

Section 99 and Schedule 4 of The Environmental Protection Act 1990

**ABANDONED SHOPPING TROLLEY POLICY**

**1. Background**

1.1 Abandoned shopping trolleys (Trolleys) are having an increasing detrimental impact upon our local environment. They make the area look run down, contribute to littering, antisocial behaviour, cause harm to wildlife and create a flood hazard in waterways.

1.2 Gosport Borough Council (the Council) at a meeting of the Community Board on [date] has pursuant to section 99 of The Environmental Protection Act 1990 (the Act) resolved that Schedule 4 of the Act will apply to its area with effect from [date] .

**2. Aim**

The Council aims to ensure retailers take greater ownership of their trolleys and where this fails, take steps to reduce the number of abandoned Trolleys in order to improve the visual appearance of an area, reduce waste and litter and associated anti-social behaviour.

**3. Scope**

The policy is applies to all areas and retailers that provide shopping trolleys within the Borough of Gosport.

**4. The Law**

Schedule 4 of The Act allows the Council to

- Seize and remove Trolleys on \*land or waterways within the Borough of Gosport in the open air;
- Store Trolleys for a period of six weeks;
- Serve a notice on anyone who appears to be the owner informing them that the Trolley will be disposed of if it is not claimed;
- Sell or dispose of Trolleys after the six week period has expired;
- Charge a person who appears to be the owner an amount to cover the removal, storage and disposal of the Trolley.

## **5. \*Private Land**

5.1 The Council will ask permission from landowners or occupiers before removing Trolleys from private land.

5.2 If they don't give permission, the Council will serve a notice on the landowner stating that it intends to remove the Trolley.

5.3 If no objection is received, the Council will remove the Trolley 14 days after notice is served.

## **6. Contacting Trolley owners**

6.1 If the Council is able to identify Trolley owners, it will give them notice to claim any Trolleys that have been removed.

6.2 This notice will state all of the following:

- that the Council has removed the Trolley and are keeping it
- where it is being kept
- that the Council may dispose of the trolley if the owner does not claim it within 42 days (6 weeks)

6.3 The Council must deliver the Trolley to its owner if they claim it, provided the owner has paid the appropriate costs of collection, storage and return **in full** within 42 day period (6 weeks).

6.4 If the owner does not pay, the Trolley will not be returned, but the Council will still claim the cost of storage of the Trolley from the owner.

## **7. Disposing of trolleys**

The Council will keep Trolleys for 42 days (6 weeks) after removing them. If any Trolley has not been claimed within this period the Council will sell or dispose of the Trolleys.

## **8. Claiming costs**

8.1 The Council is charged £50 by its contractor for the removal of a Trolley, and £50 for its disposal and return. The Trolleys are to be stored at Council premises at a cost of £5 per day for 42 days (6 weeks).

8.2 The total cost of removal, storage and disposal is therefore £310, and the owner will be liable for this cost if no claim on the trolley is made. Should a claim on the trolley be made within the 42 day (6 week) period the owner will be liable for the appropriate storage costs, and for the collection and return charges.

**Discharge of functions**

9. The processes set out this policy may be undertaken by Council officers or contractors or agents of the Council.