



**Cabinet recommendations for consideration by Council  
at the Council Meeting on Tuesday, 4 December 2007**

**Cabinet – 17 October 2007**

**110 Abandoned Trolleys - Adoption of Enforcement Powers**

The Cabinet considered Report No 200/07 relating to proposals to adopt enforcement powers in respect of abandoned trolleys.

The Council had adopted the majority of the new powers contained within the Clean Neighbourhoods and Environment Act 2005, primarily as part of the establishment of the Clean and Green Team in 2006.

Section 99 of the Act had been introduced on 1 April 2006 and had the effect of amending Schedule 4 to the Environmental Protection Act 1990 (EPA). Taken together, those provisions enabled a local authority to seize shopping and luggage trolleys that had been abandoned within its area, and recover the removal, storage and disposal charges from their owners.

The frequency, quantity and location of abandoned trolleys varied across the District in which Lewes presented the most significant number on a weekly basis.

Much officer time was expended on retrieving, storing and transporting abandoned trolleys. The Council's Community Ranger, Street Wardens and Park Wardens recovered trolleys from several locations which were then returned either directly to the owner or stored at Southover House, Lewes, awaiting collection by their owners.

Paragraphs 4.6 to 4.9 of the Report set out details of the proposed action which could be taken relating to the future seizing, storage and disposal of abandoned trolleys, and paragraphs 4.10 to 4.14 thereto outlined the consultation exercise which had been undertaken in respect of the proposal to adopt the new powers, as detailed in the Report.

If the Cabinet was minded to adopt Schedule 4 of the EPA 1990, it would enable the Officers to deal, more effectively, with abandoned trolleys within the District. It would also reduce the resource costs to the Council and might also act as a deterrent to trolley owners and therefore encourage

them to put in place more rigorous arrangements to prevent the unauthorised removal of trolleys from their premises.

Resolved:

**110.1** That Schedule 4 of the Environmental Protection Act 1990, as amended by Section 99 of the Clean Neighbourhoods and Environment Act 2005, relating to abandoned trolleys, as detailed in Report No 200/07, shall apply to the District of Lewes and come into force on 10 February 2008; and

**110.2** That the charges, as set out in paragraph 4.9 of the Report, be approved.

It was further

Recommended:

**110.3** That the Constitution be amended so as to enable the Director of Planning and Environmental Services to implement and enforce the provisions of Schedule 4 of the Environmental Protection Act 1990 and Section 99 of the Clean Neighbourhoods and Environment Act 2005, and to appoint authorised officers for this purpose.

Reasons for the Decisions:

The abandonment of trolleys within the District is a persistent and growing issue that requires significant Officer time and cost to the Council to remedy as well as causing a nuisance to the local community and, on occasion, damage to the environment.

Schedule 4 of Environmental Protection Act 1990, as amended by Section 99 of the Clean Neighbourhoods and Environment Act 2005, provides local authorities with the power to charge the owners of abandoned trolleys for the costs associated with their retrieval, storage and return or disposal as appropriate.

Cabinet must establish the appropriate charges to be made to owners and must set a commencement date for the new power, if adopted, that is no less than 3 months from the date of the Resolution.

† *The Recommendation, and not the Resolutions, in the above Minute is for consideration by Council.*

*Councillors are requested to bring with them to the meeting Report No 200/07 which was circulated with the agenda papers for the meeting of the Cabinet on 17 October 2007. If you require a further copy of the document please contact Trevor Hayward, Committee Officer, on e-mail [trevor.hayward@lewes.gov.uk](mailto:trevor.hayward@lewes.gov.uk) or telephone 01273 484122.*