

Street Cleansing Framework

Supporting Information

July 2016

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INTRODUCTION

1. The way streets and other public spaces are cleaned has an impact on every household within the London Borough of Barnet, the success of businesses operating in the locality and the attraction for visitors to the area. The quality of the local environment, in particular the standard of street care and the maintenance of green spaces, is one of the main barometers used by the public to judge how well an area is being managed and its suitability as a place in which to live, work or visit.
2. Research has also shown that there is a strong correlation between the standards of cleanliness in the local environment and the overall satisfaction with local services, the fear of crime and the perception of the Council itself. Barnet Council recognises that maintaining high quality public places is an important issue and a major concern for local residents. Accordingly this is reflected as a key priority in the Council's Corporate Plan.
3. In terms of functional activities, street cleansing involves sweeping and other cleaning operations such as pavement washing, litter collection, removal of graffiti and fly-posting, responding to fly-tipping, removal of animal faeces, dead animals and weed removal/control.
4. To help prevent litter in the first place and discourage antisocial behaviour, various pieces of legislation assist in enabling the local authorities to deal quickly and effectively with those who litter, fly-tip or otherwise deface or damage the local environment.
5. The most commonly used assessment of the condition of our streets and other public spaces is the standard of 'local environmental quality' that is experienced in an area, which relates to the general appearance, as well as the management and maintenance standards which are evident. The three main indicators measuring the performance and effectiveness of street cleansing services are:
 - Regular inspections to measure street and environmental cleanliness in terms of the level of litter, detritus, graffiti and fly-posting present [formerly NI195]
 - Monitoring the incidence and response to incidents of fly-tipping [formerly NI196]
 - The Local Environmental Quality Survey of England
6. The quality of the local environment, and in particular standards of street cleansing are increasingly becoming the barometer the public uses to judge how well an area is being managed and attractiveness in which to live, work or visit. In order to enable the Council to achieve its objectives the services need to deliver high quality, efficient and sustainable services to ensure the future cleanliness and prosperity of the area. This has to be achieved against an increasing pressure on public finances and a need to reduce the net cost of delivery. Therefore the way that the services are delivered has to be continuously challenged to ensure that efficiencies are achieved where possible without having an adverse impact on standards.
7. Research suggests that successfully improving the environmental quality of the street scene is most likely to be achieved by well-designed and effectively implemented cleaning operations and methodologies, supported by targeted enforcement actions,

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working in conjunction with a programme of public education campaigns, all strategically planned and implemented in an integrated manner.

STATUTORY DUTIES

8. London Borough of Barnet Council is a principal litter authority with a statutory duty under the provisions of the Environmental Protection Act 1990 to ensure that relevant land in its area is, so far as is practicable, kept clear of litter and refuse. In broad terms relevant land is defined as all 'open land to which the public are entitled or permitted to have access with or without payment'. This includes cleaning responsibilities for adopted highways, but not private land. In discharging this duty the council follows the guidelines identified in the Code of Practice on Litter and Refuse which sets out rectification times where cleanliness has fallen below the acceptable level.
9. The Council also has a statutory duty to keep land clean for which it has a direct responsibility to maintain (e.g. council car parks and open spaces). The standards of cleansing and rectification times for such areas are similar to those of the relevant public highways in the vicinity.
10. The Council does not have a responsibility to clean private land, land belonging to educational establishments, canal towpaths or land forming part of the railway network, although it may have powers to require land owners to clear litter and fly-tipping.

LEGISLATION

11. The main legislation that seeks to regulate local environmental quality and activities associated with the care and maintenance of streets and public places is the Environmental Protection Act 1990 and the Clean Neighbourhoods and Environment Act 2005.
12. Barnet Borough Council is a principle litter authority with a statutory duty under the provisions of the Environmental Protection Act 1990 to ensure that 'relevant land in its area is, so far as is practicable, kept clear of litter and refuse'. In broad terms relevant land is defined as all open land to which the public are entitled or permitted to have access without payment. This includes cleaning responsibilities for adopted highways, but not private land.
13. Other important provisions and powers in respect of environmental control and enforcement are included also in a wide variety of other legislation and associated regulations, in particular:
 - Environmental Protection Act 1990
 - Control of Pollution (Amendment) Act 1989
 - London Local Authorities Acts 1990, 1994, 2004 and 2007
 - Controlled Waste Regulations 1992
 - Clean Neighbourhoods and Environment Act 2005
 - Police and Criminal Evidence Act 1984
 - Criminal Procedure and Investigations Act 1996

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- Regulation of Investigatory Powers Act 2000
- Anti-Social Behaviour, Crime and Policing Act 2014
- Site Waste Management Plans Regulations 2008
- Highways Act 1980
- Refuse Disposal Amenity Act 1978 and 1987
- Dogs (Fouling of Land) Act 1996
- Town and Country Planning Act 1990
- Public Health Act 1936

14. In addition the Keep Britain Tidy (KBT) group operate an extensive 'knowledge bank' providing detailed information on relevant legislation, including case law, and giving practical advice on the application of the law in particular circumstances.

ABOUT STREET CLEANING - WHERE WE ARE AND WHAT WE DO?

15. The quality of the local environment, and in particular the standards of street cleansing, are a key indicator to the public of how well the area is being managed and its attraction as a place to live, work or visit.
16. We are committed to providing a high quality and efficient service. Specific areas of 'core' work undertaken by the street cleansing service are:
- Cleaning the streets by means of mechanical suction sweeping, manual sweeping, litter picking, gum removal, and street washing.
 - Supply, emptying and maintenance of street litter bins.
 - Syringe and sharps removal.
 - Removing incidents of fly tipping (including hazardous waste).
 - Removal of graffiti and fly posting.
 - Removal of dead animals from publically maintainable land.
 - Gritting of car parks and priority footways within Barnet.
 - Preliminary enforcement action for dog fouling, littering and fly tipping offences to assist the Community Safety and Enforcement Team.
 - Management and monitoring of contracts for Gully Cleansing and Highway Weed
 - Spraying of Weed killer
 - Promotion of spring clean and litter pick events across Barnet
 - Rechargeable works to clear private and domestic premises where clearance notices have been served by the Environmental Health Team.

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17. The Street Cleansing service is carried out in-house by the Council's own workforce and has a net operating cost of around £3.57 million.
18. Work is predominantly planned in advance and work schedules, based on the area of work and minimum frequency required have been put in place to ensure that we comply with statutory and local requirements.
19. We also have to react to one off emergencies and therefore need to have the flexibility to respond as required and therefore each area team has a member of staff who is available for 'rapid response'.
20. The section currently has 98 front line operatives, four supervisors and one manager. We operate in four geographical teams which covers the Borough.

NATIONAL POLICY AND BEST PRACTICE REFERENCE POINTS

21. There are four key policy and best practice reference points for street care services:

- A. **'Achieving improvements in street cleansing and related services'** – published by DEFRA in 2013 is concerned mainly with improving the efficiency and effectiveness of street cleansing activities and successfully targeting resources, in particular focussing on:
 - Measuring and monitoring service performance
 - Using quality assurance and accreditation to improve standards
 - Developing effective financial planning and asset management
 - Developing a comprehensive and 'owned' strategy and service delivery plan
 - Ensuring effective leadership and management of street care services
 - Attaining a well-trained and motivated workforce, with efficient and effective working practices
 - Overcoming impediments and barriers to service delivery
 - Ensuring service delivery is 'joined up' and responsive to local need and adapted to changes and seasonal variations
 - Successfully engaging with local communities
 - Discouraging 'environmental crimes' and associated anti-social behaviour through proactive education and targeted enforcement. (www.gov.uk)
- B. **'Paving the way: how we achieve clean, safe, attractive street' and 'Paved with gold: the real value of good street design'** – published by the Commission for Architecture and the Built Environment in 2002 and 2007 respectively. The former relates to the overall design of streets and the implications of design on management and maintenance. It focuses on the needs of the people who use public spaces, seeking to address the challenge to coordinate the action and activities of the wide range of institutions and bodies that have influence and control over streets. The latter defines 'what makes a high quality street' and seeks to assess the value and benefit of well-designed and maintained streets and public spaces in economic and asset value terms and from a public benefit perspective. (www.webarchive.nationalarchive.gov.uk)
- C. **'This is our home – a manifesto for a cleaner England'** – developed by Keep Britain Tidy and published in March 2010, identifies the key challenges to those engaged in

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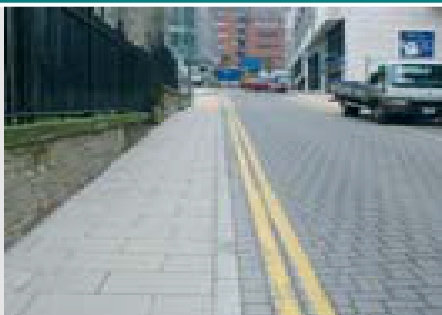
delivering *'cleaner, greener, safer and stronger places'*. These are inspirational and decisive leadership, working together towards a shared vision and clear goals and building personal responsibility. (www.loveparks.org)

- D. **'The code of Practice on Litter and Refuse'** – published by DEFRA in 2006, this code is issued by the Secretary of State under section 89 of the Environmental Protection Act 1990 and gives guidance to responsible bodies on how the duties prescribed in the Act should be discharged. (www.gov.uk)

STANDARDS

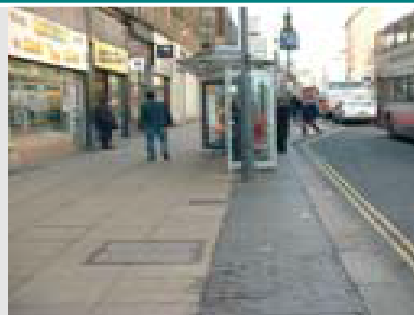
22. The Code of Practice on Litter and Refuse published by DEFRA gives guidance to 'duty bodies' such as Barnet Council on how these obligations should be discharged.
23. The Code is intended to encourage duty bodies to maintain their land within acceptable cleanliness standards, covering all aspects of littering, including fly-tipping, the build-up of detritus and defacement such as graffiti and fly-posting. The Code, therefore, effectively sets the standards of performance that are expected to be achieved.
24. The Code of Practice in simple terms identifies three basic components:
 - I. Different categories (Zones) of land – of high, medium and low intensity use;
 - II. Four grades of cleanliness i.e. Grade A – no litter and refuse, Grade B – predominantly free of litter and refuse, Grade C – widespread distribution of litter and refuse with some accumulations, Grade D - heavily littered with significant accumulations of litter and refuse.
 - III. A target response time to restore an area of land to an acceptable standard if it falls below that standard.
25. The pictures below show images of the different standards:

litter and refuse in both relevant highway and hard surface setting



Grade A

No litter or refuse



Grade B

Predominately free of litter and refuse apart from some small items

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litter and refuse in both relevant highway and hard surface setting



Grade C

Widespread distribution of litter and/or refuse with minor accumulations



Grade D

Heavily affected by litter and/or refuse with significant accumulations

litter and refuse in a soft surface setting



Grade A

No litter or refuse



Grade B

Predominately free of litter and refuse apart from some small items



Grade C

Widespread distribution of litter and/or refuse with minor accumulations



Grade D

Heavily affected by litter and/or refuse with significant accumulations

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26. In determining what standard should be achieved the Council is required to have regard to the character and use of the land, as well as the control measures and cleaning regime that is practical in the circumstances.
27. Similar standards are defined for detritus. Detritus includes dust, mud, soil grit, gravel, stones, rotted vegetation, twigs and alike. Separate standards are included for graffiti and fly-posting.
28. In accordance with Code of Practice the Council is expected to set and implement cleaning regimes and schedules so that it can meet these standards and provide adequate resources to restore the area to an acceptable level when they fall below the standard. The inevitability of areas falling below Grade B standards is recognised in the Code; hence response times are stipulated to restore to a Grade A standard.
29. The key performance indicators measuring the success and effectiveness of street care services are:
 - Regular inspections to measure street and environmental cleanliness in terms of the levels of litter, detritus, graffiti and fly-posting present (formerly NI 195)
 - Monitoring the incidence and response to incidents present (formerly NI 196)
 - The Local Environmental Quality Survey of England.
30. The former NI 195 is intended to monitor and evaluate the cleanliness of the local environment as a member of the public would see it. The indicator measures the presence and extent of litter, detritus, and graffiti and fly-posting that is present on relevant land and highways by recording, as a percentage, the number of samples taken that fall below an acceptable level. This indicates the success or otherwise of the cleaning regimes that are in place. The target is to reduce the percentage of samples that are unacceptable on a year-on-year basis. Each category – litter, detritus, graffiti and fly-posting – is reported as a separate indicator.
31. The former NI 196 measures fly-tipping in terms of the incidents of illegally dumped waste with a view towards ensuring that these are reduced through prevention, detection and enforcement. The indicator calculates the relationship between total incidents and the action taken to resolve them – higher performance is indicated by a year-on-year decrease in the number of incidents and increases in enforcement action.
32. The survey of local environmental quality gives a broader picture of how ‘clean and tidy’ a place is and provides trends and benchmarks against which standards in one area can be compared with another.
33. This survey has been undertaken nationally on an annual basis since 2001 (by Keep Britain Tidy commissioned by DEFRA). The survey measures the incidence of litter and detritus (by type) and aspects such as weed growth, surface staining, the presence of graffiti, fly-posting or other defacement in an area – some 32 environmental qualities in total. These are ranked as good, satisfactory, unsatisfactory or poor against 12 standard land use classifications. The results are usually represented in a matrix table and are then translated into an overall cleansing index to give an overall impression of how clean and tidy a place is. The cleansing index is assessed nationally and regionally, but not locally.