



Regulatory Committee

16th September 2021

Subject: Abandoned Shopping Trolleys - Schedule 4 Update and Review

Report by:	Assistant Director – Change Management & Regulatory Services
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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):

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| - 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.