

SUBJECT: WASTE COLLECTION ENFORCEMENT POLICY

DIRECTORATE: COMMUNITIES AND ENVIRONMENT

REPORT AUTHOR: SAM BARSTOW, PPASB SERVICE MANAGER

1. Purpose of Report

- 1.1 To introduce the newly drafted Waste Collection Enforcement Policy and seek the views of elected members.

2. Executive Summary

- 2.1 A key issue for waste management services is an escalating number of complaints relating to poor presentation of waste, either by way of waste/bins left on streets, or associated with the wrong materials being placed for collection (usually the wrong materials in the recycling collection).
- 2.2 The Council has enforced for these issues previously, but has not had a specific policy dedicated to this work. This report presents a policy focused on waste presentation issues, so as to ensure clarity and consistency.
- 2.3 Critically, having a clear enforcement policy provides a basis for developing clear educational information that is pertinent for residents as an integral part of the enforcement process.

3. Background

- 3.1 Despite numerous education and information campaigns there remains issues, at times, in relation to the collection of household waste; namely the incorrect presentation of waste.
- 3.2 This issue presents itself mainly in two forms; a bin left out on the street or a recycling bin presented with the wrong materials in it (contaminated).
- 3.3 Whilst enforcement has been undertaken for some time in relation to bin presentation issues, due to an increasing focus on these issues it is now necessary to confirm our enforcement processes and to reiterate that enforcement is necessary as part of the service delivery strategy with the public.
- 3.4 It should also be noted that the need to address these issues is considered to be both a county wide problem, and indeed a national one. Recognising this the Lincolnshire Waste Partnership Officer Working Group have agreed to consider the details of Lincoln's revised policy, consider it against any existing similar policies they may have in place, and to consider if any changes are appropriate to ensure consistency of enforcement processes across the county. Actual enforcement action will of course be subject to resources available and the willingness of individual districts to take action.

4. The Policy Proposal

- 4.1 The policy attached as appendix A makes various commitments in relation to service provision and how we will deal with complaints.
- 4.2 The policy outlines the need for focussed educational work before any formal action is considered, and utilises a formal structure of warning notices to drive people to take note of the educational material. The process is outlined in appendix B.
- 4.3 The policy utilises Section 46 of the Environmental Protection Act, which deals with the manner in which waste is presented. This gives the Council enforcement powers relating to such as the types of receptacles, along with the items to be placed within it. This section of the Act also makes clear the waste collection authority's responsibility to collect is not applicable where waste is not presented in compliance with the authority's requirements under this section.

5. Strategic Priorities

5.1 Let's drive economic growth

A clean and well cared for environment is important to how attractive a place is to live, work, or visit.

5.2 Let's reduce inequality

The policy ensures transparent consistency in how the Council treats all customers.

5.3 Let's enhance our remarkable place

A clean and well cared for environment is the bed rock for continuous improvement in the city's environment.

6. Organisational Impacts

6.1 Finance

The policy would be implemented utilising existing resources. Any income derived from Fixed Penalty Notices has to go back into the service.

6.2 Legal Implications

The policy takes full account of the legislation available to be used by the council, and is supported by the Council's legal services section.

6.3 Human Resources

The policy would be implemented utilising existing resources.

6.4 Equality, Diversity & Human Rights

The policy ensures transparency in how the council treats all customers. The waste collection services take account of how customers access the service, and accommodates them accordingly. The enforcement policy also includes for reassessment of customers' needs in its early stages.

6.5 Significant Community Impact

Problems with the waste and recycling collections not only detrimentally affect the Council's reputation, but also affect the effectiveness of the service. Returns to sort out problems cost the council in terms of staff efficiency, and may incur costs with the contractor. In both cases the problems divert resources from improving service delivery.

7. Risk Implications

7.1 (i) Options Explored

Don't enforce.

Revise and update the council's enforcement policy.

7.2 (ii) Key risks associated with the preferred approach

Key risk with revising the enforcement policy is that it will be considered that the Council is 'heavy handed' in dealing with waste issues. This would need to be mitigated by a suitable communication campaign at launch to ensure that there is widespread understanding of the implications of poorly presented waste and contamination in the waste stream.

The establishment of policy can also lead to raised expectations but it should be noted that the level of resource in this area will remain the same and this does not represent a change in service provision.

8. Recommendation

8.1 Members make their views known.

8.2 Committee recommends adoption of the policy to the Executive.

Is this a key decision?

No

Do the exempt information categories apply?

No

Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply?

No

How many appendices does the report contain?

2

List of Background Papers:

None

Lead Officer:

Sam Barstow, PPASB Manager
Telephone (01522) 873204