

Guildhall Gainsborough
Lincolnshire DN21 2NA
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AGENDA

This meeting will be webcast live and the video archive published on our website

Regulatory Committee

Thursday, 16th September, 2021 commencing on the rising of the Licensing Committee
Council Chamber - The Guildhall

PLEASE NOTE DUE TO CAPACITY LIMITS WITHIN THE GUILDHALL THE PUBLIC VIEWING GALLERY IS CURRENTLY SUSPENDED

This Meeting will be available to watch live via: <https://west-lindsey-public-i.tv/core/portal/home>

Members: Councillor Mrs Jessie Milne (Chairman)
Councillor Mrs Angela Lawrence (Vice-Chairman)

Councillor Liz Clews
Councillor David Cotton
Councillor Timothy Davies
Councillor Mrs Caralyne Grimble
Councillor Paul Howitt-Cowan
Councillor Mrs Cordelia McCartney
Councillor Peter Morris
Councillor Mrs Judy Rainsforth
Councillor Jim Snee
Councillor Jeff Summers

1. **Apologies for Absence**

2. **Public Participation**

Up to 15 minutes are allowed for public participation. Participants are restricted to 3 minutes each.

3. **Declarations of Interest**

Members may make declarations of Interest at this point or may make them at any point in the meeting

4. **Minutes of Previous meetings**

(PAGES 3 - 7)

To confirm and sign as a correct record the Minutes of the Meeting of the Regulatory Committee held on Thursday 10 June 2021.

5. **Matters Arising**

(PAGE 8)

Setting out current position of previously agreed actions as at 8 September 2021.

6. **Public Reports for approval**

i) Cafe/Pavement Licenses - Extension of Sub Delegation to Lincolnshire County Council (PAGES 9 - 14)

ii) Abandoned Shopping Trolleys - Schedule 4 Update and Review (PAGES 15 - 20)

Ian Knowles
Head of Paid Service
The Guildhall
Gainsborough

Wednesday 8 September 2021

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Regulatory Committee held in the Council Chamber - The Guildhall on 10 June 2021 commencing at 6.45 pm.

Present: Councillor Mrs Jessie Milne (Chairman)
Councillor Mrs Angela Lawrence (Vice-Chairman)

Councillor Liz Clews
Councillor Timothy Davies
Councillor Mrs Caralyne Grimble
Councillor Paul Howitt-Cowan
Councillor Mrs Cordelia McCartney
Councillor Mrs Judy Rainsforth
Councillor Jim Snee

In Attendance:
Andy Gray Housing and Enforcement Manager
Katie Storr Democratic Services & Elections Team Manager (Interim)

Apologies: Councillor David Cotton

1 CHAIRMAN'S WELCOME

The Chairman opened the meeting by welcoming all Members of the Committee back to the Chamber for the first time since the onset of the Covid-19 pandemic in March 2020. The safety measures that were in place were highlighted. In the absence of a public gallery, due to capacity within the Chamber, the Chairman advised the Committee meeting would be live webcast and extended her welcome to those watching at home.

2 PUBLIC PARTICIPATION

There was no public participation.

3 DECLARATIONS OF INTEREST

There were no declarations of interest at this point in the meeting.

4 MINUTES OF PREVIOUS MEETINGS

Regulatory Committee – 11 March 2021

RESOLVED that the Minutes of the Meeting of the Regulatory Committee held on Thursday, 11 March 2021 be confirmed and signed as an accurate record.

5 MATTERS ARISING

The Chairman introduced the report advising Members that the report would be taken “as read” unless Members had any questions.

With no questions, and with no requirement for a vote, the Matters Arising were **DULY NOTED**.

6 MOTION REFERRED FROM FULL COUNCIL - 25 JANUARY 2021 - FLY-POSTING - REGULATORY POWERS

Members gave consideration to a report which provided the Regulatory Committee with an overview of powers in relation to Fly-Posting, in direct response to a motion passed by Full Council on 25 January 2021.

Members were provided with context, noting that there was no formal definition of fly-posting, however, it was generally taken to be the display of advertising material on buildings and street furniture without the consent of the owner, and contrary to the law.

Section 3 of the report set out the current powers available to the Council to deal with such matters, and Section 4 the evidence of the extent of the issue.

It was noted that since April 2018 there had been 2 reports of fly-posting received, one in Gainsborough East and one in Scotter but also that no proactive work had been undertaken to understand the full scope of the issue across the District in relation to fly-posting on empty commercial units alongside other specific locations.

Finally, the report set out options the Council could consider and a proposal for the way forward given the current evidence and scope of powers available.

Debate ensued and Members felt it important that those known fly posters be engaged with on arrival within the town. In response to concerns in respect of inappropriate advertising on roundabouts, highways and high risk junctions, Officers outlined where reasonability lay and what actions could be taken, noting permanent signage was covered by planning enforcement legislation.

Advertising was a not a function licensed by West Lindsey and enforcement could not be undertaken on private land. Those bodies letting out private land for a use which could likely generate fly-posting and temporary advertising should be encouraged to address this in any hire agreement.

Following discussion and having been moved and seconded it was: -

RESOLVED that

- a) the current approach to dealing with fly-posting is sufficient and is reflective of the scale of the issue and the harm it causes;
- b) additional communications be developed to make residents aware of our powers in relation to fly-posting; and
- c) fly-posting be considered as part of the broader Public Space Protection Order work due to be undertaken for Gainsborough.

7 HEMSWELL CLIFF PUBLIC SPACE PROTECTION ORDER

On the 11th March 2021, the Committee approved that it would consult upon the extension of the Public Space Protection Order (PSPO) at Hemswell Cliff.

The consultation had taken place between the 18th of March and 29th April 2021.

The Committee therefore considered a report which set out the results of that consultation Section 4 set out how the consultation had been undertaken, Section 5 the results, and Section 6, a proposal, namely, as a result of the consultation, it was proposed that Members approve the extension of the order for a further three year period.

Members needed to be satisfied that the conditions within the Act were met as referred to in 3.3 of the report, with Officers being of the belief that that the consultation, along with the information provided within the report to Regulatory Committee on 11th March 2021 demonstrated that the conditions were met.

No material changes had been made to the wording of the Order, on which consultation had been undertaken.

Debate ensued and both the Local Ward Member and the Chairman of the Committee welcomed the extension of the Order. The community had come a considerable way over the past 3 years and the Order had been one such tool that had proved of assistance. It was acknowledged that there was still a way to go but the continuation of the Order demonstrated a continued commitment to support and improve the area.

All Members of the Committee welcomed the proposal and having been proposed and seconded, on being put to the vote, it was unanimously

RESOLVED that the Hemswell Cliff Public Space Protection Order proposals be approved and as such the Order be extended for a three year period from 14th June 2021 to 13th June 2024.

8 FOOD AND HEALTH AND SAFETY WORK PLAN 2021/22

The Council was required to produce and approve a work plan that was in line with the Food Standards Agency (FSA) Framework Agreement and the Statement of Commitment, agreed nationally between Local Authority Representatives and the Health and Safety Executive.

The Committee therefore considered such a Plan, which covered all work undertaken within the Housing and Environmental Enforcement work area, relating to Food and Health and Safety. The Plan's purpose being, to set out how the Council delivered its official controls and fulfilled its duties under food, health and safety, public health and drinking water legislation.

The Plan before Members also reflected the impact that the Covid-19 pandemic had had upon the work area in relation to delivering its statutory functions in respect of food hygiene. The information on performance and the inspection regime were shown in sections 9 and 10 of the Plan and were specifically highlighted to the Committee.

The Covid-19 Pandemic had severely impacted on the service area and its ability to deliver the usual obligations in relation to food safety. Officers in the work area had been immediately identified, and delegated by Government, to provide the frontline response within the majority of Local Authority Coronavirus Regulations.

As a result, the objectives within the 20/21 work plan have not been achieved and in some instances were not able to be achieved. FSA guidance had been followed at all times and during the Pandemic certain activities and inspections had been prohibited. Enabling the work area to focus on the Covid-19 response, had meant usual statutory requirements in relation to food hygiene inspections had been amended as the year progressed.

Further details of the COVID- 19 Impact were contained in Section 3 of the report including the increased service requests and future resourcing, in light of the FSA Recovery Road Map which would see the Authority need to deliver a substantial amount of inspections during 21/22 and into 22/23 before a return to more recognisable plan.

The Road Map and impact specifically on West Lindsey's resources short and long term were detailed in Section 4 of the report. The scale of the challenge was considerable, and resourcing would need to be increased to ensure that the Council could return to the normal inspection regime and the target of between 90-95% of routine inspections being achieved. A resourcing plan was under consideration.

Given the different approach, current performance and delivery targets would not be achieved however, the report recommended that, given the current circumstances raised through the report, the Committee should receive a progress report by January 2022, to be assured what progress was been achieved against the Recovery Plan.

Debate ensued and Members recognised the scale of the challenge. In response to questions, Officers confirmed budgets had been identified for temporary additional resources. Some level of food sampling would still be undertaken but would not continue at previous levels. All statutory requirements had and would continue to be met.

The current make-up of the team was outlined, at request, and Officers highlighted the

current market shortage within the profession, which was highly regulated, requiring Officers to be of a certified competency to undertake all aspects of the role.

Acknowledging the increased and extended role the Team had undertaken throughout the Pandemic, at the request of the Chairman, Officers shared with the Committee the types of activity they had undertaken, and the pragmatic approach which had been adopted. Formal action had only been taken when there had been no other option. It was acknowledged how difficult the last 12 plus months had been on everyone, residents and business alike.

The Committee sought information as to what liabilities the Council had should there be a serious illness as a result of a food premise. The Council's duty was to follow up on any such complaints and to undertake inspections in line with a schedule set by the FSA, which was risk based. Liability and legal responsibility to ensure the required standards were met at all times sat with the premise. Assurance was offered that the Authority at all times had acted in line with the FSA's direction, who had instructed authorities what premises it must inspect.

Bringing the debate to a close the Chairman and Committee Members thanked and offered appreciation to the team for all the work undertaken, acknowledging the considerable pressure and new demands the service had been under since the outset of the Pandemic.

RESOLVED that: -

- (a) the work undertaken by the Officers in the work area, in what has been, and still remains, the most challenging of times be noted and acknowledged;
- (b) the Food, Health and Safety Work Plan as detailed at Appendix 1, be approved; and
- (c) an update on performance against the FSA Recovery Plan be submitted to the Committee by January 2022 in order that the Committee can have assurance on progress being made, given the current circumstances raised through the report.

The meeting concluded at 7.31 pm.

Chairman

Regulatory Committee Matters Arising Schedule

Purpose:

To consider progress on the matters arising from previous Regulatory Committee meetings.

Recommendation: That members note progress on the matters arising and request corrective action if necessary.

Meeting	Licensing and Regulatory Committee				
Status	Title	Action Required	Comments	Due Date	Allocated To
Green	FLY POSTING - WIDER CONSIDERATION AS PART OF GAINS PSPO WORK	extract from Reg Cttee Mins June 2021: - fly-posting be considered as part of the broader Public Space Protection Order work due to be undertaken for Gainsborough.	will remain on matters arising until the wider work completed	30/09/21	Andy Gray
Green	FSA RECOVERY ROAD MAP - PERFORMANCE / PROGRESS	Extract from mins of meeting Reg Cttee 10 June 21: - an update on performance against the FSA Recovery Plan be submitted to the Committee by January 2022 in order that the Committee can have assurance on progress being made, given the current circumstances raised through the report.	please ensure this report is added to the committee's work plan	31/08/21	Andy Gray



Regulatory Committee

**Thursday, 16 September
2021**

**Subject: Pavement Licenses - Extension of Sub Delegation to
Lincolnshire County Council**

Report by:	Assistant Director – Change Management & Regulatory Services
Contact Officer:	Andy Gray Housing and Enforcement Manager andy.gray@west-lindsey.gov.uk
Purpose / Summary:	To proposes that the existing Sub Delegation of Pavement Licenses to Lincolnshire County Council is extended until 30 th September 2022

RECOMMENDATION(S):

Regulatory Committee are asked to approve that:

- a) The Districts Council's function in relation to "Pavement Licenses" under the Business and Planning Bill Act 2020 be delegated to Lincolnshire County Council for a further 12 months up until the 30th September 2022.
- b) A report be brought back to the Regulatory Committee prior to September 2022 to provide an update on the sub-delegation and to consider whether an assessment of any further options are needed should the provisions in the legislation be extended further.

IMPLICATIONS

Legal:

The Business and Planning Act 2020, in relation to Coronavirus, gave powers to lower tier local authorities to determine and issue pavement licenses. This power was not a power that had been previously held by lower tier authorities and had always previously been a power held by upper tier authorities.

The original regulations came into effect until September 2021 and have now been extended until September 2022 here [The Business and Planning Act 2020 \(Pavement Licences\) \(Coronavirus\) \(Amendment\) Regulations 2021 \(legislation.gov.uk\)](#)

The Council may delegate executive functions to other local authorities or under joint arrangements, subject to access to information rules.

It is possible for any delegation of functions to another authority to be rescinded at a later date should it be required.

Financial : FIN/61/22/SSc

Lincolnshire County Council have not charged a fee to the Council in delegating authority to them to deliver the function.

If the Council chose not to delegate authority and administer the function itself, there would be staffing costs associated with setting up and administering the function. The volume of applications is unknown and may result in additional staffing resource being required to process them within the statutory timescale. Therefore, it is not possible to quantify the financial implications at this time if this option was taken forward but it is suggested that the resource implication is one factor that will be taken into consideration when determining the preferred solution.

Staffing :

None noted.

Equality and Diversity including Human Rights :

No equality implications have been identified as this report relates to the implementation of legislation, which concerns the licensing of businesses. However, the Bill makes provision for a mandatory national licence condition which will ensure that clear routes of access along the highway are maintained, taking into account the needs of disabled people, and the recommended minimum footway widths and distances required for access by mobility impaired and visually impaired people.

Data Protection Implications :

None noted

Climate Related Risks and Opportunities :

None noted

Section 17 Crime and Disorder Considerations :

The approval of pavement licences with appropriate local conditions provides a framework for enforcement (remediation notices and revocation provisions) should poor behaviour associated with the licence be experienced.

Health Implications:

The provision of pavement licenses is seen as a key method for ensuring that businesses can reopen and function effectively in regards to Covid – 19 prevention. The use of outdoor space provides a clear preventative tool to reduce the spread of infection.

Title and Location of any Background Papers used in the preparation of this report:

Delegated Decision: Dated 21 July 2020 “Street Licenses”

Officer decisions | West Lindsey District Council (west-lindsey.gov.uk)

Risk Assessment :

Non-renewal of sub delegation: there are limited resources within the authority to set up and deliver the pavement licenses provision. The service is also provided free of charge, therefore any activity in relation to it will be an additional cost to the Council.

Existing Expertise: The County Council already determine licenses such as this therefore have the required resource and expertise to deliver the function.

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

No

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

No

1 Introduction

- 1.1 On the 21st July 2020 an Urgent Delegated Decision was made to delegate the District Council's function in relation to "Pavement Licences" under the Business and Planning Act 2020 to Lincolnshire County Council up until the 30th September 2021.
- 1.2 Details of this decision can be found here [Officer decisions | West Lindsey District Council \(west-lindsey.gov.uk\)](https://www.west-lindsey.gov.uk/officer-decisions)
- 1.3 It has now been confirmed that the provisions within the Act will be extended until the 30th of September 2022. This paper sets out the basis for proposing to continue this delegation.

2 Background

- 2.1 The full details in relation to the revised act can be found here [The Business and Planning Act 2020 \(Pavement Licences\) \(Coronavirus\) \(Amendment\) Regulations 2021 \(legislation.gov.uk\)](https://www.legislation.gov.uk/uk/2020/11/1/2020-11-1-1)
- 2.2 Prior to this Act pavement licences (also known as "street café licences" and "tables and chairs licences") which allow businesses such as cafes, restaurants and bars to place furniture on the highway were determined by Lincolnshire County Council (LCC) under the Highways Act 1980.
- 2.3 The Act introduced a streamlined route for businesses to secure a licence to place furniture on the highway and bypasses the existing regulatory regime. The government continues to intend to support businesses to operate safely during recovery from Covid-19 and this extension is part of this process. The Act places the responsibility for issuing the licences on district councils, in consultation with the highways authority and other relevant persons, until 30 September 2021.
- 2.4 There is now a need to deliver this service until 30th September 2022.

3 Current Sub Delegation

- 3.1 From July 2021 LCC have provided the following for no fee as it is included within their existing licensing provision;
 - Use of LCC website as first point of contact, make available application form, terms and conditions & updated guidance
 - Single e mail contact
 - Confirm suitability (within the new relaxed legislation) using info from application form
 - Post Notice via LCC website
 - Check liability insurance
 - Carry out consultation with stakeholders (including District Councils and Police)
 - Review any objections
 - Grant licences

- Enforce if licence terms are broken
- Keeping of records

3.2 To date there have been 6 applications for licenses under the Business and Planning Act 2020, which LCC have determined. These are shown below.

NAME	STAGE OF PROCESS	Legislation	LICENCE TYPE	EXPIRES	LOCATION
Caistor Town Council	APPROVED	B & P 2020	New	30 September 2021	4 parking bays fronting 20 Market Place, Caistor
Canute	APPROVED	Prior	Renewal	30 September 2021	12-14 Silver Street, Gainsborough, DN21 2DP
Clock House	APPROVED	Prior	Renewal	30 September 2021	3 Lord Street, Gainsborough, DN21 2DD
Pig & Poke	APPROVAL	B & P 2020	New	30 September 2021	Market Place, Caistor, LN7 6GA
The Black Horse	REFUSAL	B & P 2020	New	N/A	Chapel Lane, Nettleham, Lincoln, LN2 2NX
The Plough	APPROVED	B & P 2020	New	30 September 2021	1 The Green Nettleham LN2 2NR
Tillbridge Tastery	APPROVED	B & P 2020	New	30 September 2021	4 High Street, Sturton By Stow, LN1 2AE
Waters Edge Saxilby Ltd	APPROVAL	B & P 2020	New	30 September 2021	26a Bridge Street, Saxilby, Lincoln, LN1 2PZ

3.3 The District Council and other stakeholders (i.e. The Police) are consulted with as part of any new application. The application is currently free of charge to businesses.

3.4 There has been minimal input to date from the District in relation to consultation and there are no concerns in regards to how the sub delegation is operating currently.

4 Alternative Options

4.1 The Council could choose to administer this function itself. The new streamlined process detailed in the Act means that applications are subject to 7 days of consultation and then a decision has to be taken within a further 7 days, otherwise the licence is deemed to have been granted for a year (or less, up to 30 September 2021, now 2022).

4.2 As this would be a new function for the Council there are currently no processes in place, limited knowledge or experience of this function and limited staff capacity to take it on.

4.3 If the above provisions are not in place there is a risk of deemed licences as a result of non-determination. Given the way the sub-delegation is working and the relatively small number of applications it does not

appear as though there is any benefit to changing the sub-delegation for a 12 month period.

- 4.4 It is likely that this Act will not be extended further beyond 2022, however this will be depend on the current position in relation to Covid-19.

5 Recommendations

Regulatory Committee are asked to approve that:

- a) The Districts Council's function in relation to "Pavement Licenses" under the Business and Planning Bill Act 2020 be delegated to Lincolnshire County Council for a further 12 months up until the 30th September 2022.
- b) A report be brought back to the Regulatory Committee prior to September 2022 to provide an update on the sub-delegation and to consider whether an assessment of any further options are needed should the provisions in the legislation be extended further.



Regulatory Committee

16th September 2021

Subject: Abandoned Shopping Trolleys - Schedule 4 Update and Review

Report by:	Assistant Director – Change Management & Regulatory Services
Contact Officer:	Andy Gray Housing and Enforcement Manager andy.gray@west-lindsey.gov.uk
Purpose / Summary:	To provide an update on the Schedule 4 scheme to date.

RECOMMENDATION(S):

Regulatory Committee are asked to:

- a) Note the progress of the scheme and its success to date.
- b) Agree that consultation on the continuation of the scheme and any subsequent decision on it, in line with the legislation, be carried out in 2023 when the scheme has been in place for around 5 years

IMPLICATIONS

Legal:

The Council adopted this schedule at a meeting of the Prosperous Communities Committee on the 1st of May 2018 and it came into effect on the 17th August 2018.

The provision for adopting this schedule is provided with the Environmental Protection Act 1990, schedule 4.

The legal requirements as stated in the Act have been complied with. Previous legal challenges in other areas of the country have not been upheld.

Financial : FIN/56/22/A

This report updates on the financial elements of the Schedule 4 scheme, however it has no financial implications for consideration.

The income generated from this scheme is not budgeted for within the Medium Term Financial Plan.

Staffing :

None noted

Equality and Diversity including Human Rights :

None noted

Data Protection Implications :

None noted.

Climate Related Risks and Opportunities :

The clearance and return of the trolleys ensures that they can be reused for the intended purpose and reduces the volume that may otherwise end up as general waste for landfill.

Section 17 Crime and Disorder Considerations :

Prior to the scheme, trolleys presented a general concern in regards to their volume and their use for activities that constituted anti-social behaviour. The collection of trolleys seeks to reduce this impact.

Health Implications:

Ensuring that the street scene is clear of trolleys contributes to the enhancement of the space within the area, which in turn helps it to be an aesthetically better place to be. Likewise, the collection of any abandoned trolleys is done in turn with other waste collection, which also contributes to this.

Title and Location of any Background Papers used in the preparation of this report:

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Risk Assessment :

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Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

No

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

No

1 Introduction

- 1.1 The Council's agreed to implement this scheme using its powers under the Environmental Protection Act 1990 and it came into effect in August 2018 for the Gainsborough area.
- 1.2 The scheme was introduced to combat the persistent issue of abandoned shopping trolleys, which at the time were being collected at a rate of 30 per week.
- 1.3 The scheme is operated and managed by the Street Cleansing Team, led by Simon Smoothery.

2 Scope of the Scheme

- 2.1 The scheme seeks to make supermarkets more accountable and responsible for the trolleys that leave their premises and in turn provides a mechanism for the Council to charge for their recovery and return. Appendix A sets out the charging schedule.
- 2.2 The scheme does not provide a solution that resolves the issue of abandoned shopping trolleys, it provides a mechanism to recover the cost of clearing them, which in turn, should encourage supermarkets to take more steps to reduce the issue occurring.
- 2.3 Prior the scheme the Council were collecting the trolleys and either storing or returning them at its own cost.

3 Progress To Date

- 3.1 On immediate commencement of the scheme one of the key Gainsborough supermarkets took immediate steps to address the issue by amending the width of a gated access to remove the ability to remove a trolley from the site this was as well as reinstating its trolley wheel security system. These actions have both had a positive impact on the issue.
- 3.2 Since the schemes inception the following number of trolleys have been collected from the Gainsborough area:

Date (Aug 2018 - June 2021)	No. of trolleys collected
Aug 18 – 1.1.19	138
2.1.19 – 31.12.19	373
1.1.20 – 30.6.20	275
1.7.20 – 31.12.20	394
1.1.21 – 30.6.21	378
Total	1,558

3.3 The level of reporting in relation to abandoned shopping trolleys specifically, remains very low, less than 5 per year although some may be reported as fly-tipping.

3.4 The level of income achieved from the scheme to date is as follows:

Financial Year	Income Collected	Number of Trolleys Recovered
2018/19	£13,875	185
2019/20	£29,025	387
2020/21	£51,525	687
Total	£94,425	1,259

3.5 The income collected is used to cover the costs of delivering the service and supplement as required the Council's waste collection services.

4 Summary

4.1 The issue of abandoned shopping trolleys is still present in Gainsborough although the current collection rates are on average 12 - 15 per week. This figure is a reduction of 62% since the implementation of the scheme. Whilst the number of trolleys collected in 2020/21 has increased, this is still a significant reduction on the volumes that were being collected prior to the scheme of circa 30 per week. This increase may be linked to the increased use of supermarkets during the pandemic period and this will become clearer when the figures for the current year are considered.

4.2 As per the legislation relevant to the scheme, it is proposed that consultation in relation to its continuation be carried out in 2023, when the scheme has been in place for 5 years. It is not proposed that any further updates are brought back to committee prior to this consultation.

5 Recommendations

Regulatory Committee are asked to:

- a) Note the progress of the scheme and its success to date.
- b) Agree that consultation on the continuation of the scheme and any subsequent decision on it, in line with the legislation, be carried out in 2023 when the scheme has been in place for around 5 years

Appendix A

West Lindsey District Council Schedule 4 EPA 1990 scheme

Scope

Trolleys found abandoned in Gainsborough will be seized by West Lindsey District Council ('the council') and removed to the council depot in Gainsborough for storage.

Once a trolley has been seized the council will notify the owner, if identifiable, within 14 days. If the owner claims the trolley, the council will deliver the trolley back to the store once the payment for release has been made.

If the trolley is not claimed or payment not received the council will store the trolley for 6 weeks, after which the trolley will be disposed of. The owner will be charged for the costs of recovery, storage and disposal.

If no owner can be identified the council will store the trolley for 6 weeks, then dispose of it. The scheme will apply to all supermarkets who supply shopping trolleys in Gainsborough.

Charges

Our charges are set out below (stated fee is per trolley):

- | | |
|--|------|
| - Trolley recovered, claimed and paid for, and returned to store | £75 |
| - Trolley recovered, claimed but payment not received, trolley disposed of after 6 weeks | £100 |
| - Trolley recovered, unclaimed by owner, trolley disposed of after 6 weeks | £100 |
| - Trolley recovered, owner cannot be identified and no claim made, disposed of after 6 weeks | £0 |

Debtor invoices will be raised in all cases, and where payment is not received, the council will recover via civil debt recovery.