

Agenda Item	8
Report No	CIA/52/18

HIGHLAND COUNCIL

Committee: City of Inverness Area Committee

Date: 22 November 2018

Report Title: Inverness City Centre Trade Waste Policy

Report By: Director of Community Services

1 Purpose/Executive Summary

- 1.1 The report is to update members on the review of the Inverness City Trade Waste Policy and the results of the consultation carried out with businesses, members of the public and relevant stakeholders following the implementation.
- 1.2 The report makes a recommendation to vary the terms and conditions of the trade waste policy and seeks Members' approval for this change.

2 Recommendation

2.1 Members are invited to:-

- I. Note the results of the public consultation and review of the Trade Waste Policy as outlined within the report; and
- II. Approve the recommendation to extend the time for the morning uplift window within the Trade Waste Policy as detailed within the report.

3 Background

3.1 Members will be aware that they approved the Trade Waste Policy for Inverness City Centre at their committee meeting on the 30 November 2017. This report outlines the results of a review and public consultation of the policy that our Service committed to when the policy was approved.

3.2 The trade waste policy was aimed at changing the manner in which trade waste was managed within Inverness City Centre. Essentially the overall aim being to help make Inverness a cleaner, greener and safer city which will encourage more visitors to the city centre and help create a positive image for the benefit of all.

3.3 The policy has been fully implemented since the 5 April 2018.

4 Key Objectives of the Inverness City Centre Trade Waste Policy

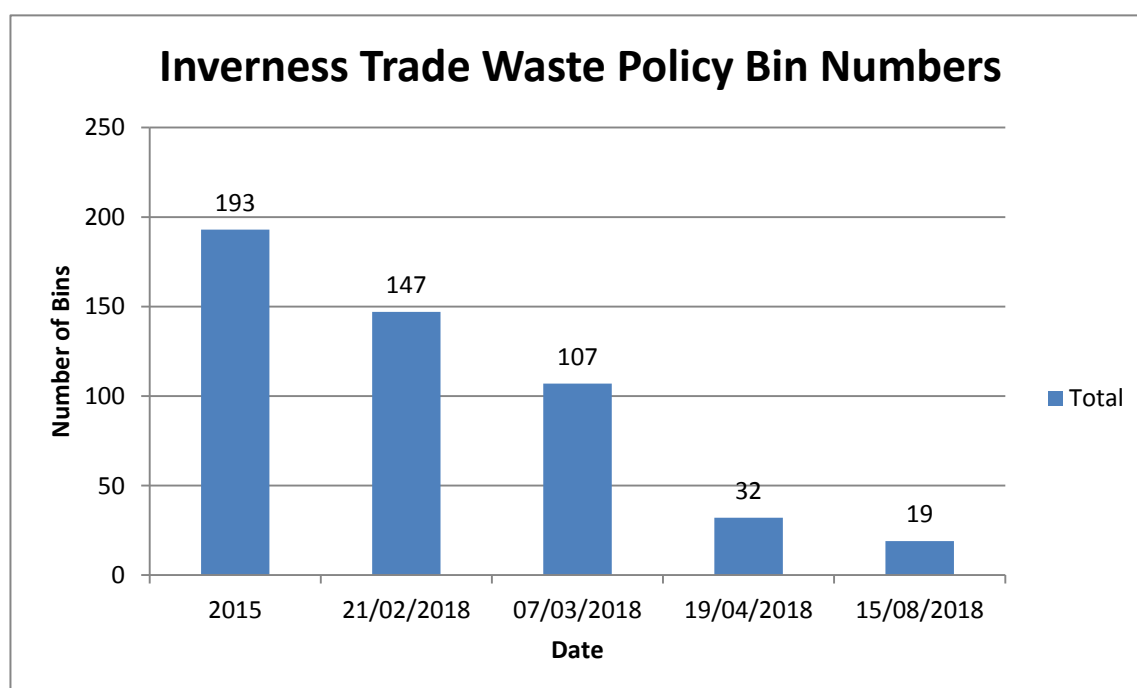
4.1 The policy had a number of key objectives:-

- To reduce the amount of trade waste containers on the streets and improve the look and feel of the city centre;
- To reduce the amount of litter derived from trade waste;
- To encourage businesses to manage their waste more responsibly and recycle more;
- To reduce public safety issues by removing tripping hazards and bins blocking footways which can potentially have a detrimental impact on visually impaired or disabled residents/visitors; and
- To evaluate the impact and benefits of the project after a period of 12 months and to update Committee on the findings.

5 Policy Implementation – Review of Implementation Results

5.1 One of the primary objectives of the Trade Waste policy was to reduce the amount of trade waste bins on the street and improve the feel of the city centre.

5.2 A bar chart has been provided to graphically demonstrate the reduction in bin numbers that has been achieved to date as a result of the trade waste policy.



- 5.3 The figures equate to a **90% overall reduction** to date in the number of bins permanently positioned in public space across the City Centre.
- 5.4 Additionally, trade waste bins are no longer positioned in some of the most prominent positions and busiest thoroughfares within the city centre. This includes Mealmarket Close, Hamilton Street, High Street, and the bottom of Stephens Brae.
- 5.5 Of the 19 bins that still remained on the 15th August 2018, these are predominantly from licensed premises and catering establishments where there is a requirement for the business to have multiple bins. Our Service is in contact with each of these premises as they seek to comply with the trade waste policy requirements.
- 5.6 One of the other primary objectives of the policy was also to reduce litter derived from trade waste. Feedback from our waste team and street cleaning operatives who operate within the city has been extremely positive indicating that the removal of the bins has facilitated more effective litter picking and street cleaning by manual and mechanical street sweepers. This is principally due to the improved access for operatives arising from the reduction in bin numbers.
- 5.7 Additionally the waste team have reported the reduction in bin numbers has also reduced litter contamination from overflowing bins, seagulls spreading litter from bins and resulting mess from bins being knocked over during the night-time period.
- 5.8 One of the primary objectives was to encourage businesses to manage their waste more responsibly and recycle more. Whilst our Service is aware that the policy has had success with several businesses, this is based upon anecdotal evidence. It has unfortunately not been possible to quantify the overall results of the policy in meeting this objective. Further work will be required by our Service going forward to determine how best to monitor and measure this aspect.
- 5.9 Issues that have emerged since the implementation of the trade waste policy include the displacement of trade waste bins from the street into private spaces, including fire exits. The displaced bins restricting exit width on fire exits etc. in some cases. Where our Service become aware of such concerns, enforcement officers will investigate and take appropriate action. If necessary this would involve consultation with Scottish Fire & Rescue Service (SFRS).

6 Enforcement of the Trade Waste Policy

- 6.1 Since the implementation of the Trade Waste Policy, enforcement has principally been undertaken by officers from the Environmental Health, with assistance being provided on occasions by officers within the Community Services waste and roads teams. Any enforcement action taken has been in accordance with the approved Environmental and Amenity Services Enforcement policy. This ensures officers carry out their work in a manner that is helpful, open, proportional, fair and equitable.
- 6.2 The following is a summary of the enforcement action that has been taken to date in terms of the trade waste policy:-
- During the initial weeks, verbal warnings were issued to 33 businesses. These were predominantly for bins being left out after the morning collection window;
 - 7 bins with no identified owner/associated business have been identified across the city centre and removed. None of these bins have been claimed. This is an ongoing problem as businesses change contractors etc. and fail to dispose of their original bins;

- Twenty (20) formal warning letters have been sent to businesses for non-compliance with the TWP; and
- One (1) food waste bin has been formally removed and uplifted. The bin was subsequently returned to the relevant business on the grant of an exemption.

6.3 As anticipated, there has been a slight increase in fly tipping incidents in the city centre since the policy was implemented. These have been actively investigated by Environmental Health enforcement staff. This has resulted in the issue of two (2) fixed penalty notices to city centre businesses

6.4 Where a business considers that they have no alternative to storing their bin permanently on the street or pavement, then an application process for an exemption was incorporated into the trade waste policy. Exemption applications have only been accepted to date from those businesses who have engaged with our Service in trying to seek solutions and that have demonstrated unable to comply.

Eight (8) city centre businesses have been granted exemptions for a total of 15 bins.

7 Public Consultation

7.1 The underlying vision for the city centre trade waste policy was to achieve a city centre free from the visual and environmental blight of commercial waste containers. It was acknowledged that this would present an initial period of disruption for businesses and waste contractors as they adjusted to the policy changes. It was therefore considered essential that business and relevant stakeholders were engaged and consulted on the proposed policy, both before and after implementation.

7.2 The following is a summary of the post implementation consultation and engagement process that has been undertaken between **27 August and 4 October 2018**:-

- a) Amendment of the existing [webpage](#) with a hyperlink to an online survey (see below)
- b) A Survey Monkey questionnaire to capture opinions from interested parties. A total of 16 responses were received during the consultation period. This consisted of replies from 10 city centre businesses; 4 residents of Inverness, 1 visitor from outwith Inverness and 1 business from outwith Inverness city centre. A detailed breakdown of the Survey Monkey results and submitted comments is provided in Appendix 1.
- c) A formal letter of consultation was mailed to all the businesses in the city centre within the Inverness BID area.
- d) A formal letter of consultation was sent to all waste contractors who operate within the Inverness City Centre.
- e) A Facebook entry was created detailing the consultation, with links to the relevant pages of the Council website and the online survey.

7.3 The following is a summary of the feedback from Members of the Public and Business:-

- Based upon the 16 responses we received through survey monkey, the majority felt that most of the policy objectives had been met.
- 68.75%% of those that responded were of the opinion that the number of trade waste bins on the city centre streets had reduced since 5th March 2018. (12.5% expressed no opinion.)
- Among the business operators who responded, the vast majority felt that the trade waste policy had not had a detrimental effect on their business.
- Prior to implementation, concerns had been raised that the restricted morning uplift window would have a serious impact on traffic management in the city

centre. This has not been borne out by enforcement staff and, indeed, the majority of those who responded to the survey felt that there had been no impact.

- From comments made, it would appear that there are still concerns that the morning window hours are too restrictive.
- Only 37.5% of respondents felt there was a need to extend the policy to other areas of Inverness.
- From comments made, it is clear that there are still isolated pockets where difficulties are being encountered. Environmental Health enforcement staff are aware of these and are working, along with partner agencies, to come up with solutions.
- 1 letter was received from a City Centre business outlining a concern re displaced bins blocking a fire exit as a result of the policy. This is actively being followed up by enforcement officers.

A copy of the full survey monkey questionnaire results are included in **Appendix 1**.

- 7.4 Whilst the number of responses received as part of the consultation was low, this may be attributable to the success the policy has had in addressing many of the original issues that prompted its implementation. People being less likely to respond if there is no longer perceived to be so much of a problem.

8.0 Recommendations Going Forward

- 8.1 Based upon our own Service's experience of implementing the trade waste policy and feedback we have received directly from businesses and relevant stakeholders, it is considered that the policy has worked well overall and met the majority of its original objectives.

Our Service therefore do not consider that any wholesale changes to the policy requirements are necessary.

- 8.2 However, based upon feedback from the public consultation and survey monkey results, a number of businesses and waste contractors have expressed that the morning collection window should be extended to allow more flexibility for collection.
- 8.3 Taking this into account, our Service would recommend that the morning presentation window be extended by 1 hour to an earlier time. The policy requirement would be amended as follows:-

Within designated uplift windows, waste will only be permitted to be placed for uplift within the specific time periods stated:-

- a. 0600hrs – 1000hrs
- b. 1800hrs – 2100hrs

This obviously extends the time to earlier in the morning which will provide more flexibility for the waste contractors and businesses.

It is considered that this could be accommodated without adversely impacting on the original objectives of the policy. Should noise issues arise from any noise sensitive properties, then these would be investigated on a case by case basis in conjunction with the waste contractor and business in question.

- 8.4. Our Service would not recommend extending the policy to other areas of Inverness, or elsewhere in the Highlands at this time.

This is primarily due to the additional resource implications for our Service and by virtue of the fact that the complaint history does not support the need to extend the policy at this time.

Our Service would consider that isolated complaints or issues arising could be effectively responded to on a case by case basis.

- 8.5 Whilst 50% of respondents to the survey monkey indicated a preference to amend the policy requirements to permit bins to be left out overnight for collection, our Service would not recommend amending the current policy requirement in this respect due to potential increase in litter, bins being knocked over and anti-social issues linked to the presence of the bins on the street.

9 Implications

- 9.1 Resource - Whilst there are challenging resource implications for our Service in continuing to monitor and enforce the requirements of the trade waste policy, the recommended change to the policy requirements (i.e. extending the morning uplift window to an earlier time) will not require any additional resource. This will be managed from current staff resources.
- 9.2 Legal – The primary legislation that supports the trade waste policy is the Environmental Protection Act 1990 and the Roads (Scotland) Act 1984. There are known legal implications at this time.
- 9.3 Community (Equality, Poverty and Rural) – No implications.
- 9.4 Climate Change / Carbon Clever – No implications.
- 9.5 Risk - No implications.
- 9.6 Gaelic - No implications.

Designation: Director of Community Services

Date: 1 November 2018

Author: Gregor MacCormick, Senior Environmental Health Officer

Background Papers: Committee Report dated 30 November 2017

Summary of Survey Monkey Responses

Q1. How would you describe yourself?

Inverness City Centre Business	62.5%
Resident of Inverness	25%
Visitor from outwith Inverness	6.25%
Business outwith Inverness City Centre	6.25%

Q2. Do you think that, since 5th March 2018, the amount of trade waste containers on the streets of the city centre has reduced?

Yes	68.75%
No	18.75%
No opinion	12.50%

COMMENTS

- The city centre looks like a tip. It's a sad reflection of how it used to be, the streets are frequently dirty and there is nothing to attract anyone to the centre. We tend to avoid it when we can.
- I have noticed a significant reduction in the bins, particularly on Hamilton Street that I use all the time. Much more pleasant to walk through and no sightings of any rats since the bins away.
- It has made a positive impact on the city centre and significantly reduced the unsightly waste bins that used to be left on the streets.
- Looks cleaner overall, bins are unsightly and they seem to be more out of public eye now.

Q3. Do you think that the Trade Waste Policy has resulted in an improvement to the look and feel of the city centre?

Yes	50%
No	25%
Undecided	25%

COMMENTS

- we now receive a small amount of comments about having a bag outside our door from passers by. Also the bag is so light weight it has a tendency to blow away across the path. Bit concerned what will happen when the winter gales arrive.
- Ultimately it can't be said to have worked until the blight of commercial bins have been at least significantly reduced.
- Far less clutter.
- Just looks better and not so unsightly.
- Absolutely - there were so many bins which were often overflowing and unsightly. This makes a huge difference to the impression that is given to both local and visitor alike.
- In theory, the idea to try to eliminate waste on the streets by requiring smaller commercial waste bins or bins that are taken in every night was good; however, the execution has not resulted in a decrease in visible waste. If anything, it has created a different problem with scavengers and other pests like seagulls, who rummage through the bags that are left out (in our case) and not picked up by the council despite reassurances that there would be pick up every day.

- Despite companies removing bins others appear to not have had to.

Q4. Do you think that the Trade Waste Policy has resulted in a reduction in the amount of litter derived from trade waste?

Yes	31.25%
No	31.25%
Undecided	37.5%

COMMENTS

- Overflow is still an issue as bins being caught by weather.
- Litter at falcon square will probably be an issue, but generally across town this has improved.

Q.5 Do you think that the Trade Waste Policy has encouraged businesses to manage their waste more responsibly and recycle more?

Yes	50%
No	31.25%
No Opinion	18.75%

COMMENTS

- Recycling seems to be going on but this creates its own issues with the extra bins required and waste e.g. cardboard being left beside bins at collection time.
- Can't tell as the bins are now off the street.
- I have made a conscious effort to manage better, more pick ups less bins etc.
- Because our waste has not been picked up when it should our business has suffered, as we have collected bags in our basement that smell and are a health hazard to our clients who use the facilities in the basement where the waste is kept, and to the staff who work here.

Q6. Do you think that the Trade Waste Policy has reduced public safety issues, for example, by removing trip hazards that block the footways?

Yes	50%
No	31.25%
Not sure	18.75%

COMMENTS

- Instead of a Bin outside our door we now have a bag that someone could trip over, albeit 1 hour on 2 mornings a week.
- Bins still block access but to be honest this was never a significant issue.
- There is less overflowing bins and litter about and so only a good thing.
- Often you would have to step round bins that were left on the pavements. It makes it safer for people especially elderly and those with a disability
- It has created more of a trip hazard, as the bags that we now put outside are at a height that is easy to trip over. Previously the bins were larger and thus, more visible

Q.7 If you are a business operator within the city centre area, how have you managed to comply with the policy requirements? (please tick all that apply)

Not a business	37.5%
Increased uplift frequency	18.75%
Direct bag collection	6.25%
Internal storage	37.50%

External (off street) storage	6.25%
Exemption	0%
Other	25%

COMMENTS

- moved from a bin being always on the street to putting out a plastic bag twice a week between 9-10 on a Tuesday and a Friday.
- City Resident.
- Bins collected 3 times a week and oil bin kept inside.
- This however doesn't work for us at all times as the hours of the business do not fit with the required schedule.

Q. 8. Do you feel that the Trade Waste Policy has had a detrimental effect on your business? If so, please provide further information

Yes	18.75%
No	43.75%
Not a business operator	37.5%

COMMENTS

- The times are far too restrictive and have caused a number of issues. Not many businesses in the centre are open at the times allowed for waste collection so cannot be placed outside.
- Improved effect.

Q.9 Do you feel that enforcement of the policy has been fair, proportionate and consistent?

Yes	37.5%
No	37.5%
No opinion	25%

COMMENTS

- Is policy geared to force businesses to use Highland Council collection charging more than other waste collection companies do??
- I've not witnessed enforcement.
- Haven't been made aware of any enforcement, so can't say if the council have had to use rules to force shops to comply.
- As a waste contractor we have been disappointed to note that our bins are where they have been asked to be but other companies appear to not be paying heed to the rules. This appears to include Highland Council.

Q10. Do you feel that the uplift windows allowed for within the policy are adequate?

Yes	37.5%
No	37.5%
No opinion	25%

COMMENTS

- See previous comments. I understand reasons, but the "windows" are far too restrictive as we are only open 09:00 to 17:00 like many businesses on High Street, so opportunities to place waste outside for collection is seriously restricted.
- Rubbish should be collected at night by a dedicated small unit.

- Not there when the bins are emptied so don't know.
- We only have one member of staff who is in before 9am, and if he does put the bags out, we are left to find space to keep them inside the building until the next morning. It would be helpful to have a bin that we are allowed to leave outside overnight so that the waste is picked up first thing in the morning.
- Earlier uplifts would suit more people. We used to collect at 05.00am without any issues.

Q.11 Do you feel that waste containers should be allowed to remain on the street overnight?

Yes	50%
No	43.75%
No opinion	6.25%

COMMENTS

- See previous comments.
- Waste should be put out after hours and collected at night and the bins put back early in the morning, before opening hours.
- In certain areas, they are unseen anyway so yes if it helps the businesses, so long as they can't be got at by vermin and seagulls.
- Definitely not. there is more chance of bins being overturned and waste being left on the streets.
- As a waste collector we want to be in and out of the city centre early not restricted by time. We should not be encouraging vehicles to be on the streets while a lot of pedestrians are about.

Q.12 Do you feel that the policy has impacted on city centre traffic management?

Yes	12.5%
No	56.25%
No opinion	31.25%

COMMENTS

- No impact in my view
- I have not seen any problems when in City Centre.

Q.13 Would you like to see the policy extended to other areas of Inverness?

Yes	37.5%
No	43.75%
No opinion	18.75%

COMMENTS

- only if an issue
- If it was working yes, in its current form no.
- This would have a detrimental impact on our service and would drive up costs.
- 1) Because the majority of the other parts of Inverness are residential bins 2) There isn't the same level as was in the City Centre. 3) It will overburden the enforcement staff.

Q.14 Would you like to see the policy extended to other areas of the Highlands?

Yes	50%
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No	31.25%
No opinion	18.75%

COMMENTS

- As above.
- Some towns are so old the pavements are narrow and there is nowhere for bins to go inside or outside...we have too many bins and it's only going to get worse. It might also be impossible or too costly to small businesses in quieter places to have any changes to their bin services. This might mean they close down for good.

Q15. Do you have any other comments on the Trade Waste Policy or how it could be improved?

Yes	43.75%
No	56.25%

COMMENTS

- central point with bins that business to use together perhaps. worried how light bags will stay and not move in high winds, especially for us being near the main road. We do try our best to place the bag on the more sheltered side of the building.
- Trade waste containers left overnight should be behind locked screened off areas like other cities.
- On the continent trade waste for central commercial properties is collected in the middle of the night when foot traffic is at its lightest. Likewise rather than having a large number of smaller bins a central area should be identified with a small number of larger bins in a 'disguised area'. These could then be emptied more often.
- I think has greatly helped the city centre. It was time that businesses took more care of their waste rather than just store it in the street for everyone to see and suffer from.
- This has been a very positive policy and extremely beneficial to the look and safety of the city centre.
- This policy needs to be implemented fairly. Our driver(s) often report overflowing bins from other companies - our bins are always stored and collected in line with this new policy. Bins should be allowed to be put out overnight. This is standard practice and allows bin lorries to enter the city early and be gone before roads and pavements are busy.
- Residential bins in the city centre are bigger hazard to the public as they can sit on the street for up to 3 or 4 days before being put away. Business owners always take their bins in quickly to prevent public from using and contaminating the bins.