

Formal Consultation on Cheltenham Borough Council proposals to deal with abandoned shopping & Luggage trolleys

**Environmental Protection Act 1990 – Sec 99 and Schedule 4
Clean Neighbourhood and Environment Act 2005**

Cheltenham is an historic and vibrant place in which to live, visit or do business and spends a significant amount of money each year keeping the Borough clean and tidy for the benefit of all.

One specific problem in many communities is that caused by shopping trolleys, and other types of trolley which have been taken away from their site and abandoned somewhere in the local neighbourhood.

The Environmental Protection Act 1990 (EPA), Schedule 4 contains powers which formally allow a local authority to seize and remove abandoned trolleys, retain them and then sell or dispose of them. The authority cannot remove trolleys from private occupied land without the consent of the occupier or without having informed the occupier by Notice that it intends to remove the trolley. If an owner wishes for the trolley to be returned, they may ask for the trolley to be returned at a cost. Schedule 4 of the EPA provides further details if you are interested. This can be found at: www.opsi.gov.uk/acts/acts_1990.

The clean Neighbourhood and Environmental Act 2005 adds to the EPA and brought the opportunity for the Council to collect, remove and dispose of an abandoned trolley. The Council can then charge the owner for the costs of removal, storage and disposal. This charge is payable on demand and can be recovered as a statutory debt.

At the moment, Schedule 4 of the EPA does not apply to Cheltenham. Subject to the outcome of consultation, Cheltenham Borough Council is to seek a resolution that Schedule 4 of the EPA applies to the whole of its area. Under Section 99 of the Act, this letter is consulting you on these proposals. It is proposed to actively use these powers and Cheltenham Borough Council would seek to recover the costs of recovery, storage and disposal of abandoned trolleys from the trolley owners in the future. The costs are as yet not known, but will reflect the actual costs of collection, administration, storage, staff costs and overheads.

If you have any observations or comments to put forward you have the opportunity to do so in writing to the address below. These should be received before 31/03/2018.

Enforcement team, Municipal Offices, Promenade, Cheltenham, Gloucestershire, GL50 9SA