

## **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) and to specifically consider the arrangements to be put into place for dealing with requests for additional garden waste capacity; and**
- (3) To note that further policies relating to lost, damaged and stolen containers, and policies relating to flats and communal buildings will be brought to a future Cabinet for consideration**

### **Executive Summary:**

The Council has a place a number of waste management policies introduced following the implementation of the original wheeled bin service. These policies 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 7 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; and
- (vii) exceptions

Two further policy documents are being prepared which relate to lost, damaged and stolen waste containers and arrangements at flats and similar communal buildings. These will be brought forward for consideration by Cabinet at a future meeting.

6. 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.

7. Notwithstanding the above, the reduction of garden waste capacity will cause difficulties for some residents with particularly large gardens and where they are unable to make alternative arrangements for the management of that waste. There are two alternatives available for consideration, the provision of a larger 240 litre bin or a second 180 litre wheeled bin for food & garden waste

Both of these have consequences to consider.

Following adoption of the new service by Cabinet in January 2009, no 240 litre bins have been purchased for the food and garden waste service. If a larger bin was to be made available there is a considerable risk that the numbers required would be such that the Council would have to expend a considerable sum in procuring additional bins, which of course would also result in a large quantity of 180 litre bins becoming surplus to requirements and requiring long term storage.

The second option has potential operational consequences through the additional time required by the Council's contractor to pick up additional bins. However, it is recognised that on any one collection day it is rare for all residents' bins to be put out for collection and that there should therefore be some leeway before the contractor would be able to justify a claim for these additional collections. Furthermore, the new arrangements will result in some existing residents losing the garden waste service because of their properties being unsuitable for a wheeled bin based collection. The additional 180 litre also has advantages over the larger bin in that:

- (i) it avoids the 'swapping out' issues referred to above;
- (ii) if a garden is so large that additional capacity is justified, then the storage of a second bin should not present a difficulty;
- (iii) it provides flexible use of the existing stock of 180 litre bins, since only a lid change is required to use a bin for a different purpose; and
- (iv) the additional capacity will be significant, with effectively another 180 litres per week

8. The final point above does however raise a potential difficulty, depending upon the take up of the second wheeled bin. Sita have costed the new service on the basis of a single

180 litre bin. As stated above, it is considered that the costs of the additional collections should be offset in significant part through normal variations in the numbers of bins put out for collection. However, the service costs would also only have allowed for the collection vehicles to go to the transfer station once or twice per day. If the additional weight of garden waste collected through the second wheeled bin were to result in the number of visits to the transfer station increasing, then Sita would be faced with justifiable additional operating costs which the Council would have to compensate them for.

9. Cabinet therefore needs to be cognisant of these potential additional costs in the future. It is not being suggested at this time that the second wheeled bin should be a chargeable service, although the Council is entitled to make it so. It is however suggested that the situation be carefully monitored, and that any resident who avails themselves of a second wheeled bin is made aware that, at some point in the future, the Council may find it necessary to introduce a charge to cover the additional operational costs.

10. Policy document 7 has within it some proposed wording on the assumption that if Cabinet wish to provide additional capacity, they will do so through the additional wheeled bin route. The policy also makes reference to the need for an officer assessment before that additional capacity is provided.

11. 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 groups within the community.