

REPORT TO CUSTOMER FOCUS / STRATEGIC SCRUTINY COMMITTEE

Date of Meeting:

Report of: Cat Chambers

Title: Eton Walk Binrastructure Review

Is this a Key Decision?

Scrutiny is a non decision making committee

Is this an Executive or Council Function?

Executive

1. What is the report about?

The residents of Eton Walk and the adjoining areas raised a petition requesting the urgent review of Litter and dog bins (binrastructure) in the area surrounding Sylvan Heights and Eton Walk area.

This ePetition ran from 08/03/2025 to 24/04/2025 and has now finished with 41 signatures.

Residents cited that “The area is well used by families, residents and walker's with dogs on a daily basis. With the 2 bins by the footpaths recently removed without notice to the residents, it has already impacted the green areas resulting in rubbish products and dog mess fouling which is very unsightly and unsanitary”

The report outlines the operational protocols and investigative process undertaking to assess demand for litter bins city wide, and more specifically to identify additional litter/ dog foul demand that would require additional binrastructure in the area.

2. Recommendations:

The current recommendation is that no further action is required, the existing level of binrastructure and visitation provides suitable and sufficient resource to manage waste and prevent its aggregation on site.

3. Reasons for the recommendation:

- Multiple management inspections were carried out and there was little to no litter identified, indicating a demand for additional provision.
- The standard of cleansing onsite currently classes as an 'A' on average, in comparison national industry street cleaning standards and guidance.
- Current standard of cleansing is maintained with a once weekly street cleaning visit.

As a result of the above existing litter demand does not meet the threshold for additional binrastructure in accordance with Operational Protocol at this time (appendix B).

4. What are the resource implications including non-financial resources

There is no resource implications associated with this report or recommendations.

5. What are the legal aspects?

Section 89(1) and (2) of The Environmental Protection Act 2019 places a duty on principle litter authorities to ensure that public open space and highways maintainable at public expense, are kept clean of litter so far as is practicable and in accordance with relevant guidance.

The Litter Act 1982 provides the power for principal litter authorities to provide and maintain litter bins. There is no duty placed on the authority to do so.

6. Report details:

The council recognises that intensity of use is a prioritising factor in the fitment and sustainability of binrastructure. Bin fitment, whether medium or low intensity use, is prioritised based on litter hotspot assessments, to ensure the right bin is used in the right location.

Hot Spot Demand Assessment

Eton Walk and surrounding areas were inspected on five separate occasions to assess contamination and intensity of use.

Date of Inspection	Time of Inspection	Cleansing standard	Comparative to street sweeping visit
Thursday 27/03/25	09:45	A	Two days post sweeper
Wednesday 02/04/2025	09:43	A	One day post visit
Friday 04/04/25	13:50	A	Three days post visit
Friday 11/04/25	13:48	A	Three days post visit
Monday 16/06/25	08:44	A	Day prior to visit (post weekend)

These visits were carried out by different team members that on different days relative to street cleaning, to ensure a broad evidence base for decision making.

In, all occasions, cleansing standards were not identified below a "A" as per the approved street code of practice for litter. Photos taken on the most recent visit, Monday 16/06/25 can be found in appendix A. Similar photos are available for each visit carried out.

Most notably, the existing bin on site was only three quarters full after a week, having not been visited since the previous Tuesday 09/06/25 as per the existing schedules.

Sweepers Statement of Findings

The levels of litter indicated by the Supervisory inspections match the local sweepers on site findings. The local street sweeper visits every Tuesday and confirmed that on a "bad day which isn't very often" they would spend up to 30 minutes on site, and the bin was only ever three quarters full.

Bin level at 8:44am 16/06/25



In the case of Eton Walk, both litter levels, and bin use currently appear stable and maintained by existing provision and schedules. Litter is therefore unlikely to substantially occur routinely and will be an ad hoc issue.

Although Binrastructure can subject to unpredictable demand from time to time, where binrastructure becomes full before scheduled visitation the public can report it on the council website [Report littering - Exeter City Council](#). Teams will subsequently be dispatched to empty it as soon as possible or within two working days.

Relocation

To ensure that the council retains the right asset in the right space, relocation of existing bins may be considered where they could provide better opportunities to reduce litter levels. Given the low litter levels throughout the area, it is not considered in this case that moving the bin would be cost-effective.

Ongoing Monitoring

Binfrastructure is audited twice a year and is assessed for continued efficacy and condition as part of each audit. In addition, residents can request new provision whereby the believe that cleansing standards have changed.

7. How does the decision contribute to the Council's Corporate Plan?

It ensures that the cleaning services operate an efficient and well management services:

- Maintaining A balanced budget
- Ensuring Good operational governance
- Offering Value-for-money services
- Delivering Well-managed assets

8. What risks are there and how can they be reduced?

That litter starts to accumulate, to mitigate this the council will follow existing operational protocols to ensure the provision of the correct cleaning regime.

9. Equality Act 2010 (The Act)

11.1 Under the Act's Public Sector Equalities Duty, decision makers are required to consider the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding.

11.2 In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

11.3 In making decisions the authority must take into account the potential impact of that decision in relation to age, disability, race/ethnicity (includes Gypsies and Travellers), sex and gender, gender identity, religion and belief, sexual orientation, pregnant women and new and breastfeeding mothers, marriage and civil partnership status in coming to a decision.

11.4 No potential impact has been identified on people with protected characteristics as determined by the Act because the report is for noting only

10. Carbon Footprint (Environmental) Implications:

12.1 Important to complete this section in light of the Council declaring a Climate Emergency. Consider whether the recommendations you are making in the report will help, hinder or have no direct impact on delivering our carbon reduction target (carbon neutral by 2030).

12.2 Operational protocols are designed to ensure cost-efficacy in cleaning programmes. In doing so, schedules are optimised to reduce unnecessary travel so far as practicable.

Protocols

11. Are there any other options?

There are currently no other options identified for implementation.

Director Adrian Pengelly

Report Author: Cat Chambers

Local Government (Access to Information) Act 1972 (as amended)

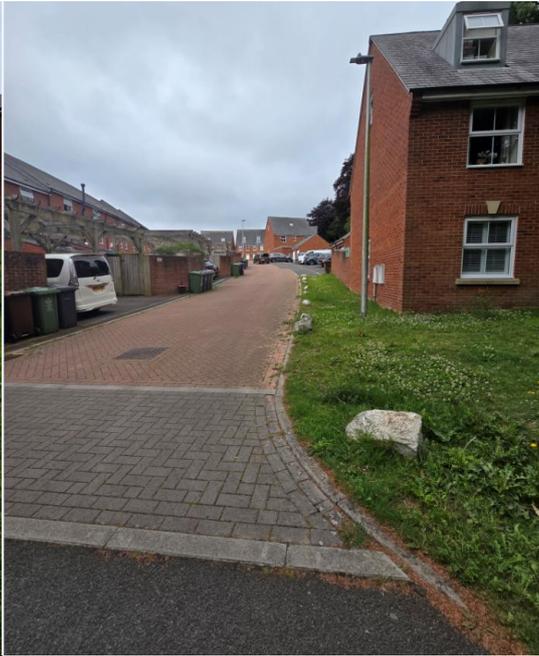
Background papers used in compiling this report:-

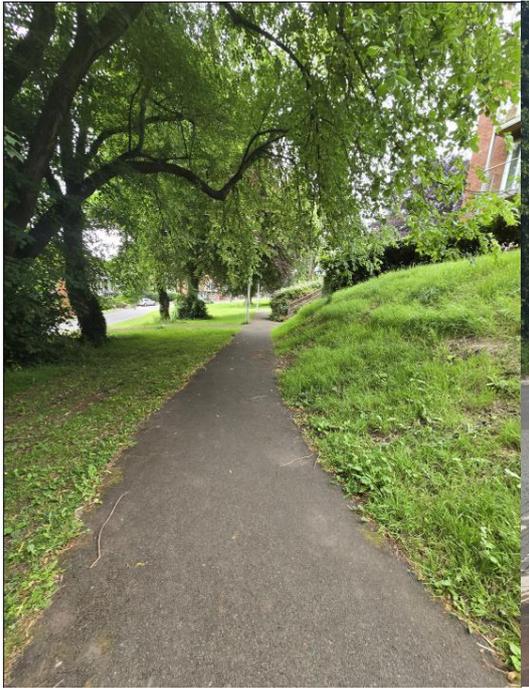
None

Contact for enquires:
Democratic Services (Committees)
Room 4.36
01392 265275













Litter/ Dog Bin (Binrastructure) Protocol

Version 0.1 Exeter City Council Litter Bin Protocol

April 2024

Document Control Sheet

Document Title	Exeter City Council Litterbin Protocol
Version	Version 0.1
Author	C. Chambers
Date	April 2024
Further copies from	Environment and City Management

Introduction

The City Council's Corporate vision lays out the goals to ensure Exeter remains a national leader in quality living. Exeter is a flourishing and beautiful city with a growing diverse resident base. There is a shared vision of prioritising safe well-built and inclusive neighbourhoods that encourage and promote health, wellbeing and sustainability. It has never been more critical to ensure that the City Councils combined litter strategies rise to the challenges presented by being a leader in quality living and sustainability, balancing those challenges presented by increasing quantities of disposable goods with providing well run value for money sustainable services.

We recognise here the role that Litter bin infrastructure (Binrastructure) plays in the development of clean safe neighbourhoods, and the part that litter bins play in supporting the City Councils Clean Streets Strategy in continuing to maintain high quality living space and enabling the responsible disposal of items consumed on the go. When it comes to the role of the litter bin there is no question that bins, either inadequately emptied or poorly presented, have an impact on community value, aesthetics and quality of living, often encouraging further antisocial behaviours, littering, fly tipping, graffiti amongst others. The City Council spends over £1.5 million a year on keeping the city looking good, and the delivery of binrastructure is an integral part of the City's ability to meet its responsibilities under section 89 of the Environmental Protection Act 1990.

We want to deliver a clean well maintained and improved binrastructure service. One that recognises each community's unique attributes, supports our city's sustainable future and provides a value for money service. Working with partners, local communities and individuals to ensure we have the right provision, in the right place.

Table of Contents

<u>Policy Introduction</u>	13
<u>1. Principles</u>	15
<u>2. Policy Objectives</u>	15
<u>3. Legal Requirements</u>	16
<u>4. Operational Delivery Procedures – Planning and Design:</u>	16
<u>4.1 Establishing emptying schedules</u>	16
<u>4.2 Delivery and fitment of new litter bins (siting requirements)</u>	16
<u>4.3 Litter impact (hotspot) demand assessments</u>	17
<u>4.4 Operational delivery constraints</u>	18
<u>4.5 Recycling on the go (ROTG)</u>	19
<u>5. Condition and Asset Management Operations:</u>	18
<u>5.1 Data Management:</u>	18
<u>5.2 Condition assessment and replacement:</u>	18
<u>Further information</u>	19

1. Principles

- 1.1. That litter/ dog bins, collectively referred to here as binrastructure, will continue to be used as one of the methods to manage and control litter contamination city wide, where they are appropriate to retain standards in accordance with section 89 of The Environmental Protection Act 1990 and associated codes of practice.
- 1.2. The service will not allow binrastructure to become the cause of cumulative litter contamination and will take such action as deemed necessary, and in accordance with adopted practice, to manage litter generated as a result of binrastructure.
- 1.3. That it will balance the number and type of bins fitted with the cost of maintaining them, in accordance with the principles outlined in the Litter Strategy for England 2017.
- 1.4. That when determining fitment applications each application will be considered on its own merit, and the process adopted for determination will be applied uniformly in all cases.
- 1.5. That binrastructure will be managed using the three primary asset management principles. These three principles are:
 - **Planning and design**, supporting the right bin, at the right cost, in the right location, with suitable emptying schedules.
 - **Operation**: demand assessment, condition monitoring, condition-based maintenance,
 - **Decommissioning**, at the end of the bin's lifecycle, or at the end of its period of usefulness.

2. Policy Objectives

- 2.1 To provide guidance to staff, stakeholders, and customers about the role of binrastructure and the benefits or constraints that accompanies it.
- 2.2 To provide guidance to staff, stakeholders, and customers on the operational procedures that govern the fitment of new binrastructure.
- 2.3 To outline how the authority assesses levels of litter contamination and utilises the subsequent impact assessment data to retain cost-effective bin stocks.
- 2.4 To recognise that binrastructure is for use in the control of waste generated on the go. They are not for domestic household waste disposal, commercial event waste, commercial business waste, or for any other waste that is reasonably expected to be disposed of through other regulated waste streams.
- 2.5 To recognise that litter bins are not a fixed asset and that they will be moved or removed if alternative street cleansing methods can provide a better or more cost-effective service.
- 2.6 to proactively manage and retain data in relation to litter bins, to ensure transparency in practice and decision making.

3. Legal Requirement

- 2.1 Section 89(1) and (2) of The Environmental Protection Act 2019 places a duty on principle litter authorities to ensure that public open space and highways maintainable at public expense, are kept clean of litter so far as is practicable and in accordance with relevant guidance.
- 2.2 The Litter Act 1982 provides the power for principal litter authorities to provide and maintain litter bins. There is no duty placed on the authority to do so.
- 2.3 Once installed, the principal litter authority has a duty under The Litter Act 1982 to ensure litter bins are emptied regularly and maintained.
- 2.4 The duty extends to ensuring that litter bins should be emptied frequently enough to ensure that their contents do not become a nuisance or give cause for reasonable complaint.

4. Operational Delivery Procedures – Planning and Design:

Supporting the right bin, at the right cost, in the right location, with suitable emptying schedules.

4.1 Establishing emptying schedules.

- Emptying schedules are established based on real-time use.
- The common frequency in which a bin fills to capacity is the frequency that is assigned for its collection.
- Where the council identifies changes in how frequently a bin requires emptying as standard, officers will proactively investigate schedules and will adjust the frequency where appropriate.
- Schedules cannot account for ad hoc or unpredictable demand that causes bininfrastructure to fill prior to standard collection. Ad hoc demand will be treated as a 'one-off' and no long-term remedial actions will be considered by officers; however, the bin will be emptied within two working days, once reported.
- Where collection frequencies are reviewed council officers will consider the ongoing cost-efficacy of the bin, and the ability of it to successfully resolve contamination in context of its current placement. Where the cost-efficacy of a bin changes, officers may move or remove the bin as necessary.

4.2 Delivery and fitment of new litter bins (siting requirements)

- The council recognises that intensity of use is a prioritising factor in the fitment and sustainability of bininfrastructure. As such city centre(s), tourist locations, formal parks and play areas remain high priority locations for bininfrastructure. Bin fitment in all other areas, whether medium or low intensity use, will be prioritised based on litter hotspot assessments, to ensure the right bin is used in the right location.

- Where littering remains common place in locations with existing binrastructure, the council will utilise nudge methods to increase uptake. This may include footprints on the floor leading to the bin or changing the colour of the bin if needed. Where nudge methods have been utilised by other authority areas there has been a substantial decrease in litter levels recorded.
- The council recognises that street cleansing demands across the city can change and as such there will be the need for new litter bins in new locations. When this occurs, officers are committed to installing new bins as soon as resource and procurement allow.
- Where customers request new bin provision, we will investigate the request by carrying out a litter impact (hotspot) assessment. Where investigations suggest a litter hotspot and a requirement for binrastructure over other street cleansing methods, officers will install a new bin.
- The council does not operate separate litter/ dog waste bins as standard and carries out ostensibly mixed waste collection. However, it recognises that in some locations a specified bin type is the most appropriate for the contamination present. As a result, we may fit an appropriate type and capacity bin to meet a specific need where necessary.
- New binrastructure will only be fitted where contamination levels meet the operational threshold for a new bin.

4.3 Litter impact (hotspot) demand assessments

- The council is committed to monitoring cleansing standards across the city in accordance with the DEFRA Code of Practice on Litter and Refuse 2019 (COP). It applies the grading principles outlined in COP to litter impact (hotspot) assessment, as a determining factor for the placement or removal of binrastructure.
- Contamination standards outlined in the COP are:
 - Grade A – No litter or refuse
 - Grade B – Predominantly free of litter apart from some scattered items.
 - Grade C – Widespread distribution of litter with minor accumulations
 - Grade D– Heavy contamination with significant accumulations.
- Where requests for new binrastructure are received, if street cleansing standards remain on average a Grade B or above, then additional binrastructure will not be considered for fitment.
- Where requests for new binrastructure are received, and where there is evidence to indicate that street cleansing standards in the location fall routinely below a Grade B and constitute a litter hotspot, then providing new binrastructure can support in reducing street cleansing resource and improving the litter grading for the location, it will be fitted.
- Where reviews of existing stock are carried out, binrastructure will only be retained if it continues to reduce resource demand and, or, it is still required to ensure that cleansing standards do not drop to include an increasing accumulation of litter.

4.4 Operational delivery constraints.

- The fly-tipping of domestic and commercial waste within binfrastructure (including disposal of cat litter, and domestically stored dog fouling) limits the availability of the bin for genuine use, creates unpredictable emptying requirements, and increases the resource and cost to successfully manage that bin. The service is committed to investigating cases of fly-tipping and it will take firm but proportionate action. This may include removing the bin after a period of notice, where offences persist, and investigations have failed to provide an alternative solution.
- Binfrastructure is subject to unpredictable demand from time to time. The council takes all reasonable steps to ensure that litter bins are emptied at appropriate intervals, however where binfrastructure becomes full before scheduled visitation the public can report it on the council website. Teams will be dispatched to empty it as soon as possible or within two working days.
- Binfrastructure schedules city wide operate Monday – Friday (predominantly). Where binfrastructure becomes full on a Saturday and Sunday, customers can report it on the council website, and they will be emptied within two working days.
- Where litter bins become full, customers are required to carry their waste to the next bin, or to take their waste home with them. This will prevent the bin from overflowing and causing a nuisance to others. Where individuals continue to use binfrastructure beyond capacity, resulting in waste dropping to the floor, this is a littering offence according to section 87(1) of the Environmental Protection Act 2019.

5. Condition and Asset Management Operations:

Asset levels, condition monitoring, and condition-based maintenance.

5.1 Data Management:

- The council retains a data base record of bin type and location for every item of binfrastructure within the city.
- As and where binfrastructure is installed or decommissioned, these records are routinely updated.
- Complete binfrastructure audits are held two time per year, to reconfirm the number, location, scheduled frequency, and type of bin in situ, and to prevent data decline.

5.2 Condition assessment and replacement:

- Two-time annual audits are used to assess the condition of binfrastructure. Bin condition is rated based on their current visual state of maintenance.
- Binfrastructure is rated as follows:
 - Grade A – New or near new and in excellent condition
 - Grade B – Good condition, some minor signs of rust and paint peel.
 - Grade C – Poor and aging, extensive rust and/ or paint peel, but not dangerous.
 - Grade D – dangerous, or no longer structurally sound.

- Where a bin records a Grade C on audit, a demand assessment will be carried out. Where demand remains unchanged, the bin will be identified for replacement as soon as practicable. Where demand has changed, the bin may be decommissioned.
- No bins should naturally decline to a Grade D, as bin infrastructure audits are proactive in preventing it. However, Grade D bins can occur through accident or anti-social behaviour. Where a bin is found to be a Grade D, it will be removed immediately, and reviewed for replacement or decommissioning.

5.3 Procurement decisions

- The council monitors and investigates new and emerging technology, including SMART, Solar, and digital monitoring bin infrastructure designs. Where it is proven to provide a value for money substitute to standard designs, it will be considered as an alternative choice.
- Industry studies indicate that bins in bright colours are more accessible and encourage better use. Alternative bin colours will be considered against City Planning requirements, and the standardised national ROTG colours. Where colours don't conflict with either and offer the opportunity for improved uptake they may be used as alternatives to improve the visibility and use of bin infrastructure.
- The standard capacity of community litter bins in Exeter is 125 litres, limited by manual emptying methods and weight. The council is committed to phasing out any lower capacity litter bins than standard at end of life. In addition, where operationally feasible the use of 250 litre bins will be explored as a suitable alternative for high footfall rural locations.
- Dog bins remain a standard capacity.

5.4 Recycling on the go (ROTG)

- The Council provides existing ROTG and trials different provision in a number of locations within the city.
- We continue to investigate ROTG options, to find technically, environmentally and economically practicable solutions that would support cost-effective ROTG on a wider city scale.

Further information

Information and web links to organisations that are a useful resource for the development of the bin infrastructure policy.

- Association for Public Sector Excellence. (2017). Briefing 17 - *Developing a successful 'binrastructure' – litter bin policy, Strategies and procedures*.
<https://apse.org.uk/apse/index.cfm/members-area/briefings/2017/17-04-developing-a-successful-binrastructure-litter-bin-policies-strategies-and-procedures/>
- Association for Public Sector Excellence. (2020). *Briefing 20-83 - 'The Right Bin in the Right Place'*. <https://apse.org.uk/index.cfm/apse/members-area/briefings/2020/20-83-e28098the-right-bin-in-the-right-placee28099-wrap-guidance-to-english-local-authorities-and-business-improvement-districts-bids-on-the-design-number-and-location-of-public-litter-bins-and-other-items-of-street-furniture-d/>
- DEFRA. (2017). *Litter Strategy for England*.
<https://assets.publishing.service.gov.uk/media/5a82216340f0b6230269b009/litter-strategy-for-england-2017-v2.pdf>
- DEFRA. (2019). *Code of Practice on Litter and Refuse*.
<https://assets.publishing.service.gov.uk/media/5d8b766ded915d0372f8ac59/pb11577b-cop-litter1.pdf>
- WRAP. (n.d.). *'Binrastructure' - The right bin in the right place*.
<https://wrap.org.uk/resources/guide/binrastructure-right-bin-right-place>.