

PRO EUROPE Comments on: Mandatory Deposit Systems for One-Way Packaging

PRO EUROPE represents 31 national schemes responsible for the collection, recovery and recycling of packaging waste active in 27 Member States, 2 candidate countries, Norway, Iceland, Ukraine and Canada¹.

PRO EUROPE's member organisations contribute to meeting the recovery and recycling targets laid down in EU Directive 2004/12/EC on Packaging and Packaging Waste. As practitioners who are closely involved in the collection and recycling of packaging waste, PRO EUROPE has widely collaborated with the European institutions in shaping the revised Packaging Directive by sharing experience and expertise.

1.0 Summary

At present, the collection and recycling schemes established by PRO EUROPE members ensure a high level of recycling for non-refillable drink containers, as part of the management of the whole packaging waste stream without creating obstacles to trade within the internal European market.

PRO EUROPE members have a number of concerns over the introduction of mandatory deposit systems on non-refillable drinks containers.

In countries where comprehensive and effective collection and recycling systems are already in place, mandatory deposit systems:

- Are a politically high risk and low reward strategy
- Lack environmental justification with regards to both littering and carbon emission reduction
- Introduce unnecessary extra costs for consumers, business and local authorities
- Damage the viability of existing proven and optimised systems of collection and recycling
- Can introduce distortions to internal markets
- Must be constructed with great care to ensure compliance with EU competition laws

PRO EUROPE supports the setting of recycling and recovery targets for recyclable material in the context of producer responsibility instruments and has worked extensively with both authorities and individual obligated client companies to ensure that such targets are met in the most cost efficient and environmentally sound manner.

2.0 Conclusions

It would appear that the implementation of mandatory deposit systems for non-reusable beverage containers are considered since it is assumed that they will have the following desired policy outcomes:

- Reduced littering
- Improved cultural and behavioural change leading to an overall increase in the recycling of all materials
- Improved recycling rates for plastic bottles in particular
- An improved system specifically funded by industry

However, all of the evidence that we have found indicates that these systems have the opposite effect in all of these areas.

We would question the imposition of mandatory deposit systems on one way packaging and suggest that producers and compliance organisations should be offered the freedom to meet recycling targets in the most appropriate manner for each member state without endangering the functioning of the internal market.

¹ ARA (Austria), CEVKO (Turkey), CSR (Canada), DSD (Germany), Eco-Emballages (France), EcoEmbes (Spain), ECO-ROM (Romania), ECO-PACK (Bulgaria), EKO-KOM (Czech Republic), Eko-Ozra (Croatia), ENVI-PAK (Slovakia), ETO (Estonia), FOST Plus (Belgium), Green Dot Cyprus (Cyprus), Grønt Punkt Norge (Norway), GREENPAK (Malta), HeRRCo (Greece), LZP (Latvia), NEDVANG (Netherlands), Öko Pannon (Hungary), PYR (Finland), REPA (Sweden), REPAK (Ireland), ReKopol (Poland), SLOPAK (Slovenia), Sociedade Ponto Verde (Portugal), UkrPec (Ukraine), Valorlux (Luxembourg), VALPAK (UK), Zaliasis Taskas (Lithuania)

3.0 Introduction

Information concerning the relative advantages and disadvantages of deposit systems for non-reusable beverage containers has become confused in recent years with supporters of such initiatives presenting a somewhat one sided argument in favour of 'bottle bills'. These arguments often use data from countries or states where no alternative material collection system exists and do not consider some of the unintended consequences that can arise from the imposition of such legislation. It is therefore our aim in this paper to present a balanced opinion of the pros and cons of the implementation of deposit legislation.

Mandatory deposit systems for non-reusable beverage containers have effects in the following areas:

Policy

- Public attitudes, satisfaction levels and behaviours
- Consumer costs and cost distribution through socioeconomic groups
- Other political consequences

Environmental

- Littering
- Recycling rates and the wider 'carbon agenda'

Commercial

- Business and Local Authority costs
- Administration for both business and Government agencies
- Internal market and cross border competition

EU law

- Requirements for Member States when implementing such legislation

We will therefore examine each of these areas in greater depth

4.0 Policy Effects

For the average consumer living in an area where a selective kerbside collection system exists i.e. almost all EU Member States, deposit systems for non-reusable beverage containers are not popular. There are numerous reasons why this is the case.

- (i) Existing systems rely on consumers to separate their waste into numerous streams in order that it can be separately collected for recycling. Although this can at times be onerous, it has become a part of the national culture for many mature recycling systems. If consumers are further required to separate another waste stream which must be dealt with in a special way and deposited away from the home, this not only confuses consumers but also means additional effort. Experience in Germany has shown that this reduces the willingness of consumers to continue separating waste and causes resentment against those who implemented the new requirement.
- (ii) Operational and IT problems preventing the recovery of deposits, especially in the start up phases of systems which rely on reverse vending machines frequently cause delays and frustration for the public.
- (iii) Collecting deposits on beverage containers is often an unpleasant experience. Most consumers will aim to return their beverage containers at a supermarket during their weekly shopping trip. Since most consumers also shop at similar times, this has led to long queues at reverse vending machines for example on Friday evenings and Saturday mornings. This annoyance can be further exacerbated by the fact that in general people do not wish to queue alongside bin scavengers.
- (iv) Bin scavenging, often by homeless people, is common in countries operating deposit systems for non-reusable beverage containers. This creates extra litter around public litter receptacles and consequent public annoyance.
- (v) Deposit systems never achieve a 100% bottle return rate and even though it can be argued that any extra cost incurred in an initial purchase through also paying for a deposit can be recovered by returning the bottle consumer perceptions do not reflect this. The belief of many where such systems are imposed are that the deposit represents an extra government tax, which is obviously not popular.

- (vi) Even though deposits can be recovered by consumers there are other system costs associated with deposit systems which consumers cannot influence and which cause both beverage and other food item prices to increase. These costs, including system administration and loss of local authority material revenue are dealt with later.
- (vii) Deposit systems have a disproportionate impact on lower income families. For those purchasing beverages from the lower end of the cost spectrum, the deposit represents a comparatively higher percentage of the item cost. In addition, it is usually the less privileged consumers who have least access to transport making it additionally more difficult for them to recover their deposit money.
- (viii) When consumers discover the detrimental environmental effects (discussed below) and other negative impacts of deposit systems – usually from a newspaper ‘expose’ article the deposit system can become the cause of even greater resentment to the public.
- (ix) Implementation of a deposit system is extremely costly in time (administrative burdens discussed below), and money. In order for consumers to have adequate access to reverse vending machines to recover their deposits a great deal of money must be spent on IT systems and reverse vending machines. In addition a good deal of ‘political capital’ must be expended with supporting politicians gathering a high public profile in the run to the implementation of the new system. All of these factors make it exceedingly difficult to revert back to a non-deposit situation since this would mean the wastage of large amounts of effort and money and cause considerable political embarrassment.
- (x) The physical act of returning bottles to reverse vending machines give a strong psychological reminder to consumers of which administration was responsible for the implementation of the deposit system in the first place. And since deposit systems are unpopular with most consumers, this re-enforces a negative opinion of the system’s supporters every time bottles are returned.

‘Perfect’ implementation would require no IT or administration problems and a comprehensive network of reverse vending machines available as soon as the deposit mechanism is applied at retail outlets. However, the other factors above, along with discontent caused by initial resentment at having to change routines make deposit systems a politically high risk strategy. In addition, the extra burdens and costs in both public and private administration, detrimental environmental effects in carbon reduction and littering also means that implementing deposit systems offers little chance of political reward.

5.0 Environmental Effects

5.1 Littering

Drink containers represent a small but highly visible part of all litter and PRO EUROPE would absolutely agree that the elimination of littering is a highly desirable aim.

Numerous studies have shown that the average share of packaging waste in the overall litter stream is approx 6% with beverage packaging waste accounting for approx 0.45 % of total litter. The largest fraction of the overall litter stream consists of cigarette butts, organic waste and non-packaging litter². However, measuring and reporting quantities of litter is fraught with problems since figures are commonly reported by weight, number of items gathered and even volume and visible impact.

There is no doubt that the introduction of deposit systems can reduce beverage container litter, however, their effects on the litter stream as a whole is not totally positive. Firstly, the activities of bin scavengers in public places can have the Nett effect of increasing litter since they will frequently empty an entire bin whilst searching for deposit bottles. Secondly, the deposit system does not affect fundamental behaviours, hence although deposit bottles may disappear from the litter stream, littering remains similar to their previous levels but with a change of composition.

Much research has been done into potential policy initiatives which could effectively tackle the problem of litter. In a recent study reasons for littering were found to be “by mistake” or “inadvertently” (65%) followed by “lack of infrastructure” (38%) and imitation (35%)³.

In the UK the “Keep Britain Tidy” anti-littering organisation has been active in this field since 1954⁴ and has conducted much research into the quantities, composition and effective means of reducing litter in the UK. We would strongly recommend that those considering the implementation of policy tools aimed at reducing litter contact Encams (the charity who run the ‘Keep Britain Tidy’ campaign) and review the research and policy

² Eco Emballages Study + Study of University of Vienna

³ “Perception of Littering”, survey carried out by Eco Emballages in France in June 2006 among 1000 persons over 15 years

⁴ <http://www.encams.org/home/index.asp?nav=top>

recommendations available on their website. However, in broad summary, their research into general littering makes the following conclusions⁵:

Key findings

- *Nearly half of the general population (48%) admit to dropping litter.*
 - *People thought that some forms of litter were more acceptable than others. They said it was okay to drop apple cores because they broke down into the environment. Glass bottles, dog excrement and clinical waste, on the other hand, were not okay because they posed a threat to public health.*
 - *Despite the fact that all of the people who took part in this research admitted to dropping litter, they blamed the litter problem on teenagers and school children.*
 - *People who litter could be divided into five segments according to their attitudes and behaviour. Beautifully Behaved (43% of the litter dropping population) dropped apple cores and small pieces of paper, but little else, and often did not see this as a problem. Justifiers (the second biggest group at 25%) justified their behaviour by saying that everyone else was doing it and blamed the lack of bins for their littering. Life's Too Short and Am I Bothered (together these two segments comprised 12% of the litter dropping population) had a complete disregard for the consequences of littering.*
 - *However, while Life's Too Short were aware that dropping litter was wrong, Am I Bothered? didn't care if it was. Guilty (10% of the total litter dropping population) felt guilty about littering but found litter inconvenient to carry so dropped it in a furtive manner. Blamers (9% of the litter dropping population) blamed their littering on the council for their inadequate bin provision; also fast food operators; teenagers; and manufacturers for over packaging food and other goods.*
 - *Over the past six years there has been a significant change in people's attitudes and behaviour towards litter. In 2001, dog owners did not clean up after their pets fouled in a public place. Six years later and the balanced had tipped. Not cleaning up after a dog had become a socially unacceptable behaviour.*
 - *There was more awareness about litter in 2006 than in 2001. More people felt guilty about dropping litter and were more likely to notice and talk about the two biggest components of litter – smokers' materials and chewing gum. They were still dropping those items though. Car and fast food litter were also on the increase.*
 - *Different segments found different excuses for their littering. This means that to prevent littering as many different approaches as possible should be adopted. Streets should be cleaned to a consistently high standard at all times of the day and night. There should be bins in the right places and information about what to do with litter in the event of a bin not being available or alternative disposal options.*
- Education and awareness raising campaigns can challenge attitudes towards litter and must be backed up by effective enforcement. For some litter droppers, enforcement is the only thing that will change their behaviour.*

Encams' policy recommendations to tackle the problems of litter caused by food packaging waste consumed away from home, of which non-reusable beverage containers form a part, can be found in Annex (III).

Bearing in mind this large body of research and consequent policy recommendations, we feel that the association of litter reduction with the introduction of mandatory deposit systems is misleading. The main conclusions from all studies that we are aware of are that consumer education, rigorous enforcement of anti-littering laws and the availability of litter receptacles are the most important factors affecting litter levels.

PRO EUROPE and its members already run educational programs⁶ in this area and are ready to co-operate with authorities and industry further. In addition, we would suggest that increasing the number of city centre collection containers allowing the separate collection of different material streams would not only reduce litter but also increase recycling rates.

5.2 Carbon Emissions

Comparison with Selective Collection Systems

Where no selective household collection system exists for dry recyclable materials, the introduction of a deposit system can increase recovery and recycling rates. However, where a selective kerbside collection system exists i.e. almost all EU Member States, deposit systems for non-reusable beverage containers do not result in

⁵ Available at <http://www.encams.org/views/main.asp?pageid=266>

⁶ „Environmental Education – the path to Sustainable Development“, PRO EUROPE 2005/2006

higher recycling rates. In addition, the operation of a selective collection system alone leads to higher recovery and recycling rates than the operation of a deposit system alone.

[Analysis of the recovery and recycling rates achieved for used packaging in 2004 in the member states by the European Commission show that e.g. Denmark has one of the lowest recycling results for plastics, paper and metal packaging within the European Union⁷.]

In fact, deposit systems can damage the efficiency of operation of an existing selective collection system, and increase overall carbon emissions since:

- Deposit systems lead to a reduced consumer willingness to recycle at home.
- Overall collected material quality worsens since plastic bottles collected at kerbside are separated by polymer whereas mixed polymer bottles collected in reverse vending machines are shredded together thereby reducing recycling opportunities.
- For the introduction of deposit systems, new transport systems have to be set up, resulting in increased fuel consumption, traffic congestion and CO₂ emissions. [Corroborated by a research study from PETCORE⁸]

Changes in Consumption Trends

Even though there is no proven environmental benefit in favouring refillable compared to one-way packaging, supporters of mandatory deposit systems still cite their introduction as a means of benefiting the environment by increasing usage rates of refillable containers. In fact this is also a questionable claim.

Firstly, reusable beverage containers are not universally better for the environment than one way drinks containers. Their relative merits depend on the number of trips and average distances transported between filling, consumption, collection and reuse. Secondly, analysis shows that deposit laws do not necessarily increase the market share of refillable containers.

Studies in Sweden and other countries using deposits for extended periods show that market shares of one way packaging is increasing year by year. In addition, in the German deposit system where there is a relatively high financial incentive for the return of packaging (0,25 €-Cents) the quota of refillable containers for main beverage sectors is decreasing after reaching a short peak during the initial introductory phase of the deposit system.⁹ The same counts for Denmark where the refillable quota dropped from 2006 to 2007 from 78% to 69%.¹⁰

Packaging Minimisation

The concept of producer responsibility places obligations on those producers who have a degree of control over the quantities, composition and design of packaged products for the collection and recycling of their products or packaging at the end of their life – it is the practical way by which the EU implements the “polluter pays” principle.

In addition to increasing recovery rates, one of the objectives of producer responsibility legislation is to encourage producers to reduce the quantity and improve the environmental impacts of the products for which they carry some responsibility and that end up in the national waste stream and in this respect it has proven successful in many member states¹¹.

With mandatory deposit systems for one-way-packaging the producer has no incentive to reduce the quantity of packaging that he places on the market since the link that is created with producer responsibility legislation between the material produces and the price he pays for their recovery at end of life is completely severed.

6.0 Economic Effects

Effects on Business

There are numerous financial consequences of deposit systems on business stakeholders with both winners and losers depending on their position within the supply chain. For example large retailers tend to benefit from un-collected deposits and also from the sale of collected bottles as a recycling feedstock (depending upon the legal ownership rules agreed during the setting up of the system). In Germany for example it is estimated that the large retail sector gains approx. €1bn per annum from the deposit system. Suppliers of reverse vending

⁷ <http://ec.europa.eu/environment/waste/pdf/2004.xls>

⁸ “Worlds largest PET Life Cycle Assessment – One way PET levels with refillable glass”, PETCORE 2004

⁹ Andreas Rottke, Association of German Mineralwater Producer, Presentation during a seminar of ASCON dated 24.02.2007, see also Annex 2

¹⁰ EUWID Verpackung Nr 25 vom 13.06.2008, page 1 and 2

¹¹ “Effective Packaging – Effective Prevention”, PRO EUROPE 2004/2005

equipment also benefit substantially from deposit systems since these are the predominant method employed by most countries for the re-distribution of collected deposit funds.

Manufacturers and fillers of beverage bottles remain revenue neutral from deposit fees but do face significant extra administration costs as well as management time and effort in producing data submissions for the deposit mechanisms to operate effectively.

Waste management companies benefit financially from the operation of new collection routes from the newly created bottle suppositories. However, this revenue is effectively reflected in lower material values offered to those collecting returned bottles – who tend to be Nett beneficiaries of the system. When examined as a whole, it is clear that the use of deposit systems used for the collection of beverage containers is considerably less efficient than when these are collected in conjunction with an existing kerbside collection system. As can be seen in Annex (I), deposit systems are 2-3 times more expensive per tonne of material to administer than selective collection, a result which has been confirmed by the PERCHARDS Study on behalf of the European Commission¹².

It is usual for deposit system to be administered by either monopoly or competing compliance organisations. If such schemes are already in existence and operating in other areas of environmental compliance (for example DSD in Germany) then they benefit from increased turnover from the set up of deposit systems.

Effects on Local Authorities

Local authorities are affected significantly by the set up of deposit systems since they lose a large amount of material revenue from plastic bottles which are no longer deposited in household selective collection systems.

Information from Valpak Recycling Ltd which manages the dry recyclable material from a number of local authorities in the UK indicates that up to two thirds of local authority material revenue would be lost. Using approximate monthly figures for a typical local authority in the UK:

Material	Amount collected per month (tonnes)	Price (as collected from local authority) (£)	Total monthly revenue (£)
Glass	250	15	3,750
Paper	250	50	1,250
Mixed cans	50	100	5,000
Plastic bottles	100	200	20,000

Although some of the plastic bottles currently collected at kerbside would not fall within the deposit system (e.g. detergents, shampoo bottles, milk), it is unlikely that a local authority could justify a continued collection of plastic bottles at kerbside if beverage containers were effectively removed from the material stream.

Market Effects

Effects experienced through the imposition of mandatory deposit systems have shown a number of consequences on local markets:

- Consumers tend to try to avoid paying deposits by shifting to deposit free products. This includes shopping in stores across borders where mandatory deposits are not applied. Consequently, retailers in the border region are faced with tremendous losses due to 'customer migration'.
- Damage has been sustained by non-refillable packaging markets, for example can producers. This is because retailers wish to minimize their collection costs and hence have chosen in some cases to neither stock nor collect cans.
- Large supermarkets tend to be better equipped to cope with deposit systems than smaller retailers who usually have neither the space nor the finances to install reverse vending machines which means that they have to take back and check bottles manually.
- Large deposits can encourage fraudulent claims for bottles gathered across a national or state border from an area where no deposit system is in operation.

¹² "PERCHARDS - Study on the progress of the implementation and impact of Directive 94/62/EC of the functioning of the Internal Market", page 129

Moreover, mandatory deposit systems can also introduce distortions to the EU internal market, as highlighted in the European Commission Report on the Implementation of Directive 94/62/EC on Packaging and Packaging Waste:

“National measures can lead to distortions of competition and in some cases partitioning of the internal market, which contradicts the objectives of the directive. The beverage packaging sector has signalled such impacts from mandatory deposit systems for non-refillable containers.”

Indeed, there is a risk that a packaging produced in a Member State cannot be put on the market of another Member State having a mandatory deposit system into place because the packaging would not fit with the format imposed by the deposit system. The prospect of 27 different mandatory deposit systems and 27 different packaging requirements would make it very difficult for both small and large businesses to sell their packaging across the EU and could distort competition.

Effects on Producer Responsibility and Consumers:

The existing recycling systems which were set up in each Member State under the Packaging Directive are funded by industry using producer responsibility mechanisms described above. As such, costs for collection and recovery of end of life products are paid by producers and although it is understood that these must eventually be reflected in the prices paid by consumers, producer responsibility mechanisms enable producers to internalise and minimise these costs. Moreover, they are able to control these costs by optimising the packaging they choose to use.

Where separate systems are set up for the recovery of one-way beverage containers, costs for producers increase substantially due to the set up of extra handling, sorting and administration mechanisms over and above those already in place. In addition, producers have little or no control over these extra costs which tend to be passed in full to consumers (See Annex (I)).

Additional costs and space requirements also tend to encourage retailers to reduce shelf-space allocated to deposit-bearing products which in turn reduces the variety that they are willing to stock, thereby reducing consumer choice.

7.0 EU Law

According to consistent case-law by the European Court of Justice (“ECJ”), Community law (as opposed to some national laws) “*does not establish a hierarchy between the reuse of packaging and the recovery of packaging waste*” and any “*policy of promoting the reuse [(such as a mandatory deposit system (MDS))] is permitted only insofar as it is consistent with the Treaty*”.

The two main issues are (i) respect of the provisions on free movements of goods and of Directive 94/62, and (ii) competition law provisions. We do not propose to discuss these areas in detail here although we are able to provide more information in this area if required. However, the main conclusions from an analysis of the EU laws with regard to the implementation of mandatory deposit systems are.

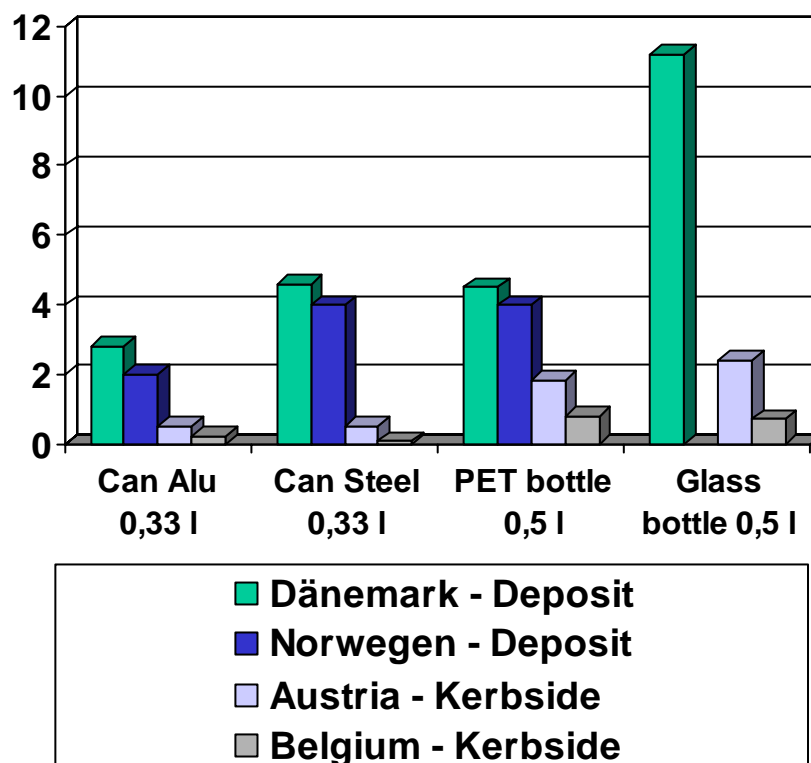
- **Obstacles to the free movement of goods:** MDS are likely to be obstacles to imports. They are therefore only legal where the benefits to the environment are clear and proportionate.
- **Availability:** Member States that introduce MDS must make sure that there are systems in place to which importers can easily accede in order to comply with their obligations.
- **Transition:** There need to be sufficient transition periods to give operators and in particular importers time to efficiently adapt their way of doing business to the new scheme.
- **Non-discriminatory access:** Any system must provide for non-discriminatory access for all fillers, retailers and other players that have obligations under the scheme.
- **Fees** need to be reasonable, proportionate and non-discriminatory.
- **No exchange of sensitive information:** Legislators and market participants must ensure that an MDS does not lead to artificial market transparency by exchanging sensitive information between competing retailers, fillers etc.
- **No exclusivity:** Customers must not be prevented from joining competing schemes.
- **No tying:** Tying of additional services to the operation of the deposit scheme can raise serious concerns.

Annex (I): Effects on Consumer Costs

Comparing the costs that a filler has to pay for each one-way beverage container to the respective system and/or the retailers show discrepancies between the different solutions¹³: Moreover it has to be taken into account that the non-redeemed deposit is used in most of the deposit systems to co-finance the system.

	Denmark ¹⁴ DEPOSIT	Norway ¹⁵ DEPOSIT	Austria ^{16, 17} KERBSIDE – Green Dot	Belgium ^{18, 19} KERBSIDE – Green Dot
Can Alu 0,33	2,8	2	0,496	0,21
Can Steel 0,33	4,6	4	0,516	0,063
PET bottle 0,5	4,5	4	1,830	0,79
Glass bottle 0,5	11,2	./.	2,413	0,70

Recovery costs per unit in various Member States



¹³ All figures are € Cents

¹⁴ Moreover fillers have to pay in Denmark the yearly registration fee per filler/importer of € 150,-.

¹⁵ Moreover fillers have to pay in Norway a general registration fee of € 3.843,- as well as a registration fee per product of € 640,-;

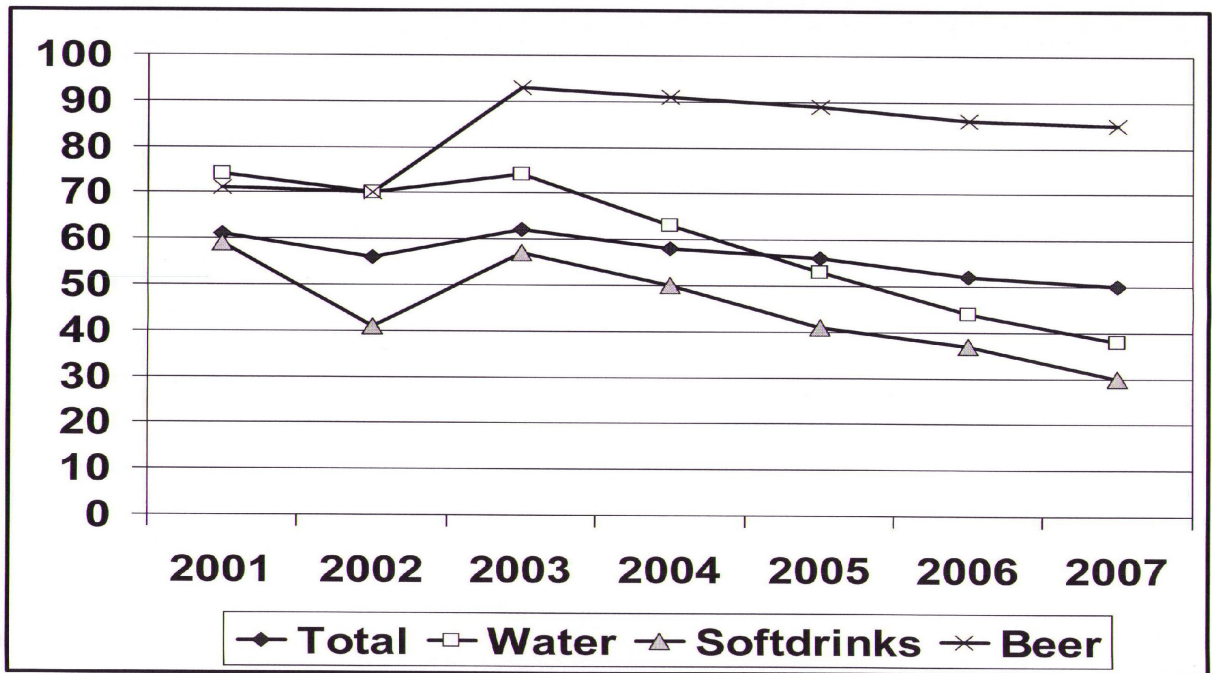
¹⁶ ARA – full cost system for the collection, sorting and recycling of all used packaging

¹⁷ Weight of aluminium-can: 13,40 g / Weight of steel-can: 25,80 g / Weight of PET-bottle: 30 g (incl. plastic label and plastic cap) / Weight of glass-bottle: 382,7 g (incl. paper label and aluminium cap) / Fees per 1.1.2007

¹⁸ FOST Plus - full cost system for the collection, sorting and recycling of all used packaging

¹⁹ Fees per 01.01.2007

Annex (II): Changes in Consumption Trends²⁰



²⁰ Development of the German quota for refillable beverages

Food on the Go Litter

What is food on the go litter?

Food on the go litter refers to any product that can be eaten or imbibed immediately upon exiting the premises in which it was bought, and that is found discarded in a public place. Also included in this definition is any packaging in which it was sold and the implements used to consume it.

Is it a problem?

Food on the go is the fastest growing type of litter. Over the last four years, drinks related litter has increased by 37%, confectionery packaging by 18% and fast food packaging by 18%. Increases have also been recorded in discarded food (10%) and snack packaging (8%).

Litter is one of the most important issues affecting local environmental quality. Local authorities spend millions on street cleansing and litter clearing each year. They also receive thousands of complaints from the public about this issue.

Not only does fast food litter generally degrade an area, it also contributes to rat infestations and a swelling bird population.

Recommendations

As people lead busier lives and licensing laws are reformed, the market for food on the go is increasing and more litter is being dropped.

ENCAMS believes that implementing each of the following policy recommendations will go a considerable way towards addressing some of the problems caused by litter arising from food on the go.

- *Members of the public to take responsibility for the correct disposal of their litter.* The most effective way to tackle problems created by the irresponsible disposal of food on the go litter is to stop people from dropping it in the first place. This can be achieved through a combination of sustained campaigning; education; enforcement; partnership working and more effective street cleansing.
- *More local authorities to take up the enforcement powers available to them.* The public supports fining as a means to prevent behaviour that impacts negatively on local environmental quality. This makes enforcement an important part of any strategy to reduce food on the go litter. ENCAMS believes that the Clean Neighbourhoods and Environment Act 2005 gives local authorities more powers to tackle litter and would like to see full use being made of them.
- *Businesses that experience problems with food on the go litter to sign up to Defra's voluntary code of practice.* 'Food on the Go' is a voluntary code of practice to encourage businesses, local authorities and town centre managers to work in partnership to identify workable solutions to reduce the amount of food on the go and its packaging littering the streets. ENCAMS believes that when businesses providing food

on the go experience problems with litter in the vicinity of their premises they should sign up to this code of practice.

- *Local authorities to consider how businesses will reduce litter arising from their activities when reviewing and awarding licenses.* Businesses providing food on the go must demonstrate a commitment to reducing litter if it does occur. This can be built into the terms and conditions of a licensing agreement and is an important factor that local authorities must take into account when reviewing applications.
- *More effective street cleansing.* A more effective street cleansing service can overcome many of the problems associated with food on the go litter. By understanding how and when land is used, and what customer expectations are, local authorities can cleanse in the right way, at the right time and working across departments to minimise conflicts between different service areas.