

Committee	Dated:
Port Health and Environmental Services Committee	9 May 2017
Subject: Progress report – on-site shredding vehicle operations within the Square Mile	Public
Report of: Director of the Built Environment	For Information
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Summary

This report sets out to members of this committee the background and our progress to date in relation to document shredding vehicles working within the Square Mile.

The City is working with the main supplier to support our shared aim of reducing on-street shredding operations thereby reducing noise and environmental pollution, reducing congestion and improving road safety.

Once the City has established best practice with the main supplier, officers will engage with the main trade/licencing organisation for shredding companies and encourage them to promote best practice to all their members and adopt the approach recommended.

Recommendation

Members are asked to note the report.

Main Report

General Background

1. In the late 1980s/early 1990s, shredding companies were created to meet organisations' needs for the secure destruction/disposal of confidential documents. This requirement has arguably increased year on year since; particularly due to the requirements arising from the Data Protection Act 1998.
2. Shredding companies help reduce the risk of potential crimes, such as identity theft, card fraud, corporate fraud, etc. The City of London, for example, has numerous confidential document bins throughout its estate which are securely destroyed (shredded, off-site) and then recycled via our Corporate Cleansing Contractor (Amey).
3. Until relatively recently, all shredding companies have spent 20+ years telling customers that the recommended and safest way to have their documents destroyed is via on-site shredding. This provides that the client can watch, either through physical attendance or more commonly via a linked streaming video, the shredding company's operative shred all the documents following which they will provide a secure disposal certificate. This ends the chain of custody for the information as it has effectively been destroyed before it leaves site. It can then be taken off and recycled. Some companies carry out the on-site shredding fully

off street in the customer's private premises; some companies carry out this activity on the public highway.

4. The shredding companies marketing of this as best practice has been so successful that many organisations now have on-site shredding within their own policies and procedures as the only way in which secure paper files can be destroyed. A large proportion of the companies now offer the same service in relation to the destruction of electronic media such as PC hard drives and server disks.
5. Most operatives are licenced by the British Security Industry Association (BSIA) ensuring there is appropriate vetting and criminal checking. The BSIA has 38 member companies and officers understand this includes all those working within the Square Mile. Please find a [hyperlink](#) to the British Standard guidance which the BSIA requires its members to meet; showing it is a well regulated industry.
6. Many of the companies now accept that on-site shredding is an inefficient solution. The shredding vans are expensive to run and maintain. Furthermore it is recognised that there is minimal risk of theft or loss of the documents between the customer's premises and the secure disposal centre. The main shredding companies key aim is move their customer base from an on-site to an off-site shredding model and they have been relatively successful in this regard. Two years ago, 80% of their customers prescribed on-site shredding and they have reduced this to 50% and have a target of 25% by end of 2018.
7. The main company (Shred-it) is taking a three pronged approach to reducing shredding on the public highway namely:-
 - Encouraging customers to move to off-site shredding by demonstrating the reduced cost, minimal risk increase, reduced vehicle emissions as a result of improved driver behaviour, supporting them with changing policies, etc.
 - If customers are adamant they want on-site shredding then trying to move the operations off the public highway to private premises.
 - Changing their vehicle fleet and driver behaviours to reduce unnecessary noise and air pollution.

City of London Background

8. The City of London has received complaints about the noise and air pollution being caused by vehicles shredding on-site. This has led to officers liaising with one of the industry's main providers to explore how pollution, congestion and road dangers caused by their vehicles might be reduced. From these discussions it has become evident that the City's aims match those of the company. The remaining barrier is engaging with the shredding companies' customers and encouraging them to move to an off-site model.

Enforcement

9. The Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002 provide that a vehicle may park with its engine running if:-

- The weather is exceptionally cold or hot
- The engine is being used for refrigeration
- The engine is being used to operate equipment or machinery e.g. a mobile shredder, concrete mixer, compactor or refuse vehicle
- Taxis are moving forwards on a rank
- The engine is being run to find a defect in the vehicle

10. Shredding vehicles are therefore exempt under the idling engine regulations. Our Environmental Health Officers are therefore unable to issue Fixed Penalty Notices (FPNs) to shredding vehicles where the engine is running to power the shredding machinery.

11. Shredding vehicles claim the same exemptions as any other vehicle in relation to loading/unloading (i.e. they can park for up to 40 minutes, where permitted, to collect bags/bins). There is no exemption for the shredding activity.

12. Where the City of London issues a Penalty Charge Notices (PCNs, parking tickets) to shredding vehicles and the PCN is challenged, we deal with these in the following ways:-

- If they are parked where loading is permitted and the PCN is issued as no loading is seen, we will cancel the PCN if they provide proof they were collecting from an off-site shredding customer and it was reasonable that no loading was seen in the 10 minute observation period (e.g. collecting 15 bags from the 5th floor).
- If they were parked for over 40 minutes or it is clear that they were shredding on site on the public highway then we will enforce the PCN and ask them to pay, which they generally then do.
- If they were parked where loading is not permitted (loading ban, disabled bay, bus stop, etc.) or commit a moving traffic contravention (banned turn, no entry, etc.) then we enforce the PCN.

Where the PCN is enforced, the amount payable is £130, discounted to £65 if paid within 14 days. The PCN for the parking contravention is the limit to our powers, although we do ask CEOs to ask drivers to turn their engines off if they are idling without purpose (e.g. sat in the cab of the lorry rather than working within it).

13. The City of London has a further arrangement with Shred-it that we will add an additional layer to the process above in terms of reviewing all high PCN customers with an aim to move the customer to an off-site model or to move the shredding activity to a different location, ideally fully off-street in the customer's private premises.

14. Environmental Health Officers do have the power to serve a noise abatement notice under the Environmental Protection Act if a statutory noise nuisance is witnessed from with the affected property. To constitute a statutory nuisance the noise would need to be assessed for duration, frequency and intrusiveness. The majority of shredding occurs over a very short time period and is very unlikely to be of a sufficient frequency or duration to constitute a statutory nuisance.

Actions being taken

15. As mentioned above, the Shred-it's client managers and sales teams are working to a target of having only 25% of their customers using on-site shredding. They are marketing this to customers by highlighting security, corporate responsibility (lower emissions), cost reduction, etc. We are exploring forums, such as DBE's Clean City Awards Best Practice meetings, where Shred-it could market the business and environmental benefits of changing to an off-site model (even with another supplier) with City businesses.
16. Shred-it is currently trialling a UK built shredding vehicle which has lower emissions and improved noise suppression to reduce noise pollution. If successful, they will use this when replacing their fleet.
17. Shred-it and City of London have agreed a process with both of Shred-it's London Depot Managers whereby we can report directly any complaints from residents, Members and other City Users and aim to come up with a solution going forward for a particular areas (changing the shredding location, moving off street, etc.). We are currently using the areas where we have already had issues reported (e.g. Gresham Street/Wood Street/London Wall, Minories, Fleet Street, Harrow Place/White Kennett Street, etc.) as trial areas to review all the customers in the area and reduce, or hopefully eradicate, on-street shredding.
18. DBE is also to provide driver training/education programme to Shred-it's two London Depots supported with best practice guidance from Freight Trade Association. Shred-it are to support this by getting drivers to pay PCNs and/or to attend disciplinary meetings where they haven't met the standards set after the training.
19. Shred-it have agreed to regularly exchange problem areas and problem drivers on a quarterly basis and to document actions taken and solutions agreed.
20. Shred-it will monitor telematics on vehicles (which tells them whether a driver is parked with an idling engine but without shredding, e.g. arriving early or taking a tachograph break and running the engine for heater, air conditioner, radio, etc.) and take appropriate action.
21. City of London and Shred-it will continue the above for 6 months and then prepare documentation for BSIA to provide to shredding company members and also customer facing documentation to show benefits of moving to an off-street solution under the banner of corporate responsibility/sustainability.

Corporate & Strategic Implications

22. This campaign fits with the Department of the Built Environment's Key Delivery Themes of delivering an attractive, inclusive and safe public realm and to make the City an even more sustainable place in the future.

Implications

23. There are no financial costs beyond officer time in meeting the actions above to support the project.

Conclusion

24. In general terms, shredding companies provide an essential service to the City's businesses. However, shredding vehicles operating on public highway, particularly near residential premises, may present a noise concern. Any large vehicle in the City is contributing to pollution and it is fact that idling/equipment vehicles create more pollution than a similar sized delivery vehicle.

25. In terms of enforcement, the City of London taking a range of formal and informal actions to deal with the parking contraventions, congestion and road dangers. The idling engine and noise issues are being addressed via vehicle modifications/technology, driver training and a move away from contracts with an on-site requirement; the current legislation does not allow us to enforce idling engines which are powering equipment on the vehicle.

26. Officers will continue to engage with the main company (Shred-it) working within the Square Mile. We will then use the learning and successes from the project to persuade and encourage other companies (Data Shred, Shred-on-Site, etc.) to adopt the same best practice. We will also produce a marketing document for City businesses to show the City of London's support for companies moving from an on-site to an off-site shredding model.

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