

Committee(s): Porth Health and Environmental Services Committee	Dated: 9 th July 2024
Subject: Changes to the Waste Presentation Restrictions	Public
Which outcomes in the City Corporation’s Corporate Plan does this proposal aim to impact directly?	Providing excellent services Flourishing public spaces
Does this proposal require extra revenue and/or capital spending?	N
If so, how much?	N/A
What is the source of Funding?	N/A
Has this Funding Source been agreed with the Chamberlain’s Department?	N/A
Report of: Bob Roberts, Director of Environment	For Decision
Report author: Joe Kingston, Assistant Director Gardens and Cleansing	

Summary

This report highlights an increase in domestic and commercial waste bags that are placed on street contravening the City’s current Time Banding restrictions.

To address this issue and the problems it causes, this report proposes changes to those restrictions to improve street cleanliness, accessibility, and environmental quality. The proposal seeks to adjust permitted times for waste placement on footways, accompanied by a strengthened communication, education, and enforcement strategy.

Recommendation(s)

Members are asked to:

- Agree changes to the permitted times for the placement of residential and commercial waste on the footway.
- Agree a strengthened communication, education, and enforcement approach to help improve compliance.

Main Report

Background

1. In April 2012 the City Corporation introduced a “Time Banding” Scheme, restricting the hours that residential waste could be placed out on the footway for collection. This was intended to improve the City’s public realm by ensuring that waste was not on City streets between 8am and 6pm.
2. When left on-street for collection, bagged waste attracts loose litter from pedestrians and can provide a food source for vermin, so it is important to ensure waste is only left out for the minimum amount of time. Confining when bags can be placed on-street for collection to overnight hours also ensures the City’s

footways are kept clear and accessible during peak pedestrian flow times which is of particular benefit to wheelchair users and people with visual impairment.

3. Waste bags placed on streets in the City of London fall into two categories depending on the producer and are classified as either **domestic** or **commercial**. The local restrictions and associated legislation for these different types of waste vary and are dealt with separately for the purpose of this report.

Domestic

Current Position

4. Residential properties in the City of London which do not have access to a bin store are allowed to place their waste and recycling in City of London issued bags on the pavement close to their property. For operational efficiency reasons and to reduce noise issues, current residential waste collection restrictions allow for this waste and recycling to be left for collection between 6.30pm and 7.30pm, Monday to Saturday.

Position Pre-Pandemic

5. Overall, the Time Banding scheme has been a success, resulting in clearer streets at peak footfall times and reducing littering associated with waste bags. The City's Recycling Officers and staff from our street cleansing and waste collection contractor Veolia make every effort to ensure that residents are aware of these restrictions, and that residents are engaged with a light touch where waste was presented in contravention of the restrictions.
6. For residents, advice on Time Banding is printed on domestic waste bags to supplement information available on the City's website. Leaflets are regularly delivered to individual households and enforcement activity in response to contraventions has typically been to write to all residents in the identified building or the surrounding area to reiterate the restrictions.
7. Officers have historically not pursued more formal enforcement measures mainly because of the small number of contraventions prior to the pandemic and the relatively lengthy process required to issue the required notices.

Post-Pandemic

8. Since the pandemic there has been a 50% increase in domestic bags placed on street in breach of our regulations. The independent surveys carried out by Keep Britain Tidy (over three separate weeks each year, monitoring 900 street areas in total) reported 38 bags on monitored streets in 2019, and 57 in 2023. Additionally, there has been a 130% increase in warning letters sent to residents regarding Time Banding between 2019 (163 letters issued) and 2023 (375 letters issued).
9. This increase in non-compliance post pandemic is attributable to several factors: a high turnover of residents, new properties being developed and an increase in

short term lets. The light touch approach to enforcement against residents used pre-pandemic has not been found to be completely successful at solving the issues in all areas.

Options

10. Do nothing – **Not Recommended.**
11. Widen the collection hours for domestic waste from 6.30pm - 7.30pm to 6pm - 8pm – **Recommended.**
12. Implement a renewed high-profile communication and education campaign – **Recommended.**
13. Implement a stronger approach to enforcement where non-compliance from residential properties continues after communication and education activities have already been undertaken – **Recommended.**

Proposals

14. Widening collection hours for domestic properties will give residents more opportunity for compliance and will also be more in line with the placement of commercial waste. This simplification of the restrictions will make it easier to communicate the message to residents and can be accommodated within the current resource base. We are currently unable to extend the time restrictions for domestic waste further than this (for example for the whole night) as this would require an additional crew and vehicle at considerable expense to the current contract.
15. Identification and Monitoring: officers will regularly monitor previous known hot-spots and areas of the City where residential properties present their waste on street. Information from these inspections, along with reports of waste on street received by officers, will be used to identify areas to target for improvement.
16. Communication and Education: where waste is presented outside of restrictions, local residential properties will receive notices, in the form of a visually impactful communications containing the new simplified clearer messaging. This will include details of the violations and provide guidance on proper waste disposal procedures. Residents will also be visited by officers to ensure they are aware of their obligations. Consideration will also be given to the installation of appropriate, on-street signage explaining the regulations at locations where waste is regularly placed incorrectly.
17. Enforcement: where compliance with the restrictions cannot be obtained using the approaches outlined above, officers will commence enforcement procedures in line with best practice guidance to increase compliance. Officers will continue to use all other relevant legislation available to them to enforce against other environment and waste offences such as littering and fly-tipping.

Commercial

Current Position

18. The current time-banding scheme requirements for businesses are more complicated and does not allow for any waste to be left out for collection between 8am and 6pm, Monday to Sunday. Businesses are also required to coordinate their collections with their service providers to ensure their waste is collected within two hours if presented between 6pm and midnight. There are no restrictions on the presentation of business waste between midnight and 8am.

Position Pre-Pandemic

19. As with the domestic part of the scheme, the commercial element of the Time Banding scheme has been a success, resulting in clearer streets at peak footfall times and reduced littering. The City's Street Environment Officers and staff from our street cleansing and waste collection contractor Veolia make every effort to ensure that businesses are aware of these restrictions, and that waste presented in contravention of the restrictions is enforced against and cleared.

20. Historically it has been easier to identify businesses contravening the restrictions than residents and officers will initially seek to engage with businesses to offer practical advice and assistance to resolve the issue before formal enforcement action is taken.

Post-Pandemic

21. Our independent Keep Britain Tidy annual surveying shows an increase of 47% in the number of business bags placed on street in breach of our regulations between 2019 and 2023. The increase in non-compliance post pandemic is attributable to several factors: Staff turnover at commercial premises such as food outlets has been high, this has meant many staff have had to be educated about the local regulations. Enforcement activity was lower during the pandemic as there were fewer premises operating and fewer officers focused on the enforcement of these restrictions.

22. Custom practices have therefore developed and an increasing number of businesses placing bags on street during the day, which in turn is having a negative effect on the Public Realm, accessibility, and street cleansing standards.

23. To deal with this, enforcement against commercial waste has been stepped up and this has led to the increased issuing of Fixed Penalty Notices (FPNs). The Street Environment Team issued 948 Fixed Penalty Notices in 2023 relating to businesses for waste regulation infractions as compared to only 148 in 2019, a 640% increase.

24. Whilst officers have seen significant results from the above commercial waste enforcement activities, enforcing the two-hour restriction for bags placed out between 6pm and midnight has been time consuming and of little benefit to local environmental quality. It has also proved to be complicated for businesses to

understand and sometimes unmanageable for waste collection and cleaning companies.

25. To address these issues, we are proposing differing approaches for the domestic and commercial waste as detailed below. There will be some overlap in how this work is provided.

Options

26. Do nothing – **Not Recommended.**
27. Remove the two-hour window restriction for commercial waste placed out after 6pm. All businesses will still only be able to place waste on street between the hours of 6pm and 8am – **Recommended.**
28. Implement a renewed high-profile communication and education campaign – **Recommended.**
29. Continue the robust enforcement approach towards businesses who are found to be breaching waste regulations – **Recommended.**

Proposals

30. Removal of the two-hour restrictions for commercial waste collection between 8pm and midnight will ensure businesses and their commercial waste carriers have a clearer understanding of how to comply. This will also enable our Street Environment Team to focus current resources on ensuring compliance when the streets are most busy between 8am and 6pm.
31. Identification and Monitoring: officers will regularly monitor previous known hot-spots and areas of the City where businesses present their waste on street. Information from these inspections, along with reports of waste on street received by officers, will be used to identify areas to target for improvement.
32. Communication and Education: where waste is presented outside of restrictions, businesses will receive notices, in the form of a visually impactful communication containing the new clearer messaging. This will include details of the violations and provide guidance on proper waste disposal procedures. Businesses will also be visited by officers to ensure managers and or owners understand their obligations. Consideration will also be given to the installation of appropriate, on-street signage explaining the regulations at locations where waste is regularly placed incorrectly.
33. Enforcement: where compliance with the restrictions cannot be obtained using the approaches outlined above, officers will commence enforcement procedures in line with best practice guidance to increase compliance. Officers will continue to use all other relevant legislation available to them to enforce against other environment and waste offences such as littering and fly-tipping.

Key Data

34. The Gardens and Cleansing Service maintains an extensive data set of street scene conditions assessed by independent surveys carried out by Keep Britain Tidy. This data set will enable us to accurately assess the impact of this approach in identified hot spots and the general street scene.
35. Officers will record all communication and enforcement action undertaken and updates can be included in the Business Plan updates provided to this committee.

Corporate & Strategic Implications

Strategic implications – this approach supports the delivery of the Corporate Plan, specifically the supporting the outcomes to providing excellent services and flourishing public spaces.

Financial implications – this approach can be delivered within current budgets. There are no targets for income recovery.

Resource implications - this approach can be delivered within current resources.

Legal implications – this approach compliant with all necessary adopted legislation.

Risk implications – no more than current enforcement activities.

Equalities implications – assisted collections – access for clearer footpaths

Climate implications - none

Security implications – none

Conclusion

36. The proposed amendments to the restrictions for presentation of waste on City streets will provide a clearer message on the City Corporation's waste presentation restrictions for both residents and businesses. By implementing these changes in conjunction with robust communication, education, and enforcement measures, we can ensure greater compliance, reduce the amount of waste visible on the City's streets and contribute to a further improvement in the overall street scene.

Appendices

- None

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