

RAMSEY TOWN COMMISSIONERS

Street Cleaning & Litter Policy

Originating Officer	TSM
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1. Introduction

- 1.1 This policy sets out Ramsey Town Commissioner's approach to street cleaning which is considered to be a frontline service that affects all people who live within or visit the Town. As such, Ramsey Town Commissioners take a keen interest in the standards of the Town's street scene.
- 1.2 The Policy has been developed within the overarching Ramsey Town Commissioners vision **"Making Ramsey a better place to be"**.
- 1.3 Ramsey Town Commissioner's Street Cleaning Policy ensures that everything we do has regard to the standard of cleanliness within the Town.

2. Aims and Objectives

- 2.1 The Commission has established the following objectives in relation to the amenity of the town with the aim of ensuring a safe and attractive environment
 - Provide sufficient litter bins in the Town and Parks located in appropriate places maintained to a high standard and emptied on a regular basis.
 - Undertake regular sweeping of all streets and pavements.
 - Undertake regular treatment of weeds in footpaths, roads and gutters.
 - Ensure all road gully pots are clear and free from vegetation
 - Provide modern and clean public toilet facilities to meet the needs of residents and visitors
 - Provide, maintain and improve street lighting to meet the needs of residents
 - Monitor and review the condition of property within the town and work with property owners taking appropriate action when property is ruinous or detrimental to the amenity of the area.
 - Monitor hedgerows, trees and shrubs overhanging the public highway taking action when they become obstructive to users.

3. Statutory Powers

- 3.1 The Local Government Act 1985 provides the Commission with the power [but not the duty] to employ staff for the performance of any function.
- 3.2 The Highways Act 1986 (the 1986 Act) provides:-

The Department (Department of Infrastructure) shall be under a duty to maintain every highway which is a highway maintainable at the public expense.

Cleaning for aesthetic purposes is not viewed by the Department as maintenance.

The Department also has a responsibility under Section 44 of the 1986 Act to remove certain obstructions from the highway as follows:-

S.44 (1) if an obstruction arises in a highway from accumulation of snow or from the

falling down of banks on the side of the highway, or from like cause, The Department shall remove the obstruction.

- 3.3 The Public Health Act 1990 (as amended) provides local authorities with a permissive power to remove litter and defines litter collected by Local Authorities as household waste for the purpose of disposal. An extract is:

72A Removal of litter from streets etc

(1) A local authority may remove litter from any street in its district.

(2) A local authority may make arrangements with the occupier of any land in its district other than a street, being a place in the open air to which the public are entitled or permitted to have access (whether on payment or otherwise), for the removal of litter from that land, upon such terms as to payment or otherwise as it may agree with the occupier.

(3) For the purposes of this Part, litter removed by a local authority under this section shall be treated as waste collected by the authority under section 65.

- 3.4 The Litter Act 1972 (as amended) provides penalties for littering, enables local authorities to enforce against littering, and makes other provisions in relation to designated places and litter control notices. The Act could be found here https://www.legislation.gov.uk/cms/images/LEGISLATION/PRINCIPAL/1972/1972-0014/LitterAct1972_1.pdf.

4. Definitions

- 4.1 There is no legal definition of 'litter' for the purposes of the Litter Act 1972 however the Code of Practice on Litter and Refuse states "Litter is most commonly assumed to include materials, often associated with smoking, eating and drinking, that are improperly discarded and left by members of the public". In Manx Law, there is no general duty or responsibility to keep land or highways free from litter.

5. Current Service Provision

- 5.1 Ramsey Town Commissioners Street Cleaning provision within the Town and Parks is achieved by both mechanical and manual cleaning regimes.
- 5.2 A small mechanical sweeper is provided to clean the highway and routinely targets both the town centre and outlying areas including residential areas. A mechanical pedestrian sweeper is used to clean pavements and other hard surface areas which cannot be accessed by the sweeper vehicle. A twin bin barrow type manual sweep is carried out to access areas which cannot easily be cleaned by other means.
- 5.3 Areas are swept on a daily, twice weekly, weekly or once every five weeks rotational basis depending on the area concerned. Frequency of sweeping is also adjusted on a seasonal basis where areas subject to leaf build-up etc. require more frequent attention or during local or National events including TT and Festival of Motorcycling periods.

- 5.4 The mechanical sweeper is deployed twice weekly at 6am to clean Parliament Street, the Courthouse surrounds, the Quay area and both Market and Parliament Squares. This is to allow the sweeper to go against the one way system up to 8am as authorised by the Department of Infrastructure prior to the retail area becoming busy.
- 5.5 The mechanical pedestrian sweeper is deployed three times a week to predominantly clean the footpaths within the core area including Parliament Street, the Courthouse surrounds, the Quay area and both Market and Parliament Squares.
- 5.6 The twin bin pedestrian sweeper is deployed to carry out a manual clean of the Town where the other machines cannot reach or are unavailable for duty.

6. Performance

- 6.1 The UK Code of Practice on Litter and Refuse issued by The Department for Environment, Food and Rural Affairs dated April 2006 sets down principles which identifies four grades of cleanliness A, B, C and D.
 - Grade A: No litter or refuse in the street
 - Grade B: Predominately free from litter and refuse apart from some small items
 - Grade C: Widespread distribution of litter and refuse with some minor accumulations
 - Grade D: Heavily littered with significant accumulations
- 6.2 The Department of Infrastructure adopted the UK Code of Practice for their performance specification for street cleaning which formed part of the agreement when the transfer of certain functions to Local Authorities was implemented in 2013.
- 6.3 All zones and hot spots shall be of a grade "A" standard immediately after sweeping has taken place.
- 6.4 The minimum level of cleanliness to which any zone is allowed to deteriorate before sweeping takes place is grade "C". Once an area is deemed to have reached grade "C" it must be cleaned within the time shown in the following table:-

ZONE	CLEANLINESS GRADE	RESPONSE TIME
Town Centre	C	HALF (1/2) WORKING DAY
Residential & Industrial Areas	C	ONE (1) WORKING DAY

- 6.5 In addition to the scheduled street sweeping regime, a manual deep clean of the regeneration area is undertaken annually using a power washer and hard surface jet spray cleaning head to remove surface staining and deposits to the specialist hard surfacing.
- 6.6 The Technical Services Manager will ensure that regular inspection of streets is undertaken to check that standards are being attained, and to identify any areas requiring urgent or special attention.

7. Street Cleaning Schedule

7.1 In order to achieve the aforementioned aims the Commission has determined that it will:-

- Undertake daily sweeping of the town centre area – Parliament Street, Parliament Square, Peel Street, Market Square, the Quayside and Derby Road.
- Undertake at least weekly sweeping of the main roads – Bowring Road, Lezayre Road, Waterloo Road and the Mooragh Park etc.
- Undertake an annual deep cleansing of the footpaths within the Ramsey Regeneration area
- Respond to complaints regarding fouling /glass within 2 working hours

7.2 The street cleaning regime is shown in the attached plans at Appendix A.

7.3 Areas of the town centre which have been the subject of regeneration works where natural granite has been used as finish to roads and footpaths have been found to be susceptible to staining particularly where soft drinks, food have been spilt, and as a result of dogs urinating. The staining is more prevalent particularly during dry spells; in many instances a short period of rainfall will disperse stains.

7.4 The Commission will regularly monitor the condition of streets; in particular those located within the Town Centre regeneration area, and undertake additional deep cleaning where staining is apparent especially during periods of prolonged dry weather.

7.5 The Commission will continue to monitor new initiatives and treatment systems to reduce staining and trial such with a view to implementing these subject to performance and budgetary considerations.

8. Weeds

8.1 The Commission will undertake spraying of weeds through the town during the period February to April, with any further requirement to spray being assessed as required. Spraying will only take place when dry weather is forecast to ensure that chemicals are not flushed away by rainwater.

8.2 Sprayed weeds will be cleared away once the weed killer is seen to have worked following application so that the chemical employed are able to be taken into the root system.

8.3 Where weeds are evident at the end of the summer period consideration will be given to further localised spraying, or cutting out, in order to maintain a satisfactory appearance of the streetscape.

9. Provision of Litter Bins

9.1 The Commission deploys approximately 150 litter bins throughout the town to accept litter and dog waste.

9.2 Bins are located in the town centre, along busy pedestrian routes (i.e. between the town

centre and schools) in public parks and recreational areas. The location and type of bins provided will be reviewed as necessary.

- 9.3 During the TT and MGP periods additional large capacity bins are provided at spectator areas and additional collections undertaken.
- 9.4 For special events, such as the Ramsey Rocks, TT & MGP Sprint, Rotary Sunday Funday, the Commission will provide additional bins for litter in liaison with event organisers, where issued these bins are not intended for use by commercial operations (i.e. food stalls) who should make their own arrangements for disposal of commercial waste.
- 9.5 Town Centre Bins are emptied five times throughout the week and weekend with bins in other areas emptied twice weekly, or weekly, determined by their location and level of usage.

10. Litter Enforcement

- 10.1 The Litter Act provides powers to a constable or an authorised officer of a local authority, who has reasonable cause to believe that a person has committed or is committing an offence of littering, to issue a fixed penalty.
- 10.2 Where a fixed penalty notice is issued the issuing officer will present the recipient with instructions on the appeal process in place, Appendix B
- 10.3 The Commission contracts the provision of Warden Services and the Town Warden is tasked with the enforcement of the provisions of the Litter Act, Dogs Act and various Town Byelaws, through the issue of fixed penalty notices and prosecution.
- 10.4 The Commission will progress prosecution against offenders who fail to pay Fixed Penalty Notices within the prescribed time limit of 14 days.
- 10.5 Where the Commission finds that repeat offences are being committed by individuals then, having considered the circumstances of each case, and any mitigating factors, the Commission will consider whether to refer offenders directly to the Courts for prosecution rather than issue repeat fixed penalty notices.

11. Litter Control Notices

- 11.1 The Litter Act provides that if a local authority is satisfied, in respect of any prescribed premises there is recurrent defacement by litter or refuse of any land the authority may serve a Litter Control Notice on the occupier or, if the premises are unoccupied, on the owner of the premises imposing requirements on any person who from time to time is the occupier of the premises.
- 11.2 The Department may by regulations prescribe the descriptions of commercial or retail premises in respect of which a litter control notice may be issued; the descriptions of land which may be included in a specified area; and the maximum area of land which may be included in a specified area. The regulations in force at the time of this policy being made

can be found at

<http://www.tynwald.org.im/links/tls/SD/2004/2004-SD-0299.pdf> and

<http://www.tynwald.org.im/links/tls/SD/2009/2009-SD-0717.pdf>

11.3 The Commission will monitor the instances of litter within the town and will, if occurrences appear to result from the operation of a premise, liaise with the owner/occupier of that premise to seek mutually agreeable ways in which the matter may be resolved.

11.4 In the event that resolution is not possible then consideration will be given to the issue of a Litter Control Notice in accordance with the provisions of the Litter Act.

12. Review of Policy

12.1 This Policy and the provisions made under it will be reviewed bi-annually or if there has been a change in working practice, machines or legislation.

13. Learning and improving

13.1 Ramsey Town Commissioners are determined to keep improving our knowledge and understanding of how best to carry out the street cleaning function within the Town and Parks. We will review our own practice regularly to check that we are carrying out the street cleaning function efficiently and effectively and within the budgets set down by the Commission.

13.2 We will carry out in-depth reviews of our actions in cases where circumstances or complaints raise questions about Ramsey Town Commissioner's practice that need to be examined. This includes specific areas including the regeneration area where a more in-depth review is required to address the issues such as staining and bird excrement to achieve a high standard of appearance. The main purpose of the reviews is to learn lessons about when our systems need to improve street cleaning in future. We will also promote a culture in which we are able to highlight and review our performance to learn and improve our practice.

14. Appendix A – Street Cleaning Area Plans

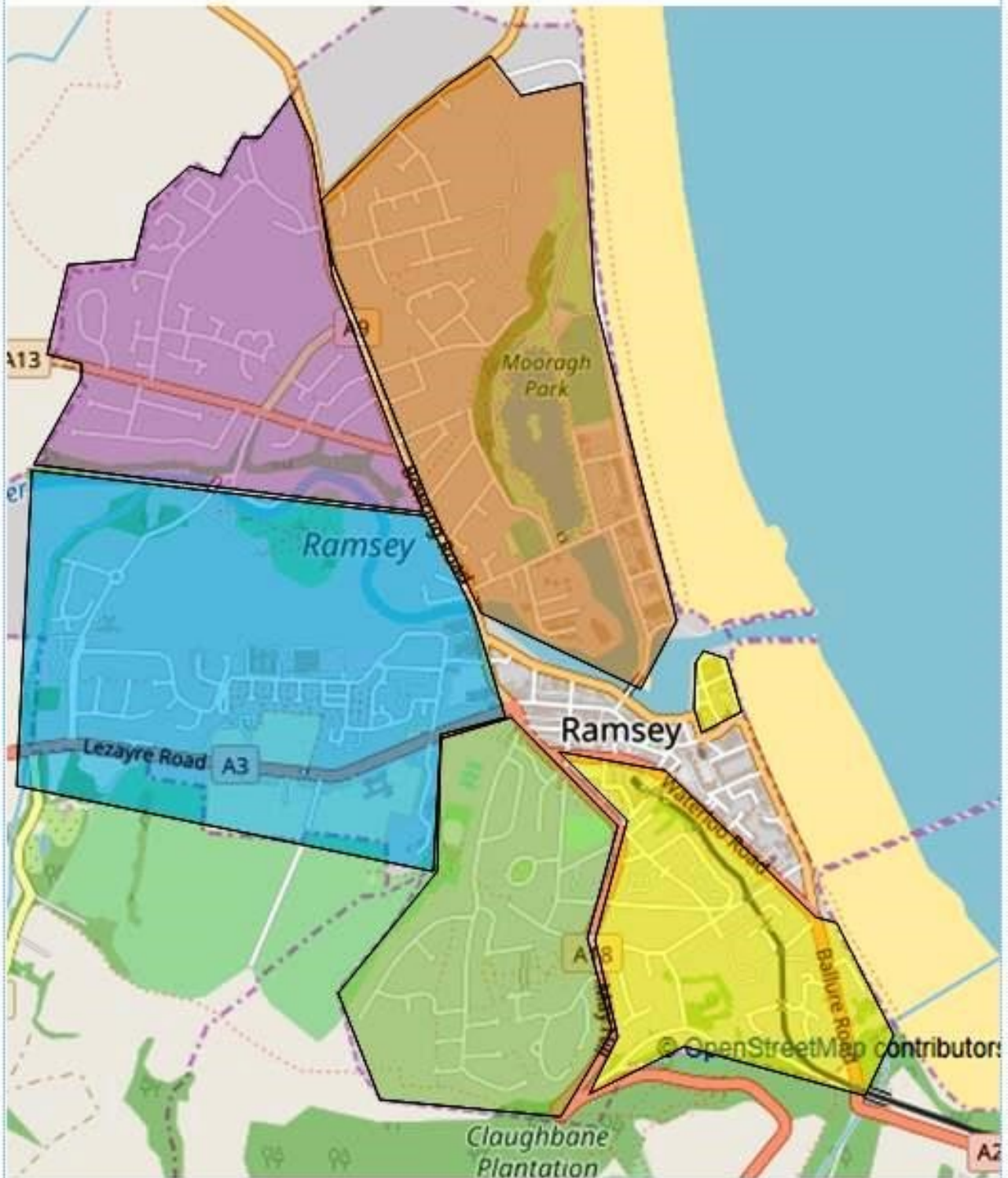
RAMSEY TOWN COMMISSIONERS
DAILY STREET CLEANING AREAS



RAMSEY TOWN COMMISSIONERS
WEEKLY STREET CLEANING



RAMSEY TOWN COMMISSIONERS
WEEKLY ROTATIONAL STREET CLEANING AREAS



15. Appendix B – Fixed Penalty Appeal Process.

RAMSEY TOWN COMMISSIONERS

FIXED PENALTY NOTICES

Ramsey Town Commissioners have authorised officers who may issue Fixed Penalty Notices in respect of offences under the Litter Act and the Dogs Act.

If a Fixed Penalty Notice has been issued it should be paid within 14 days to the Ramsey Town Commissioners, Town Hall, Ramsey, IM8 1RT. Failure to pay within 14 days will result in a referral for prosecution. In the event of a prosecution being successful the maximum fine applicable under the Litter Act is £2,500.00, and under the Dogs Act £1,000.00.

HOW DO I PAY?

Payment of the Fixed Penalty Notice is £50.00.

Postal Payment

Payment can be made by cheque made payable to Ramsey Town Commissioners and crossed "Account Payee Only" and sent to the Town Hall, Parliament Square, Ramsey IM8 1RT.

Payment in Person

Cash or debit card payment can be made at the Town Hall in person only and between 8:45am and 4:30pm Monday to Thursday or between 8:45am and 3:30pm on Fridays.

CAN I APPEAL AGAINST THE ISSUE OF A FIXED PENALTY NOTICE?

If you have received a Fixed Penalty Notice that you think was issued incorrectly, you may appeal in writing within 14 days of the issue of the Notice. You must include the serial number of the Notice and the grounds on which you contest the Notice. Your case will be strengthened if you can provide evidence to support your appeal. You should appeal by letter or fax to:

The Town Clerk
Ramsey Town Commissioners
Town Hall
Ramsey
IM8 1RT
Email enquiries@rtc.gov.im

Your appeal will be presented to the Ramsey Town Commissioners. If your reason for appeal is rejected, and you acted promptly following issue of the Notice, a further period of 14 days will be allowed for payment of the penalty sum. If payment is not made within the 14 days the matter will be referred for prosecution.

