

UCKFIELD TOWN COUNCIL



LITTER POLICY

Policy Number 78		
Issue No.	Date completed	Details of amendments
01	EL.36.10.16	Environment & Leisure 24.10.16

1.0 Background

- 1.1. Uckfield Town Council has long recognised its responsibility for the environment and is committed to continuous improvements that reflect our concern for the quality of the local and global environment.

2.0 Legislation

- 2.1. The primary legislation for litter and refuse is the Environmental Protection Act (EPA) 1990. This Act is supported by further legislation under the Clean Neighbourhoods and Environment Act 2005 together with the Code of Practice on Litter and Refuse 2006 produced by DEFRA. Additionally the Litter Act 1983 s5 confers powers on Town and Parish Councils to provide and maintain litter bins.

- 2.2. The primary legislation, the EPA, places the principal duty on the District Council for keeping land to which the public have access to, free from litter. The EPA does not confer any powers or duties onto Town and Parish Councils. However the Town Council is responsible for keeping its own land clear of litter and failure to do so could result in the Principal Litter Authority (Wealden District Council) taking action against the Town Council to ensure land is kept free of litter. For Uckfield therefore we have a duty to keep all of our open spaces including the Nature reserves and playgrounds free from litter.

- 2.3. Town and Parish Councils do have general powers under the Local Government Act 1972 s137 which permits the Town Council to *“incur expenditure which in their opinion is in the interests of, and will bring direct benefit to, their area or any part of it or all or some of its inhabitants”*. *There are limitations to this power including a financial limit however any proposed expenditure under this policy is extremely unlikely to exceed the financial limitations set by the legislation”*.

3.0. Wealden District Council (WDC) (Principal Litter Authority) policy

- 3.1. A copy of the District Councils litter policy is attached at Appendix A. This policy confirms the following approach to litter and dog bin provision by the Principal Litter Authority.

4.0. Current Service Provision

- 4.1. The Town Council provides multi use litter bins at all of its recreation grounds and other open spaces. A total of 73 bins are provided and maintained by the Town Council, most are emptied twice weekly or daily if in a children’s play area. The Town Council no longer provide dog specific bins and all its bins are dual purpose.

- 4.2. WDC provide and maintain litter bins at various locations in the Uckfield Town area and have advised that they currently maintain and empty a total of **xx** litter bins and **xx** dog bins. Wealden’s waste collection contractor is required to empty litter bins in the high street on a daily basis and weekly at all other locations within Uckfield. There are also a few litter bins on private land managed by local shopkeepers around Uckfield. The Town Council receives very few complaints regarding lack of emptying of litter bins provided by either the Town or the District Council.

- 4.3 The cost to the Town Council of providing and maintaining its current stock of 73 bins is not easily identified. However the litter bin emptying task takes on average 14 hours per week and based on current staffing costs equates to £1.79 per bin per week. In addition there are costs associated with replacing damaged bins as well as the cost of disposal of waste collections, black sacks, and fuel.

Waste collection and sack costs are in the order of £4,770 per year equating to an emptying charge of £1.25 per bin per week. The total cost of providing bins on Town Council land is therefore in the order of £3.04 per bin per week. Although this sum excludes fuel costs, it is substantially lower than the proposed costs offered by WDC.

- 4.4. The cost of replacing/providing a new litter bin is in the region of £600 including installation costs.

5.0. Demand

- 5.1 Requests for litter and dog bins could be received from residents, business owners, dog walkers or other local authorities. Permission will have to be sought from East Sussex County Council if a bin is to be placed on land in their ownership.

- 5.2 The Town Council will maintain a register of requests which shall be used in the proposed assessment process.

6.0. Future Service Provision

- 6.1. WDC has a duty to keep public land clear of litter as they are the principle litter authority. Provision of litter bins assists compliance with this duty especially in areas where there is significant footfall or close proximity to fast food and other food retail outlets. Uckfield Town Council should continue to report issues identified locally in Uckfield to the District Council, and where litter or dog bins are identified as being part of an overall solution to a local problem, encourage the District Council to consider the provision of additional bins. Similarly the Town Council should continue to monitor its own land and where any new problems are identified consider any additional provision that may assist in reducing littering and dog fouling.

- 6.2. The Town Council may also wish to use its general powers through the provision of funding litter bins on land under the responsibility of the District Council. This would be subject to evaluation of need using criteria that forms a robust evaluation method for such an approach.

- 6.3. An assessment method is set out in Appendix B

7.0. Financial Implications

- 7.1 WDC current and proposed charging scales for providing new dog/litter bins are:-

Current charges

- £5.05p per bin per emptying (£262.60 per year based on a weekly service)

Proposed charges

- £240 per bin per year (emptying frequency not specified)

Provision of new bins (dog/litter)

- £500 – dog bin
- £750 – litter bin

Relocation of an existing bin (up to a distance of 200metres)

- £250 – concrete litter bin
- £150 – plastic or metal, dog or litter bin

- 7.2 Based on these WDC charges, each new chargeable litter bin would cost a maximum of £990 for the first year and £240 per year thereafter.

Based on current Town Council figures, the initial cost of providing and emptying a new bin for the first year equates to £758.08 and £158.08 per year thereafter.

- 7.3 These charges, as mentioned at paragraph 4.2, are substantially more than the costs incurred by Uckfield Town Council to provide the same service on its own land. As the Town Council has no responsibility for providing and maintain litter bins on public highways and footpaths the Town Council should continue to lobby WDC to provide litter and dog bins in locations where a need has been identified. The Town Council should also continue to provide its own litter and dog bins for its own land as there is clearly no financial benefit of requesting a service from WDC.

8.0. Policy Recommendations

- 8.1 Subject to consultation with the land owner litter bins may be supplied on land not in the Town Council's ownership.
- 8.2 Where the Town Council provides litter bins they will be of a design suitable for their location and will, wherever possible, be lockable and of a design that will prevent access by rodents or other wildlife.
- 8.3 The Town Council will respond to complaints regarding the provision of litter bins on land which is under the responsibility of Wealden District Council by reporting such complaints and keeping a record in order to assess future needs. Where a need is identified the Town Council will seek the support of the District Council to provide additional bins to meet established demands. This approach recognises not only the cost of providing and emptying of litter bins but also the impact litter has on resident's perception of a safe and secure community as well as the environmental impacts.
- 8.4 The Town Council will review its' existing litter bin provisions and either remove, replace or provide bins, subject to any budgetary implications at least once every three years.
- 8.5 The provision of new litter bins will be determined after evaluating the need in accordance with the evaluation process as set out in Appendix B and then subject to budget provision.
- 8.6 Litter bins will be emptied at least once every week on Council owned land and more frequently where a need is identified to ensure bins do not regularly overflow.

Appendix A - Wealden District Council Policy on Litter

The District Council's policy and service concerning street cleansing, including litter bins, is formed from the contract it is party to under the East Sussex Waste Partnership.

This is explained by splitting into the constituent parts.

Street Cleansing - through its contractor street cleansing is provided on the public highway, including verges and paths, and Council car parks. This is assessed using the National Indicator NI195 measuring litter, detritus, graffiti and fly posting, although this has been extended to include dog waste and weeds. There is no provision for cleansing services on private roads or other land. The contractor is required to provide a mixture of scheduled and reactionary cleansing services to ensure the NI 195 standards are maintained.

Cleanliness is measured by an independent third party organisation through random sampling three times per year within Wealden and also across the wider waste partnership. This service also includes the clearance of fly tipping.

Litter bins – WDC install and service litter bins on the public highway and other District Council owned areas where it is deemed essential to control the incidence of litter. No charge is levied for this service. Consideration is also given to installing and/or servicing litter bins in other locations upon request, although this additional service will be subject to a charge.

Dog waste bins - WDC will consider installing and/or servicing dog waste bins upon request from Town and Parish Councils or other third parties, although there is a charge for this service.

All litter and dog waste bins are emptied on a schedule that ensures they have a minimum of 15% spare capacity. In reality this means that most will be emptied on a weekly basis however, some in higher use areas will be emptied more frequently while others less frequently.

Appendix B – Uckfield Town Council Litter bin provision evaluation process

Each request for a new bin shall be assessed using the scoring system below. The Environment & Leisure Committee will have a final say on the decision process should any additional factors be found relevant and which are not expressly related to the scoring approach.

Category	Options	Score
Request for bin on main footpaths / local highways	High intensity of use, such as busy public areas or recreation parkland or strategic local highways or footpaths or car parks	20
	Medium intensity of use, such as residential areas, secondary footpaths	10
	Low intensity of use, such as rural or isolated roadways	5
Proximity to existing bins of the same type (dog/litter)	>100 metres to another bin	10
	<100 metres to another bin (The above is subject to consideration of the level of footfall eg bus stops on opposite sides of the road)	5
Proximity to facilities or main routes away from facilities	<100 metres to a school	5
	<50 metres to take away outlet	10
	<50 metres to shops/supermarket	10
	<100 metres to sports facilities	5
	Adjacent to a bus stop	5
	<100 metres to other public facilities such as pub, church, community centre etc.	5
Number of separate requests for litter cleaning received within 12 month period	0	0
	1 – 2	5
	3 – 5	10
	6 - 10	20
Number of separate requests for a bin received within a 6 month period from the general public	1	5
	2 – 10	10
	11 - 50	20

Having evaluated each request using the above categories and options, an overall score is calculated and compared to the thresholds shown in the table below to determine if the request should be approved.

Score	Outcome
0 – 40	Unsuccessful
41 - 80	Successful

This scoring system will be subject to review on an annual basis, at the time of setting budgets and will act as a guide to Council setting priorities.