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LOCAL COUNCIL AWARD SCHEME QUALITY GOLD

Meeting	Parks & Open Spaces Committee
Date	25th November 2026
Report Title	Trolley Retrieval
Agenda Reference	17
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Officers Recommendations:

1. **To note the report.**
2. **To note the current strain on resources.**
3. **To provide the Officers with steer from Council for proposed next steps.**

Background

Abandoned supermarket trolleys continue to place a strain on resources.

More than 20 trolleys were retrieved during November, including eight from the brook at the rear of Emerson. Trolleys in the watercourse trap leaves and other debris, creating blockages that restrict water flow and compromise flood defences.

These obstructions also adversely affect wildlife using the waterway. Feedback is requested from supermarkets at the Orbital and in Haydon Wick, together with confirmation of the measures they will take to address the issue.

Currently

The Parish Council collects the trolleys as fly tipping and takes to Swindon Borough Council's Waterside Depot, where the operatives are told to take them around to the scrap metal area. Is there opportunity for the Parish Council to scrap the metal to raise funds for charity or to pay back in to the service it is providing? The trolleys are private property, so permissions would need to be sought directly from the supermarkets. Most of which are unable to engage at local level and state the Head Office has contractors for the service.

Historically

The Parish Council worked closely with supermarket contractors to ensure the prompt recovery and return of shopping trolleys. In practice, the Council was undertaking this work on behalf of the contractors without charge, with any trolleys located within the Parish being reported directly to the relevant supermarket or contractor so that they could fulfil their contractual responsibilities.

The Council also liaised directly with the supermarkets, but this process created a significant administrative burden in raising and pursuing invoices, and the storage of trolleys became increasingly unsightly. This was particularly problematic as there were already several shipping containers and welfare units located on the leisure and garden sites. In addition, several supermarkets did not settle the invoices.

Subsequently, the Borough Council's Enforcement Officer took responsibility for collecting the trolleys from the Grounds Maintenance Facility. Although the Parish Council continues to do the bulk of the work.

Statutory Power
In England and Wales, local authorities have the statutory power to seize, remove, store, and dispose of abandoned shopping and luggage trolleys under Section 99 and Schedule 4 of the Environmental Protection Act 1990, as amended by Part 9 (Sections 99–100) of the Clean Neighbourhoods and Environment Act 2005.

This service and the associated enforcement powers have not been devolved from the Local Authority, Swindon Borough Council, to the parish and town councils in Swindon. Where powers apply:

- **Storage and disposal:** Councils must notify known owners and keep seized trolleys for 6 weeks before selling or disposing of unclaimed ones.
- **Cost recovery:** Councils can charge owners for removal, storage, and disposal costs (reviewed yearly) and recover unpaid charges as a debt, unless covered by a collection scheme. As noted in HMRC's VAT guidance, these charges fall outside the scope of VAT.

Whilst Haydon Wick Parish Council does have the General Power of Competence (*a statutory power in the UK that allows local authorities to do "anything that individuals generally may do," provided they do not break other laws.*), although this is blocked by existing statutory limits: **Under Section 2(2) of the Localism Act 2011, the GPC cannot be used to override limitations in pre-existing legislation.** Under Section 99 of the Environmental Protection Act 1990, the power to formally *adopt* Schedule 4 applies strictly to principal councils (such as Swindon Borough Council), not parish councils.

Transfer of Services Deed
The Parish Council reviewed the Transfer of Services Deeds in 2022, at which time a five-year break clause was included. However, the document has not been formally approved by the Borough Council. It is understood that further discussions regarding the Transfer of Services Deeds will take place in the New Year with all Parish Councils.

It was suggested by the Parish Council that a new Section 2.12, **Shopping Trolley Removal**, be included within the Deeds. The proposed provision would cover the removal of shopping trolleys, which is currently undertaken by the Parish Council in return for a contribution from Swindon Borough Council.

Proposed Next Steps

1. Engage with Swindon Borough Council to clarify responsibility for the removal, collection, storage and disposal of abandoned shopping trolleys.
2. Review the Transfer of Services Deed and seek the inclusion of a dedicated Section 2.12 – Shopping Trolley Removal, clearly defining responsibilities and an agreed financial contribution towards the work undertaken by the Parish Council.
3. Contact local supermarkets at the Orbital and within Haydon Wick to request details of their trolley recovery arrangements and the measures they intend to implement to prevent further abandonment.
4. Agree a formal collection process between the Parish Council, Borough Council and supermarkets to ensure abandoned trolleys are reported and removed promptly.
5. Review the arrangements periodically to ensure the service remains effective and does not place an unreasonable financial or operational burden on the Parish Council.
6. Highlight the issue locally through social media and press releases bringing community awareness to the issues.