

Committee Name and Date of Committee Meeting

Cabinet – 16 December 2024

Report Title

Waste Collections Policy

Is this a Key Decision and has it been included on the Forward Plan?

Yes

Strategic Director Approving Submission of the Report

Andrew Bramidge – Strategic Director of Regeneration and Environment

Report Author(s)

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Ward(s) Affected.

Borough-Wide

Report Summary

This report has been produced to outline proposed changes following a review of the Council's Waste Collection Policies. The changes seek to improve the accessibility of information by reducing a number of separate documents into one clear policy for Residential Kerbside Waste Collections. In addition, the review has identified several legislative changes which have been updated within the document.

Alongside these technical changes, specific proposals are also made within the body of this report and the attached Policy, which seek to improve recycling and reduce contamination of recycling, supporting the Council's ambition to deliver a Cleaner and Greener Local Environment. The enhanced approach will seek to improve communication and engagement with residents whilst also identifying a clear approach to enforcement.

The report seeks approval for a pilot to take place in relation to the new contamination measures across two areas of the Borough, whilst the Policy undergoes formal public consultation. The result of both the pilot and the consultation will inform the final Policy and subsequent approach, which will be brought back before Cabinet in due course.

Recommendations

1. That Cabinet approve the draft revised Kerbside Residential Waste Collection Policy for a public consultation.
2. That Cabinet agree to the commencement of two pilots to test the approach to contamination, with the specific areas to be determined.

List of Appendices Included

Appendix 1 Kerbside Residential Waste Collection Policy

Appendix 2 Equality Impact Assessment

Appendix 3 Carbon Impact Assessment

Background Papers

Previous Policy documents can be supplied upon request.

Consideration by any other Council Committee, Scrutiny or Advisory Panel

None

Council Approval Required

No

Exempt from the Press and Public

No

Waste Collection Policy

1. Background

- 1.1 The Council has more than 30 separate documents, which are a mix between published and operational documents, which lay out the current procedures for waste collection and management, which are designed to maintain clear and consistent guidelines for both the Council and wider public. The information is not accessible to the public in all cases and does not present a single coherent Policy position in relation to kerbside residential collection. This current review has sought to address these issues by creating a single Policy document.
- 1.1.1 The Council provides a waste collection service to circa 121,800 properties across 25 wards in the Borough, serving a population of circa 271,000. The service operates from the Council's Hellaby depot and is provided Monday to Friday and on Bank Holidays, except for Christmas Day and New Year's Day.
- 1.1.2 Within the Borough, waste is collected as follows from individual residential properties:
- Domestic waste, which is collected fortnightly, is stored in a 180- litre pink lidded wheeled bin.
 - Recycling, which is collected monthly and comprising of glass, cans and plastics, is stored in a 240-litre black wheeled bin.
 - Recycling, comprising paper and card, is also collected monthly and stored in a 240-litre green bin.
 - Garden waste, a subscription-based and seasonal fortnightly collection service, is stored in a 240-litre brown bin.
- 1.1.3 From flats or communal properties:
- Domestic waste is collected either weekly or fortnightly and is stored in either 1100 litre or 660 litre containers.
 - Recycling is collected fortnightly, comprises of glass, cans, tins and plastics and is stored in either 1100 litre or 660 litre containers.
 - Paper and card is collected fortnightly and is stored in either 1100 litre or 660 litre containers.
- 1.1.4 The waste collection service uses on-board vehicle technology to record issues such as non-presentation of bins, contamination of waste streams, reporting of garden waste presented where no permit has been purchased, and damaged bins. This information is regularly analysed and reviewed by waste services technical staff and service managers to manage and improve performance and maximise the operational efficiency of the service. An assisted bin collection service is provided by the Council to householders who meet the relevant criteria.
- 1.2 The current Contamination Policy sets out the proper materials to be placed in each of the recycling bins and then sets out a process for checking bins which is as follows:

- 1.2.1 *'All bins will be visually checked prior to collection and any recycling or garden waste container that is found to be contaminated will not be emptied. A contamination tag will be placed on the bin informing of the non-collection and contamination.'*
- 1.2.2 *Subsequent collections will only be made once the contamination has been removed and will only be on the next due collection day. Contaminants should be removed and placed in the appropriate container for collection'*
- 1.2.3 This reflects the current process for managing contamination. However, at present, contamination rates are at 18.64% for Glass, Cans and Plastics, and at 15.58% for Paper and Card. Moreover, the current process is leading to an estimated cost to the Council of £300,373 in additional disposal costs because of contamination of recyclables, as well as an estimated loss of income of £886,299 from recyclables being placed in general waste. Through work with neighbouring authorities, it has been identified that this position is not inconsistent however other authorities have been able to evidence where successful interventions have effectively reduced contamination and parts of the proposed model have been developed based on this learning.

2. Key Issues

- 2.1 The current policies are out of date in relation to legislation and terminology and not clearly structured or well formatted. As a result, the policies have been updated into a new format and brought up to date. This has involved updating web links and operational processes, to match how they currently function, tidying and removing unnecessary language, adding in new links and references to the Rotherham bin app, and updating out of date information such as prices.
- 2.2 The current large number of documents is unwieldy and may be confusing to those trying to access them, where access is publicly available. It is not necessarily clear to someone where the information they are trying to access can be found, particularly if they are not familiar with waste. It also leads to large amounts of repeated information across documents which makes reading and reviewing the policies more difficult than it needs to be.
- 2.3 The current Policy implementation is leading to substantial additional costs. It is also currently maintaining a relatively high level of contamination in recyclables, which means that the Council is not meeting its environmental commitments and the Council Plan Recycling Target of 45%. The Councils current recycling rate is 43% It also means that the Council is exceeding the contamination rates permissible in the Council's contracts with waste disposal providers, leading to increased costs associated with contamination.
- 2.4 The current Contamination Policy needs updating. The current policy has limited mechanisms to deal with repeat contamination. The extent of the current Policy consists entirely of not collecting the bin and placing an easily removable tag.

- 2.5 In order to deal with contamination, residents may take the waste to a HWRC (Household Waste Recycling Centre), but many will put excess recyclable material in general waste if there is no room in their recycling bin. This is reflected in the amount of recyclable material that appears in the pink-lid bins. This represents a significant loss of income from uncollected recyclables, as well as undermining the Council's commitment to effective recycling.
- 2.6 Through the review, it has also been recognised that information and communication needs to be improved to support residents to recycle more and reduce contamination. A robust plan will be developed to underpin the Policy implementation and communications will focus on:
- Effective and routine communications through media outlets and social media
 - The production of effective tools and materials such as digital applications and printed materials where necessary
 - Engagement with community and voluntary groups in relation to the effective management of waste
 - Engagement with children and young people on the benefits of effectively managing waste
 - Direct engagement with residents as part of any escalating action to resolve individual issues, in line with the Councils Enforcement Policy
- 2.7 This has been reflected directly within the draft Policy and will be appropriately resourced. In addition, alongside implementation of the Policy, subject to approval, the service will work with relevant departments to refresh and update communication and education materials to increase accessibility and drive-up recycling rates.

3. Options and recommendations:

- 3.1 Due to the various legislative changes since the policies were last reviewed, at the minimum a brief update to the policies would have been required and this option was considered, however, is not the recommended option. The Council has prioritised creating Cleaner and Greener Local Environments, a key aspect of this is to improve recycling and is underpinned by a recycling rate target, which is currently not being achieved. The opportunity to refresh the Policy has provided opportunity to consider how to reduce contamination rates and improve recycling.
- 3.2 **The recommended option** is to approve the attached revised draft Policy for public consultation, which seeks to improve the approach to managing contamination, alongside the necessary legislative and technical updates.
- 3.2.1 Specifically, this would involve introducing a "traffic light" tag system to manage contamination, improving work to engage and educate residents, and a new enforcement process, that would begin with a warning and potentially escalating to a fixed penalty notice if there is no improvement over an appropriate period of time and following three occasions of contamination. It is proposed that this approach is piloted in two specific areas, yet to be identified, and the pilot will run concurrently with the public consultation. The

identification of the pilot areas will be led by data and seek to test the approach in communities with differing needs to ensure maximum impact and learning.

- 3.2.2 The first mechanism for doing this would be to ensure existing criteria were more consistently followed, ensuring that bins that are found to be contaminated are properly tagged and not collected in regular waste rounds.
- 3.2.3 Overall, this option offers significant improvements to the current contamination policy, introducing an integrated communication and enforcement approach through the 'traffic light' tag system.
- 3.2.4 **Other options considered** included a basic refresh of the existing Policy without any further development of the approach to contamination. This option is not recommended due to the need to achieve the Council Targets set for recycling and the cost and wider implications of reductions in recycling.

4. Consultation on proposal

- 4.1 As noted within the body of the document, this report is seeking permission to consult on the draft policy document whilst establishing and delivering a pilot to run concurrently. It is anticipated that both the consultation and pilots will be established to take place beginning in April 2025. The consultation would be a full public consultation and will follow the Council's guidance for consultations and will seek to ensure both maximum reach and engagement with underrepresented communities. A detailed plan will be developed and agreed with the Cabinet Member prior to the launch of the consultation.

5. Timetable and Accountability for Implementing this Decision

- 5.1 Subject to the approval of the Cabinet report and draft Policy, officers will develop the detailed consultation plan with a view to consultation beginning in April of 2025. This will allow for appropriate planning and area selection in relation to the two pilots referred to in the body of the report, which will run with the consultation. The Pilots will last for a period of at least 12 weeks in order to ensure the full length of the associated processes can be tested. Following the pilot and consultation a further report will be made to Cabinet with the outcome of the relevant processes and a revised Policy, based on the learning, for formal approval.
- 5.2 The implementation of the decision will be managed by the Head of Environmental Services with support from the Waste Management Service, and oversight by the Assistant Director for Community Safety and Street Scene. The approach will also require the support of several other Council Departments including Communications, Customer Services Asset Management and Neighbourhoods. This cross-council working will be overseen by a task and finish delivery group, chaired by the Head of Environmental Services.

6. Financial and Procurement Advice and Implications

- 6.1 Currently the Council is incurring significant additional costs because of the contamination of the recyclable material waste streams. This is in the form of fines from contaminated materials at the point of disposal and potentially lost recycling income, because of recyclables being included within the general waste stream.
- 6.2 The proposed policy changes contained within this report will have significant resource implications for the Service. Therefore, the cost of these changes will need to be funded from a combination of a reduction in fines, increased recycling income and the imposition of fixed penalty notices for repeated contamination by the householder.

7. Legal Advice and Implications

- 7.1 The Council has a duty as the Waste Collection Authority, to arrange for the collection of household waste in its area. This is set out within Section 45-48 Environmental Protection Act 1990.
- 7.2 Further, the Council can require, by notice, an occupier to place the household waste for collection in receptacles of a kind and number specified (s46(1), *EPA 1990*). When making those requirements for receptacles, the Council can also make requirements, by notice, for the:
- Size, construction and maintenance of the receptacles.
 - Placing of the receptacles to facilitate their emptying, and access to the receptacles for that purpose.
 - Placing of the receptacles for that purpose on highways.
 - Substances or articles which may or may not be put into the receptacles or compartments of receptacles and the precautions to be taken.
 - Steps to be taken by occupiers of premises to facilitate the collection of waste from the receptacles.
- 7.3 The way in which the Council complies with the above is set out within the Policy at Appendix 1.
- 7.4 The issuing of written warnings and Fixed Penalty Notices for non-compliance with the arrangements set out above and within the Policy is provided for under Section 46A EPA.
- 7.5 The further legislative requirements which the Council needs to comply with are set out within the body of the Policy along with the way in which the Council complies with these.

8. Human Resources Advice and Implications

- 8.1 There are no direct Human Resources implications arising from the recommendations contained in this report.

9. Implications for Children and Young People and Vulnerable Adults

- 9.1 There are no direct implications for children, young people or vulnerable adults.
- 9.2 The waste service continues to offer assisted collections for residents that are unable to present their bins for kerbside collections.
- 9.3 The waste service Policy, subject to approval of the recommendations, will provide further opportunity to refresh and update communication and education materials to increase accessibility and drive-up recycling rates across the borough.

10. Equalities and Human Rights Advice and Implications

- 10.1 The proposed change to the contamination policy is a potential issue for residents. This is because a fixed penalty notice could be issued for continued contaminated bins.
- 10.2 The traffic light system of bin tags is placed on the residents' bins when bins are contaminated with the incorrect materials. The operations staff are assessing the content of the bins and not an individual or group.
- 10.3 A resident could face being issued with a fixed penalty notice after 16 weeks or 4 consecutive collections of presenting contaminated bins for collection. During this 16-week period, there will be several communications and opportunities for residents to change behaviour to rectify the problem.

11. Implications for CO2 Emissions and Climate Change

- 11.1 The new policy should produce an increase in clean recycled material across all recycling streams and a reduction in incorrect material being presented in the residual waste bin due to clear communications with residents. This will increase recycling tonnage and present us with net positive gain towards our carbon footprint and CO2 emissions.
- 11.2 The new policy will also support a reduction in CO2 emissions in the long term, as the policy expects residents to rectify any mistakes themselves by removing the contamination and placing it in the correct bin. This means the service will reduce gradually the need for the contamination vehicle to go out and collect the waste, saving on CO2 emissions by reducing mileage.

12. Implications for Partners

- 12.1 There may be implications for contractors because of less contamination in bins. However, much of this will have a positive effect due to increased quality recycling.

13. Risks and Mitigation

- 13.1 Introducing the revised Policy seeks to reduce the risk in relation to outdated and inaccessible information and ensure the Policy remains up to date with key legislative changes. There are risks in relation to introducing new processes for existing staff and these will be carefully managed through engagement and provision of information and support. A key driver to address these issues is feedback from the Council's waste workforce in relation to contamination and the issues detailed elsewhere regarding missed bins.

14. Accountable Officers

Barry Connolly – Head of Environmental Services

Approvals obtained on behalf of Statutory Officers: -

	Named Officer	Date
Chief Executive	Sharon Kemp OBE	02/12/24
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	22/11/24
Assistant Director of Legal Services (Monitoring Officer)	Phil Horsfield	13/11/24

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