

Gloucester City Council

Meeting:	Cabinet	Date:	17th September 2014
Subject:	City Centre Trade Waste Collection Policy		
Report Of:	Cabinet Member for Environment		
Wards Affected:	Westgate		
Key Decision:	No	Budget/Policy Framework:	No
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Appendices:	Appendix 1 - Draft City Centre Trade Waste Collection Policy		

1.0 Purpose of Report

1.1 To approve a Draft City Centre Trade Waste Collection Policy for consultation.

2.0 Recommendations

2.1 The contents of this report be noted.

2.2 That the Draft City Centre Trade Waste Collection Policy currently out for formal consultation be endorsed by Cabinet.

2.3 Subject to consultation with City Centre Businesses, the Policy be considered for adoption, in December 2014, with an implementation date of 1st January 2015

3.0 Background and Key Issues

3.1 The wider City Centre is home to some 375 businesses all of whom generate varying levels of trade waste. In the main this waste is placed for collection outside business frontages at different times of the day and is collected by a number of different contractors.

3.2 This can at times lead to the City Centre street scene being littered with rubbish bags which do not look pleasant, have the potential to be split open by gulls, foxes and other vermin, can cause access issues, can attract other waste to be deposited at that location and can cause issues with odour particularly in the warmer months.

3.3 As a Council we have a legal obligation to as far as is reasonably practical, keep roads, highways and land to which we have control clear of litter and refuse and in a clean condition.

3.4 In addition The Council are committed in partnership with AMEY to improving the street scene within the City Centre to make it an attractive location for people to visit and enjoy which encourages inward investment and promotes growth.

- 3.5 Developing a City Centre Trade Waste Collection Policy will provide our businesses with a clear and consistent message to assist them in complying with the law and will encourage them to assist us in enhancing the City Centre customer experience.
- 3.6 The draft policy supports existing measures already implemented to deal with trade waste such as the provision of gull proof bags. Delivery of the policy will provide us with an opportunity to work with businesses and contractors to increase the uptake of gull proof bags and to explore other ideas they may have.
- 3.7 The emphasis of the draft policy is on providing businesses with a reasonable timescale each morning to place their waste out for collection. This is proposed to be 06:00hrs – 10:00hrs. The 10:00hrs restriction aligns with the recently introduced vehicle restriction on our gate streets which sees non-emergency vehicles not being permitted within the Gate Streets between 10:00hrs – 16:00hrs.
- 3.8 This will prevent the common occurrence we see regularly which is trade waste being placed out for collection at the end of the working day and which remains there throughout the evening for collection the following day. It will also have the positive impact of ensuring that the City Centre is free of trade waste during prime shopping hours (10:00hrs – 16:00hrs) when there is a high level of footfall.
- 3.9 In addition the draft policy sets out the legal obligation that businesses are under to meet their duty of care in respect of waste by having in place a trade waste agreement. Compliance with this duty underpins the draft policy as businesses presenting their waste on the street for collection should only do so where a trade waste agreement is in place. This confirms that collection will be undertaken by a registered waste carrier.
- 3.10 The draft policy clarifies that we as a Council will not be responsible for clearing mis-presented or uncollected trade waste and this will rest with the business themselves. We may however where the situation requires, remove business waste that it is found to be in non-compliance with this policy. The producer of the waste will be subsequently re-charged for the costs incurred by us which will cover collection, storage and disposal of waste and associated administration.
- 3.11 Many Councils employ this type of policy across the country. A number of them provide a smaller window for presentation and collection of waste than what we are proposing, for example not out before 08:00 and in by 10:00hrs. It is considered that this tighter window would be generally unwelcome as it too restrictive and will not provide businesses with sufficient flexibility in organising arrangements with their waste contractor.
- 3.12 It will be very important to consult with as wide a range of our City Centre businesses as possible on the draft policy to obtain their comments and feedback. Key groups including the Gloucester Chamber of Commerce, the Gloucester Branch of Federation of Small Businesses and The Gloucester Licensed Victuallers Association will all be written to and invited to make comments in addition to consulting via our website and other media outlets.

4.0 Alternative Options Considered

4.1 A range of options have been presented, discussed and discounted. These included -

- Identification and Provision of Strategic Communal Collection Areas
- Proactive Campaigns with no legal backstop
- Build Trade Waste into Food Safety/Health & Safety/New Business Inspections

4.2 It was felt these alternative options did not place enough responsibility on the waste producer to manage the issues associated with trade waste and could lead to further problems such as those that come with managing a communal collection area.

5.0 Reasons for Recommendations

5.1 Implementation of a policy will provide our City Centre businesses with a clear and consistent message to assist them in complying with the law in respect of trade waste.

5.2 The policy should set out how we wish businesses to support us in improving the street scene within the City Centre in order to enhance customer experience, support the night-time economy, encourage inward investment and promote growth.

5.3 The policy should also support Officers in undertaking investigations of trade waste issues as it provides them with a clear direction on what should be expected of business in respect of presentation and collection of trade waste.

6.0 Future Work and Conclusions

6.1 Subject to approval of the draft policy for the purposes of consultation, we will look to consult with businesses on the proposed policy so as to seek their views before final adoption. The final report will then be presented to Cabinet in December, together with any comments on the policy and suggested changes, with an implementation date of 1st January 2015.

6.2 If approved the policy will be communicated to and implemented in partnership with the City Centre business community with the aim of supporting businesses to comply with the policy and meet their legal obligations in respect of trade waste.

7.0 Financial Implications

7.1 There will be minimal resource implications in implementing the policy and investigation of complaints will be prioritised against other reactive work requiring response at the time of receipt.

7.2 In the medium to long term it is envisaged that the amount of resource taken up by investigation of trade waste issues should decrease as businesses will be clear on what the Council expects of them in respect of trade waste.

(Financial Services have been consulted in the preparation this report.)

8.0 Legal Implications

- 8.1 This draft Policy is supported by an existing legal framework that provides Councils with enforcement powers for dealing with trade waste issues. Use of these enforcement powers will be considered having regard to the Environmental Health & Regulatory Services Enforcement Policy.

(Legal Services have been consulted in the preparation this report.)

9.0 Risk & Opportunity Management Implications

- 9.1 The following risk and opportunities have been identified:

Risks	Opportunities
Businesses will consider policy too restrictive	To improve the street scene within the City Centre
Businesses will view the policy as a tool for Council to take enforcement action rather than a tool to improve the street scene within the City Centre	To support businesses to comply with the law in respect of trade waste
	To promote the role of the Council in aiming to enhance the City Centre experience, support the night-time economy, encourage inward investment and promote growth
	To promote AMEY trade waste collection service

10.0 People Impact Assessment (PIA):

- 10.1 The PIA Screening Stage was completed and did not identify any potential or actual negative impact, therefore a full PIA was not required.

11.0 Other Corporate Implications

Community Safety

- 11.1 Improving the street scene within a community has been proven to have positive impacts on anti-social behaviour, community cohesion and general health & well being of that community. This is based on the fact that improving the look and feel of the area changes its nature for the better and encourages people to utilise it more for enjoyment. Reducing the length of time that waste is present within our City Centre also removes the potential for it or its contents to be utilised as weapons or objects associated with anti-social behaviour.

Sustainability

11.2 A clear and consistent message for businesses on how and when they should present their business waste will naturally create sustainability. The window of 06:00hrs – 10:00hrs provides sufficient flexibility which should reduce the scope for the policy needing to be changed in the future. Having the policy in place will also support Council Officers in confidently being able to investigate and follow up incidents of non-compliance particularly in the face of challenge if received.

Staffing & Trade Union

11.3 No staffing or Trade Union implications have been identified

Background Documents: