

Thurrock - An ambitious and collaborative community which is proud of its heritage and excited by its diverse opportunities and future

## **Cleaner, Greener and Safer Overview and Scrutiny Committee**

The meeting will be held at **7.00 pm** on **14 June 2022**

**Committee Room 2, Civic Offices, New Road, Grays, Essex, RM17 6SL.**

### **Membership:**

Councillors Joycelyn Redsell (Chair), James Thandi (Vice-Chair), Daniel Chukwu, Sara Muldowney, Maureen Pearce and Elizabeth Rigby

### **Substitutes:**

Councillors Alex Anderson, Paul Arnold, John Kent, Steve Liddiard and Graham Snell

### **Agenda**

Open to Public and Press

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<b>1. Apologies for Absence</b>	
<b>2. Minutes</b>	<b>5 - 12</b>
To approve as a correct record the minutes of the Cleaner, Greener and Safer Overview and Scrutiny Committee meeting held on 3 February 2022.	
<b>3. Items of Urgent Business</b>	
To receive additional items that the Chair is of the opinion should be considered as a matter of urgency, in accordance with Section 100B (4) (b) of the Local Government Act 1972. To agree any relevant briefing notes submitted to the Committee.	
<b>4. Declaration of Interests</b>	
<b>5. Off Road Nuisance Vehicles - Verbal Update</b>	
<b>6. Terms of Reference - Overview of Services - PowerPoint</b>	

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|-----------|---|----------------|
| <b>7.</b> | <b>Abandoned Trolley Cost Recovery Policy</b> | <b>13 - 20</b> |
| <b>8.</b> | <b>Work Programme</b>                         | <b>21 - 22</b> |

**Queries regarding this Agenda or notification of apologies:**

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Agenda published on: **6 June 2022**

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# DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF

Breaching those parts identified as a pecuniary interest is potentially a criminal offence

## Helpful Reminders for Members

- *Is your register of interests up to date?*
- *In particular have you declared to the Monitoring Officer all disclosable pecuniary interests?*
- *Have you checked the register to ensure that they have been recorded correctly?*

## When should you declare an interest at a meeting?

- **What matters are being discussed at the meeting?** (including Council, Cabinet, Committees, Subs, Joint Committees and Joint Subs); or
- If you are a Cabinet Member making decisions other than in Cabinet **what matter is before you for single member decision?**



Does the business to be transacted at the meeting

- relate to; or
- likely to affect

any of your registered interests and in particular any of your Disclosable Pecuniary Interests?

Disclosable Pecuniary Interests shall include your interests or those of:

- your spouse or civil partner's
- a person you are living with as husband/ wife
- a person you are living with as if you were civil partners

where you are aware that this other person has the interest.

A detailed description of a disclosable pecuniary interest is included in the Members Code of Conduct at Chapter 7 of the Constitution. **Please seek advice from the Monitoring Officer about disclosable pecuniary interests.**

**What is a Non-Pecuniary interest?** – this is an interest which is not pecuniary (as defined) but is nonetheless so significant that a member of the public with knowledge of the relevant facts, would reasonably regard to be so significant that it would materially impact upon your judgement of the public interest.

### **Pecuniary**

If the interest is not already in the register you must (unless the interest has been agreed by the Monitoring Officer to be sensitive) disclose the existence and nature of the interest to the meeting

If the Interest is not entered in the register and is not the subject of a pending notification you must within 28 days notify the Monitoring Officer of the interest for inclusion in the register

**Unless you have received dispensation upon previous application from the Monitoring Officer, you must:**

- **Not participate or participate further in any discussion of the matter at a meeting;**
- **Not participate in any vote or further vote taken at the meeting; and**
- **leave the room while the item is being considered/voted upon**

**If you are a Cabinet Member you may make arrangements for the matter to be dealt with by a third person but take no further steps**

### **Non- pecuniary**

Declare the nature and extent of your interest including enough detail to allow a member of the public to understand its nature



**You may participate and vote in the usual way but you should seek advice on Predetermination and Bias from the Monitoring Officer.**

## Our Vision and Priorities for Thurrock

An ambitious and collaborative community which is proud of its heritage and excited by its diverse opportunities and future.

1. **People** – a borough where people of all ages are proud to work and play, live and stay
  - High quality, consistent and accessible public services which are right first time
  - Build on our partnerships with statutory, community, voluntary and faith groups to work together to improve health and wellbeing
  - Communities are empowered to make choices and be safer and stronger together
  
2. **Place** – a heritage-rich borough which is ambitious for its future
  - Roads, houses and public spaces that connect people and places
  - Clean environments that everyone has reason to take pride in
  - Fewer public buildings with better services
  
3. **Prosperity** – a borough which enables everyone to achieve their aspirations
  - Attractive opportunities for businesses and investors to enhance the local economy
  - Vocational and academic education, skills and job opportunities for all
  - Commercial, entrepreneurial and connected public services

## Minutes of the Meeting of the Cleaner, Greener and Safer Overview and Scrutiny Committee held on 3 February 2022 at 7.00 pm

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**Present:** Councillors Joycelyn Redsell (Chair), Jane Potheary (Vice-Chair), Steve Liddiard, Maureen Pearce, Elizabeth Rigby (*arrived 7.08pm*) and *Graham Snell* (Substitute) (substitute for James Thandi)

**Apologies:** Councillor Thandi

**In attendance:** Daren Spring, Assistant Director – Street Scene & Leisure  
Michelle Cunningham, Thurrock Community Safety Partnership Manager  
Vincent Taylor, Strategic Lead for Clean and Green Services  
Cheryl Wells, Emergency Planning and Resilience Manager  
Jenny Shade, Senior Democratic Services Officer

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Before the start of the Meeting, all present were advised that the meeting was being recorded, with the audio recording to be made available on the Council's website.

### **26. Items of Urgent Business**

There were no urgent items of business.

### **27. Declaration of Interests**

There were no interests declared.

### **28. Thurrock Councils response to Prevent Duty 2015**

Michelle Cunningham introduced the report that allowed Elected Members the opportunity to scrutinise the implementation of the Prevent Duty by Thurrock Council and to ensure that all elements of the Council worked together to ensure that the Council was fulfilling its duties in regards to Prevent, in line with the Councils responsibilities under the Counter-Terrorism and Security Act 2015.

Councillor Redsell thanked Michelle Cunningham for the report and stated that safeguarding measures should be put in place to protect members who may be working on their own in offices. Councillor Redsell asked whether personal alarms previously provided to Members were still available.

Councillor Liddiard thanked Michelle Cunningham for a good and very comprehensive report and stated the more you read on this subject it provided ideas on how best to talk to residents in the community and that other organisations in your ward were sharing the same information.

Councillor Potheary questioned the role of hate crime in relation to Prevent as the strategy had not mentioned this but obviously was a big problem nationally with anti-Nazi kind of terrorism and extremism and questioned whether links had been made with people convicted of hate crimes. Michelle Cunningham stated a report on Hate Crime would be presented to the Hidden and Extreme Harms Prevention Committee on the 17 February and direct democracy would forward a copy of that report to members for information.

Members questioned what Prevent training was available to which members were directed to the e-learning prevent session, details of this would be sent to members. Online learning is available at:

<https://www.elearning.prevent.homeoffice.gov.uk/edu/screen1.html>

A further specific session on Prevent could be provided to members if required. Further guidance for members and communities can be found from the following link: [ACT Early | Prevent radicalisation](#)

Councillor Snell thanked Michelle Cunningham for the report and referred to the Home Office Prevent Handbook. He asked for some clarification on where it stated that 'almost' (so less than 50%) half of referrals were right wing but that figure was higher than for Islamist extremism, the report had suggested that there was a gap in the figures (right wing extremism cases would need to be in excess of 50% for the figures to add up). Michelle Cunningham stated this was a Home Office report but would seek some clarification and confirm back to Councillor Snell.

Councillor Redsell thanked Michelle Cunningham again for the very informative report and encouraged members to undertake the training sessions.

Councillor Liddiard questioned whether any literature could be distributed to members and it was agreed that the "Lets Talk About It" handbooks would be tabled at February Council meeting.

## **RESOLVED**

- 1. That Members of the Committee scrutinise and assure themselves of the response to the self-assessment audit completed using the Local Government Association Toolkit and provided for scrutiny at Appendix 2.**
- 2. That Members of the Committee scrutinise and assure themselves of the response to the Channel Panel self-assessment completed in April 2021 and provided for scrutiny at Appendix 3.**
- 3. That Members are assured that the action plan in place through the Community Safety Partnership responds to the risks outlined in the Counter Terrorism Local Profile and that these are routinely reviewed and are in line with increased National risk.**

## **29. Violence Against Women and Girls Strategy**



Michelle Cunningham presented the report that provided Overview and Scrutiny Committee with an update on the areas of work associated with the Thurrock Violence Against Women and Girls (VAWG) Strategy 2020-2023. The current VAWG strategy and vision had been agreed by members of this committee in February 2020, a month before the Covid pandemic brought unrecognisable change to the world. The Community Safety Partnership through the VAWG Coordinator worked to ensure that all partners, both statutory and voluntary worked together to provide effective support and protection to victims, including children, and response to perpetrators. For many women and children who were experiencing VAWG crimes, staying at home was not a place of safety.

Councillor Redsell thanked Michelle Cunningham for another good report but stated there had only been one sentence about violence against Men and Boys and felt the strategy should be updated to reflect more information on this.

Councillor Redsell questioned how many places of safety were there in Thurrock to which Michelle Cunningham stated there was one refuge in the borough that supported victims individually. Councillor Redsell questioned was this enough to which Michelle Cunningham stated no concerns had been raised with her and that other options would be available to victims such as areas of safety outside the borough. Councillor Redsell questioned whether Thurrock would be used for refuge for victims from outside the borough to which she was informed that was the case for Women and Girls but currently no refuge space for Men and Boys. Members were informed that this was the case in a lot of authorities but there was national support through charities who offered refuge spaces for men but not locally.

Councillor Potheary referred to number 6 of the executive summary of the assessment of the needs of Domestic Abuse Victims residing in Safe Accommodation in Thurrock that “no space/or capacity to support was the second most recorded reason for being refused safe accommodation” and asked for some clarification on this point. Michelle Cunningham stated that no women would not be supported at any time in a crisis, it may mean that the offer was not suitable or an offer that did not want to be taken up.

Councillor Potheary stated in 2020/21 the solved rates of offences in Thurrock had gone down by 1.3% and questioned what steps could be taken by the Community Safety Partnership and the Police to improve those solved rates. Michelle Cunningham stated the Police were putting lots in place such as wearing body worn cameras which would allow them to take action rather than the witness having to come forward. The Community Safety Partnership supported and helped fund the Independent Domestic Violence Advocacy workers who supported victims through the whole of the court process. Through the CSP strategic board had discussions with SERICC on the reasons why victims who had come forward did not continue to court. A national change proposing to extend the time for victims to come forward. Michelle Cunningham stated it was important to listen to victims and this formed part of the new DA Duty to hold focus groups to talk and listen to and

understand their journey to try and unpick where things could be done better or differently to get the victims to court.

Councillor Redsell stated a lot of women were still out there who would not seek help and unfortunately there would be people out there that we would not hear off because of the potential reprisals of what might happen. Michelle Cunningham stated if members were aware of anybody and they were afraid to come forward they did not necessarily have to go to the Police, the housing safeguarding team and the community liaison officers worked with victims to put safety plans in place. This might not mean refuges, there were lots of options and the community officers would look at how that person could be safeguarded and put plans into place.

Councillor Potheary referred to the priorities and proposed the word “disproportionality” be removed from that paragraph as it focused on Women and Girls and not Men and Boys and suggested it should read “Tackling violence on Women and Girls whilst recognised that Men and Boys can be victims”.

Councillor Liddiard thanked Michelle Cunningham for the very comprehensive report and questioned whether this crime was evenly spread across Thurrock or were there hot spots such as his Tilbury ward and this was the impression he got from this. Councillor Liddiard stated it would be good to have a campaign of awareness events for those people affected in his ward. Michelle Cunningham stated that campaigns would be borough wide and unfortunately the outreach work that had been undertaken had been paused due to COVID. The CSP and housing safety safeguarding team were aware of those wards and Michelle Cunningham agreed to take this action point forward and make sure that some awareness events on domestic abuse were held in the priority wards

Councillor Rigby stated it was important that the strategy highlighted that it was important that Men and Boys were treated the same as Women and Girls. Michelle Cunningham stated that data testified that Women and Girls were more affected but those of Men and Boys and their families would be treated the same way, with the same support.

Councillor Snell referred to the characteristics of domestic abuse victims in safe accommodation and questioned whether some households were less likely to report or was this a true picture. Michelle Cunningham stated there was an issue of underreporting in all areas and for so many different reasons such as culture, age or fear. The data identified certain patterns and going forward what could be done with that data. Where it was underrepresented in some community’s increases in awareness and promoting those services may need to be undertaken.

Councillor Pearce questioned whether violence against Men and Boys had increased in Thurrock to which Michelle Cunningham stated she would check with SERICC and let members know.

## **RESOLVED**

- 1. Note the progress on delivery of responsibilities detailed within the Domestic Abuse Act 2021 and scrutinise the recommendations.**
- 2. Provide comment on the proposed Thurrock Community Safety Partnership priorities in relation to VAWG for 2022/23. Members agreed to remove the word “disproportionality”.**
- 3. Note the key successes and the programme to deliver on the VAWG strategy for Thurrock 2020/23.**
- 4. Request that members champion the VAWG agenda and raise the profile of the services that are available to Thurrock residents**

*At 8.06pm, Michelle Cunningham and Cheryl Wells left the meeting.*

### **30. Scrutiny Review - Waste Strategy Implementation Updates - Verbal Update**

Daren Spring updated Members with a progress update towards the implementation of the waste strategy:

- From September 2022, households would receive alternate weekly refuse collection, alternate weekly garden waste collection, weekly recycling collection and weekly food waste collection.
- Single Use Plastic Policy agreed by the committee would be going to Cabinet next week for approval.
- Current bin collection days, for brown bins, are advertised on the council's web site. Information on collection days for the waste strategy work would be included as part of the communications process.
- Food waste – Communication process is being supported by RAP, had worked alongside other local authorities, detailed planning and communications would play a key part of this process, communicated with crew, residents, staff and trade unions. Information would be provided on what goes in each bin, frequency and day of collection.
- Primary schools in the borough would be given the chance again to name the new bin lorries, they would be invited to submit a drawing and proposed name for the new waste vehicles. The competition would start in the summer with the winners being announced after October half term.
- Food caddy contract was currently being undertaken and expected by July 2022, distributed to all households from September 2022.
- Disposal waste contracts would be in place to support the food waste collections, these are currently being evaluated and be awarded in time for the new food waste service in September.

Councillor Redsell thanked Daren Spring for the update and although the food waste was a good idea she foresaw problems with the smaller bins disappearing, residents not taking them in or being blown away. Daren Spring

stated work had been undertaken with other local authorities who had not reported any problems, the current policy would stand if a caddy/smaller bin would need replacing and that they were lockable, so therefore fox proof. As part of the communications plan would encourage residents to put their bins away.

Councillor Liddiard stated his support for more recycling and questioned whether implementation would be staggered and would there be a trial of the food caddies and if so could Tilbury be first. Daren Spring stated that there would not be a trial, but as part of the implementation process the delivery of food caddies would be staggered and would put forward Councillor Liddiard request but could not guarantee anything, due to the logistics.

Councillor Potheary questioned how the alternate collections would work to which Daren Spring stated this would be picked up as part of the route rationalisation work and that recycling and food waste would be picked up by the same vehicle which had different compartments.

Councillor Rigby questioned whether these implementations would increase the borough's recycling rates and prevent non-recyclable items being put in recycling bins. Daren Spring hoped that the fortnightly refuse collection would encourage more recycling with an increase projection of around 10% in time, but would hope for more. Also garden waste would be a better quality as food waste would be put into the food caddy.

### **31. Tree Strategy - Verbal Update**

Vincent Taylor provided Members with a brief overview:

- Over the last couple of years had planted way more trees than required for the tree replacement for every one tree removed.
- Ability to have attracted funding through Thames Chase and the Woodland Trust.
- This year had secured funding through a bid to the Forestry Commission.
- Bids had been submitted to those respective organisations by the Tree Officer.

Councillor Redsell questioned why money from the Council had not been sought again to which Vincent Taylor stated there had been a surplus of money identified being put towards the planting of trees, but due to the pandemic this money was no longer available. That external funding had been sought to fund the planting of a considerable amount of trees into the borough.

Councillor Redsell questioned whether the trees planted were whips to which she was informed there had been 400+ normal sized trees planted alongside 4000 whips.

Councillor Redsell questioned whether ward members were notified when an old tree was taken down to which Vincent Taylor stated where it was possible members would be informed. That it was not always possible to plant in the same street or in that year as all variables needed to be considered when planting trees and where possible would plant in the immediate vicinity.

Councillor Redsell praised the exceptional good work undertaken by the team, especially the Tree Officer Liz Wood and asked that message was relayed to her for what she had achieved.

Vincent Taylor stated he would like to look at areas that were losing trees on a more project basis rather than replacing one tree in, one tree out, this would enable a more structured and strategic view on how trees were being planted. Also work would be undertaken with developers to look at how trees could be planted as part of new developments in the borough.

Councillor Potheary questioned where a tree needed to be replaced would this be in the same ward to which she was informed that every effort would be made to this.

Daren Spring asked those members who had not yet nominated a tree as part of Councillor Rigby's motion for their ward to do so as soon as possible please.

Councillor Rigby questioned how many of the 400 trees planted were anticipated to survive to which Vincent Taylor stated there had been a good success rate, trees would only be planted where they would survive and be planted and established at the right time ideally before the warmer weather. Teams would monitor and water those newly planted trees.

Councillor Redsell questioned whether there was any budget left for this year to which Vince Taylor stated they were using the funding received from the Forestry Commission and undertaking a large scale of planting for them and enabling the team to do some of their own work. To also use a portion of the general budget for arboriculture to buy new trees, if possible.

## **32. Work Programme**

Members signed off the work programme for 2021/22.

**The meeting finished at 8.49 pm**

Approved as a true and correct record

**CHAIR**

**DATE**

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Democratic Services at [Direct.Democracy@thurrock.gov.uk](mailto:Direct.Democracy@thurrock.gov.uk)**

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<b>14 June 2022</b>		<b>ITEM: 7</b>
<b>Cleaner, Greener and Safer Overview and Scrutiny Committee</b>		
<b>Abandoned Trolley Cost Recovery Policy</b>		
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Key	
<b>Report of:</b> Vincent Taylor – Strategic Lead for Clean and Green		
<b>Accountable Assistant Director:</b> Daren Spring – Assistant Director for Street Scene and Leisure		
<b>Accountable Director:</b> Julie Rogers – Director for Public Realm		
<b>This report is</b> Public		

## Executive Summary

Abandoned shopping trolleys blight the local environment and can lead to further littering and fly-tipping. There are approximately 20 shopping trolleys a day that have been abandoned on our streets and housing estates in Thurrock, equating to over 400 shopping trolleys per month.

The Council can adopt statutory powers that would enable them to collect abandoned shopping trolleys and luggage trolleys from land open to the public, return them to the owner and recover the Council's reasonable costs of doing so. If a scheme is not put in place with the stores and the trolleys are not collected the Council can recover full costs for their collection, storage and disposal.

This policy statement provides details of the relevant legislation, outlines the proposals and provides information on the resource implications. The report also sets out the requirement for a formal consultation and seeks support to recommend to Cabinet the adoption of the relevant statutory powers.

### 1. Recommendation

- 1.1 **That the Cleaner, Greener and Safer Overview and Scrutiny Committee support the recommendation to Cabinet, and the initiation of the process for the adoption of the new Abandoned trolley cost recovery policy.**

## **2. Introduction and Background**

- 2.1 Shopping trolleys of all descriptions, but mainly supermarket shopping trolleys, are routinely found abandoned across the Borough. Up to 400 are taking a long time to be collected or are remaining uncollected. Shopping trolleys are also the subject of complaints from residents. Abandoned trolleys not only look unsightly but can be left in roads creating traffic hazards. Abandoned trolleys on housing estates can attract anti-social behaviour including fly tipping and generally detract from the local environment.
- 2.2 Shopping trolleys are often damaged beyond repair, full of rubbish or left abandoned in locations that make collection difficult. These factors can mean there is little benefit in owners recovering them. The local authority is able to follow the legal notice processes contained within the Environment Protection Act 1990 (the 'EPA'), but with no power to recover the costs involved in trolley retrieval from the owners.
- 2.3 The Council also relies on the goodwill of local stores recovering their own trolleys, in many cases they have a contract with Trollywise to collect and return their trolleys and put measures in place to prevent them from being taken out of the environs of the store in the first place.
- 2.4 The council's Environmental Enforcement Service may issue a Community Protection Warning [CPW] and Notice [CPN] in accordance with section 48 Anti-Social Behaviour Act 2014 for abandoned trolleys.

## **3. Relevant legislation and application**

- 3.1 Section 99 of the Environmental Protection Act 1990 - [Environmental Protection Act 1990 \(legislation.gov.uk\)](#)  
  
Schedule 4 of the Environmental Protection Act 1990 - [Environmental Protection Act 1990 \(legislation.gov.uk\)](#)
- 3.2 Schedule 4 of the Environmental Protection Act 1990 (EPA) does however enable local authorities to adopt powers enabling them to take enforcement action against the owners of trolleys and to resolve problems associated with abandoned trolleys.

These powers can be summarised as follows:

- They apply to abandoned trolleys found in the open air.
- This does not include land from where the trolley originated (e.g. Supermarket car parks), or which is designated for trolleys (trolley stores), or with respect to luggage trolleys, to rail/tram/bus stations or airports.
- A trolley abandoned on public land may be seized and removed to such place under the authority's control as it thinks fit. On occupied land, a trolley may only be removed with the consent of the occupier, or after



expiry of a 14 day notice served on the occupier if consent is not forthcoming.

- A seized trolley can be sold or disposed of after six weeks.
- If the owner of the trolley is known, the local authority must advise the owner that the authority has removed the trolley and where it is being kept and that if it is not claimed, the authority may dispose of it.
- If the owner claims the trolley, the local authority must deliver the trolley back to the owner on payment of such charge as the authority requires.

3.3 The Clean Neighbourhoods and Environment Act 2005 (CNEA) further amended the Environment Protection Act so as to additionally enable local authorities to recover their costs whether the owner wants it back or not. The process remains the same but the new provision states that after the specified retention period of 6 weeks, if the owner of the trolley is known, that person can be charged for its removal, retention and disposal. The owner has no choice in this, and the charge is payable on demand and is recoverable as a debt. This means that where the owner of the trolleys is known, authorities will be able to recover their costs incurred in removing, storing and disposing of those trolleys.

3.4 It is estimated that each return or disposal would incur a cost of between £120.00 and £230.00 (dependent on early collection/storage/disposal).

After an analysis of the real projected costs, the following charging structure for the trolley retrieval service is recommended:

Collection fee	£70.00
Admin fee	£35.00
Storage fee	£15.00 per week (maximum 6 weeks)
Disposal fee	£35.00

Where a retailer agrees a scheme with Thurrock Council, a set fee of £85 is recommended to have the trolleys returned to store.

#### **4 Reasons for Recommendation**

4.1 It is proposed that the Council formally adopts Schedule 4 of the Environmental Protection Act 1990 which facilitates the collection of abandoned trolleys from open land, the return of them to the owner and the recovery of the costs of doing so. Currently, abandoned trolleys are collected and treated as waste and therefore incur a cost to the authority. The main costs of the process as envisaged are those of collection, storage and return. Further costs will be incurred by staff carrying out the legal searches and paperwork. As the legislation suggests that cost recovery is a major driver in this new process.

4.2 The above enforcement powers are only available to the Council if it formally adopts schedule 4 of the Environmental Protection Act (1990). If a resolution to adopt is passed, the Council must advertise that fact in a local newspaper.

The Council can then implement the powers in Schedule 4 three months from the date of the resolution.

## **5. Consultation (including Overview and Scrutiny, if applicable)**

5.1 As required we will consult with people who'll be affected before we start removing trolleys and from time to time. This usually includes:

- local retailers who offer trolleys to their customers
- representative bodies, for example, the British Retail Consortium, the Association of Town Centre Management and the Association of Convenience Stores
- local residents
- rail, tram, road transport or airport operators who provide trolleys
- local police
- the Environment Agency

## **6. Impact on corporate policies, priorities, performance and community impact**

6.1 This relates to the corporate priority – Green Environments that everyone has reason to take pride in.

## **7. Implications**

### **7.1 Financial**

Implications verified by: **Laura Last**  
**Senior Management Accountant**

There will be a small initial cost to set up the scheme, administer it and to store the trollies, this however should be able to be achieved within current staffing numbers and budgets. There will also be an income to the council at the start of the collection and charging process which is predicted will drop off to a lower level once the stores are compliant.

### **7.2 Legal**

Implications verified by: **Mark Bowen**  
**Interim Head of Legal Services**

The Council may resolve to adopt Schedule 4 of the Environmental Protection Act 1990 which provides powers for local authorities to deal with abandoned shopping and luggage trolleys. The schedule would come into force in Thurrock on the day specified in the resolution which must be at least 3 months from the date the resolution is passed. Notice of the passing of the resolution must be published in a local newspaper circulating in the area. In

deciding whether to adopt the provisions. Before reaching a decision section 99(3) of the Environmental Protection Act 1990 requires consultation with certain organisations and individuals and the Cabinet should take full and proper account of the response received to the consultation. Under paragraph 4 of Schedule 4, any charges must be fixed at a level sufficient taking one financial year with another, to cover the cost of removing, storing and disposing of trolleys

### 7.3 **Diversity and Equality**

Implications verified by: **Roxanne Scanlon**  
**Community Engagement and Project Officer**

There are no equality and diversity implications arising from this report.

### 7.4 **Other implications** (where significant) – – i.e. Staff, Health Inequalities, Sustainability, Crime and Disorder, and Impact on Looked After Children

- N/A

### 8. **Background papers used in preparing the report** (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- N/A

### 9. **Appendices to the report**

- **Appendix 1** – Wording for the consultation letter to retailers

### **Report Author:**

Vincent Taylor

Strategic Lead – Clean and Green Services

Public Realm

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Dear Site/Store Manager,

**Formal Consultation on Thurrock Council proposals to  
deal with abandoned shopping & luggage trolleys.**

**Environmental Protection Act 1990 – Sec 99 and Schedule 4  
Clean Neighbourhood and Environment Act 2005**

Thurrock is a vibrant and growing place in which to live, visit or do business and spends a significant amount of money each year keeping the Borough clean and tidy for the benefit of all. We take many different actions and work with numerous partners in order to achieve this.

One specific problem in many communities is that caused by shopping trolleys, and other types of trolley which have been taken away from their site and abandoned somewhere in the local neighbourhood.

The Environmental Protection Act 1990 (EPA), Schedule 4 contains powers which formally allow a local authority to seize and remove abandoned trolleys, retain them and then sell or dispose of them. The authority cannot remove trolleys from private occupied land without the consent of the occupier or without having informed the occupier by Notice that it intends to remove the trolley. If an owner wishes for the trolley to be returned, they may ask for the trolley to be returned at a cost. Schedule 4 of the EPA provides further details if you are interested. This can be found at: [www.opsi.gov.uk/acts/acts](http://www.opsi.gov.uk/acts/acts) 1990

The Clean Neighbourhood and Environment Act 2005 now adds to the EPA and brings the opportunity for the Council to collect, remove and dispose of an abandoned trolley. The Council can then charge the owner for the costs of removal, storage and disposal. This charge is payable on demand and can be recovered as a statutory debt.

As a user of trolleys, it will become important that you actively prevent/minimise trolley losses, as it could add a significant cost burden to your business. Such steps as coin deposit mechanisms, or magnetic wheel braking are 2 ways that may help to reduce losses.

At the moment, Schedule 4 of the EPA does not apply to Thurrock. Abandoned trolleys are simply collected and dealt with as waste. Thurrock Council is to seek a resolution that Schedule 4 of the EPA applies to the whole of its area. Under Section 99 of that Act, this letter is consulting you on these proposals. It is proposed to actively use these powers and Thurrock Council would seek to recover the costs of recovery, storage and disposal of abandoned trolleys from the trolley owners in the future. The costs proposed below reflect the actual costs of collection, administration, storage, staff costs and overheads.

Collection fee	£70.00
Admin fee	£35.00

Storage fee	£15.00 per week (maximum 6 weeks)
Disposal fee	£35.00

Where a retailer agrees a scheme with Thurrock to have the trolleys returned to store for a set fee £85 is recommended

If you have any observations or comments to put forward you have the opportunity to do so in writing to the address below. These should be received before **XX XX 2022**.

**Cleaner Greener and Safer Overview & Scrutiny Committee  
Work Programme  
2022/23**

Dates of Meetings: 14 June 2022, 8 September 2022, 8 November 2022 and 24 January 2023

<b>Topic</b>	<b>Lead Officer</b>	<b>Requested by Officer/Member</b>
<b>14 June 2022</b>		
Abandoned Trolley Cost Recovery Policy	Vince Taylor	Officers
Terms of Reference – Overview of Services - PowerPoint	Officers	Officers
Off Road Nuisance Vehicles – Verbal Update	Terry Fisher, Essex Police	Members
Work Programme	Democratic Services	Members
<b>8 September 2022</b>		
Overview of responsibilities of Portfolio Holder for Environment, Sports and Leisure	Councillor Jefferies	Members
Paid For Police Update	Cheryl Wells	Members
Cemeteries Strategy	Daren Spring	Members
Community Safety Partnership Annual Overview	Michelle Cunningham	Members
Flats Recycling Project Update	Marcelle Puttergill	Officers
Work Programme	Democratic Services	Members
<b>8 November 2022</b>		
Single Use Plastics Update	Marcelle Puttergill	Officers

Work Programme	Democratic Services	Members
<b>24 January 2023</b>		
Annual Report on Underage Sales	Charlotte Edwards	Members
Thurrock Domestic Abuse and Violence Against Women and Girls Refresh 2023/26	Michelle Cunningham	Officers
Thurrock's Prevent Strategy Refresh 2023/26	Michelle Cunningham	Officers
Work Programme	Democratic Services	Members

Add to 2023/24 Work Programme:

Clerk: Rhiannon Whiteley  
Last Updated: May 2022