

GETTING WASTE OFF OUR MAIN STREETS LESSONS FOR SOUTH LANARKSHIRE COUNCIL FROM GOOD PRACTICE IN SCOTLAND



Report by Cambuslang Community Council

October 2020



CAMBUSLANG
Community Council

Acknowledgements

This report has been prepared by Cambuslang Community Council on the problems of trade waste on Cambuslang Main Street and practical solutions to get commercial bins off the street. The report draws on survey research carried out by Cambuslang Community Council among residents and businesses over the past five years, and a survey carried out together with South Lanarkshire Council as part of the consultation on the Cambuslang Town Centre Regeneration Strategy.

The main part of the report is based on a survey of the design and implementation of 'bins-off-streets' policies in Aberdeen, Edinburgh, Glasgow, Inverness and St Andrews using a mix of Council reports and minutes, and interviews with Council staff and other stakeholders in the five urban areas.

Cambuslang Community Council are very grateful to all the local residents and businesses in Cambuslang who contributed evidence through the local surveys, and to the interviewees in Councils and other organisations who gave generously of their time and insights.

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EXECUTIVE SUMMARY

1. Cambuslang Main Street, like many town centres in Scotland, suffers from the blight of increasing numbers of commercial waste bins. This is visually unsightly and a cause of excess litter, spillage, fly-tipping and the attraction of vermin. The bins also present a hazard for pedestrians.
2. Removing the bins is an important objective of the Cambuslang Town Centre Regeneration Strategy and a necessary complement to the planned investment in renewal of the streetscape of Cambuslang Main Street.
3. Much can be learned from other towns. There are five urban centres in Scotland that have implemented bins-off-street policies: Aberdeen, Edinburgh, Glasgow, Inverness and St Andrews. The evidence collated by Cambuslang Community Council is that these policies have been overwhelmingly successful, and that bin-free streets are now regarded as business as usual by the local authorities involved.
4. Introducing bins-off-streets policies presents challenges, in particular the likelihood of initial resistance from businesses and waste contractors who need to find new ways of managing and storing waste. However, the experiences of other urban centres – described in detail in this report - provide guidance on how policies can be developed and communicated, how businesses can be supported, and how compliance can be managed.
5. Among the lessons from other Councils operating bins-off-streets policies, the most fundamental is political commitment. Council leadership on the part of elected members and senior executives is vital for any bins-off-streets policy to succeed.
6. On the basis of the practical guidance provided in this report, Cambuslang Community Council are proposing to South Lanarkshire Council that a bins-off-street policy is piloted in Cambuslang. If the policy can be made to work in Cambuslang, it will provide important lessons for other towns in South Lanarkshire, and indeed for other local authorities outside the big cities in the Central Belt of Scotland.

CONTENTS

	Executive Summary	ii
1	Introduction	2
2	The problem of trade waste: experiences in Cambuslang	3
3	How have other Councils in Scotland addressed the problem?	7
	3.1 Local authority bins-off-streets policies in Scotland	7
	3.2 Objectives and principles	9
	3.3. Implementation of the policy	10
	3.4 Costs	17
	3.5 Evaluation and results	18
	3.6 Lessons	23
4	Conclusions and recommendations	25

GETTING WASTE BINS OFF OUR MAIN STREETS: LESSONS FOR SOUTH LANARKSHIRE COUNCIL FROM GOOD PRACTICE IN SCOTLAND

1. INTRODUCTION

Cambuslang Main Street, like many town centres in Scotland, suffers from the blight of increasing numbers of commercial waste bins and the associated problems of spillage and fly-tipping. The issue of commercial waste storage and disposal from businesses is a complex and challenging problem. It is often the subject of concern among both residential and business communities and is a particularly important issue in the regeneration of Cambuslang town centre.

Previous discussions about a bin-free town centre have been characterised by uncertainty as to how this might be achieved, particularly regarding the legal basis for enforcement. However, there are now the precedents of action taken by other local authorities – Aberdeen, Edinburgh, Glasgow, Inverness and St Andrews – that provide successful examples of bins-off-street policies using the legal bases of the Roads Scotland Act and the Environmental Protection Act.

- The **Road Scotland Act 1984 (section 59)** states that permission, via a permit, must be granted to allow any structure (including bins) on to the streets. As the ‘Roads authority’, Councils are empowered to fulfil a number of functions and roles including the control of obstructions on roads. There is potential for commercial waste bins/receptacles to be considered as an “obstruction” and dealt with using Section 59. The Roads authority may, in some circumstances (S.59(4)), remove the “obstruction” and reclaim reasonably incurred expenses for doing so.
- The **Environmental Protection Act, 1990 (section 47)** dictates how waste must be presented. If a commercial waste receptacle (bin) is “likely to cause a nuisance or to be detrimental to the amenities of a locality”, the Council, as Waste Collection Authority, has powers to control the placing and removal of commercial waste receptacles on the road through the issue of a statutory notice. (This includes the power to make provision for the time when the receptacles must be placed for that purpose and removed.)

Against this legal background, and investigation of the experiences of other Councils in Scotland, this report sets out a proposed strategy to address the problem in Cambuslang and elsewhere in South Lanarkshire. Specifically, we propose a pilot project in Cambuslang Town Centre, that could substantially reduce the adverse impact of current trade waste collection arrangements and practices. If deemed successful following evaluation, the pilot could be the basis for similar approaches in other town centres in South Lanarkshire.

This report begins by setting out the background for the waste disposal problem in Cambuslang town centre. The report then explores solutions, providing a detailed review and assessment of the experiences of five local authorities in Scotland that have introduced bins-off-streets policies in urban areas of different sizes – Aberdeen, Edinburgh, Glasgow, Inverness and St Andrews. Based on the lessons drawn, the final section sets out the conclusions and recommendations for a similar policy in South Lanarkshire, using Cambuslang as a pilot.

2. THE PROBLEM OF TRADE WASTE: EXPERIENCES IN CAMBUSLANG

The appearance of Cambuslang, like some other town centres in South Lanarkshire, is damaged by large numbers of bulky, assorted, brightly coloured trade waste containers, lining the streets and pavements. There are currently some 20 large trolley bins and a similar number of wheelie bins permanently on the pavement of Cambuslang Main Street. A major contributory factor was the introduction of new Waste (Scotland) regulations in 2012. These regulations are part of the Scottish Government's Zero Waste Policy, and they effectively bring recycling requirements for commercial or trade waste into line with domestic waste. The response of waste disposal contractors has been to issue businesses with more and larger bins to facilitate recycling.

There are three main problems caused by the presence of these bins on Cambuslang Main Street. First, **they detract from the appearance of the town centre**. There are various sizes of receptacles (single and double) in various colours and styles, positioned obviously and randomly on the street and in side lanes, which gives a disorganised appearance. The condition of some of the bins is old and unattractive.



The Cambuslang Community Survey 2015 (at the time the largest community survey in Scotland) found that two-thirds of the 1,100 respondents were unhappy with the appearance and layout of the Main Street. A major reason was the presence of waste bins (p.7):¹

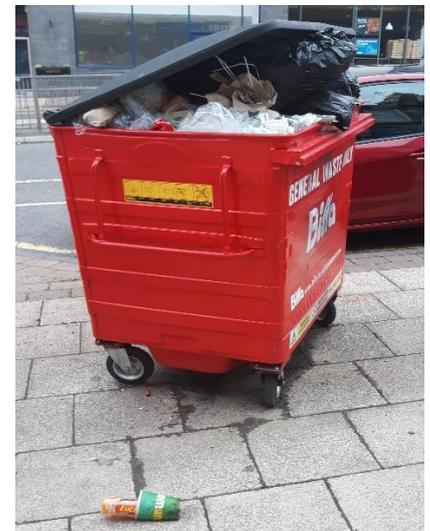
¹ What do people think of Cambuslang? Cambuslang Community Survey 2015, Cambuslang Community Council, <https://bit.ly/2GIR816>

“A major source of concern is the use of large trolley waste bins, which are positioned all along the Main Street and are regarded as creating a very poor impression of the town, especially as some are often open and liable to spill rubbish. As one respondent said:

‘Who would want to shop or even think about opening a shop in a main street cluttered with smelly industrial size wheelie bins? What on earth are the local council thinking about to have allowed our main street to be blighted in this way? There is no doubt that this is now the worst street in South Lanarkshire and the few remaining shops must be having a real struggle to survive. The people of Cambuslang deserve much better than this, and removing these bins should be a priority and would immediately enhance the look of the area.’

For local businesses, this is a challenge. They are required to use commercial contractors for waste disposal, often expensively, and to meet recycling obligations. Many do not have alternative places to site their bins at present.”

The public concern is shared by businesses. Local shopkeepers complain that the unattractive appearance of bins outside shop windows detracts from the image they are trying to convey and, in some cases, obscures the impact of their shop windows to the passing public.



In the Cambuslang Business Survey 2017, almost 80% of businesses said that the appearance of the Main Street was an important or very important issue of concern. The survey reported (p.15) that²:

“the appearance of the Main Street is regarded as an important factor in explaining the decline in footfall. One blunt comment summed up the view of many: “the Main Street is a dump, with too many trip hazards.”..... Another issue is the prevalence of waste bins, and the lack of a SLC provision for these to be out of sight. One shopkeeper commented: “you don’t see waste bins on other streets in Burnside or Rutherglen.” Many felt that ignoring the problem of bins (and overflowing waste by shopkeepers) was symptomatic of SLC neglect of Cambuslang. Numerous respondents argued that the back courts should be improved to allow bin storage; where this is not possible, SLC should provide bin shelters on the street.”

A second problem, alluded to in the above quote, is that **the bins are associated with spillage and fly-tipping**. This is a common issue with commercial food waste and glass waste outside some of the pubs and fast food outlets. Bins are sometimes left open, attracting vermin. When they are full, bin bags and other rubbish tend to be stacked up against them. In turn, this encourages fly-tipping. Commercial waste companies do not pick up items/objects that lie adjacent to the commercial bins, and these can lie unattended for long periods until reported.



² Business priorities for regenerating Cambuslang town centre, Cambuslang Business Survey 2017, Cambuslang Community Council, <https://bit.ly/2toVbpP>

Food spillage and broken glass are not always picked up by street cleansing machines, and the soiling of the pavement can last for months until washed away by rain. SLC Environmental Services are generally responsive and supportive when these problems are notified to them, and they have issued warnings to shopkeepers and residents in some cases. However, this is such a frequent problem that it is impossible to keep on top of the problem effectively; the reactive response to waste management by SLC is not working.



The third problem is that the presence of so many bins on the Main Street presents **hazards for pedestrians**. The Main Street already has many loose paving slabs that cause trips and falls, as well as numerous items of street furniture, with waste bins presenting additional obstructions. Bins are obstacles and even barriers for path users/shoppers particularly for those with prams, wheelchair users, cyclists, and disabled shoppers. In 2019, a specialist in disability access reviewed the state of the Main Street at the request of Cambuslang Community Council and commented that:

“we are alarmed at the current state of the footway surfaces, which present [pedestrians] with perilous navigation. Added into the mix, are what appear to be poorly contrasted and poorly positioned features such as seating and waste bins etc.”

The nature of the problem, and the feelings of Cambuslang residents and businesses are clear from a recent Cambuslang Future video which shows all too clearly the hazardous nature of the Main Street.³

It is clear, therefore, that a solution needs to be found. Until now, the problem has been that no-one considers that they have responsibility for the problem. Local businesses have argued that South Lanarkshire Council “needs to do something” while SLC has maintained that “the solution needs to be business-led”. In fact, a partnership between SLC, the waste disposal companies, the Main Street business sector and the community of Cambuslang is needed.

³ Cambuslang Future – Regenerating the Main Street, video, <https://www.youtube.com/watch?v=DSh-9gNvHAE>

3. HOW HAVE OTHER COUNCILS IN SCOTLAND ADDRESSED THE PROBLEM?

3.1 Local authority bins-off-street policies in Scotland

In developing a South Lanarkshire Council policy to remove commercial waste bins from town centres like Cambuslang Main Street, there is now a substantial body of practice and evidence to draw on. CCC has identified five cities/towns in Scotland where local authorities have implemented policies of prohibiting commercial waste bins on streets except during ‘timed windows’ (see Table 1.). While the big city councils have led the way - first Aberdeen, followed by Edinburgh and Glasgow – the past two years have seen the policy being applied in smaller urban centres, Inverness (population of 46,870) and St Andrews (16,800) comparable in size to towns in South Lanarkshire.

Table 1: Bin removal policies in Scotland

Location	Strategy	Date launched ⁴
Aberdeen	Commercial Waste Containers Policy ⁵	December 2009
Edinburgh	Edinburgh Street Scene Project ⁶	April 2015
Glasgow	Glasgow City Centre Commercial Waste Project ⁷	April 2018
Inverness	Inverness City Centre Trade Waste Policy ⁸	April 2018
St Andrews	St Andrews Bins-Off-Streets Policy ⁹	April 2019

The primary motivation for the policy approach is the same in each case: the negative visual and environmental impact of having large numbers of commercial waste bins on the street. As in Cambuslang, this is regarded as not just damaging to the appearance and amenity of the urban centres but is associated with increased litter and fly-tipping, the attraction of vermin, and a cause of personal injury. The consequences include adverse economic impacts for businesses and footfall.

⁴ Dates relate to the launch of the main project; several policies were piloted for a year or so earlier.

⁵ Aberdeen Council (2009) *Control of Commercial Waste Storage*, Report to the Policy and Strategy Committee, Item 7.2, 9 June 2009.

⁶ City of Edinburgh Council (2013) *Trade Waste Policy Options*, Report to the Transport & Environment Committee, Item 7.1, 29 October 2013.

⁷ Glasgow City Council (2017) *City Centre Commercial Waste Project*, Report to the Neighbourhoods, Housing and Public Realm City Policy Committee, Item 1, 12 October 2017.

⁸ Highland Council (2017) *Inverness City Centre Trade Waste Policy*, Report by the Director of Community Services to the City of Inverness Area Committee, Item 7, 14 September 2017.

⁹ Fife Council (2018) *St Andrews Bins-off-Streets*, Report to the Environment, Protective Services & Community Safety Committee, Item 4, 25 October 2018.

Box 1: Policy justifications for removing waste bins from town centres

Aberdeen: The city centre has experience of a growing number of commercial bins that are left out beyond the pick-up times and, in many cases, they can be out on the street all day, every day. The problem has grown as more businesses look to minimise their costs and look to use internal space for operational purposes. Other associated problems are the regular overloading of bins, unsecured bin storage area, storing of waste around the bins, and unsecured waste and cardboard placed out for uplift.

Edinburgh: The heritage and beauty of Edinburgh's streets are compromised by the volume of trade waste presented throughout the day and the vast number of trade waste bins permanently left on the streets throughout the city. The presence of waste attracts gulls and other animals, it creates public safety issues by providing objects that may be tripped over or potentially used to inflict injury, and it causes potentially hazardous situations which need to be cleaned up at a cost to the Council in excess of £500,000 per year.

Glasgow: The appearance of the city centre can often be spoiled by the sight of bulky, brightly-coloured trade waste containers lining the streets, lanes, and pavements. In addition to the visual impact, the unregulated presence of trade waste containers and bags left out on streets can cause obstructions and, if not properly managed, contribute to spilled waste and litter.

Inverness: The clean and welcoming appearance of Inverness City Centre is essential for ensuring that visitors and businesses continue to be attracted to the city. Unfortunately, the large numbers of trade waste bins on the streets of the city centre are making this increasingly difficult to achieve. Many of these bins are permanently stored on the pavements and other public spaces. The numbers and position of bins are not currently controlled and the volume has been increasing in recent years with the introduction of recycling requirements for businesses. In addition to the visual impact, the unregulated presence of trade waste containers and bags left out on streets can cause obstructions and, if not properly managed, contribute to spilled waste and litter and associated vermin/gull issues.

St Andrews: There are large numbers of commercial waste bins permanently stored on pavements and public spaces within the town centre area of St Andrews....In addition to their visual impact, the unregulated presence of commercial waste containers and bags left out on streets can cause obstructions and, if not properly managed, contribute to spilled waste and litter and are vulnerable to invasion from vermin and gulls.

Sources: Aberdeen Council (2009) para 6.1. City of Edinburgh Council (2013) para 2.1. Glasgow City Council (2017) para 2.2. Highland Council (2017) paras. 3.1-3.2. Fife Council (2018) paras 1.2-1.2.

The root cause of the problem was described succinctly in a review of trade waste policy options by Edinburgh Council:¹⁰

“Currently the most cost-effective way for a business to dispose of its waste is to have the largest container possible with the fewest uplifts. Multiple trade waste companies operate in Edinburgh in a very competitive market.

¹⁰ City of Edinburgh Council (2013) para. 2.3

The need to keep costs low in order to remain competitive can often lead to customers being provided with larger containers, for example by exchanging a 240 litre wheelie bin for a 1280 litre container, thereby reducing the frequency of collections. Due to the dimensions of these larger bins, street storage is usually the only option for small businesses.”

It is notable that the introduction of policies to remove bins from streets was often due to the inadequacy of other measures such as voluntary codes, the provision of bin stores, standardising the appearance of bins or attempts to manage the volume and positioning of bins on the streets. As Fife Council noted with respect to St Andrews:¹¹

“Ad-hoc intervention by Council Officers, primarily from the Environmental Health Food & Workplace Safety Team, has led to short term improvement. However, this cannot be sustained in the long term due to the limited resources available to commit to maintaining a sufficiently regular presence in St Andrews.

Aberdeen Council also noted that:¹²

“the current low-profile approach has not produced the necessary results and that actions using the full extent of the legislative powers available should be implemented to resolve the current problems.”

3.2 Objectives and principles

The **objectives** of the policies are similar across the five urban areas¹³:

- a) to reduce the number of trade waste containers on streets and improve the appearance and amenity of the urban centre;
- b) to reduce the amount of litter associated with trade waste and thereby reduce the burden on local authority environmental services;
- c) to encourage businesses to manage their waste more responsibly and recycle more; and
- d) 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.

¹¹ Fife Council (2018) para. 1.4.

¹² Aberdeen Council (2018) *Commercial Waste Containers Revised Policy*, Report to the Finance Policy and Resources Committee, CHI/17/265, 1 February 2018, para. 3.6.

¹³ Wording based on the main Glasgow City Council objectives.

The **principles** of the policy approach are also reasonably consistent, with minor local variation:¹⁴

- a) no trade waste containers or bags are permitted to be stored on public pavements or streets outwith designated collection times;
- b) waste is only permitted to be placed for uplift within the specific ‘time windows’;
- c) during these ‘time windows’, waste can only be on the street for a specific time (e.g. 1 or 2 hours);
- d) if waste is not collected within the specified time period, the business must take the waste back into their premises;
- e) waste bins placed on street for collection must display the business name and collection time;
- f) waste may only be placed out for collection when the business is staffed, and never overnight;
- g) waste containers must not block the pavement or road;
- h) businesses are responsible for finding a waste contractor that will work with them to find an appropriate internal form of waste storage; and
- i) following notification of non-compliance, waste containers are confiscated by the local authority.

The policy approaches by the five Councils are based on two existing pieces of legislation (outlined in Section 1 above) which give Councils the power to remove commercial waste containers from public streets and footpaths are - The Roads Scotland Act and the Environmental Protection Act.

3.3. Implementation of the policy

3.3.1 Pilot projects

Edinburgh, Glasgow and Inverness initially undertook pilot projects in small areas of the city centres to test the operation of the policy. For example, Edinburgh Council carried out a pilot in 2014 in three areas – Rose Street (and its lanes), Leith Walk and the High Street – before being extended to the rest of the city. In Glasgow, the commercial waste pilot project started in April 2017, targeting eight streets and lanes for action, before being extended to the full city centre, followed by three more phases to cover the whole city. The Inverness pilot covered a block enclosed by the High Street, Church Street, Union Street and Academy Street / Inglis Street.

¹⁴ Wording based on the Inverness City Trade Waste Project.

A slightly different approach was taken for the St Andrews project, which started with a ‘soft launch’ for a three-month period before being fully implemented. In Inverness, the initial launch of the policy involved a four-week “educative, proportional enforcement of policy”¹⁵ before the formal implementation was started.

In each case, the pilot phase or soft launch allowed evaluation to be undertaken and feedback gathered, with adaptation of elements such as presentation windows and uplift times.

3.3.2 Engagement with waste contractors

In Edinburgh, before the start of full policy implementation (phase 2), individual meetings were held with waste carriers to discuss the implementation of the pilot phase and any lessons learnt to support the rollout of the second phase. Further:¹⁶

“In each area a bin audit was undertaken, in which the number of bins on each street was recorded as well as bin size, waste company and business name if known. This information, along with photographs, was passed to the private trade waste contractors to allow them to start preparations for contacting businesses and route re-scheduling, to fall in line with the collection windows for customers who wish to have their waste collected from public land.”¹⁷

Glasgow City Council also engaged intensively with more than 18 trade waste contractors before and during the project. Following the pilot project, contractors were offered the opportunity for one-to-one meetings and input into the roll-out of the main programme. The Council reported that the main issues raised by contractors were:¹⁸

- logistical challenges of restricted presentation windows - with an emphasis on the difficulties of achieving all service requirements within the morning window;
- a requirement for phased times to allow operational routes to be staggered with any roll out across the city;
- potential traffic volume issues in terms of road safety, given more concentrated activity during uplift windows;
- the financial implications for the contractors and their customers; and
- the recognition of need / desire of customer education with regards to best practice/waste separation and the new procedures.

¹⁵ Highland Council (2017) *op. cit*, Appendix 4

¹⁶ City of Edinburgh Council (2015) *Update on the Street Scene Project*, Report to the Transport & Environment Committee, Item 7.1, 27 October 2015. p.5

¹⁷ According to Edinburgh Council staff (Interview 11 May 2020), the bin audit identified a number of ‘orphan bins’ that were being regularly emptied by waste contractors but could not be attributed to any individual business.

¹⁸ Glasgow City Council (2018) *City Centre Commercial Waste Project*, Report to the Neighbourhoods, Housing and Public Realm City Policy Committee, Item 5, 2 October 2018.para.5.2

Interestingly, Glasgow City Council also noted that some contractors indicated that any new procedures (long-term) could lead to further opportunities for their business, including:

- a new vehicle strategy – transition to smaller vehicles;
- the potential to expand their customer base;
- the potential for a cohesive procurement strategy via BIDs (as in Sauchiehall Street, and in Shawlands);
- the opportunity for contractors to make long-term savings by revising their service delivery models; and
- a desire to work with GCC to ensure the success of the project.

3.3.3 Engagement with businesses

The most basic level of engagement with businesses by all Councils was to inform them individually of the new policy. Typical of the approach taken was Aberdeen Council:¹⁹

“Following adoption of the policy, letters were sent to commercial premises within the city centre who were noted to be causing an offence, advising them of their obligations with respect to storage and management of their waste bins and that action would follow should they continue with the current practices. Officers visited individual premises on a number of occasions to provide advice and instruction with regard to the need to comply with the environmental and roads regulations.”

In the large cities, the messaging involved other communication methods. For example, in Edinburgh:²⁰

“a media campaign was carried out prior to the start of the roll-out and every business received a teaser flyer highlighting that changes were imminent. Two weeks later each business received a detailed information pack and was given access to a support website.”

“Specific training was given to all environmental call handlers in the Council’s customer hub to allow them to answer any question on the new changes.”

“Businesses, which after contacting their trade waste carrier, were experiencing difficulties achieving compliance were visited by a member of staff.”

Glasgow City Council also used a combination of media to inform businesses:²¹

- an initial flyer and letter - mailed to over 5,000 businesses in the city centre;
- development of a webpage with FAQs, tips and advice to businesses;
- visits to businesses by GCC officers where resources permitted;

¹⁹ Aberdeen Council (2018) para 3.3.

²⁰ Edinburgh Council (2015) paras.3.8-3.10.

²¹ Glasgow City Council (2018) para.5.1.1.

- facilitation, in partnership with Zero Waste Scotland, of waste reduction workshops - free to any interested business and available to potentially 180 attendees; and
- ongoing liaison with key stakeholders including The City Centre Retail Association, Restaurants Association, Hotels Association, Sauchiehall St BID, Glasgow Chamber of Commerce, and interested independent retailers.²²

In the smaller urban areas, particular emphasis was placed on engaging with businesses. According to Inverness BIDS:²³

“The philosophy was to be business friendly, not dictatorial. We wanted this to be seen as positive, contributing to a successful economy in the city and to avoid a backlash from business.”

Similarly, Fife Council carried out an extensive programme of engagement and consultation in St Andrews with stakeholders leading up to implementation of the policy including, letters, face to face meetings and online consultation.²⁴ An important part of the communication process was to explain the responsibilities of businesses but also to provide examples of good practice, and options for managing waste differently to comply with the policy.

3.3.4 Time windows

As noted above, the implementation of the policy depends on having authorised ‘time windows’ (see Table 2). These are periods when bins can be left out on the streets for collection by waste contractors. Importantly, though, there is a maximum time during which bins can be left on the street during these time windows: one hour in Edinburgh and Glasgow, two hours in Inverness and three hours in St Andrews.

Table 2: Time windows for trade waste

	Maximum time bins can be left on the street during time window	Authorised time windows
Aberdeen	With permit apart from prohibited period 12.30-2.30 pm	-
Edinburgh	1 hour	9.30am – 12 noon, 2pm – 4pm, and 6.30pm – 11pm.
Glasgow	1 hour	7.30am – 11.00 and 5pm – 11pm
Inverness	2 hours	6am-10am and 6pm-9pm
St Andrews	3 hours	7.30-10.30am

²² Also Merchant City Community Council.

²³ Interview with Inverness BID, 12 May 2020.

²⁴ Fife Council (2019) *St Andrews Bins-off-Streets: Post-Implementation Review*, Report to the Environment, Protective Services & Community Safety Committee, Item 15, 28 November 2019.

3.3.5 Exemptions

The Edinburgh policy was introduced in 2015 with provision for exemptions.²⁵

*“In exceptional circumstances where a business can prove that they have no internal storage space, exemption will be given to store food and glass bins **only** on the street.”*

Under this approach, businesses could apply for exemption permits subject to requirements such as keeping bins locked and prevented from emptying or filling with glass between 9 pm and 7am.

However, by 2018 some 360 businesses in Edinburgh City Centre had been given exemptions, some with multiple bins. A review of the policy by the Council noted that the Glasgow policy had been introduced in 2018 with no provision for exemptions without adverse effects, and in August 2018 Edinburgh City Council also decided to discontinue exemptions.²⁶

Aberdeen Council has maintained exemptions, phrased in rather broad terms:²⁷

“Exemption Certificates will be available for businesses that currently are unable to comply with the requirement of the policy. Exemption Certificates will only be provided, at a cost of £100 per bin, to those businesses that can show sufficient reason for the bins to remain on the street along with an improvement plan.”

The application form for exemptions states²⁸ that if a *“business has nowhere else to store its bins during these times”* it can apply for an exemption certificate. However, *“as part of the application process, a site visit will be conducted to assess whether there are any viable alternatives to leaving the bins on the street.”*

Fife Council has also provided exemptions for the St Andrews policy where a business can provide evidence that *“off-street storage options...have been considered and are unavailable”*. These off-street options are defined as:²⁹

- external areas owned/rented by the business, including yards and sheds.
- storage space owned by other businesses that can be shared;
- other space which the business has permission to use (not public footpaths or roads); or
- inside premises, all or some of the time.

²⁵ City of Edinburgh Council (2018) *Review of Trade Waste Bins Exemptions*, Report to the Transport & Environment Committee, Item 7.12, 9 August 2018, Appendix 2

²⁶ According to Edinburgh Council staff (Interview 11 May 2020), the messaging of the policy (and ensuring compliance) was complicated by first allowing exemptions and then discontinuing the practice.

²⁷ Aberdeen Council (2018) para 3.10.2

²⁸ <https://www.aberdeencity.gov.uk/services/bins-and-recycling/apply-business-waste-containers-exemption-certificate>

²⁹ Fife Council (2018) Appendix 2.

The Inverness policy also makes provision for exemptions (free of charge), but again under strict conditions:³⁰

“In exceptional circumstances, permission may be granted under the Roads (Scotland) Act to have a bin permanently placed in the public area. This would be subject to an application process and only be permitted if the business can clearly demonstrate they have exhausted all other options.”

Around ten businesses, with c.15 bins, are thought to have been granted exemptions, where it would not be possible for the business to comply with the constraints of storage space or other limitations.

3.3.6 Enforcement of compliance

Ensuring compliance with the policy approaches described above is fundamental in all cases and typically has the following mix of advice and enforcement undertaken by local compliance teams:³¹

- providing information advice and guidance to commercial premises on waste management;
- conducting compliance visits to commercial premises;
- investigating complaints; and
- taking action against businesses that do not comply with the requirements for the collection and presentation of trade waste.

The enforcement approach taken by Fife Council in St Andrews has three stages:³²

- a verbal warning – where many non-compliances are immediately resolved;
- a written warning; and
- the confiscation of bins and cost recovery.

The Aberdeen Council policy stipulates that, in the event of a bin being left out in the street between 12.30 and 14.30 on any day of the week, the business in question will be requested to remove the bin within 24 hrs. Any further transgressions will result in the business being served with a legal notice. Those businesses which do not comply with the notice will have their bin removed by the Council and a charge levied on the businesses for the removal, storage and return of the bin.

³⁰ Highland Council (2018a) *Inverness City Centre Trade Waste Policy*, Report by the Director of Community Services to the City of Inverness Area Committee, Item 8, 31 May 2018, Appendix 1.

³¹ City of Edinburgh Council (2013) para 2.34.

³² Fife Council (2019) para.2.6.

In Inverness, Highland Council has the following policy regarding enforcement of non-compliance with the trade waste policy:

- a) a business operator or waste contractor is issued with a four-week notice of enforcement action;
- b) after the designated compliance date, a non-compliant business or waste contractor will have their bins confiscated, and stored off-site by Highland Council;
- c) a business or waste contractor then has 28 days to collect their bins from the Council with a corresponding charge for costs incurred by the Council e.g. for disposing of the waste, storage, administration; and
- d) any bins not collected are disposed of by the Council after 28 days.

Fife Council applies an additional enforcement process to sacked waste not being presented in pest-proof covers prevent or limit damage by pests and subsequent littering. In these instances, when a business is identified as having presented unprotected sacks, the waste is removed immediately, and a cost recovery charge is levied. It is also worth noting that all new planning applications by businesses in Inverness City Centre include a condition requiring waste to be kept within the business property except during the presentation windows.³³

The approach to enforcement by all Councils seeks to avoid punishing businesses where possible, but non-compliance is subject to specific penalties ranging from £500 (Aberdeen) to £1,000 (Edinburgh, Glasgow) (see Table 3).

Under the Inverness policy, there is no set charge, but the costs to Highland Council of confiscating bins and (in cases of non-collection) waste disposal etc are charged to businesses or waste contractors. Only 5-10 bins are thought to have been confiscated over the lifetime of the project to date.³⁴

Table 3: Penalties for non-compliance with Council policies on bin removal

	Fines / penalties
Aberdeen	£500 for removal and storage (plus £150 after 5 days). £200 for waste left outwith bin
Edinburgh	Up to £1000
Glasgow	Up to £1000
Inverness	Business or waste contractors charged for non-collection of confiscated bins to cover disposal of waste, storage & administration.
St Andrews	Businesses are charged cost recovery

³³ Interview with Inverness BID, 12 May 2020.

³⁴ *Ibid.*

The experience of many of the policies, is that the use of the financial penalties and confiscation of bins is not significant. For example, in the case of the St Andrews policy, Fife Council reported that in the first six months of the project:³⁵

- 26 verbal warnings were issued to businesses storing bins on streets at the wrong times;
- only two written warnings were issued;
- three businesses which chose to present unprotected bagged waste were recharged costs for the Council having to intervene; and
- no bins had to be removed for continually being stored on the street.

Fife Council noted that *“This level of sanction-free compliance is attributed to the time invested in helping businesses overcome their challenges in advance of Policy implementation.”*

In Edinburgh, the absolute number of enforcement notices is higher. Over the period from September 2016 to May 2020, some 3,200 notices were issued (672 Fixed Penalty Notices, 55 Section 47 Notices and 2489 Regulation 4 Notices) in relation to trade waste offences. However, given that the policy covers some 12,600 businesses, the average monthly level of infringement is relatively low. Only 18 reports have been submitted to the Procurator Fiscal for consideration.³⁶

3.4 Costs

For those Councils where resource costs are identifiable, it is clear that they needed to invest significant resources in the preparation and launch of the policies, particularly investment of staff time in the processes of engaging with businesses and waste contractors. This upfront investment was identified as being critical for the subsequent effectiveness of the policy.

Edinburgh Council reported that a dedicated resource of two staff were allocated to the roll out and implementation of the new policy.³⁷ Now that the policy is established, the enforcement of the policy is incorporated into the remit of the Council’s wider Environmental Warden Service.³⁸

For the St Andrews policy, the post-implementation review noted that:³⁹

“A high level of staff resource was required for the implementation of the Policy and to a lesser extent managing ‘business as usual’. The resource demand was most significant for the Environmental Health (Food & Workplace Safety) team.

³⁵ Fife Council (2019) para.2.8.

³⁶ Information from Street & Environmental Enforcement, Edinburgh City Council, 27 May 2020.

³⁷ City of Edinburgh Council (2015) para.5.1.

³⁸ Information from Street & Environmental Enforcement, Edinburgh City Council, 27 May 2020.

³⁹ Fife Council (2019) para.2.20.

For the duration of the implementation process one officer was spending approximately 3 days per week responding to requests associated with the project (this does not include time spent on the development of the policy processes themselves)."

Once established, the ongoing operational costs appear to be much lower. Aberdeen Council reported that:⁴⁰

"Income received from the issue of any fixed penalty notices will be managed by Roads Operations and passed to Waste Services to cover the costs of collection, removal and disposal of the offending containers. The proposed charges for removal return and storage of commercial waste bins should be sufficient to cover the costs to Waste Services."

Under the Inverness policy, the staff costs are also considered low and absorbed within existing budgets. An intern was hired for six months to engage intensively with individual businesses during the launch phase, supported by an enforcement official where required. However, the ongoing compliance management of the policy is dealt with by one enforcement official, responsible for the whole Highland region and who addresses problems in Inverness (when alerted by street waste cleaning teams) as they arise as part of a broader waste management remit for Highland Council.⁴¹

In Glasgow, after the phased rollout of the policy, implementation now appears to be self-financing:⁴²

"The initial pilot and city centre phase was absorbed with the City Centre Strategy Budget. Any additional costs for removal and storage of bins from non-compliant contractors was invoiced to those respective waste contractors for reimbursement."

3.5 Evaluation and results⁴³

3.5.1 Edinburgh

As noted above, the Edinburgh 'Street Scene Project' has been implemented in phases. A report on the 2014 pilot⁴⁴ highlighted an 80% reduction in the number of trade waste bins on public land within the pilot area. Eighteen months later, a report on Phase 2 – which extended the policy to a much wider area - recorded a fall in the number of trade waste containers from 1571 to 416, a reduction of 73%, and a clear visual impact of the project.⁴⁵ Further, the report noted:

⁴⁰ Aberdeen Council (2018) paras.4.1-4.2.

⁴¹ Interview with Inverness BID, 12 May 2020.

⁴² Interview with Neighbourhoods & Sustainability, Glasgow City Council, 20 May 2020.

⁴³ For Edinburgh, Glasgow, Inverness and St Andrews. No evaluation for Aberdeen could be obtained.

⁴⁴ City of Edinburgh Council (2015) para.2.3.

⁴⁵ City of Edinburgh Council (2016) *Update on the Street Scene Project*, Report to the Transport & Environment Committee, Item 7.9, 1 November 2016, paras. 3.6-3.8

“The street cleansing teams have also reported a noticeable difference for their operations. This is particularly the case for the Night Service Street Cleaning Teams, who previously spent much of their time clearing up trade waste derived litter and spillages.”

“In March 2016, the environmental charity Keep Scotland Beautiful recognised the success of the Council’s trade waste project in improving the cleanliness and quality of the environment on public land in the capital by awarding the Council with a prestigious Local Environmental Quality Award at their annual awards ceremony.”

“In October 2016 the project was also shortlisted at the Scottish Resources Awards in the category of Best Litter Prevention Initiative.”

The key factor for the effectiveness of the policy identified by Edinburgh Council staff is communication and engagement with those involved:⁴⁶

“On the one hand, it’s important to work with waste contractors – tell them the plans and timescales, be prepared to meet with them on a one-to-one basis. On the other hand, you need to be pro-active with businesses (and business associations like the FSB and BIDs), to explain the basis of the policy, and to communicate using a range of different methods to get to all businesses.”

3.5.2 Glasgow

As in Edinburgh, the Glasgow project was undertaken in phases. In the area covered by the first phase, some 460 trade waste containers were initially permanently stored on the street. After placing a four-week notice on 361 containers a remaining total of 107 containers were removed by Glasgow City Council. Subsequently, the eight locations remained clear of permanently-stored commercial waste containers, with visible impacts on the amenity of streets and lanes.⁴⁷ The project evaluation report also noted that:

“Feedback received from residents/visitors, various businesses and community councils has been overwhelmingly positive.”

“In addition, GCC also commissioned Keep Scotland Beautiful to produce a follow-up report of the eight pilot locations to ascertain any immediate impact or change in environmental conditions. This resulted in a revised Cleanliness Index (CI) score of 67.... four points higher than the initial baseline survey where the CI was recorded at 63.”

Although these results were considered encouraging, the evaluation noted ‘areas of concern’ with different types of business-derived waste that would need to be a focus of business engagement in further roll-out of the project. In addition: *“several instances of displacement have also been*

⁴⁶ Interview with Edinburgh City Council, 8 May 2020.

⁴⁷ Glasgow City Council (2017) Section 7.

recorded where bins have been relocated to areas outwith the pilot localities to specifically avoid compliance with the new procedures.”

Positive results were also recorded at the conclusion of Phase 2 of the project. Glasgow City Council commissioned Keep Scotland Beautiful to conduct an independent Trade Waste Baseline Survey against current national standards, prior to the introduction of the new procedures (March 2018) and then 12 weeks later (June 2018).⁴⁸ This assessment found a reduction in the presence of waste containers from 484 to 63 (it was noted that the majority of containers found permanently on public space in June 2018 was the result of requests for additional time by a small number of businesses to make the necessary adjustments to become compliant with the new procedures). There was also a significant increase in the proportion of streets/lanes found to be of an acceptable standard of cleanliness (Grade A or B). KSB concluded that:⁴⁹

“Overall, in terms of removal of commercial waste receptacles from public space, the data from this report shows that this has been a success. In particular, the removal of these bins from the main streets has helped improve the streetscape. Along with the removal of these bins from the public space, there was a noted improvement in the number and presence of trade waste items recorded. In particular items like waste bags, left in the public space, recorded a significant reduction leading to cleaner and less cluttered public spaces.”

Further, a public survey conducted by Glasgow City Council in July/August 2018 found that:⁵⁰

“support for the project and its impact has been beneficial with over 78% of respondents stating that they have recognised a reduction in the number of trade waste containers on city centre streets and lanes. 48% of respondents advised that they are very or fairly likely to use city centre streets more as a result of the project.”

Two years on, the policy appears to be embedded successfully in the approach to waste management.⁵¹

“The policy is now business as usual across the whole of the city...The city centre has an annual Keep Scotland Beautiful assessment carried out which would highlight if there were any issues – there are none that we are aware of.”

⁴⁸ Glasgow City Council (2019) *City Centre Strategy 2014-19 – Evaluation*, Report to the Neighbourhoods, Housing and Public Realm City Policy Committee, Item 1, 19 November 2019.

⁴⁹ *Ibid*, para. 4.8.

⁵⁰ *Ibid*, para. 7.2.

⁵¹ Interview with Neighbourhoods & Sustainability, Glasgow City Council, 20 May 2020.

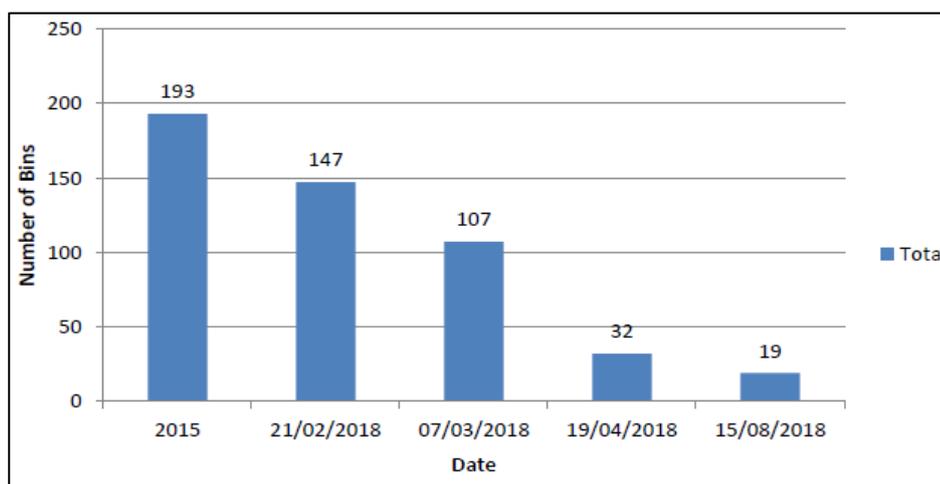
3.5.3 Inverness

In Inverness, the full policy was implemented from early April 2018. After six months, Highland Council took stock of the effectiveness of the policy. The overall assessment was that:⁵² *“it is considered that the policy has worked well overall and met the majority of its original objectives”*.

More specifically, the assessment found the following:⁵³

- a 90% overall reduction in the number of bins permanently positioned in public space across the City Centre – see Figure 1 (the bins remaining on the street were primarily associated with businesses having difficulty with compliance and which were being advised by Council officers);
- Council waste team and street cleaning operatives reported that the removal of the bins had facilitated *more effective litter picking and street cleaning* by manual and mechanical street sweepers;
- 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;
- survey feedback from business operators indicated that most considered that *the policy had not had a detrimental effect on their business*.

Figure 1: Inverness Trade Waste Policy – trend in bin numbers.



Source: Highland Council (2018b) para 5.2.

⁵² Highland Council (2018b) *Inverness City Centre Trade Waste Policy*, Report by the Director of Community Services to the City of Inverness Area Committee, Item 8, 22 November 2018, para 8.1.

⁵³ *Ibid*, Sections 5-7.

Problematic issues identified in the assessment since the implementation of the trade waste policy included the displacement of trade waste bins from the street into private spaces, including fire exits. There was also a slight increase in fly-tipping incidents (anticipated by the Council) in the city centre after the policy was implemented, leading to penalty notices served on businesses.

An earlier report to Highland Council had also noted the feedback from other stakeholders.⁵⁴ Inverness BID was noted as having publicly commented on how they had seen “*a massive reduction in bin numbers within the City Centre and the positive contribution this has made in making the city centre a nicer place to visit.*” The Area Commander for Police Scotland was also quoted as saying:

“From a policing perspective the reduction in waste bins removes barriers which previously made access into certain areas in the city centre challenging.

“It also reduces and mitigates against the risk of fire, whether unintentional or wilful, removes areas which have previously been used as cover for substance misuse or other acts of public nuisance and indeed lessens the immediate access to items that could be immediately adapted as a weapon for acts of violence or intimidation. There are other positive aspect including better unobstructed sight lines for police officers and public space CCTV operatives.”

“While it is difficult to provide an evidential basis, it is my professional judgement that the reduction in waste bins is a positive development for policing in the city centre.”

A further issue is that a small number of residential bins are not covered by the policy.⁵⁵

3.5.4 St Andrews

The post-implementation review of the St Andrews Bins-off-Streets policy concluded that it had been a success and was now an accepted ways of managing waste in the town centre. Fife Council reported that:⁵⁶

“The introduction of a commercial waste presentation Policy has had a positive impact on St Andrews Town centre with commercial bins no longer being permanently stored on pavements and public spaces and bagged-waste now being routinely presented in pest proof sacks.”

“There has been a high level of compliance with the policy by local businesses and waste contractors with no bins requiring confiscation.”

⁵⁴ Highland Council (2018a) paras. 6.2-6.3.

⁵⁵ Interview with Inverness BID, 12 May 2020.

⁵⁶ Fife Council (2019) paras.4.1-4.3

“The bins-off-streets Policy, and associated procedures and processes, is now established as ‘business as usual’ for St Andrews town centre.”

Some six months after the introduction of the policy, Fife Council organised a breakfast event to gain feedback and thank stakeholders. Feedback forms completed at the event and online found the following:⁵⁷

- 100% of respondents felt the policy has had a positive impact on St Andrews Town Centre, with improved visual appearance and less litter given as reasons;
- 55% of respondents felt the policy had had a positive impact on them or their business, 27% reported it had had no impact on them specifically and only 9% reported a negative impact;
- positive impacts on stakeholders included: operational efficiencies, improved appearance of St Andrews and financial savings from sharing bins;
- negative impacts on stakeholders included: lack of staff to put bins out at 7:30am and pressure on drivers to complete their work within the time window;
- several respondents felt that now that improvements have been made to commercial waste, there was a need to tackle domestic waste issues in a similar way; and
- comments on the presentation window included feedback that several businesses struggled with it and requests for it to be extended slightly.

3.6 Lessons

A review of the Council reports cited in this report, and discussions with local authority officers involved in the above policies and other stakeholders indicate the following lessons.

- a) Political commitment is fundamental. Council officials and others cited the need for Council leaders to be seen to support the policy and for elected members to have the political willingness and demonstrated backing for the policy to succeed.
- b) Engagement with business through a ‘carrot and stick approach’ with focus on the ‘carrot’:
 - work with businesses to ensure they understand the rationale and implementation of the policy; and
 - involve local business associations – FSB, chambers of commerce, BIDs etc.
- c) Good communications strategy comprising:
 - use of multiple media – information by post/online, as well as personal visits to provide advice and communication especially in food and drink businesses producing a lot of daily and organic waste;

⁵⁷ *Ibid*, para 2.6 and Appendix 3.

- peer pressure to encourage compliance; and
 - publicity in the community.
- d) Build in opportunities for learning. Use a pilot or other experimental approaches to test how the planned policy works in practice, and then adapt to local circumstances and implement based on lessons from the pilot period. The Glasgow/Edinburgh experience suggests that it is more difficult to add restrictions once the policy is in place. Relaxation and removal of restrictions is easier.
- e) Penalties are needed as a backstop. The effectiveness of the policy needs to be backed up with penalties for businesses/waste contractors that do not comply e.g. fines, charges or confiscation of bins.
- f) Enforcement - is particularly important in the roll-out of the policy where having a dedicated person or team to support businesses and ensure compliance is useful. Once the policy is established, experience indicates the scope to incorporate enforcement within the wider remit of environmental or other teams, and the policy can be self-funding and self-sustaining in the medium term.
- g) Involvement of waste contractors
- Effectiveness of the policy depends on the willingness of waste contractors to support implementation via (for example) working with businesses to find suitable solutions for the presentation and uplift of the waste e.g. more frequent pickups.
 - Recommend one-to-one engagement with waste contractors, who may be reluctant to come to a general meeting with competitors.
- h) Good inter-service collaboration within the Councils is necessary.
- i) Anticipate some displacement of waste. There will be a need for close monitoring of fly-tipping, use of litter bins for disposing of waste, especially in the early period of the policy's introduction.
- j) Maintain efforts to ensure compliance over time. It is easy for incremental return of bins to the street to occur.
- k) Monitoring and evaluation. Organise the ongoing collection of data, with periodic evaluation, to demonstrate and publicise the policy approach – to local politicians, to businesses, to waste contractors, and to the community. Use benchmarking and assessment by Keep Scotland Beautiful or other bodies.

4. CONCLUSIONS AND RECOMMENDATIONS TO SOUTH LANARKSHIRE COUNCIL

The problem of commercial waste on Cambuslang Main Street is clear. The presence of some 40 trolley and wheelie bins detracts severely from the appearance of the town centre. The bins are associated with litter, spillage, fly-tipping and the attraction of vermin. They are also a hazard for pedestrians. Community and business surveys indicate widespread dissatisfaction with the current situation and the need for a solution to be found.

Cambuslang Community Council has been working with South Lanarkshire Council's Economic Development team for two years to develop the Cambuslang Town Centre Regeneration Strategy,⁵⁸ approved by SLC in November 2019. Progress is being made in several of the areas identified as constraints, including the planned renewal of the streetscape, a new Park & Ride car park, the piloting of the Cambuslang Banking Hub, and plans for a community hub. The removal of commercial waste bins from the street is a goal of the Strategy and is essential for improving the aesthetic of the Main Street. Indeed, not removing the bins will undermine the investment in streetscape renewal.

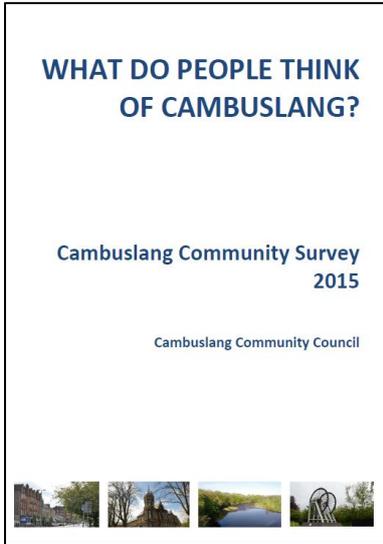
We do not underestimate the political and administrative complexities of removing waste bins from Cambuslang Main Street. However, the experiences in other urban centres in Scotland – of widely different sizes – provide a practical guide of how a bins-off-street policy can be implemented. The detailed information in this report is effectively a step-by-step path that can be replicated in Cambuslang.

The most significant finding from the interviews conducted with Council staff and other stakeholders in the various urban areas is that bins-off-streets policies can be successful and become business as usual. The most important factor for achieving success is political and executive leadership from the top.

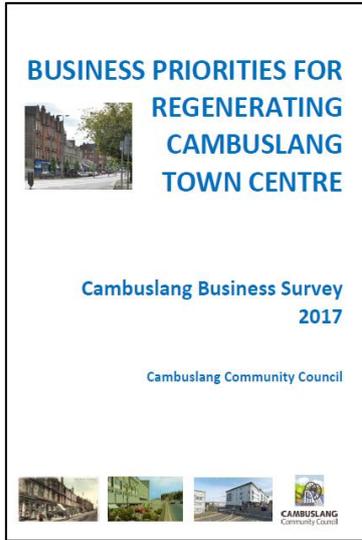
We therefore propose to South Lanarkshire Council that a bins-off-street policy is piloted in Cambuslang. The town is of medium size in the hierarchy of urban centres in South Lanarkshire, it has a well-defined town centre, a mix of business types and ownership characteristic of other towns, the businesses are reasonably well networked, and there is well-developed capacity among community organisations willing to work with South Lanarkshire Council in developing and implementing the policy. If the policy can be made to work in Cambuslang, it will provide important lessons for other towns in South Lanarkshire, and for other local authorities outside the big cities in the Central Belt of Scotland.

⁵⁸ *A Strategy for Cambuslang Town Centre*, South Lanarkshire Council and Cambuslang Community Council, 2019, <https://bit.ly/34a9X4Y>

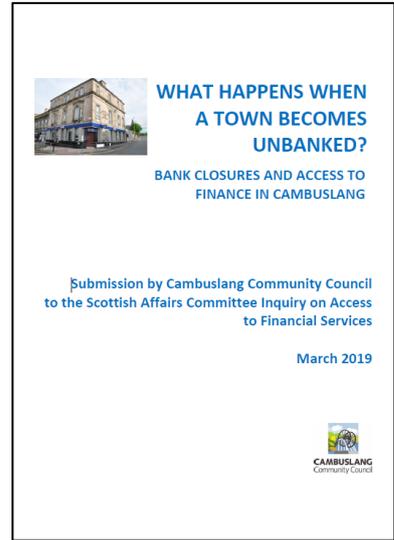
OTHER CAMBUSLANG COMMUNITY COUNCIL PUBLICATIONS (click on report title for link)



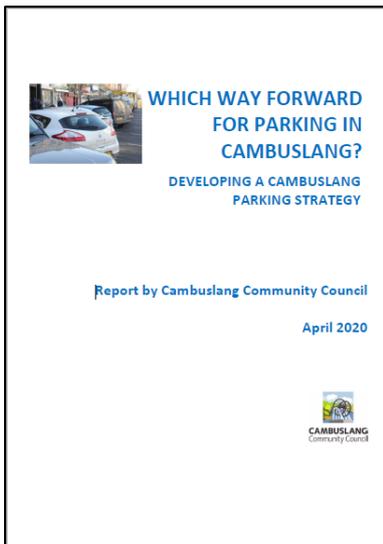
[Cambuslang Community Survey 2015](#)



[Cambuslang Business Survey 2017](#)



[Cambuslang Banking Report 2019](#)



[Cambuslang Parking Report 2020](#)



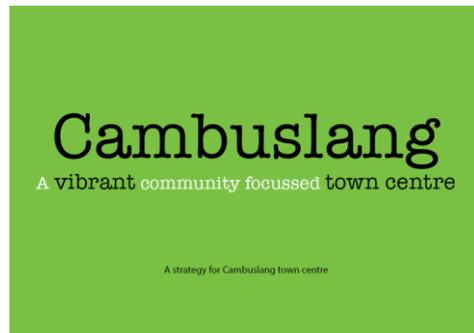
[Cambuslang Future Newsletter No.1](#)



[Cambuslang Future Newsletter No.2](#)



[Cambuslang Regeneration Presentation 2019](#)



[Cambuslang Regeneration Strategy 2019 \(with South Lanarkshire Council\)](#)

