

Agenda Item:

Report to: Services Overview & Scrutiny Committee

Date: 13 December 2007

Report from: Corporate Director, Environmental Services

Title of report: **TWIN BIN SCHEME**

Purpose of report: To consider the Twin Bin Progress Review report submitted to Cabinet on 9 July 2007 and subsequent progress with the scheme.

Recommendations: **That the report be noted.**

1.0 Background

- 1.1 The report attached as Appendix A was presented to Cabinet at its meeting on 9 July 2007 to provide an update on progress with the preparation for the implementation of the Twin Bin scheme.
- 1.2 After considering the report Cabinet resolved unanimously that: -
- “(1) the challenges presented by the National Waste Strategy be acknowledged:
 - (2) Cabinet re-affirm their commitment, as agreed unanimously by the All-Party Cabinet, to the Twin Bin Project as a key element of the Council’s strategy to meet the revised waste reduction and recycling targets within the National Waste Strategy;
 - (3) the Cabinet calls for the draft Joint Municipal Waste Management Strategy to be considered as soon as possible prior to 13 October, as it regards it as important that there is close and effective cooperation between waste authorities in East Sussex;
 - (4) the Cabinet calls for further work to be done to increase recycling rates, particularly in those areas which are not part of the present Twin Bin Project to enable those residents to reduce further the waste going to landfill;
 - (5) the Cabinet agrees to investigate the potential and feasibility of a weekly food waste collection scheme as encouraged under the National Waste Strategy;
 - (6) the Cabinet notes the changes deemed necessary to the implementation plan and revised resource requirements, and insists that every effort must be made to contain these costs within the existing overall waste and recycling revenue budgets, whilst maintaining an appropriate level of service; and
 - (7) the Cabinet approves the Enforcement Policy, subject to any minor wording / grammatical changes which are delegated to the Chief Executive.”
- 1.3 Since the report was considered the scheme has been implemented and whilst there have been some difficulties with its introduction, and adjustments have and are being made to address them, the majority of residents in the Twin Bin areas are participating fully in the scheme. As a consequence recycling tonnages have increased significantly and residual waste tonnages have reduced. Up to date figures will be provided at the meeting.
- 1.4 It was recognised that not all properties in roads included in the scheme would necessarily be able to accommodate the two wheeled bins and that individual properties or small groups of properties could need alternative arrangements. In consultation with residents and local Councillors a range of variations and criteria for their application have been agreed. Assisted collections have agreed for just over 2000 qualifying residents and we are working through the teething problems with the scheme with the contractor and residents. All properties in the area will however remain on alternate weekly collections.
- 1.5 In accordance with the Cabinet report and the implementation plan staff numbers in the call handling and field teams were increased and the operating hours of the call centre were extended. Even with these additional resources however there were occasions when they were unable to cope with the volume of calls and enquiries and backlogs did

arise. Every effort was made to clear these as soon as possible and we are grateful for the patience the public showed during this period.

- 1.6 In spite of these efforts a number of petitions were received regarding a range of aspects of the scheme and these were reported to Cabinet on 5 November 2007. Two of the petitions were however satisfactorily resolved before the Cabinet considered the report. Work is continuing with the authors of the remaining two petitions to resolve their concerns.
 - 1.7 Concerns have also been expressed by some Members regarding the predicted participation rate for the Twin Bin scheme. The report to Cabinet on 9 July referred to original advice that participation rates of between 75% and 80% could be achieved, but that lower participation rate of around 67% was then likely. This figure has since fallen further to around 58% but it is anticipated that this will rise again as we review the boundaries of the Twin Bin area and respond to an increasing number of requests to participate from properties near the current boundaries.
 - 1.8 The contract procurement process has been reviewed and it has been established that, at the meeting of the all party Steering Group in October 2005 when the contract specification and waste collection options were considered, the waste advisers suggested that the Twin Bin, Alternate Weekly Collection option would enable "around sixty seven per cent" of properties to participate. It has also been confirmed that the Waste Services Contract has been let on the basis of this level of participation (approximately 30,000 properties). Whilst this was always accepted as the baseline figure, in order to further improve recycling performance it was obviously advisable to aim for a higher level of participation and in the subsequent project plans an aspirational figure of 75% was introduced as a challenging target for the future. This was subsequently extended to a figure of 75% to 80% in the report on the progress of the scheme submitted to Cabinet on 9 July. Clearly a lack of clarity over the meaning of the figures quoted at various stages has led to some confusion which is regrettable. It is however clear that the original advice was based on a participation level of 67% and that the contract was let on the basis of this level of participation which we are confident will be achieved and which we will aspire to exceed.
 - 1.9 The new waste collection arrangements that are being introduced are a dramatic change to the ways people have been accustomed to dealing with their waste over many years. It was always anticipated that there would be difficulties but there is no question that we all have to change our attitudes to the waste we generate and the way we manage it. The scheme is intended to provide residents with greater opportunities to recycle and provide an incentive to reduce the amount of waste going to landfill.
 - 1.10 Officers are working closely with East Sussex County Council to expand the range of materials that can be recycled in the wheeled bins and early indications are that there is a real enthusiasm for recycling amongst residents, which is to be commended.
 - 1.11 Officers will also continue to work with residents to resolve outstanding issues and accommodate those residents with genuine difficulties so that they can participate in the scheme.
-

Appendices & background documents

Appendix A Twin Bin Progress Review – Cabinet 9 July 2007

Policy implications

Please tick if this report contains any implications for the following:

Equalities & Community Cohesiveness	<input type="checkbox"/>
Crime and Fear of Crime (Section 17)	<input type="checkbox"/>
Risk Management	<input type="checkbox"/>
Environmental issues	<input checked="" type="checkbox"/>
Economic / Financial implications	<input type="checkbox"/>
Human Rights Act	<input type="checkbox"/>
Organisational Consequences	<input type="checkbox"/>

Any ticked areas should be referred to in the text of the report under the heading “policy implications”

Report written by: **Colin Mee**
 01424 783290
 cmee@hastings.gov.uk

Report to: Cabinet

Date: 9 July 2007

Report from: Executive Director, Environment and Safety

Title of report: **TWIN BIN PROJECT PROGRESS REVIEW**

Purpose of report: To review the progress of the Twin Bin Project and highlight its importance as a means of meeting the challenging waste reduction and recycling targets in the National Waste Strategy 2007.

To highlight changes deemed necessary to the implementation plan and revised resource requirements arising from the current high national and local profile of waste and recycling issues.

To seek Cabinet approval of the Enforcement policy.

Recommendations: **That the challenges presented by the National Waste Strategy be acknowledged.**

That Cabinet re-affirm their commitment to the Twin Bin Project as a key element of the Council's strategy to meet the revised waste reduction and recycling targets within the National Waste Strategy.

That Cabinet acknowledge that further work will be needed to further increase recycling and reduce the amount of waste going to landfill, following the implementation of the Twin Bin Scheme.

That Cabinet note the changes deemed necessary to the implementation plan and revised resource requirements arising from the current high national and local profile of waste and recycling issues and that every effort will however be made to contain these costs whilst maintaining an appropriate level of service and accommodate them within the existing overall waste and recycling revenue budgets.

That the Enforcement Policy be approved

1.0 Background

- 1.1 Members will be aware that the current Waste and Recycling Contract commenced on 3 July 2006 following an extensive contract procurement process. The specification for the contract was developed with the aid of specialist waste advisers, White Young Green Environmental, and was designed to ensure the Council would achieve the statutory recycling target of 30% by 2010 set by the Government in support of the National Waste Strategy 2000.
- 1.2 The specification was therefore designed to encourage residents to recycle more and reduce the amount of waste going to landfill. It also included two phases. The first phase was to continue with the existing waste and recycling arrangements whilst preparations were made to introduce phase two. Phase two included four key elements. Firstly the introduction of two wheeled bins to as many properties as possible, one for mixed recyclates (paper, card, plastic and cans) and one for residual waste. Secondly a change to collection arrangements with residual waste collected one week and recyclate the following week. Thirdly, a change from point of storage collection to kerbside collection to improve efficiency. Finally properties in areas not considered suitable for the twin bin scheme will remain on their existing arrangements for both refuse and recycling collections. The contract was procured and the successful tender accepted on this basis.
- 1.3 The Government has recently published a revised National Waste Strategy 2007 following extensive consultation. The National Waste Strategy 2007 builds on the earlier National Waste Strategy 2000, but with an increased emphasis on reducing the impact of waste on the environment and climate change as a shared responsibility between producers and consumers as well as local authorities and the waste management industry.

The objectives of this strategy are to:

- break the link between economic growth and waste growth;
- exceed the Landfill Directive diversion targets for biodegradable municipal waste;
- encourage the use of waste as a resource with a focus on re-use, recycling and recovery of energy from waste;
- invest in infrastructure that will divert waste from landfill; and
- provide stronger incentive to reduce waste.

The approach is based on the waste hierarchy (waste prevention, re-use, recycle/compost, energy recovery, disposal) and making sure action is directed at the top of this hierarchy.

- 1.4 Key points relevant to Local Authorities include:

- More effective incentives for individuals and businesses to recycle waste, leading to at least 40 per cent of household waste recycled or composted by 2010, rising to 50 per cent by 2020. This is a significant increase on the targets in the previous waste strategy, published in 2000.
- A strong emphasis on waste prevention with householders reducing their waste (for example, through home composting and reducing food waste) and business

helping consumers, for example, with less packaging. There will also be a new national target to help measure this - to reduce the amount of household waste not re-used, recycled or composted from 22.2 million tonnes in 2000 to 12.2 million tonnes by 2020 - a reduction of 45 per cent.

- An increase in the landfill tax escalator by 8% per year from 2008 until at least 2010/11 - announced by the Chancellor in March.
- Subject to further analysis and consultation, banning biodegradable and recyclable waste from being put into landfill sites.
- Increasing the amount of energy produced by a variety of energy from waste schemes, using waste that can't be reused or recycled. It is expected that from 2020 a quarter of municipal waste - waste collected by local authorities, mainly from households - will produce energy, compared to 10 per cent today.

1.5 Clearly the goalposts have been moved, and indications are they will continue to do so as the pressure to reduce our impact on the environment grows. The previous 2010 recycling target of 30% has now been increased to 40%. Other tough targets for local authorities are being introduced, and the financial penalties for disposing of waste into landfill are to be increased incrementally in future years. The Twin Bin scheme is an essential project that will provide the foundation for achieving these targets in Hastings. It is the first in a range of projects we will need to introduce to improve recycling, encourage waste minimisation and reduce the amount of waste going to landfill. Partnership working will be essential to achieve the targets, and the strategy actively encourages joint working across all three sectors.

1.6 Local waste collection authorities in East Sussex (Borough and District Councils) have been working together with the waste disposal authority (East Sussex County Council) to develop a Joint Municipal Waste Management Strategy and this had reached the stage for adoption by participating local authorities. Further work will however now be necessary to incorporate the revised targets in the new National Waste Strategy and revisit the proposals within it to ensure they will deliver the new targets. Detailed discussions will be needed with East Sussex County Council to ensure that new facilities currently being developed by them and the overall infrastructure being put in place will incorporate advancing technology able to accommodate all of our recycling requirements and ensure that together we are able to meet the challenges posed by the revised targets in the National Waste Strategy 2007 and do so in the most cost effective and efficient way. The final outcome of these discussions will inevitably impact of the final and future cost of the service.

2.0 Twin Bin Scheme progress

2.1 The Council and the contractor are committed to the introduction of phase two of the contract this autumn. Preparations are generally progressing well; the procurement of the wheeled bins has been agreed and the timetable for key milestones is as follows:

- From 2 July we will be changing refuse collection days to make the service more efficient – all households will be notified about this in June through a mail out.

- In September wheeled bins will be delivered to all households on the scheme, starting in the east of the borough. Households will receive a mail out before delivery.
 - From 1 October the Twin Bin collection service will start. The first week will be a residual collection, the following a recycling collection.
- 2.2 It was never anticipated that the whole town would be able to use the twin bin scheme. Initial work by our expert waste advisers on the suitability of properties for wheeled bins suggested that 75% to 80% of properties would be able to accommodate them. Early surveys highlighted the difficulties posed in some areas by the topography of the town has led to this estimate being revised downward and more detailed investigation of individual properties and groups of properties being undertaken. As a consequence it is now estimated that around 67% of properties will be able to participate in the twin bin scheme. This reduction in participation could result in a variation of the contract cost. Remaining properties, predominantly in the Old Town, central Hastings and central St Leonards will need to continue with their existing arrangements for refuse and recycling (predominantly a bagged service) until the twin bin scheme is implemented after which work will begin on exploring new ways of managing their waste and recycling and encouraging participation.
- 2.3 As a consequence of these revisions and the recent heightened national and local awareness of waste and recycling issues, it is now acknowledged that the number of enquiries and complaints about the new scheme is likely to increase significantly. The higher profile of waste and recycling in the national and local media has also meant we have had to advance set up plans for the call centre which is now in place ahead of schedule.
- 2.4 In response to these pressures the original Project Initiation Document, produced by our advisers, has of necessity been reviewed and it has been recognised that additional staff resources will be required during the key periods in the autumn to respond to telephone, written and personal enquiries regarding the scheme and to make home visits to find solutions to any difficulties being experienced. A proactive approach to addressing queries and problems during bin distribution and the first month of the new arrangements is also considered advisable which will again require additional staff. Following this first month staffing levels will it is anticipated be reduced gradually as the level of enquiries and complaints tapers off.
- 2.5 A revised implementation plan has been developed, summarised in Appendix B and has indicated that at peak times a significant number of additional staff may be required to accommodate the above. Whilst the numbers will be kept to a minimum it will be important to ensure that, at all times, the Council is able to provide an appropriate level of response and customer service.
- 2.6 Whilst it is anticipated that this extended Project Team will handle most of the enquiries and complaints it is inevitable that staff in other departments and indeed Members will receive calls from residents regarding the changes to their

collection arrangements. It is essential therefore that staff generally and Members are aware of the background to the scheme and the reasons why its introduction is essential if the Council is to achieve the challenging targets set by the Government. To assist with this a series of staff briefings has been organised and further Member briefings will be arranged in the near future. Project Team members are also attending Area Management Boards and other forums to outline the scheme and answer queries.

- 2.7 A comprehensive marketing plan has been developed and is supported by a schedule of marketing events which is set out in appendix A. Members will be aware that Rother District Council are introducing a similar scheme and following discussion it is likely that we will combine our resources and efforts and work in partnership with them for some marketing events, at supermarkets, for example. Staffing of these events will also need additional staff to those originally envisaged. A comprehensive Risk Management log has been created and measures introduced to address identified risks and develop contingency plans wherever possible.
- 2.8 In order to maximise the environmental advantages of introducing the Council's new twin bin waste and recycling service, the Council will issue householders with clear information on how they can best use their bins for the storage of residual household waste and recyclates. These principles will be applied through a range of measures set out in the enforcement policy, (Appendix C) which is based upon similar policies adopted by many other waste collection authorities throughout the United Kingdom. The legal context for this approach is outlined in the Environmental Protection Act 1990 (EPA 1990). Cabinet is asked approve the enforcement policy.

3.0 Policy Implications

- 3.1 100 million tonnes of waste is produced in England each year. The National Waste Strategy 2007 is based on the need to reduce unsustainable consumption of resources and the levels of carbon emissions from waste. A key to both these aims is diverting waste from landfill sites. Local Authorities are challenged to lead behavioural change and emphasise the need for shared responsibility for reducing waste and increasing recycling. The twin bin scheme must be seen as one of the key initiatives locally to achieving this and meeting the challenging new recycling targets set by the Government. As such Members are asked to reaffirm their Corporate and Political commitment to the scheme.
- 3.2 The new waste and recycling contract was procured with these challenges in mind and is committed to the introduction of the twin bin scheme as a means of achieving these targets.
- 3.3 Heightened awareness and media attention of waste and recycling issues has necessitated a review of our implementation plans for the scheme. This review has identified the need for additional staff resources to handle the anticipated level of enquiries and issues arising from the introduction of the scheme. The additional one off cost is estimated to be as much as £63,000 over the current

budget of £335,000. Every effort will however be made to contain these costs whilst maintaining an appropriate level of service and accommodate them within the existing overall waste and recycling revenue budgets. This will to a degree be dependent on reaching a satisfactory conclusion to our discussions with the Waste Disposal Authority.

3.4 Provision has been made in the Capital Programme for the procurement of the wheeled bins and following the procurement process the order for these has now been placed. The remaining capital budget will be utilised for:

- hardware and software to be fitted to each refuse vehicle to enable use of the chips to monitor service efficiency only;
- purchase of bulk bins for properties within the Twin Bin area that are not suitable for wheeled bins;
- purchase of brown bins for the garden waste scheme;
- and other schemes - for areas not on the Twin Bin scheme

It is estimated that after these elements have been completed there could be an underspend of around £100,000 on the Capital provision of £1.4m.

4.0 Reasons for Recommendations

4.1 To ensure that Members are fully aware of the reasons for the introduction of the Twin Bin Scheme and its importance in relation to the achievement of statutory waste reduction and recycling targets.

4.2 To highlight the need for further waste reduction and recycling initiatives following the implementation of the scheme.

4.3 To make Members aware of the impact of heightened national publicity on the resources needed for the implementation of the project.

Appendices & background documents.

Appendix A – Schedule of marketing events
Appendix B – Twin Bin implementation plan
Appendix C – Enforcement Policy

Policy implications

Please tick if this report contains any implications for the following:

Equalities & Community Cohesiveness

Crime and Fear of Crime (Section 17)

Risk Management

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

Environmental issues
Economic / Financial implications
Human Rights Act
Organisational Consequences

Any ticked areas should be referred to in the text of the report under the heading “policy implications”

Report written by:

Richard Homewood

01424 783200

rhomewood@hastings.gov.uk

Marketing - Twin Bin Schedule May - Dec																																				
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31					
May								Residents Assoc					About					Members briefing		Residents Assoc																
	Arrow FM Gen Ad							Arrow FM Gen Ad							Arrow FM Gen Ad																					
June								Friday Ad Banner					1st Residents Mail Out					Friday Ad FP					Rethink Rubbish Bus													
	The Big Recycle																	Area Mgmt board					Area Mgmt board													
July	Zone Changes			Friday Ad FP Collection Dates		School Fete		Morrisons Exhibition Mon-Sun			St Leonards Festival					Friday Ad FP			Pre ss Day		Rethink Rubbish Bus															
	Arrow FM							Arrow FM							Arrow FM					Arrow FM																
Aug	FA Banner Observer 1/2			Priory Meadow Exhibition - Sun					Mon			Sainsbury Exhibition Mon - Sun					2nd Residents Mail Out					Friday Ad Banner														
	Arrow FM Arrow FM Gen Ad Arrow FM Gen Ad		Old Town Carnival 4-12			PR SD		float		Arrow FM							Arrow FM																			
Sep								Friday Ad FP					Ret hink Rubbish Bus		Friday Ad FP					About		Friday Ad FP		Seafood Wine Festival		3rd Residents Mail Out			Friday Ad FP Observer 1/2							
	Bins Delivered							Bins Delivered							Bins Delivered																					
Oct	Scheme starts			Friday Ad FP					Observer 1/2																											
Nov	Friday Ad FP					Observer Ad FP																														
Dec						Observer Ad FP					Friday Ad FP																									
	PR pram race					SD stakeholders day																														

HBC / VEOLIA / PLASTIC OMNIUM DRAFT TWIN BIN IMPLEMENTATION PLAN

Marketing schedule June – September

We have a comprehensive marketing strategy (Appendix A) which, along with a number of evening / single day events, includes the following blocks of time:

- Mon 9th – Sun 15th July Morrisons –
 - Mon – Fri am and pm
 - Sat & Sun – am and pm
- Sat 4th – Sun 12th August – Old Town Carnival
 - Sat 4th & Sunday 5th – beach concert –
 - Stakeholder day Weds 8th –
 - Culminating in pram race weds 8th –
 - Friday – Local Market –
 - Saturday 12th – carnival procession – decorated refuse vehicles, bins and staff.
We will be collecting refuse and recycling and so aid street cleaning
- Mon 6th – Sun 12th August – Priory Meadow
 - Mon – Fri am and pm
 - Sat & Sun – am and pm
- Mon 13th – Sun 19th August – Sainsburys
 - Mon – Fri am and pm
 - Sat & Sun – am and pm
- Sat 22nd – Sun 23rd September – Seafood & Wine Festival
 - Sat & Sun – am and pm

September – Delivery of bins

Plastic Omnium resources

Project Supervisor

2 x Delivery Teams Each team will have:

1 x Team Leader

1 x Driver

3 x Delivery Crew

2 x 7.5 tonne vehicles

Total 11 people + 4 vehicles

Day starts at 7.30 at depot, start delivering bins from 8am. Will return to depot at roughly 3.30pm each day to report / unload etc and finish by 4pm.

HBC / Veolia Resources

We need to ensure delivery is efficient but also does not result in customer complaints, / unnecessary calls into HBC. The more queries that we can resolve direct with residents on day one the better – it will help achieve public support and therefore a smoother transition to the new service. We also have restricted call centre resources and want to minimize impact on other council services.

Those households we already know are on Assisted collection should have their bins taken down to the storage point and contact attempted to be made with the householder including a clear note telling them they will get an assisted collection and what that means.

Properties which are empty should have their bins taken down to the front door / suspected storage point – or not delivered.

Where householders have already contacted HBC requesting more bins, i.e. large families, and those requests were accepted by HBC as genuine, if possible extra bins should be delivered on the day of delivery.

If householders have queries during delivery, as far as possible these should be answered there and then.

It is appreciated that Plastic Omnium's delivery team need to concentrate on delivering the bins and will not have the detailed knowledge of the scheme to answer customer queries. We have therefore committed to having HBC staff with each of the two delivery teams.

There will be a dedicated Project Manager for each delivery day, and it is recommended that this is done on a rota basis. It is suggested that Veolia also designate dedicated Project Managers to rotate through the month of September.

The call centre hours will be extended during September, opening from 7.30am and closing at 7pm. Call levels will be monitored to ensure staff coverage reflects peak call times. These opening hours should be advertised in the 2nd mail out to residents, on the website and on the 0845 274 1077 recorded message.

Shifts will be as follows:

2 staff 7.30am – 3.30pm

2 staff 9.00am to 5pm

2 staff 11am to 7pm

October

This is the first month of the new scheme, and inevitably there will be teething problems and we will need to work closely with residents to show them how to recycle and manage their waste. Again, as with the delivery of the bins, if we are available in the field we can head off and deal with the majority of queries before they become complaints.

Whilst we are doing a lot of publicity and direct mail outs to customers, it is inevitable that there will be some confusion with the introduction of the new scheme. We need to work with residents to encourage and educate them. There is a 4 week grace period where we will take side waste / not enforce non-compliance and during this time we need to give ample opportunities to work with residents to gain public support. The support we give needs to be both proactive and reactive – solving problems before customers report them, and dealing with complaints / problems once they have been phoned in.

Reactive support

A team of field officers will be in place to deal with referrals from phone calls / e-mails and deal with home visits needed outside of traditional office hours.

The call centre hours will be reviewed, but may still stay open from 7.30 till 7pm so that we can deal with queries at times convenient to the residents.

Proactive Support

HBC staff will work in tandem with Veolia's refuse collection vehicles for the first four weeks of the new service to deal with:

- Bins not out
- Bins not at correct collection point
- Side waste
- Requests for extra bins
- Contamination
- Assisted collection requests
- General queries
- Teaching residents how to recycle

As field officers would already be at customer's houses, and the nature of the visit is proactive rather than reactionary. Some visits would be repeat visits to monitor side waste / bin capacity etc, and some residents will need visiting in the evening or at weekends, which can be provided by the 'reactive' team.

It is recommended that an additional vehicle and crew be made available for the month of October to pick up side waste. This can either work Monday to Friday or Tuesday to Saturday.

Field staff will need to report back into the office each day to report and record that that's enquiries have been dealt with.

Veolia resources

Veolia staff and experienced, external managers will support the project during October. However, they will be dealing with operational issues from their end rather than interfacing directly with customers. Therefore, they cannot be counted as part of the proactive or reactive teams.

Staffing and budgets

Staffing levels will be reviewed continually according to demand. Staff over and above the existing Twin Bin team will need to be bought in.

This plan seeks to minimize the need for reactive response by heading off the majority of calls and dealing effectively with queries and complaints at first point of contact. By actively seeking that first point of contact we have the opportunity to build relationships with residents, open communication, establish trust, and gain customer satisfaction and support for the Twin Bin project, which ultimately means that the project is embedded sooner with less impact on the rest of the organisation.



Twin Bin Waste and Recycling Service

**DRAFT Wheeled Bin Rules and the Councils
Enforcement Policy**

1. Policy Statement

To maximise the environmental advantages of the new Twin Bin Scheme, the Council will issue householders with clear instructions on how they must use their bins for the storage of residual household waste and recyclates. Unfortunately, failure to follow the instructions can result in contamination and rejection of materials collected for recycling, and so it is essential that the rules are observed. Consequently, the rules will be enforced under the following policy, which is based on those of many other waste collection authorities throughout the United Kingdom.

2. Legal Context

The legal context for this approach is outlined in the Environmental Protection Act 1990 (the Act). Section 45(1) of the Act imposes a general duty on waste collection authorities to arrange the collection of household waste in their areas.

Section 46 of the Act gives waste collection authorities powers to determine arrangements for collection of household waste, including the size, number, and placing of receptacles.

Any person failing to comply with a Section 46 “notice” is liable to a fine of up to £1000. In addition to this, waste collection authorities can issue a Fixed Penalty Notice (FPN) under Section 47ZA(2) to householders who fail to meet the requirements of a Section 46 notice.

Waste collection authorities can set the amount of this fixed penalty between £75 and £110 to be paid within 14 days, or £60.00 if paid within 10 days.

The Council has set the penalty at £75.

The Waste (Household Waste) Duty of Care (England & Wales) Regulations 2005 extended the “duty of care requirement” in the EPA 1990 to householders as well as businesses. Householders must make sure their waste is only removed from their property by registered waste carriers. Householders not taking reasonable measures to do so can be fined up to £5,000.

3. Scope

This enforcement policy relates to the following:-

- Putting the twin wheeled bins out for emptying by the contractor on the correct day, at the right time, and in the appropriate place;
- Making sure twin wheeled bins are maintained in a hygienic state, and not overloaded so the lids remain closed;
- Storing the correct type of waste or recyclate in the appropriate wheeled bin;
- Making sure all waste and recyclate is stored inside the bins and that no additional or ‘side’ waste is presented

- That householders return wheeled bins to point of storage on their property after collection

4. Rules for the Householder

The following rules will be applied and explained to householders: -

- On collection day the twin wheeled bins must be placed at the front boundary where the householder's property meets the pavement of the road used by the waste collection vehicle unless otherwise directed. This should occur for every collection whether it is for the green recycling or grey residual waste wheeled bins.
- The wheeled bin must be placed in position for collection and emptying by 7.00 a.m. on the day of collection. After the collection the Council's waste contractor will return the bin to the position from which it was collected. The householder is required to return the bin to its storage location within the boundaries of their home later that day.
- The bin lid must be completely closed for the health and safety of the collectors and hygiene reasons. The Council's contractor will not collect any materials that cause the lid of the bin to be angled to any degree.
- Waste must be contained within bags within the grey residual waste wheeled bin. No side waste (bags or items outside the bin) will be collected, with the exception of the Christmas fortnight when side waste will be allowed.
- Recycling materials should be cleaned, flattened and placed loose in the green wheeled bin. This will not be emptied if it contains general household, kitchen or garden waste, as only recyclable materials are being collected on that collection and the carrier does not have facilities to collect other waste.
- To improve street cleanliness and reduce littering, excess recyclates must not be placed outside the green wheeled bin. The green wheeled bins are 240 litres and should be big enough for most households. However, if a householder can demonstrate a regular need for more recyclate storage, the Council may provide an additional green wheeled bin.
- The householder is responsible for maintaining their bins in a hygienic condition. If requested, the Council can give householders practical details of how wheeled bins can be effectively cleaned.

5. Householders Duty of Care and Options for Disposing of Waste

If a householder finds they cannot fit all their regular household waste into the wheeled bins provided by the Council, they should contact the Council for advice.

The 240 litre wheeled bins should be big enough for most households, as long as they remove the recyclates and store them in the green wheeled bin. However, if a householder can demonstrate a regular need for more residual or recycling waste storage, the Council may provide additional wheeled bin(s)

It is the householder's responsibility to legally dispose of any additional waste, for example bulky items. If they use a private contractor they must make sure the contractor is a registered

waste carrier and disposes of the waste lawfully. Failure to do so could result in prosecution and a fine of up to £5000.

The Council recognises that some households may have difficulties containing their waste, for example, households of 6 or more, or where there are two children in disposable nappies. The Council will offer targeted advice on how to recycle and reduce waste. Council officers will work with householders to find solutions and explore the possibility of additional wheeled bins.

Waste can currently be taken free of charge to the Pebsham Household Waste Recycling Site in Bexhill Road or the Mountfield Household Waste Recycling Site.

Three bulky items can be collected and disposed of by the Council for £12 although this price will generally be subject to an annual inflationary increase. Householders can call 0845 274 1077 to arrange collection

Fly-tipping is a criminal offence and may result in prosecution with fines up to £20,000 or imprisonment of up to 5 years

6. Applicaton of the Rules

The new Twin Bin scheme will need all householders to significantly change behaviour so the Council will allow an initial 4 week 'grace' period where officers will work closely with householders to resolve any problems and encourage recycling by using the wheeled bins correctly.

After this, an escalation process will be in place. This will begin with encouragement and support where officers help householders find ways of 'reducing', 'reusing' and 'recycling'. This might lead to householders receiving extra wheeled bin(s). However, should households choose not to work with the Council or repeatedly not comply with the rules, enforcement action may be taken.

Compliance with the collection rules will be encouraged and customers will be notified of any contravention on the day of collection through 'bin hangers' which the bin operatives will attach to their bin. These hangers will detail which rule has been broken and will direct the householder to contact the Twin Bin team for further advice.

If the householder is having difficulties managing waste, the householder will be offered a visit from an officer to assist the householder in find ways of 'reducing', 'reusing' and 'recycling'. This could lead to the supply of extra wheeled bins.

The Twin Bin team will be notified of all contraventions by contractors Veolia and will manage their response using a yellow and red card system.

They will try to contact the householder to discuss the situation and resolve any problems but, after two written warnings, a third contravention will result in a 'red card' triggering a Notice under Section 46 of the EPA 1990, formally telling the householder how they must manage their household waste. This also warns that a Fixed Penalty Notice may be issued if non-compliance continues.

On the fourth occasion, a Fixed Penalty Notice of £75 may be issued. The householder will also be warned that they may be given further Fixed Penalty Notices and prosecuted under Section 46 should non-compliance continue.

Further offers of officer help in exploring the bin contents and finding ways of recycling will be made.

On the fifth occasion a second Fixed Penalty Notice of £75 will be issued.

On the sixth occasion court proceedings will begin for non-compliance with the Section 46 Notice. Upon summary conviction a householder could currently be fined up to £1000.

This system of escalation using the principles of yellow and red cards is being used by many local authorities to good effect. Experience shows the vast majority of people comply with this system and Fixed Penalty Notices and prosecutions are only necessary as a last resort.

It is the Council's intention to work with local residents to solve any problems that arise. Formal and legal methods of enforcement will only be used against those who do not comply with the rules on a persistent basis, and ignore the yellow and red cards. When considering enforcement action, the Council will consider each case on its merits and only take action, which is proportionate.

7. Appeal Protocol

The Corporate Director or his/her delegated officer will consider any appeals against the enforcement of these rules

8. Monitoring and Review of Policy

This policy will be monitored and reviewed periodically. All information given to the Council will be treated as confidential and data protection protocols will be applied.