

Agenda Item	8
Report No	CIA/19/18

## HIGHLAND COUNCIL

**Committee:** City of Inverness Area Committee

**Date:** 31 May 2018

**Report Title:** Inverness City Centre Trade Waste Policy - Update

**Report By:** Director of Community Services

### **1. Purpose/Executive Summary**

- 1.1 The report is to update members on the implementation of the trade waste policy within the Inverness City Centre that was approved at the City of Inverness Area Committee meeting on the 30 November 2017.
- 1.2 The report provides an assessment of the trade waste policy against its original objectives and outlines how it will continue to be taken forward.

### **2. Recommendation**

2.1 Members are asked to:-

- I. Note the progress with the implementation of the trade waste policy as provided in the report; and
- II. Note that a formal review of the trade waste policy will be undertaken and presented to the members at the City of Inverness Committee on 22 November 2018.

### **3. Background**

- 3.1 Members will be aware that the trade waste policy was approved at the City of Inverness Committee on the 30 November 2017.
- 3.2 The proposals were to change the manner in which trade waste is managed within Inverness City Centre. The overall aim of the policy is to help make Inverness a cleaner, greener and safer city which will encourage more visitors to the city centre and help create a positive image for the benefit of all.
- 3.3 The appearance and reputation of Inverness City Centre was considered to be damaged by large numbers of trade waste bins on our streets, many of which are permanently stored on the pavements and other public spaces. The numbers and position of bins have not been controlled and the volume had been increasing in recent years with the introduction of recycling requirements for businesses
- 3.4 The vision for the city centre trade waste policy was to achieve a city centre free from the visual and environmental blight of commercial waste containers.

### **4. Key Objectives of the Inverness City Centre Trade Waste Policy**

- 4.1 The project had a number of key objectives:-
  - To reduce the amount of trade waste containers on the streets and improve the look and feel of the city centre;
  - To reduce the amount of litter derived from trade waste;
  - To encourage businesses to manage their waste more responsibly and recycle more;
  - To reduce public safety issues by removing tripping hazards and bins blocking footways which can potentially have a detrimental impact on visually impaired or disabled residents/visitors; and
  - To evaluate the impact and benefits of the project after a period of 12 months and to update Committee on the findings.

### **5. Key Dates in Implementation Timetable**

- 5.1 Since the Inverness trade waste policy was approved at the City of Inverness Committee on the 30 November 2017, the Environmental Health Service has followed the agreed implementation timetable. See 5.2 overleaf.

## 5.2

Implementation Timetable	
DATE	DETAIL
December – January 2018	<ul style="list-style-type: none"> <li>• Publicity on implementation of project</li> <li>• Engagement with businesses and waste operators – information packs and visits</li> </ul>
February/ March 2018	<ul style="list-style-type: none"> <li>• Business workshops, Town House</li> <li>• 4 week educative, proportional enforcement of policy Monday 5th March to Friday 6th April 2018</li> </ul>
April 2018	<ul style="list-style-type: none"> <li>• Monday 9th April Formal Enforcement for bins that have not been voluntarily removed from the public spaces.</li> </ul>

5.3 Engagement and partnership working with the business community and their appointed waste contractors was a key role for enforcement officers throughout this implementation period. This has reduced the requirement for enforcement measures to be employed, with no formal enforcement requiring the removal of bins requiring to have been initiated to date.

## 6 Policy Implementation – Results

6.1 One of the primary objectives of the Trade Waste policy was to reduce the amount of trade waste bins on the street and improve the feel of the city centre. The policy has already been successful in this respect and resulted in a significant reduction in bin numbers across the city centre.

6.2 Inverness BID have publicly commented in the Inverness Courier (8/5/18) on how they have seen a massive reduction in bin numbers within the City Centre and the positive contribution this has made in making the city centre a nicer place to visit. Improving the feel of the city centre was one of the original objectives of the policy.

6.3 Further feedback on the reduction in bin numbers has also been provided by Chief Inspector Colin Gough, Inverness area commander for Police Scotland, who commented:-

*"From a policing perspective the reduction in waste bins removes barriers which previously made access into certain areas in the city centre challenging.*

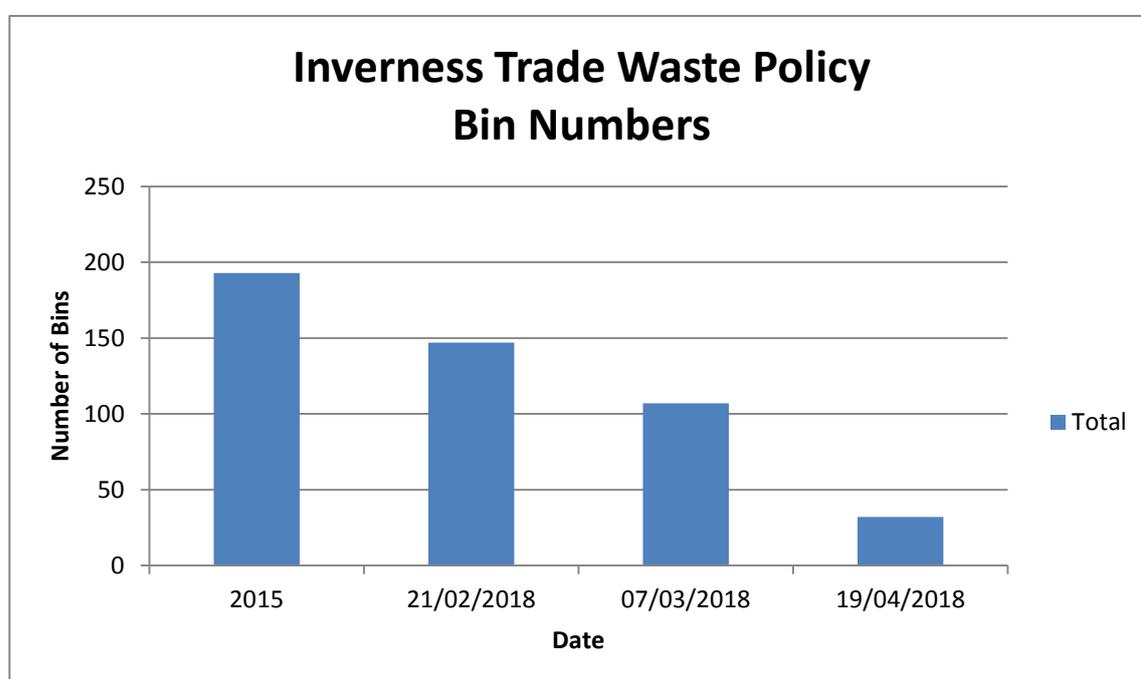
*"It also reduces and mitigates against the risk of fire, whether unintentional or wilful, removes areas which have previously been used as cover for substance misuse or other acts of public nuisance and indeed lessens the immediate access to items that could be immediately adapted as a weapon for acts of violence or intimidation. There are other positive aspect including better unobstructed sight lines for police officers and public space CCTV operatives.*

*"While it is difficult to provide an evidential basis, it is my professional judgement that the reduction in waste bins is a positive development for policing in the city centre."*

This provides further evidence to support the policy objective of improving the feel of the city centre and to reduce public safety issues.

- 6.4 During the formulation and implementation of the trade waste policy, several surveys have been undertaken by Environmental Health staff to determine the number of bins positioned on the streets throughout the City Centre area. These surveys have enabled the reduction in bin numbers to be quantified and the overall policy objective of reducing bin numbers to be measured.

A bar chart has been provided to graphically demonstrate the reduction in bin numbers that has been achieved to date as a result of the trade waste policy. The actual bin number survey results are provided in Appendix 2.



- 6.5 The figures equate to an **86% overall reduction** to date in the number of bins permanently positioned in public space across the City Centre.

- 6.6 Additionally, trade waste bins are no longer positioned in some of the most prominent positions and busiest thoroughfares within the city centre. This includes Mealmarket Close, Hamilton Street, High Street, and the bottom of Stephens Brae.

See Appendix 3 – Photographs taken before and after policy implementation.

- 6.7 Of the 32 bins that still remained on the 19 April 2018, these are predominantly from licensed premises and catering establishments where there is a requirement for the business to have multiple bins. Our Service is in contact with each of these premises as they seek to comply with the trade waste policy requirements.

- 6.8 One of the other primary objectives of the policy was also to reduce litter derived from trade waste. Feedback from our waste team and street cleaning operatives who operate within the city has been extremely positive indicating that the removal of the bins has facilitated more effective litter picking and street cleaning by manual and mechanical street sweepers. This is principally due to the improved access for operatives arising from the reduction in bin numbers.
- 6.9 Additionally the waste team have reported the reduction in bin numbers has also reduced litter contamination from overflowing bins, seagulls spreading litter from bins and resulting mess from bins being knocked over during the night-time period.

## **7.0 Trade Waste Policy – Next Stage**

- 7.1 Our Service has received 4 applications from City Centre businesses for an exemption to the TWP requirements. Three of these applications have been processed with one pending. Further applications are expected in due course from businesses who are struggling to comply with the policy. The majority of these will likely be submitted by those premises which utilise the 32 bins identified in the most recent survey.
- 7.2 Enforcement Officers will be continuing to monitor compliance with the TWP requirements by undertaking regular city centre patrols. This allows both compliance monitoring but also importantly a visible presence in the City Centre whilst the policy gets embedded.
- 7.3 Enforcement officers are continuing to engage fully with both businesses and waste contractor's as the policy becomes embedded. Our Service have very much valued and welcomed the cooperation by businesses and waste contractors in achieving the results so far. Our Service therefore see the benefit in continuing with this approach with those businesses who are actively seeking solutions and making efforts to comply with the policy requirements. Where no such continuing cooperation or engagement exists then enforcement action will be taken.
- 7.4 An emerging problem that enforcement officers and operatives from our waste team are becoming aware of is an increase in commercial waste being illegally deposited in the public street bins. This problem is likely to be directly linked to the reduction in bin numbers across the city centre and therefore less opportunity for premises to illegally deposit waste in other businesses bins. Enforcement officers are aware of this issue and will take enforcement action where evidence exists against a business.
- 7.5 Our Service intend to further evaluate the impact and benefits of the project over the next 3 months and to consult with businesses and all relevant stakeholders as part of an overall review. The findings of this evaluation and review will be presented to the City of Inverness Committee on the 22 November 2018.

## **8. Implications**

- 8.1 Resource - No additional resource implications.

- 8.2 Legal –The primary legislation that supports the trade waste policy is the Environmental Protection Act 1990 and the Roads (Scotland) Act 1984. There are known legal implications at this time.
- 8.3 Community (Equality, Poverty and Rural) – no known Community implications at this time
- 8.4 Climate Change / Carbon Clever – no known Climate Change / Carbon Clever implications at this time
- 8.5 Risk - no known Risk implications at this time.
- 8.6 Gaelic - no known Gaelic implications at this time.

Designation: Director of Community Services

Date: 11 May 2018

Author: Gregor MacCormick, Senior Environmental Health Officer

Background Papers: [Committee Report](#) dated 30 November 2017

## Appendix 1 – Summary of Trade Waste Policy Requirements

The following is an outline of the key elements of the Inverness City Trade Waste policy:-

- No trade waste containers will be permitted to be stored on public pavements/streets out with designated uplift windows;
- Within designated uplift windows, waste will only be permitted to be placed for uplift within the specific time periods stated. Proposed presentation windows are:-
  - a. 0700hrs – 1000hrs
  - b. 1800hrs – 2100hrs
- Waste can only be on the street for a maximum of 2 hours within each collection window; and
- If the waste is not collected within the specified time period the business must return the waste to their premises.

Waste placed on street for collection (bins or bags) must clearly display the business name and collection time;

Waste may only be placed out for collection when the business is staffed, and never left out overnight;

Waste containers must be placed as near to the edge of the business presenting the waste as possible;

It is the responsibility of businesses to find a waste contractor that will work with them to find an appropriate waste management arrangements for their business in compliance with the policy requirements;

For bins that have not been voluntarily removed from the public spaces the will use Council powers available under Roads (Scotland) Act 1984 section 59, and the Environmental Protection Act 1990 section 47:-

- a. Business operator or waste contractor will be issued with a four-week notice of enforcement action;
- b. Non-compliant business or waste contractor will have their bins confiscated after the designated compliance date, and stored off site by Highland Council;
- c. Business or waste contractor will have 28 days to collect their bins from the Council with a corresponding charge for costs incurred by the Council e.g. for disposing of the waste, storage, administration; and
- d. Any bins not collected will be disposed of by the Council after 28 days.

In exceptional circumstances, permission may be granted under the Roads (Scotland) Act to have a bin permanently placed in the public area. This would be subject to an application process and only be permitted if the business can clearly demonstrate they have exhausted all other options.

## Appendix 2 – Bin Survey Results

### INVERNESS TRADE WASTE POLICY BIN NUMBERS

STREET	2015	21/02/2018	07/03/2018	19/04/2018
<b>Baron Taylor St</b>		23	24	14
<b>Castle St</b>		10	14	0
<b>Church St</b>		22	12	9
<b>Drummond St</b>		3	3	1
<b>Eastgate/Stephen St</b>		12	0	0
<b>Hamilton St</b>		16	10	0
<b>High St</b>		16	9	0
<b>Mealmarket Close</b>		11	7	0
<b>PO Avenue</b>		11	8	2
<b>Queensgate</b>		5	4	0
<b>Strothers Lane</b>		1	1	0
<b>Union St</b>		12	10	5
<b>Rose St</b>		3	3	0
<b>Bank St</b>		2	2	1
<b>Total</b>	<b>193</b>	<b>147</b>	<b>107</b>	<b>32</b>

**Appendix 3 – Photographs before and after TWP Implementation**

**Hamilton Street**



**Mealmarket Close**



**Baron Taylors Street**



**Stephens Brae**



**Post Office Avenue**



## Post Office Avenue



## Castle Street

