

## Report to the Cabinet

**Report reference:** C-032-2009/10  
**Date of meeting:** 7 September 2009



**Portfolio:** Environment  
**Subject:** Waste Management Policies  
**Responsible Officer:** John Gilbert (01992 564062).  
**Democratic Services Officer:** Gary Woodhall (01992 564470).

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### Recommendations/Decisions Required:

- (1) To agree and adopt the new waste management policy statements numbers (1) to (6);
- (2) To agree waste policy (7) noting that the part referring to additional capacity has yet to agreed; and
- (3) That, subject to recommendation (2) above to defer consideration of the policy relating to additional garden waste capacity to a future meeting alongside policy 8 on flats and communal buildings.

### Executive Summary:

The Council has a place a number of waste management policies introduced following the implementation of the original wheeled bin service. These polices deal with issues around the size of containers, closed lids and contamination. With the implementation of the new waste management service in September 2009, it is essential that these policies are reviewed and amended to reflect the new service and current operational circumstances.

This is a key decision

*“A safe, healthy & attractive place” – “create safer communities”*

*“maintain the special character and advantage of the District, and address local environmental issues”*

Council Plan 2006-2010 – “Green & Unique” – *“we want to improve our recycling performance to exceed statutory targets by completing the introduction of new waste management arrangements across the District.....”*

Cabinet Priorities 2009/10 – Environment – *“with the Council’s contractor Sita, to commence the implementation of the agreed changes to the waste management service by September 2009”*

### Reasons for Proposed Decision:

To have in place new and amended waste management policies in time for the introduction of the new waste service in September 2009.

## **Other Options for Action:**

The only alternative options are to:

- (i) retain the existing policies;
- (ii) amend the proposed policies; or
- (iii) manage the service with no policies

None of the above can be recommended, since it is critical to the success of the new scheme that residents, the contractor and waste management officers have a clear set of operational policies agreed and in place.

## **Report:**

1. The new waste management service, agreed by Cabinet at its special meeting in January 2009 is in the process of being rolled out across the district, with the new wheeled bins and caddies being delivered to residents. These deliveries are being supplemented by the provision of a wide range of supporting documentation and local roadshows where residents can talk to officers about the new service. The new service is scheduled to commence on 7 September 2009.

2. The Council already has in place a number of policy documents which deal with matters such as:

- containers;
- which materials should go into particular containers;
- assisted collections;
- collection locations and times; and
- contamination of containers

3. For the new service to be successful it is important that residents, Sita (the Council's contractor), waste management officers and the officers dealing with resident enquiries are clear about how the new service operates. It is therefore necessary for the existing policy documents to be reviewed and updated to reflect the new service and the current legislative environment.

4. The proposed policy documents are appended to the agenda. They are in some cases more restrictive than their predecessors, reflecting the need for residents:

- (i) to be more particular around the separation of recyclable materials from that destined for landfill thus avoiding the rejection of recyclable materials at the processing plant; and
- (ii) to reuse and recycle as much as they can through reductions in capacity for certain waste streams.

5. There are 8 policy documents covering the following core issues:

- (i) type of containers;
- (ii) container capacity;
- (iii) suitability of properties for wheelie bins;
- (iv) contamination of containers;
- (v) collection of side waste;

- (vi) exemptions;
- (vii) exceptions; and
- (viii) flats & communal buildings.

6. Two of the above policies are not yet complete, these being the policies on exceptions, and flats & communal buildings. That part of the exceptions policy referring to additional capacity for garden waste is still under consideration.

7. With respect to the exceptions policy, there are some residents who have expressed concern about the perceived reduction in capacity for garden waste arising from the change from sacks to a wheelie bin. However, each resident will have more than 300 litres of capacity since the garden waste bin is to be collected weekly. The analysis of last year's questionnaire indicated that the average number of sacks put out was 4 or 5 per fortnight, and the capacity of the new arrangements is sufficient to deal with this level of waste. Whilst it is the case that garden waste has made a useful contribution to improving levels of recycling, the Council could not continue with the previous 'free for all' arrangement, especially given that the garden waste will now be composted using in vessel technology (along with waste food) rather than the previous simpler open windrow arrangements. The law relating to waste collection places a statutory duty upon the Council to collect garden waste as ordinary household waste. However, the law also empowers the Council to levy a fee for this collection, as indeed many councils do. The proposed policy suggests that the Council will continue to collect, free of charge, garden waste which is contained within the provided wheelie bin, but Cabinet will have to consider, at some point in time, how it wishes to approach the matter of residents seeking additional garden waste capacity. It is suggested that this decision be deferred until the scheme has commenced and the autumn and winter period have been managed, so that officers will have an opportunity to determine the scale of the demand for additional capacity.

8. With respect to the policy on flats & communal buildings, there are complex issues to sort through before a policy document can be brought forward. Since these premises are, by and large, unaffected by the new service, consideration of this policy can also be deferred.

#### **Resource Implications:**

There are no additional resource implications arising from this report and its recommendations; the implementation of the new service is fully funded through current and future continuing service budgets

#### **Legal and Governance Implications:**

The delivery of the waste service is predominantly implemented under the auspices of the Environmental Protection Act 1990 and its subsidiary regulations and guidance. The collection of household waste (as defined by the Controlled Waste Regulations 1992) is a statutory duty placed upon the Council. Schedule 2 of those regulations prescribe that garden waste is, inter alia, household waste for which a charge for collection may be made.

#### **Safer, Cleaner and Greener Implications:**

The development of the waste service is seen as a key element of the Council's Safer, Cleaner, Greener Strategy. The increase in recycling performance is also a key component of meeting the Council's obligations within the recently adopted Essex Joint Municipal Waste Management Strategy. Changes to the service will also assist the Council in meeting the

criticisms contained within the Audit Commission's report on the waste service.

### **Consultation Undertaken:**

Consultation on the new service provision undertaken through the Forester and on-line. Results presented as part of report to special Cabinet on 19 January 2009.

The draft policies were published in the Members' Bulletin with a request for comments. No comments were received.

The draft policies were published on the Council's website to enable residents to make comments. No comments were received.

### **Background Papers:**

Cabinet, 19 January 2009

Reports to Safer, Cleaner, Greener Standing Scrutiny Panel

Progress reports to Waste Management Partnership Board

### **Impact Assessments:**

For the service to operate effectively and provide high levels of recycling, it is critical that policies are in place to ensure the most effective operation. Without the policies there is a risk that recyclates could become contaminated resulting in rejected loads going to landfill and the overall amount of waste collected increasing.

In providing new containers due regard is always given to the resident's ability to use them and to present them for collection. Assisted collections are available for those with disabilities or who are infirm.

The policies are designed to be fair to all elements of the community.