

Blaby District Council **Policy**

Public Space Bin & District Cleansing Policy

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Author Job Title	Waste Operations Manager	Service Area	Neighbourhood Services	Document Register Reference	A 989

*Approved by and 'approval date' are in relation to the most recent version.

Review History			
Version*	Reviewed By (Job Title)	Review Completion Date	Brief Description of Changes (add 'no changes required' if applicable)
1	Waste operations Manager	17/03/2021	New policy
1	Waste operations Manager	29/09/2023	No changes required

*Version number remains the same if no significant changes are made upon review.

Document Definition / Approval & Review

Defining the document type and how it is approved and reviewed

Blaby District Council policies ‘**outline a set of rules or principles that govern how the council (or services within the council) will operate**’.

Key published documents are approved for publication in line with the approval matrix illustrated in the Key Published Document Procedure.

Unless agreed by exception, key published documents must be reviewed at least **every 3 years** from the date of approval.

Significant updates/changes must also seek reapproval in line with the approval matrix.

Scope

To what and to whom this policy applies

The Policy applies to the District Cleansing team Under the Environmental Protection Act 1990 (EPA90) Blaby District Council (BDC) has a legal duty to clear litter and refuse, as far as practicable from public places for which it is directly responsible. This primarily includes areas such as public highway (verges, pavements and to some degree the road itself), BDC owned car-parks, play areas, pedestrian areas and parks & open spaces.

Terms & Definitions

Definition of any acronyms, jargon, or terms that might have multiple meanings.

Term	Definition

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1. District Cleansing – Why we do it.

Under the Environmental Protection Act 1990 (EPA90) Blaby District Council (BDC) has a legal duty to clear litter and refuse, as far as practicable from public places for which it is directly responsible. This primarily includes areas such as public highway (verges, pavements and to some degree the road itself), BDC owned car-parks, play areas, pedestrian areas and parks & open spaces.

The Duty

Section 89 of the EPA90 places a duty on local authorities to keep their relevant land clear of litter, refuse and detritus as far as is practicable. Relevant land is publicly accessible land which is open to the air and which is under the direct control of the authority.

The Code of Practice on Litter

Based on land use and time, the **Code of Practice on Litter** sets out reasonable and acceptable standards of cleanliness which duty bodies can be expected to meet. What matters is the cleanliness of an area, rather than how often it is cleaned. The Code of Practice provides a practical guide to the discharge of the duties outlined in section 89 of the EPA90.

For more details visit

<https://www.gov.uk/government/publications/code-of-practice-on-litter-and-refuse>

2 District Cleansing – Where we do it.

The Neighbourhood Services Team at Blaby District Council has the task of ensuring that its District Cleansing duties (as outlined in section 1) are safely and efficiently delivered in the areas of the district for which it is responsible for maintaining to an acceptable standard of cleanliness.

Outlined below are areas in which the service is responsible for this duty.

- The Public Highway including Public Footpaths and Bridleways.

This includes pavements and verges, and to certain extent the road surface itself where mechanical sweeping will remove accumulations of detritus. Waste that causes an obstruction to traffic upon the road surface is typically dealt with in partnership with the Leicestershire County Highways Department. Within Blaby District, public highway cleansing can range from quiet rural roads, residential streets, village centres' and shopping parades through to busy 'A' roads. Motorways do not fall under the jurisdiction of local authorities, and are instead maintained by the Highways Agency. Cleansing requirements differ according to the type of road and the pattern of litter and detritus generation.

- Public Car Parks owned by BDC.
- Parks, Open Spaces and Play Areas owned by BDC

Below are land types commonly mistaken as being maintained by the District Council.

Area	Who to Contact
Railway Embankment	The relevant rail operator
Canal and river embankment and tow paths	The Canal & Rivers Trust
Farm land	The land owner
Private land and car parks	The land owner
Private & un-adopted roads – including new developments awaiting adoption as public highway	The land owner
Parish Council Land	The relevant Parish Council
Privately managed industrial estates and retail parks	The land owner or managing agent

The link below to Leicestershire County Council provides a useful tool for determining the current status of any street or road within Blaby District;

<https://www.leicestershire.gov.uk/roads-and-travel/local-authority-searches/highway-adoption-status-search>

3. District Cleansing – Who are our customers?

Everyone who lives within, works within or visits Blaby District.

4. District Cleansing – What we do.

To carry out its cleansing duties, the District Cleansing Service currently has

- 9 full time operatives
- 1 full time HGV driver (for our mechanical road sweeper)
- 1 full time operational supervisor.

The work carried out in the service can be broadly split into two separate categories, **scheduled and unscheduled work**.

a) Key Scheduled Work

Scheduled work is routine cyclical maintenance. This is repetitive work carried out throughout the year to appropriate frequencies. These frequencies are determined by local needs and can change accordingly. Key scheduled work includes;

- Emptying of public space bins (bins found on public streets, footpaths, council owned parks and play areas).
- Litter picking areas known to have persistent litter problems
- Channel sweeping of public roads within the district (usually with a mechanical sweeping vehicle).
- Regular litter monitoring. Potential or known litter hotspots within the district are monitored, graded and recorded as part of an ongoing assessment of cleanliness within the district. This monitoring is used to inform the program of work.

The district is divided into 4 operational zones. Each zone is covered by 1 cleansing crew (generally consisting of two operatives) who are responsible for both scheduled and unscheduled work within their zone.

b) Unscheduled work

Unscheduled work is in response to unplanned or unforeseen problems arising in areas for which the service is responsible. Typically this work includes:

- Removal of fly tipping on public open space or council owned land.
- Clearance of unexpected litter accumulations on public open space or council owned land.
- Removal of larger dead animals from the public highway.
- Removal of graffiti from BDC owned property.
- Public space bin maintenance and repair.
- Clearance of broken glass.
- Removal of discarded syringes or other dangerously sharp items from a public area.

The District Cleansing service has committed to response times for unscheduled work. These are outlined in the following section.

5. Response Times for Unscheduled Work

The following table sets out the target response times that the District Cleansing Service aims to achieve for unscheduled work. The target response time begins at the point the service is notified of the issue.

These may change due to demand, resources available and safety considerations. For example, a large scale fly tip containing hazardous material may need multiple agencies and therefore require more time to complete removal.

Action Required	Target Response Time
Removal of fly tipping.	5 working days
Removal of hazardous fly tipping (such as asbestos).	Treated as urgent. 3 days, or as soon as operationally viable.
Clearance of unexpected litter accumulations.	5 working days.
Removal of larger animals killed on the road.	1 working days – no animals smaller than a cat can be removed.
Removal of non-offensive graffiti from BDC owned property.	No response time. Programmed into work schedule when operationally viable.
Repair/removal of damaged public space bins.	5 working days typically. 1 working day where the bin is considered to be unsafe.
Clearance of broken glass.	Treated as urgent dependent on location and immediate risk posed. 1 working day, or as soon as operationally viable.
Removal of discarded syringes or other dangerously sharp items from a public area.	Treated as urgent. 1 working day, or as soon as operationally viable.
Emergency request to carry out a mechanical sweep of a public carriageway.	Urgent priority given dependent immediate safety risk posed. For example, road traffic collision.

6. Public Space Bins - Purpose

A public space bin gives members of the public an opportunity to dispose of litter type waste that they generate whilst they are on the move, such as on a street, or when using public spaces such as parks and play areas.

Public space bins are also a means of helping the council to meet its statutory duty to clear litter and refuse, as far as practicable from public places for which it is directly responsible.

Public space bins should not to be used for general waste (including dog waste) produced in a residential household, or any waste produced through any business activities. Where bins are found to be misused in this way, the Council may look to take enforcement action and to relocate or remove those bins from service.

The number and distribution of public bins has to be carefully monitored and controlled to ensure that the right bins are in the right place in order to resolve or help prevent accumulations of litter, which in turn gives the District Cleansing service the capacity to continue to maintain all public bins adequately whilst also having sufficient capacity to respond to unscheduled work.

7. Public Space Bins – Bin Types, Designs and Periodic Checks

Dual Waste Bins - These are bins that accept both litter and bagged dog waste. The use of dual waste bins are advocated by Keep Britain Tidy and give the public increased opportunity to dispose of both types of waste.

Blaby District Council introduced dual waste bins in the summer of 2021. The phased roll out of these bins will eventually replace the large majority of the separate litter and dog waste bins within the district.

It's important that the design and size of a dual waste bin encourages it's use as a means of depositing waste and is appropriate to the location it is placed. So typically these bins are;

of sufficient capacity to hold both types of waste,
are a contained unit with an aperture cut into one or more of its sides
will be appropriately and clearly labelled so that the user understands that both litter and dog waste can be deposited.

This design has the benefit of;

fully or partially obscuring the waste from sight of the user,
prevents waste escaping from the bin due to wind or animals,
removes the need to make contact with the bin when depositing waste (for example there is not a lid to lift)
not obstructing footways

Litter Bins – Prior to the introduction of dual waste bins, the council utilised a combination of litter and dog waste bins across the district. Some of these may remain in-situ. In some specific locations, litter bins will continue to be more suitable than dual waste bins, but in general these will be replaced or rebadged as dual waste bins.

Dog Waste Bins – As with litter bins, dog waste bins may remain in-situ within the district until dual waste bins are rolled out. But the intention is to fully 'phase out' these bins.

Litter and dog waste bins appear in a variety of different sizes and designs across the district. Those that do not encourage their use due to their design or placement will be prioritised for replacement with a dual waste bin.

Periodic Bin Audits – Staff within the District Cleansing team are required to carry out periodic audits of the bins within their allotted area. The audits assess;

**the condition of the bin (such as its cleanliness, appearance and any damage)
the usage of the bin (often overflowing, full, half empty, almost empty)**

The audits ensure that the right bin continues to be placed in the right place, that it continues to encourage the public to use it to deposit waste; and that replacements are carried out in a timely manner to maintain a neat and tidy appearance across the district.

8. Public Space Bins - Provision

This section outlines both the rationale and criteria used to decide upon and justify the installation or relocation of a public space bin.

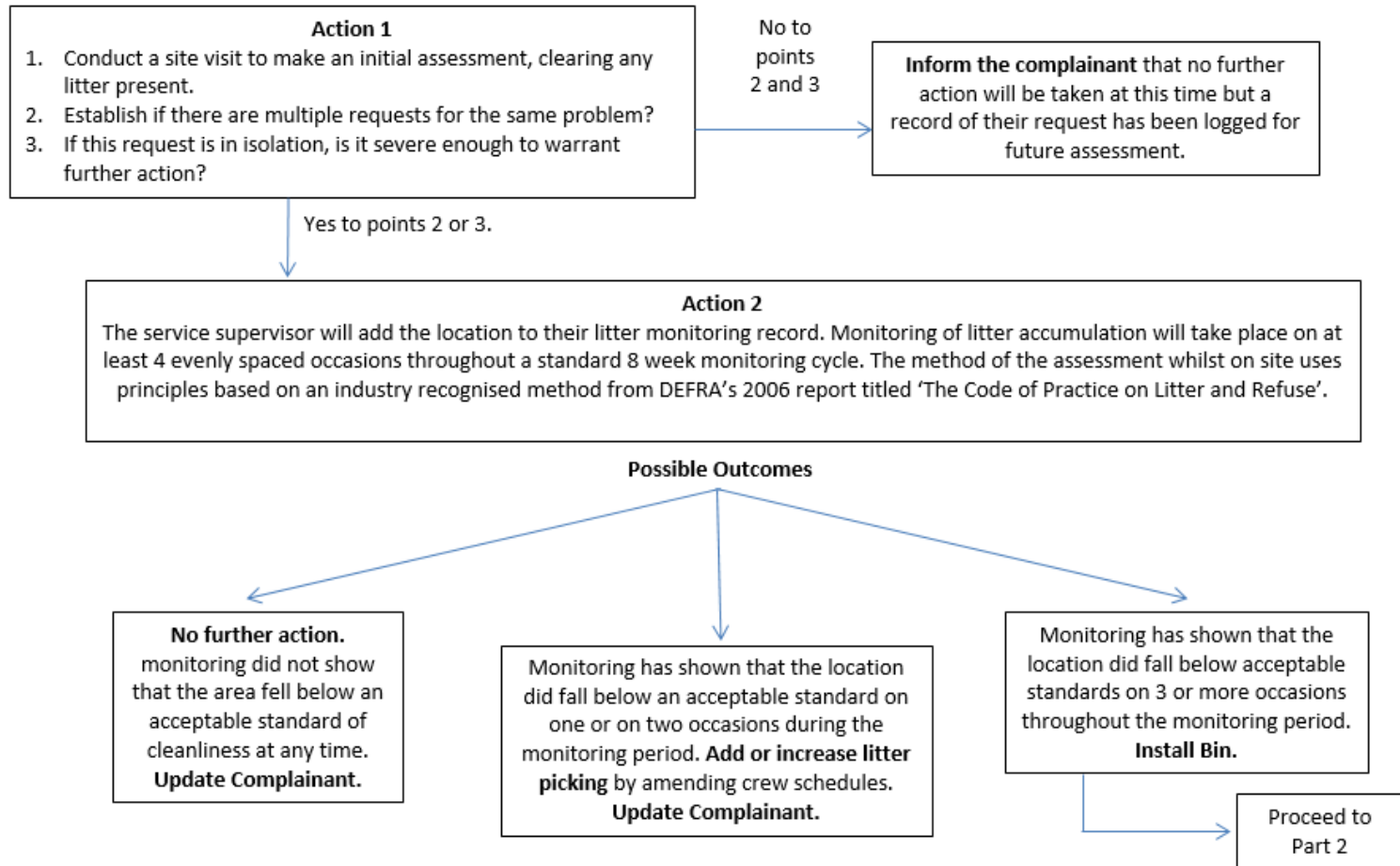
In essence, a public space bin will be installed where it is established through a monitoring process that there is a persistent litter problem, meaning that the area consistently falls below an acceptable standard (as defined in the Code of Practice on Litter).

The District Cleansing service has to guard against over subscribing the district with public space bins in order to ensure it has the capacity to maintain and service them effectively. If bins are installed without meeting a specific criteria or justification, then there is a potential to add unnecessary work to the service that is disproportionate to the resources available and/or the scale of litter problems. Installed bins have to be checked at least once a week. In some circumstances, relocating a bin from one position to another may be solution.

Upon receipt of a request to install a public waste bin (dual, litter or dog waste), the following decision making process will be followed; and in all cases where a public waste bin is to be removed or relocated the appropriate Ward Member and Parish Council will be notified in advance.

Decision Flow Chart – Request to Install a Public Space Bin (Part 1)

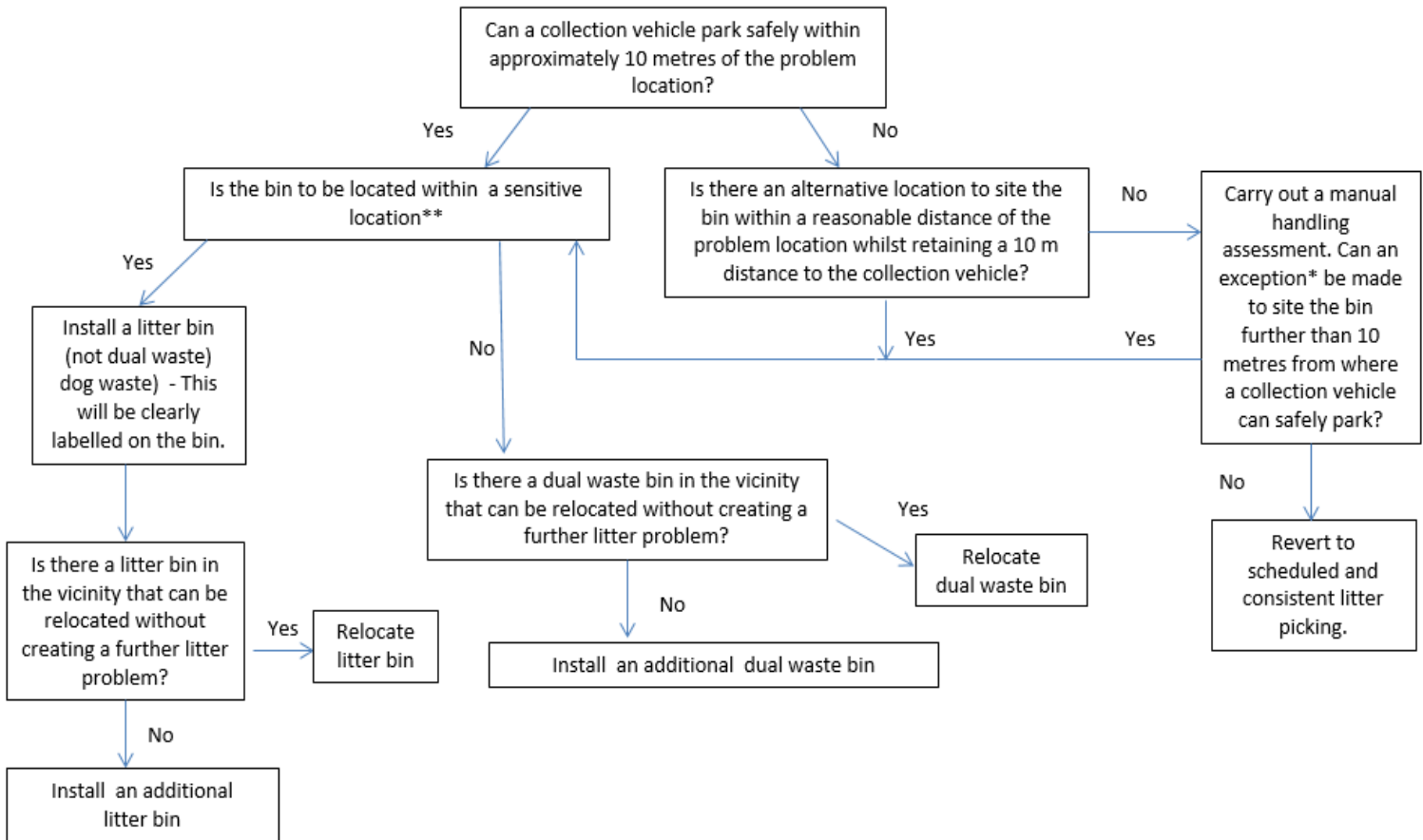
The purpose of a public space bin is to solve a litter or dog waste problem where periodic litter picking is not sufficient to maintain an acceptable standard. A public space bin will be installed when it has been established through recorded monitoring that it is required. Upon receipt of a request to install a street bin (dual, litter or dog waste), the following decision making process will be followed;



Decision Flow Chart – Request to Install a Street Bin (Part 2)

If the process followed in Part 1 has deemed the installation of a bin to be necessary, then the process below should subsequently be followed to ascertain;

- a) if it is safe and practical to install a bin at ,or close, to the problem location.
- b) If 'yes' to (a), then which type of bin is most appropriate to install.



Decision Flow Chart – Request to Install a Street Bin (Part 2)

* The location with a litter problem is only a short distance further than 10 metres from where a collection vehicle can be safely parked. and a smaller capacity bin (90 litres or less) could be installed to control the manual handling risk.

** Sensitive locations are

1. In a Childs Play Area
2. Outside Food or Retail Outlets
3. Close to a Residential Property
4. On a Bus Stop

9. Supporting Litter Volunteers

The 10 operational staff employed within the District Cleansing Service carry out a fantastic job in maintaining the cleanliness of the district and servicing the many public space bins. However, Blaby District Council welcome and encourage anybody willing to assist the team to help elevate the standard of cleanliness to an even high level by becoming a volunteer litter picker.

The Council' volunteer litter picking scheme set up in 2019 has committed to provide willing volunteers with the essential equipment and materials they will need, such as a litter picker, bags for disposal, gloves and a high visibility vest. The team will also remove all of the waste that is collected (from an agreed location).

Volunteers may want to litter pick by themselves at any time that is convenient to them, or in larger groups as part of organised events.

There are numerous health benefits to become a volunteer litter picker including a chance to get fresh air, walking and improving the environment of the area you live in.

Details of how to get involved can be found on the Blaby District Council website on the page below;

www.blaby.gov.uk/litter-picking

10. Enviro-Crime and Enforcement

The Councils Environmental Health department is responsible for investigating and enforcing incidents of environmental crime. However they are assisted in doing this by the staff within the District Cleansing team, who are encouraged to record and report any evidence that they may obtain or witness during the course of their daily duties.

Examples of common environmental crime include;

Littering

Failing to remove dog fouling of a dog under a persons control

Illegally depositing waste on land that does not have a licence to accept it (fly tipping)

Blaby District Council also encourages members of the public to come forward with any information they may have in relation to an enviro-crime.

Further details on how to submit a report to the Council can be found on the Council's web page below

www.blaby.gov.uk/environmental-issue/reporting

11. Chargeable Services Available

Subject to capacity, the District Cleansing team are also able to supply chargeable cleansing services to fellow public bodies (such as Parish Councils) and also to private organisations and business.

The services available include;

- Public space bin servicing; for example on a local community park.
- Litter picking of land where there is no statutory duty on the council to maintain it.
- Mechanical Sweeping; for example of a car park or similar hard-standing space.
- Provision of bins and disposal of waste for organised events.

The Councils statutory duty outlined in section 1 of this document will always remain the key priority of the service. However, in order to provide additional revenue to the council, chargeable work will be considered where there is capacity to efficiently incorporate it. Further details on these services can be obtained by contacting waste.cleansing@blaby.gov.uk

12. Operations That Require Specialist Traffic Management

Some routes within our district aren't safe for our operatives to work on without specialist traffic management. Typically these are roads that don't have a pavement and have narrow verges, blind corners and/or are high speed roads (50mph plus).

An example of this would be some sections of the Blaby bypass (A426) including parts of the central reservation.

Specialist traffic management is expensive (approximately £1000 a day). In order to limit these costs, Blaby District Council work in partnership with Leicestershire County Council to complete shared works on these routes during the summer months. The County Council carry out their grass cutting duties at the same time the District Council carry out their litter picking duties wherever and whenever possible

13. Periodic Review and Amendment of this Policy

From time to time this policy may need to be updated to reflect changes in legislation or for operational reasons.

All changes that do not have a significant impact on district residents will need to be approved by the Portfolio Holder in conjunction with both a Strategic Director and the Neighbourhood Services and Assets Group Manager.

For changes that have a significant impact on resident's district wide the policy will need to be approved by Cabinet and/or Council.