

**14 April, 2016**

**Waste Collection Policies**

**Ward(s)**                      All

**Portfolios:**   Cllr L. Harrison - Clean and Green

**Executive Summary:**

The Household Waste Collection Policy is being reviewed by officers as part of the bi-annual review process and the changes to waste residual collection service scheduled to commence in October 2016.

The two policies identified by Scrutiny for consideration in this report were:

- Multi-occupancy properties (flats, apartments)
- Houses in Multiple Occupation (HMOs)

**Multi-occupancy properties (flats, apartments)**

The Policy for the collection of waste at multi-occupancy properties (flats, apartments) has already been amended to provide clarity over the capacity of bins provided and is detailed below.

Properties containing flats or apartments will be serviced using communal 1100 litre wheeled Euro bins wherever possible. Alternative arrangements may be provided at the discretion of the Council. The number of Euro bins provided will depend on the number of flats or apartments and the space available for bin storage. Bins will only be provided for the collection of residual domestic waste and dry recyclables.

Where possible, the frequency of collection from multi-occupancy properties will be weekly for residual domestic waste and alternate weekly for dry recycling waste.

In determining the standard number of Euro bins to be provided to flats and apartments the Council has had regard for Building Regulations which provide for 100 litres of waste per 1 bedroom flat or apartment plus an additional 70 litres of waste for each additional bedroom.

**Houses in Multiple Occupation (HMOs)**

The policy for HMO's has not been changed during the review process and is

detailed below.

All waste policies are being reviewed and amended by officers to incorporate service delivery changes and clarification of service standards and are detailed in the main report below. It is proposed to establish a short term working group from Scrutiny Members to review the waste collection policies and comment accordingly.

**Reason for scrutiny:**

At Corporate and Public Services Overview and Scrutiny Committee on the 8<sup>th</sup> March a short briefing paper was requested on Waste Collection Policies with regard to

- Multi-occupancy properties (flats, apartments)
- Houses in Multiple Occupation (HMOs)

with a view to forming a working group post May 2016 to review and comment on all waste collection policies

**Recommendations:**

1. Note the contents of this report
2. Establish a short term working group to review waste collection policies.

**Background papers:**

Household Waste Collection Policy - April 14.  
Waste Service Options Report – 16 December 2015

**Resource and legal considerations:**

None

**Citizen impact:**

None

**Environmental impact:**

None

**Performance management:**

None

**Equality Implications:**


None due to no service change within this report

**Consultation:**

Consultation will be carried out as part of the Scrutiny process.

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## **1. Report**

The Household Waste Collection Policy has been revised and is detailed below.

### **1. Objectives**

The Council is committed to increasing recycling in order to maximise use of finite resources thereby minimising energy use and waste disposal. The Council supports the waste hierarchy and promotes waste prevention and reuse.

The Council will promote this through:

- environmental education in schools;
- advice to householders;
- the council's web site,
- road shows and exhibitions; and
- promotional literature and information leaflets

### **2. Standard Service for individual properties**

The Standard Service for the collection of domestic waste from individual properties is an alternate weekly service using:

- 140 litre wheeled bins for residual waste
- 240 litre bins for dry recycling and
- 240 litre wheeled bins for garden waste, collected on a seasonal basis

The bins provided are as follows:

- Residual domestic waste (rubbish which cannot be recycled) – grey wheeled bin.
- Dry recycling for specific items only as defined by the Council – green wheeled bin
- Compostable garden waste – brown wheeled bin

The correct bin must be used for the right type of waste. The bins provided must not be used to dispose of business waste.

The garden waste service operates during the growing season and is suspended for part of the year. The Council reserves the right to suspend the compostable garden waste service at its discretion.

### **3. Multi-occupancy properties (flats, apartments)**

Properties containing flats or apartments will be serviced using communal 1100 litre wheeled Euro bins wherever possible. Alternative arrangements may be provided at the discretion of the Council. The number of Euro bins provided will depend on the number of flats or apartments and the space available for bin storage. Bins will only be provided for the collection of residual domestic waste and dry recyclables.

Where possible, the frequency of collection from multi-occupancy properties will be weekly for residual domestic waste and alternate weekly for dry recycling waste.

In determining the standard number of Euro bins to be provided to flats and apartments the Council has had regard for Building Regulations which provide for 100 litres of waste per 1 bedroom flat or apartment plus an additional 70 litres of waste for each additional bedroom.

Collection frequency will influence the amount of bins required and this, together with the number of Euro bins provided and the space available for bin storage will be determined on a case-by-case basis by the Council where it is considered necessary to deviate from the standard provision set out in the table above.

Bins will be collected from the bin storage or other area as agreed by the Council and returned to the same location.

For multi-occupancy properties, where the recycling bin is contaminated (see section 14) it will be rejected and not emptied. It will be the responsibility of the residents / managing agents to arrange for the offending materials to be removed. Once offending materials are removed the bin will be emptied on the next scheduled collection day.

No loose rubbish or sacks or any other items around or on the bins will be collected (unless paid for separately) and it will be the responsibility of the residents / managing agents to remove or clear any such items.

Where a bin is blocked in with loose rubbish / sacks, the bin will not be emptied until the loose waste has been removed. The bin will then be collected on the next scheduled collection day.

A limited number of flat blocks have chute collections. Only the waste contained within the bin will be removed.

#### **4. Houses in Multiple Occupation (HMOs)**

In Walsall Borough HMOs are generally only subject to council tax payments as a single property irrespective of the number of tenants. HMOs will receive the same service that would be supplied to a house which is occupied by an average family group, irrespective of the number of tenants that may be renting rooms in the HMO.

The Council currently operates three kerbside collection services:

- Residual domestic waste (household rubbish which cannot be recycled), alternate weekly collections, 140litre grey wheeled bin.
- Dry recyclable materials (commingled), alternate weekly collections, 240litre green wheeled bin.
- Compostable garden waste, alternate weekly collections, 240litre brown wheeled bin.

Additional capacity may be requested in the same way as for a single domestic property (see section 8)

The Council has no responsibility to remove any waste that cannot be stored in the bins that are provided for that purpose.

Any arrangements that need to be made for the additional storage / removal of excess waste are the responsibility of the manager of the HMO.

There is no legal provision that enables a HMO manager to rely on the local authority to provide an extra collection service. The responsibility for collection lies with the HMO Manager. It is acceptable for the manager to use private waste disposal services instead of or in addition to the Council's standard waste collection services. The HMO Manager is responsible to ensure that waste is dealt with in a prescribed manner and to ensure that any private disposal service employed is a registered waste carrier. Waste transfer notes should be obtained and kept by Managers for a minimum of 2 years.

The management of HMOs is viewed as a business enterprise and as such any waste that is removed by the manager is treated as commercial waste. Similarly any items removed from a property after a tenant has vacated the property (house clearance items) are classed as non-domestic waste. Charges are levied against the business for the disposal of this type of waste. Any Manager removing waste themselves will be treated as a waste carrier and must be registered as a Waste Carrier with the Environment Agency.

## **5. Mixed domestic / commercial properties (Mixed Hereditament properties)**

Mixed hereditament properties are generally business properties with living accommodation attached e.g. a flat above a shop. The domestic part of the property will be provided with the following service.

- Residual domestic waste (household rubbish which cannot be recycled), alternate weekly collections, 140litre grey wheeled bin.
- Dry recyclable materials (commingled) for specific items only as defined by the Council, alternate weekly collections, 240litre green wheeled bin.

The correct bin must be used for the right type of waste.

Where residents only have room for one wheeled bin, priority will be given to the provision of a residual domestic waste bin.

The bins provided to mixed hereditament properties must not be used to dispose of business waste and anyone found using bins in this way may be subject to prosecution under the Environmental Protection Act 1990.

## **6. New developments**

The Council will encourage developers to meet the cost of providing bins for new housing developments and apartment blocks. Prior to purchase of the bins the developer should contact the Council to request a detailed specification. The waste storage areas should be sited and designed to enable residents and collection workers to conveniently and safely access waste containers.

## **7. Charges for bins**

The circumstances for providing bins at no charge are:

- Bins which have been damaged by Council operatives or equipment during the collection process
- Bins which are over 15 years old and at the end of their useful life

The circumstances for charging for bins are:

- Replacing lost bins
- Replacing stolen bins
- Replacing vandalised bins
- Replacing damaged bins (except those damaged by Council operatives or equipment during the collection process)
- New bins for new properties (new developments)
- New bins for new occupants of existing properties (e.g. where the previous occupant has taken the bins)

Charges for bins will be at an amount equal to the costs incurred by the council in purchasing and delivering the bin. Costs will be reviewed on an annual basis to reflect this.

The decision to charge for a replacement bin may be reviewed, on a case by case basis, for households receiving means tested benefits. The decision to levy a charge or to waive it is at the sole discretion of the Council.

Where a householder requires a new or replacement bin they are not obliged to buy it from the Council. They can make arrangements to purchase a bin elsewhere. However, in each case, replacement bins must be of the same size, colour and specification as those bins which would be supplied by the Council.

## **8. Additional capacity for residual domestic waste**

Households are provided with a 140 litre grey wheeled bin for residual domestic waste.

Residents can request that the 140 litre grey wheeled bin be exchanged for a larger grey wheeled bin, free of charge, if they meet one or more of the following criteria:

- There are 3 people in permanent residence at the property;
  - Residents may apply for a larger 240 litre bin and provide evidence of the number of people residing at the property.
  - Waste audits will be carried out. Larger bins will only be issued if resident is recycling correctly, attempting to minimise their waste and are genuinely unable to cope with a 140L bin.
  - There will be no additional recycling (green bin) or garden waste (brown bin) capacity provided.
- There are 4 or 5 people in permanent residence at the property;
  - Residents may apply for a larger 240 litre bin and provide evidence of the number of people residing at the property.
  - There will be no additional recycling (green bin) or garden waste (brown bin) capacity provided.
- There are 6 or more in permanent residence at the property;
  - Residents may apply for a larger bin and provide evidence of the number of people residing at the property.
  - Additional recycling capacity (360 litre green bin) will be provided as the first option.
  - In exceptional circumstances a 360L grey bin for residual waste may be issued. Waste audits will be carried out and if a resident is recycling correctly, attempting to minimise their waste and are still genuinely unable to cope with a 240L bin, the larger bin may be issued.
  - There will be no additional garden waste (brown bin) capacity provided.
- Large quantities of non hazardous hygiene waste are generated.

All households that request additional capacity will have to complete a declaration as to how they meet the criteria. Checks are likely to be made on any application and may include

- A waste audit to ensure the household is utilising the recycling bins as much as possible.
- A check on the names listed permanently residing at the property
- Site visits to ensure the information is still relevant

Additional capacity will only be approved on the agreement that the household makes full use of the recycling service.



Additional capacity is supplied on a conditional basis, which will be reviewed periodically. If circumstances have changed, the additional capacity may be removed.

Further details can be found by visiting the Council's website [www.walsallbins.co.uk](http://www.walsallbins.co.uk)

## **9. Assisted collections**

Assisted collections are available to anyone with a disability or mobility problem where no-one in the household is able to take the bins to the normal collection point. The collection team will collect the waste or recycling from a location agreed with the Council, empty the bin and return it back to the agreed location. The Council is able to offer an assisted collection service subject to satisfactory completion of an application form.

This system will be reviewed periodically to ensure that the assistance is still required. Any change in circumstance e.g. change of occupancy, change in family members in permanent residency, must be notified to the Council as soon as possible.

Further details can be found by visiting the Council's website [www.walsallbins.co.uk](http://www.walsallbins.co.uk)

## **10. Collection day & time**

Details of your day of collection can be found by visiting the Council's website [www.walsallbins.co.uk](http://www.walsallbins.co.uk)

The bins must be available at the collection point by 7.00am on the day of collection.

Bins must not be placed out for collection before 6.00pm on the day before collection. The collection crews operate a normal service on all Bank Holidays except the Christmas and New Year period. During the Christmas and New Year period, householders will be advised of their revised collection days via one or more of the following options:

- a sticker placed on the bin
- a calendar
- the Council's web site
- digital media
- local press

## **11. Collection point for wheeled bins**

Bins should be presented at the edge of a resident's property, where the premise meets the public highway. The term public highway includes roads and any public footways or public footpaths. If properties are located on a private driveway or private road the bins must be presented where the private road / driveway meets the public highway.

In a small number of cases, due to the access or location of a property, it may not be possible for residents to place bins near the public highway for collection. Each case will be looked at on an individual basis to agree a suitable collection point. Generally collection vehicles will not travel over private roads and driveways, Where this cannot be avoided in order to effect collection the Council will require an indemnity from the owner/s of the private road/driveway that the Council will not be held liable for any damage caused to the road surface.

## **12. Return of bins**

After emptying, Council operatives will return bins to the collection point where possible or another safe place within a reasonable distance to the property. Bins should be removed by the householder as soon as reasonably possible after collection has been made. All bins must be returned to the property by the householder by 10.00pm on the day of collection

Where a bin store has been provided the bins will be returned to the bin store by Council operatives, wherever possible.

## **13. Excess waste / side waste**

The Council will not:

- Collect any residual domestic waste or compostable garden waste not contained in the appropriate bin.
- Take any waste that is left beside or on top of the residual domestic or the compostable garden waste bin. Information gathered by collection crews about the side waste is used to target information to households that are leaving this waste out for collection.
- Give any householder a second bin for any waste type. Where there is a second bin at one property only one bin will be emptied, unless other arrangements have been made with the Council in advance.

The Council will:

- Provide waste minimisation advice free to householders;
- Take any additional dry recyclable materials that are correctly stored in boxes or clear bags for collection.
- Give residents the opportunity to have a larger residual domestic waste bin where the criteria for additional capacity are met (see additional capacity for residual domestic waste).

## **14. Bin lids**

Wheeled bins will only be collected and emptied if the bin lid is closed. This is to limit the potential for waste to fall or blow out of the bin when it is being lifted by the bin lift on collection vehicles. Damaged or missing lids will be replaced free of charge.

## **15. Contaminated wheeled bins**

The grey wheeled bin for general waste will not be emptied if found to contain large bulky items or non domestic waste, i.e. soil, rubble, bricks, concrete and cement.

The green wheeled bin for recyclable materials will not be emptied if found to contain materials that have not been specified for recycling. This is to prevent the whole collection vehicle load from being rejected and sent to landfill.

The brown wheeled bins for compostable garden waste will not be emptied if found to contain any waste other than those that can be accepted at the composting re-processors. This is to prevent the whole collection vehicle from load being rejected and sent to landfill.

Where wheeled bins are found to be contaminated, residents will be notified by means of a sticker placed on the relevant bin requiring them to remove the offending material and dispose of it correctly. Once the offending material has been removed from the bin it will be collected on the next scheduled collection date. We will not return to empty the bin before the next scheduled collection date.

Further details can be found by visiting the Council's website [www.walsallbins.co.uk](http://www.walsallbins.co.uk)

## **16. Missed collections**

We will only return for missed collection bins in the following circumstances:

- The bin was placed out before 7.00am on the day of collection
- The right collection point was used
- In the case of assisted collections, there was access to get the bin e.g. gate unlocked
- A rejected sticker has not been put on the bin
- A crew report has not been received regarding the bin e.g. heavy, excessive waste

A missed collection must be reported within 24 hours of your normal day of collection. Any missed collections reported after this time will not be collected until the next scheduled collection day. In this instance if the bin has been genuinely missed and the resident cannot store all their waste, additional side waste may be collected.

Missed collections reported within the timescales above will be collected, whenever possible, the next working day of the report being received.

## **17. Overweight bins**

Where a crew member cannot safely manoeuvre and position a wheeled bin onto the vehicle, or where the vehicle cannot lift the bin due to the weight of the bin, then it will

be left un-emptied and reported by the collection crew. By law all the vehicle bin lifts have a safe working weight limit which crews cannot override.

Where any bin is found to be too heavy a sticker will be placed on the bin and the householders will be required to remove sufficient material from the bin and dispose of it in a responsible manner.

Once sufficient weight has been removed, the bin should be presented on the next scheduled collection date. We will not return to empty the bin before the next scheduled collection date.

## **18. Frozen compostable garden waste in bins**

When compostable garden waste is frozen in the bin and the bin cannot be emptied,, the bin will be left with the contents still in it. The resident should ensure that the waste is loosened within the bin when presenting it for collection on their next scheduled collection day. We will not return to empty frozen bins before the next scheduled collection.

## **19. Severe weather**

During severe weather we will continue to undertake the regular scheduled collection of waste wherever it is deemed safe to do so. The decision on whether it is safe for a refuse collection vehicle to access a specific location/street has to be determined locally by the driver/team of that vehicle through a risk assessment. Among key factors that apply are: road conditions, weather conditions, access past parked cars, risks to public, property and/or the collection team.

We will try to revisit and collect missed bins as soon as possible after the scheduled collection date, having regard for continuing weather conditions. If this is not possible due to continuing bad weather we may make alternative arrangements such as collecting side waste on the next scheduled collection day.

If significant disruption occurs we will update the Council's severe weather web pages with information on what is happening and may decide to prioritise services. First priority will normally be given to the residual domestic waste service.

## **20. Access issues**

Where the collection vehicle attempts to gain access to a road but is unable to do so for reasons such as parked cars, roadworks, building works, road closures etc we may make alternative arrangements such as arranging to collect side waste on the next scheduled collection day.

## **21. Hygiene waste**

The Council does not offer a separate collection for low grade hygiene waste, i.e. non-infectious waste such as incontinence pads, nappies, feminine hygiene products etc. This waste should be double wrapped and placed in the non-recyclable (grey wheeled bin). Where a large quantity is being produced then the household may be eligible for a larger grey wheeled bin (see additional capacity for residual domestic waste).

Sharps (e.g., needles, syringes with needles, scalpels, blades, disposable scissors, suture equipment), must never be placed in the grey wheeled bin but disposed of in special sharps boxes as advised by the Public Health Unit.

Further details for Public Health can be found by visiting the Council's website [www.walsall.gov.uk](http://www.walsall.gov.uk)

## **22. Clinical waste - Infectious or hazardous waste**

Patients producing infectious or hazardous waste must contact the Public Health Unit for the correct disposal procedure.

Further details for Public Health can be found by visiting the Council's website [www.walsall.gov.uk](http://www.walsall.gov.uk)

## **23. Bulky waste collections**

The council provides a chargeable bulky household collection service for residents to dispose of large household items, which cannot be disposed of through the normal domestic collection service. Further details can be found by visiting the Council's website [www.walsallbins.co.uk](http://www.walsallbins.co.uk)