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Dear colleague,

10 April 2018

We are committed to reducing litter on our roadsides and verges and want to make it easier for you to enforce against those who litter from their vehicles. We recognise that it can be particularly difficult for enforcement officers to identify which person in the vehicle committed the offence. From April 2018, you have new powers to hold the keeper of a vehicle responsible for littering offences committed from it.

Using the new powers, you will be able to issue the keeper of a vehicle with a civil penalty of between £65 and £150 (default £100), which is set at the same level as the fixed penalty for littering in the area. The 'keeper' is presumed to be the registered keeper unless otherwise proven. Unpaid penalties can be recovered through the Traffic Enforcement Centre, in the same way as other similar civil traffic penalties.

It is of course up to you to decide how best to meet your statutory duties to keep relevant land clear of litter and refuse, and to keep the highways clean. I am writing to encourage you to make use of these new powers, and to provide advice on the steps you may need to take in order to do so.

As set out in the Litter Strategy, creating a change in littering behaviour requires a combination of improved education and awareness, plus provision of the right infrastructure, supported by proportionate enforcement. We are also therefore consulting on improved guidance on the use of your enforcement powers to tackle littering and related offences, which we propose to incorporate into the statutory Code of Practice on Litter and Refuse. I encourage you to give us your views. The consultation closes on 8 June 2018, and can be found online at <https://consult.defra.gov.uk/environment/reducing-litter-proportionate-enforcement>

Yours sincerely,

**Chris Preston**  
Deputy Director, Resources and Waste