

CABINET

Waste / Recycling Collection- Updated Policies for Householders

29th July 2014

Report of Chief Officer (Environment)

PURPOSE OF REPORT				
To seek Cabinet approval for a set of updated policies for household waste collection / recycling.				
Key Decision	<input type="checkbox"/>	Non-Key Decision	Referral from Cabinet Member	X
Date Included in Forthcoming Key Decision Notice			NA.	
This report is public.				

RECOMMENDATION OF COUNCILLOR SMITH

- (1) That Cabinet approves the waste / recycling collection updated policies for householders set out in the report.

1.0 Introduction

- 1.1 A priority in the Council's corporate plan is the provision of 'Clean, Green and Safe Places'. One of the measures of success for this is maintaining the amount of household waste that is recycled or composted and reducing the amount that isn't. In so doing the Council will be contributing to the delivery of the Lancashire Waste Strategy.
- 1.2 This priority has to be delivered within current and future budgetary and resource pressures.
- 1.3 It is therefore important that we have in place clearly defined and understood policies that support-
- The reduction of the overall amount of waste that householders produce.
 - The maintenance of the % amount of household waste re-used, recycled and composted.
 - Making the best use of the Council's limited resources.

Cabinet last considered the Council's policies in this respect in July 2012. The waste/ recycling collection service is provided to every household in the District and allows for householders to recycle and dispose of a comprehensive range of items. As would be expected from a service that provide over 1.5 million transactions per year the way things are done constantly evolves and changes. On a periodic basis officers request that Cabinet approve the most up to date operational policies for this service area.

- 1.4** Most significant of these is in relation to Council's decision at budget council of 27th Feb 2013, '*That the supporting General Fund revenue budget proposals be approved, as summarised at Annex 1 of the report and appended to the minutes, subject to Cabinet's further consideration of charging for waste/recycling bins and boxes.*'
- 1.5** Under the Environmental Protection Act 1990, Lancaster City Council has a legal obligation to collect household waste but only from a container that we specify. All bins and boxes belong to the Council. The assumed lifecycle of bins and boxes is 10 years. Many last much longer than that. To date charges related to replacement of bins and boxes have not been imposed. However, the current operational policy for provision of bins and boxes to new developments, and where people move into houses and need bins and boxes, is that a subsidised one off service / usage amount which includes delivery of £15+VAT per bin and £4+VAT per box is charged. This makes a contribution to the overall costs of providing bins and boxes, which are much higher.
- 1.6** In the case of new developments in most cases the developer makes arrangements with the Council so that the charge is not borne directly by the householder. However in the case of a recent major new development this has not happened so the charge is borne by the householder. This is currently being challenged by a number of householders.
- 1.7** In the case of people moving into existing homes bins and boxes are the property of the Council so in theory the bins and boxes should be left for them. Of late there have been examples of householders taking the bins and boxes with them when they move.

2.0 Proposal

The report sets out updated policies for Cabinet to consider as below.

UPDATED WASTE / RECYCLING COLLECTION POLICIES JULY 2014

1	Households Requiring Additional Residual Containers (grey bins)	Residents are not automatically entitled to additional containers for non-recyclable waste (grey bins). If a resident requests an additional grey bin, a questionnaire will be issued to the householder for their completion and return. Following receipt of the completed questionnaire a waste audit will be arranged to ensure that the applicant is recycling fully and also to provide waste minimisation advice. If approved, the householder will be issued with a 140L container.
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		If declined, the householder will be sent a letter setting out the reasons why.
2	Replacement of Wheeled Bins	<p>Replacement wheeled bins will only be made after investigating the loss of the container. In the first instance this would be made via Customer Services. A maximum number of three containers will be replaced per property.</p> <p>If it is found that bins are being misused, they will be withdrawn and replaced with orange sacks. Household waste from the property will then be monitored in line with the council's Enforcement Strategy.</p> <p>If the cause of the damage is found to be due to neglect/abuse of the container, householders will be charged for the container.</p> <p>If the council has caused the loss or damage, the council will provide the replacement free of charge.</p> <p>Containers are the property of Lancaster City Council and should remain on the property when the occupier vacates.</p> <p>Exceptions: Where a resident moves into a property and find they do not have the required containers a subsidised service / usage charge which includes delivery charge will be applied.</p>
3	Misuse of Grey Wheeled Bins	<p>If the grey bin is continually contaminated with non-residual waste or contains recyclables, the scheme would fail to achieve recycling and diversion targets. Efforts through education and enforcement will be made to help the householder rectify this situation.</p> <p>A strict rule of 'three strikes and you are out', giving the householder two chances to improve the situation. If no effort is made to improve, on the third strike, the bin, will be removed. The bin will be replaced with orange sacks and waste from the property will be monitored.</p> <p>The bin will only be replaced subject to the householder confirming, in writing, an undertaking ensuring future misuse does not occur.</p>
4	Misuse of Green Wheeled Bins	<p>If the green bin is continually contaminated with non-compostable waste (this includes household waste), again the scheme would fail to achieve recycling and diversion targets. Bin tags will be left on the bin to inform the residents the reason why the bin has not been emptied. Efforts will be made through education and enforcement to help the householder rectify the situation.</p> <p>A strict rule of 'three strikes and you are out', giving the</p>

		<p>householder two chances to improve the situation. If no effort is made to improve, on the third strike, the bin, will be removed. The bin will be replaced with orange sacks and waste from the property will be monitored.</p> <p>The bin will only be replaced subject to the householder confirming, in writing, an undertaking ensuring future abuse does not occur.</p>
5	Misuse of Recycling Boxes	<p>It is proposed that if householders do not use the boxes for their intended use, the storage of recyclate, the boxes will be removed from the property.</p> <p>A 'three strikes and you are out'; policy will apply, giving the householder two opportunities to improve the situation. Officers will work with the householder to help them recycle before enforcement action is taken against them</p> <p>Box cards will be used to inform the residents the reason why the box has not been emptied.</p>
6	Misuse of Food Waste Caddies.	<p>For the benefit of the health and safety of the collection staff, food waste must be presented for collection in a solid form and not liquid. If food waste is not presented appropriately a bin tag will be left for the householder to inform them of why it has not been taken.</p> <p>Waste Management Officers will educate and support the householders to improve the situation.</p>
7	Side Waste	<p>In order to encourage householder to minimise and segregate their waste into recyclable and non-recyclable waste, side waste <i>will not</i> collected. Educating householders to minimise and manage their waste will continue. Enforcement action will be taken against householders once all other options have been exhausted. This will be relaxed for two weeks following the Christmas holiday period when a limited amount of side waste will be removed. To avoid abuse, this will not be advertised.</p>
8	Side Recyclables	<p>The purpose of the waste and recycling scheme is to maximise recycling and additional recycling will be taken. Householders will be asked to leave their additional recyclate alongside their recycling boxes in carrier bags or bundled for collection. For the purpose of health and safety it will be requested that glass remains in the boxes.</p>
9	Side Green Waste	<p>It is expected that green waste will be contained in a wheeled</p>

		bin or compostable sacks. Exceptions may be made on an individual basis and if the capacity of the vehicle is deemed sufficient. A maximum of 3 green 240L containers will be provided per property.
10	Assisted Collections	<p>Criteria will be applied to point of storage collections that are offered to elderly and disabled residents. The householders will receive the usual wheeled bins and recycling boxes. Following collection, operatives will return the containers back to the point of storage.</p> <p>A questionnaire will be signed by the occupant to declare they do require assistance.</p> <p>A list of properties requiring assisted collections will be maintained and reviewed on a regular basis.</p> <p>Operative assistance <i>will not</i> be offered if there is deemed to be an able bodied person in the property to manoeuvre the bins and boxes.</p>
11	Small Bin Collections	<p>140 litre bins will be issued on request to properties where there is narrow access or lack of storage and where an assisted collection is unnecessary.</p> <p>140 Litre containers will be issued to households who have qualified for an additional container.</p> <p>140 Litre containers have been issued to the area within West End of Morecambe known as Zone 3 (approx 770 properties) where on-street recycling facilities are provided.</p>
12	Medical Waste Collections	<p>Additional 140L will be provided to households where there is a requirement for medical waste collections that falls outside the clinical waste collection service. A questionnaire will be completed by the householder and reviewed on an annual basis. A waste audit will take place to ensure that the residents are recycling fully.</p>
13	Sack Collection	<p>Every effort will be made to allow people to use wheelie bins and recycling boxes. In flats this will include communal waste and recycling areas. Special collection systems are provided for areas within the West End of Morecambe and city centre(s) where it is difficult to provide containers due to access issues.</p> <p>Residual sacks are collected on a weekly basis in some specific areas. Weekly collections will only be available once other collection methods have been exhausted. Every effort</p>

		<p>will be made to reduce the number of properties on weekly sack collections.</p> <p>Residents who refuse to use the waste management system would not be provided with a weekly collection.</p>
14	Private Drives	Householders will be expected to pull their bins and boxes out to the end of private drives to the edge of their property at the nearest point to the highway. Assistance will be provided as necessary according to certain criteria.
15	Composite Dwellings A shop/business with residence above.	<p>An allowance will be made for composite dwellings whereby a proportion of payments will be made as per existing arrangements. Recycling boxes will be provided.</p> <p>Payments will be made to cover the business element of the waste.</p>
16	Missed Bins	<p>Drivers will provide at the end of each day a list of properties where grey/green bins were not presented for collection. Should a resident contact us to inform of a missed collection and their property is on the list, we will not return to the property for the container.</p> <p>We will endeavour to collect genuine missed collections within 72 hours.</p>
17	Enforcement of Unauthorised Containers	Unauthorised containers will be removed from properties. Removal of unauthorised containers will be ad-hoc, as and when we come across them or through targeted enforcement action. Contact via letter or face-to-face will inform the residents of the procedure for approving additional containers.
18	Subsidised Service / Usage Charge	<p>All containers provided to households remain the property of Lancaster City Council and should remain at a dwelling when the occupier vacates.</p> <p>There are no circumstances where an occupier can take containers with them to a property.</p> <p>A subsidised service / usage charge which includes delivery will be applied to residents who move into a property and make a request for new containers for the storage of waste and recyclables. This charge makes a contribution to the much higher cost of the Council purchasing, storing, administering and delivering the bins / boxes. The following charges will be applied (2014/15);</p> <p>£15.00+VAT - 240L Wheeled Bin</p>

		<p>£4.00+VAT – 55L Recycling Box</p> <p>The same charge will be applied to all new developments. Developments include all residential developments - houses, conversions, flat and apartment.</p> <p>For new developments/conversions payment will be required from the developers. Should the developer refuse to pay then the payment will default to the occupier.</p> <p>Under the Environmental Protection Act 1990, Lancaster City Council has a legal obligation to collect household waste but only from a container that we specify. We have specified that recyclables and non-recyclable waste will only be collected if contained within a Lancaster City Council marked wheelie bin and the supplied recycling boxes.</p> <p>Residents who decline to pay for the supply of specified containers may be served with a Section 46 notice under the Environmental Protection Act 1990 and or other relevant legislation. The notice will require the provision by the householder of the necessary containers for their waste. Failure to comply with this notice may lead to the issuing of a fixed penalty notice and or prosecution by the Council, if the resident puts rubbish out in an unauthorised container. Residents will have to make alternative arrangements for disposal.</p> <p>FURTHER DETAILS ARE PROVIDED IN APPENDIX A</p>
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2.0 Proposal Details

It is proposed that the set of updated policies for household waste collection / recycling is considered and formally approved by Cabinet.

3.0 Details of Consultation

3.1 The waste collection / recycling arrangements that are currently in place in the District have taken around 12 years to be fully rolled out. During that period the policies set out above have been introduced on a gradual basis as operational issues have arisen. Therefore, the set of policies above is not new. However they have been reviewed and updated so that they can be approved by Cabinet. Because they have evolved over such a long period of time they take into account feedback from residents, elected members, staff and also best practice from other areas.

4.0 Options and Options Analysis (including risk assessment)

	Option 1: To adopt the updated set of policies outlines	Option 2: To adopt only parts of the policies outlined	Option 3: Not to adopt the policy outlined
Advantages	<p>Clear guidelines for officers to work to.</p> <p>Consistent service to householders.</p> <p>Encourages householders to maximise recycling.</p> <p>Achieve the success measures set out in the corporate priority Clean, Green & Safe Places.</p> <p>Continue to deliver the objectives of the Lancashire Waste Strategy 2008-2020</p> <p>Supports the control measures for monitoring costs of replacing wheeled bins and recycling boxes.</p> <p>Can be delivered within existing budgets.</p> <p>Tried and tested and adapted to local needs.</p>	<p>Provides clear guidelines for officers and consistent service to householders where parts of the draft Policy have been adopted.</p>	
Disadvantages		<p>Could lead to retrospective complaints.</p> <p>Potential of not achieving all the objectives of Clean, Green & Safe Places.</p>	<p>No clear guidelines for officers to work to.</p> <p>No consistency in service to householders.</p> <p>No restraint to grey bin capacity</p>

		May not be possible to deliver within existing budgets. Not tried and tested	to householders.
Risks	Dissatisfaction of some householders that the quality of the service falls below their level of expectation		Dissatisfaction of some householders at perceived differences in level of service The potential to lead to continued budget requests, through the budget process, if requests for replacements continue to rise.

5.0 Officer Preferred Option (and comments)

- 5.1 Option 1 – to formally agree the tried and tested set of policies as set out above. The adoption of these will provide clear and consistent guidelines for both officers and householders, encourage householders to maximise recycling and make the most efficient use of limited Council resources.

RELATIONSHIP TO POLICY FRAMEWORK

As set out in the report

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

The policies set out in the report will be applied consistently throughout the District. They have however been designed to account of the diverse needs of the residents of the District.

LEGAL IMPLICATIONS

Legal have been consulted and have no comments to make

FINANCIAL IMPLICATIONS

The set of policies outlined within the report can be provided within existing budgets and where appropriate adhere to the Council's Fees and Charges Policy, approved annually as part of the budget process. In future, minor changes to charges (such as to take account of inflation etc) will be determined by the Chief Officer (Environment), in consultation with

Financial Services; this is in accordance with the Scheme of Officer Delegations. Any proposals to change the actual charging policy would require appropriate Member approval, however.

The revenue budget includes £153,000 for the purchase of replacement bins and boxes and previous reports to Cabinet have highlighted the potential risk to budgets with regard to not charging for replacement of bins and boxes in all instances. As highlighted in the report, a subsidised service / usage charge which includes delivery was introduced on 1st April 2014 applicable when residents move into a property and make a request for new containers for the storage of waste and recyclables. The same charge is applied to all new developments and these initiatives have resulted in approximately £3,000 income being received in the first 3 months of operation.

For the remaining instances, these policies do at least put in place some control measures to reduce the number of occurrences where a bin or box will be replaced free of charge, therefore hopefully minimising pressure on the expenditure budget.

Cabinet should be aware that were they to recommend changes to the policies outlined they could well have financial implications which would need to be reconsidered.

OTHER RESOURCE IMPLICATIONS

Human Resources:

None.

Information Services:

Customer Services have been consulted on the report.

Property:

None.

Open Spaces:

None.

SECTION 151 OFFICER'S COMMENTS

The s151 Officer has been consulted and has no further comments.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

None.

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