



From mountain to sea

# Street Cleansing Policy

Approved

November 2019



## Contents

---

<b>1</b>	<b>Statutory Requirements</b>	<b>3</b>
1.1	The Environmental Protection Act 1990	3
1.2	The Code of Practice on Litter and Refuse (CoPLAR) 2018	3
1.3	Removal and Disposal of Abandoned Vehicles	3
<b>2</b>	<b>Policy Statement</b>	<b>4</b>
2.1	What the Council Will Do	4
2.2	What Our Residents Need to Do	5
2.3	What Our Businesses Need to Do	5
<b>3</b>	<b>Scope</b>	<b>5</b>
<b>4</b>	<b>Implementation and Compliance</b>	<b>6</b>

---

# 1 Statutory Requirements

## 1.1 The Environmental Protection Act 1990

Under the Environmental Protection Act 1990 section 89, Aberdeenshire Council has two statutory duties;

Duty 1: ensure that its land (or land that is under its control), is kept clear of litter and refuse so far as is practicable.

Duty 2: ensure that public roads (for which the Council is responsible) are kept clean so far as is practicable.

## 1.2 The Code of Practice on Litter and Refuse (CoPLAR) 2018

CoPLAR 2018 is a statutory guidance document providing a framework to support duty holders to meet their duties under the Environmental Protection Act 1990 (EPA) Section 89 (1) and (2). Duty holders must have regard to CoPLAR when discharging their duties and it is admissible as evidence in court proceedings if a body is taken to court for dereliction of its duties.

CoPLAR 2018 aligns with the National Litter Strategy – 'Towards a Litter-Free Scotland' - and provides more clarity on a number of areas. The new approach puts prevention activity on an equal footing with cleansing, providing the opportunity for duty holders to take a holistic approach to addressing the issues of littering and fly-tipping.

## 1.3 Removal and Disposal of Abandoned Vehicles

The legislation governing the Council's procedures when dealing with abandoned vehicles is as follows:

- The Refuse Disposal Amenity Act 1978;
- The Removal and Disposal of Vehicles Amendment (Scotland) Regulation 2002; and
- The Road Traffic Regulation Act 1984.

The Council will remove a motor vehicle or anything forming part of a motor vehicle if it has been left on any land in the open air or road in such circumstances or for such a period that it has been declared abandoned, unless the contrary is shown.

A vehicle may be declared abandoned if it fulfils some or all of the following criteria:

- It is significantly damaged, run down or un-roadworthy, for example, has flat tyres, missing wheels or broken windows.
  - It has been stationary for a significant amount of time.
  - It is burned out.
  - A number plate is missing.
-

- It has no keeper on DVLA's database and is untaxed.

The vehicle keeper may be charged a sum for the storage and disposal of the vehicle under The Removal and Disposal of Vehicles Amendment (Scotland) Regulation 2002.

Nuisance vehicles which are not deemed to be abandoned may be referred to Police Scotland for further investigation under the Road Traffic Regulation Act 1984.

Further information regarding the process the Council applies when dealing with abandoned vehicles is found in the Abandoned Vehicle Procedure.

## 2 Policy Statement

**Aberdeenshire Council aims to provide an efficient and effective service with a first class reputation, keeping Aberdeenshire clean and safe, delighting our customers, recycling more and landfilling less every year.**

### 2.1 What the Council Will Do

1. Produce a Litter Prevention Action Plan which works across Council Services and geographical boundaries.
  2. Engage with local businesses and community groups on the production of their own Litter Prevention Action Plan which feeds into the Council plan.
  3. Liaise with other duty bodies in relation to promoting prevention and adopting a joint approach to dealing with problem areas.
  4. Communicate the wider benefits of litter and fly-tipping prevention in line with the Council's vision to be the best from mountain to sea.
  5. Promote and take part in both local and national litter campaigns.
  6. Ensure our front-line colleagues are fully trained and follow safe working practices.
  7. Sweep roads and footpaths, both manually and mechanically.
  8. Litter pick land under our control which cannot be swept.
  9. Provide dual purpose litter bins (rubbish and dog fouling) where required and ensure all litter bins are emptied regularly to prevent them overflowing.
  10. Encourage more Recycling on the Go and provide appropriate bins in suitable locations.
  11. Deal safely with all drug related litter.
  12. Remove dead animals from land under our control.
-

13. Remove leaves and tree blossom from streets.
14. Deal with abandoned vehicles in line with statutory requirements.
15. Provide support to Community or Local Action groups who wish to improve their local environment with community clean ups. We will loan out litter pickers and we will collect the rubbish and dispose of appropriately.
16. Respond timeously to complaints and requests for a service.

## 2.2 What Our Residents Need to Do

1. Dispose of their household waste and recycling through their domestic bins or through one of the Household Recycling Centres throughout Aberdeenshire.
2. When using public spaces dispose of their litter in the designated litter bin or take it home.
3. Pick up after their dog has fouled and dispose of it appropriately. It is illegal to leave dog waste in public spaces.

## 2.3 What Our Businesses Need to Do

1. Have waste collection arrangements for their business which is adequate for the amount of waste produced – it is illegal to put trade waste in public litter bins.
2. Business can help with other measures to:
  - Keep the area around their premises clean.
  - Where possible reduce the amount or type of packaging on the items they sell or produce.
  - Engage staff around preventing littering and fly-tipping.
  - Display information to engage customers.
  - Provide litter bins on their premises to allow customers to dispose of their waste items responsibly.

## 3 Scope

This policy shall apply to all publicly accessible land for which Aberdeenshire Council is responsible. This includes:

- Roads adopted by the Council. The term road includes pavement and lay-by.
  - Council maintained car parks.
  - Council maintained beaches.
  - Council maintained parks and amenity areas.
  - Schools and grounds.
  - Cemeteries.
-

## **4 Implementation and Compliance**

Aberdeenshire Council's 'Street Cleansing Procedure' contains the detail on how we carry out street cleansing operations in Aberdeenshire.

The Waste Collections Manager shall be responsible for updating the Operational Procedure to reflect changes in legislation, strategy and any other improvements or amendments as considered necessary.

The Waste Support Leaders (Collections and Cleansing) shall be responsible for compliance within their areas and ensuring that the policy and procedure is complied with.