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Your ref: BK/SK/DEAN01009  
Our ref: MC377587/MS

30 June 2015

From Rory Stewart MP  
Parliamentary Under Secretary of State for Environment and Rural Affairs

*Dear Barbara*

Thank you for your letter of 21 May to the Secretary of State for Communities and Local Government on behalf of your constituent Mr Terry Dean, of 2 Gatemere Close, Ellenbrook, Worsley, about litter. I am replying as the Minister responsible for litter policy and I apologise for the delay in doing so.

I thank Mr Dean for the work he does picking up litter in his local area. Litter is a key indicator of local environmental quality and is regularly cited amongst the top local priorities for communities in resident surveys. We are committed to taking action on litter: that is why our manifesto includes a commitment to review the case for increasing the fines for littering.

While Defra is responsible for national litter policy, local authorities are responsible for keeping their "relevant land" clear of litter and refuse. For any local litter issue, we recommend engaging with the local authority to ensure it is aware of the problem. It is up to local councils to decide how best to meet their statutory duty to keep their relevant land clear of litter and refuse. Deploying offenders on community sentences to pick up litter would be a decision for the local authority, in conjunction with the courts and probation service.

It is an offence to drop litter, and local authorities have legal powers to take enforcement action against offenders. Anyone caught littering may be prosecuted in a Magistrates' Court, which can lead to a criminal record and a fine of up to £2,500 on conviction. Alternatively, the local authority can opt to issue a fixed penalty notice, which currently includes a fine of up to £80. The Government plans to review the case for higher Fixed Penalty notices for littering during this Parliament.

As Mr Dean is aware, Highways England is responsible for clearing litter from motorways and some trunk roads (local authorities remain responsible for the cleansing of other, more minor roads). Highways England employs contractors to remove litter as part of a rolling programme, and we encourage them to work in partnership with local authorities and each other where appropriate.

*Bob Keeley*

*Rory Stewart*  
**RORY STEWART MP**

