detail below.

Beach litter

A recent study by Marine Scotland suggests that more than 90% of plastic in Scottish seas comes from Scottish littering on land. Scottish littering puts about 1,000 tonnes of macro plastic into Scottish seas each year (uncertainty range 700 to 2,500 tonnes).[9] Island communities may be disproportionately impacted by beach litter, firstly as a significant proportion of the population lives close to beaches, and

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[9] https://www.sciencedirect.com/science/article/pii/S0025326X19308811

secondly as beaches are an attraction for tourists, who contribute to the local economy. There are potential impacts on health and well-being, as well as wider considerations for the economy, biodiversity and the local environment. Actions related to the strategy which bring about a reduction in litter could have a positive impact. Marine sourced litter will be considered as part of the dedicated Marine Litter Strategy, which includes litter on beaches.

Tourism

Tourism is a significant industry for the islands. Prior to Covid, Highlands and Islands Enterprise indicated an average annual visitor spend of £1.5bn in the region and 3,200 registered tourism businesses. Tourism jobs represented up to 43% of the workforce in some areas.[10] The environment and wildlife are significant drivers in attracting visitors, who want to enjoy an unspoilt landscape and coast. The presence of litter has an impact on their enjoyment of this environment, and therefore any reduction in litter could have positive impacts in attracting more tourists and spending for local businesses.

Waste collection and transportation

Work undertaken for previous screening assessments under the Islands (Scotland) Act has identified that island authorities face higher costs per capita in collecting, transporting and disposing of waste. This is in part because the rural nature of collection routes means they are less efficient: the Scottish Government Urban Rural Classification highlights that the majority of the island authorities have high proportions of their populations in very remote small towns and rural areas. [11] Additional costs are incurred because waste must often be transported off island for processing as there are a limited number of operational landfill sites located on islands. Measures associated with the strategy could impact on the volumes of waste collected. However, the impact is unclear as it will depend on the specific actions identified.

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[10] https://www.hie.co.uk/our-region/our-growth-sectors/tourism/
[11] https://www.gov.scot/publications/scottish-government-urban-rural-classification-2016/pages/2/

People living in island communities may face additional barriers to responsibly disposing of items. There is less consistency in kerbside recycling collections and the density of household waste recycling centres is much lower than on the mainland. Consequentially, recycling rates are lower than the national average[12] and this could contribute to increasing litter and flytipping. The Highlands and Islands also have higher rates of community ownership of land, an estimate in 2017 indicated that there were 547,690 acres in community ownership in Scotland, with 70% of that total (384,980 acres) located in the Western Isles.[13] In these communities there may be additional challenges associated with waste management. These aspects may contribute to enhancing litter and flytipping on islands, and therefore the strategy has the potential to make a more significant impact. They may also need further consideration in relation to implementation, to ensure that additional barriers due to island status are overcome. However, it should be noted that we do not currently have evidence to indicate the scale of the litter and flytipping problem on the islands, which will be critical for determining the potential impact.

Digital inclusivity

Access to broadband and 4G may be important, if the strategy results in monitoring, communications or interventions which are delivered digitally. Access to digital services and internet speeds on islands have improved significantly in recent years, but there is space for further improvement[14] There is also considerable variation between different islands. A 2019 study found that Shetland and Orkney had the lowest speeds (6.7Mbps and 3Mbps respectively) in a survey of Scottish Local Authorities.[15] Additionally, people living on islands and in remote rural locations require elevated household budgets to achieve a minimum acceptable standard of living. These budgets were found to be 10- 40% higher than elsewhere in the UK and in some more remote island locations, these additional costs could exceed

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[12] https://www.sepa.org.uk/media/532167/2019-household-waste-commentary.pdf
[13] https://islandsrevival.org/normalising-community-land-ownership-some-policy-lessons-from-the-western-isles/
[14] https://www.gov.scot/publications/national-plan-scotlands-islands/pages/9/
[15] https://www.bbc.co.uk/news/uk-scotland-highlands-islands-46945879

40%.[16] This may be relevant to consideration of the connectivity costs for islands dwellers, particularly where there are cumulative impacts with social deprivation.

19. We currently do not have details of the specific actions associated with the strategy. However, we recognise that engagement with island representatives is essential to fully understand the island context. As such, we intend to engage with the island local authorities and other large land owners during the consultation period.

Next steps

20. This partial screening document has identified three possible impacts for island communities.

21. As further policy details emerge, we intend to seek perspectives from those with direct experience of island life in order to determine whether there are significantly different impacts for island communities which should be explored in more detail and addressed in policy design.

22. Following the consultation and targeted engagement, a full screening assessment will be produced, and this will be used to determine whether an ICIA is required.

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[16]https://www.hie.co.uk/media/6441/aplusminimumplusincomeplusstandardplusforplusremoteplusrural plusscotlandplus-plusapluspolicyplusupdateplus2016.pdf