



Refuse and Recycling Operational Policy

DRAFT

Version	Reason
1.1	Amendments to policy approved 11 January 2016

Introduction

South Kesteven District Council's Refuse and Recycling Policy aims to ensure that waste and recycling services operate effectively and efficiently

This policy document set out the requirements for residents and the procedures to be followed, ensuring consistently and transparency.

Under the Environmental Protection Act 1990, South Kesteven District Council is a Waste Collection Authority, and as such, has a statutory duty to collect household waste from all domestic properties within its administrative area. The Council has specific powers to stipulate:

- the size and type of the collection receptacle(s)
- where the receptacle(s) must be placed for the purpose of collection and emptying
- the materials or items which may or may not be placed within the receptacle(s)

Where residents fail to comply with the Council's requirements, a proportionate approach will be taken in accordance with the Council's Enforcement Policy. As per the Section 46 notification, this may result in the issue of -a fixed penalty notice or other legal action, or a loss of the collection service.

1. Assisted Collection

- 1.2. Residents may request an 'assisted collection' if they are unable to transport their wheeled bins/bags to the kerbside for collection due to infirmity, disability or other health related reasons and there are no other occupants in the household (age 16 years and over) able to assist. Assisted collections can be on a temporary or long term basis and are subject to the Council being satisfied that service provision is warranted.
- 1.3. Residents requesting an assisted collection may be required to provide a letter of support from a medical practitioner and will usually receive a home visit to verify that they qualify for the service and to agree the collection location. Residents are required to provide information so that a simple application form may be completed. Applications are considered on a case by case basis. Home visits are carried out where necessary.
- 1.4. Wheeled bins/sacks will be collected from the agreed location. Wheeled bins will be returned to the same location.
- 1.5. Residents are responsible for ensuring bins/sacks are visible to collection crews in the agreed location and that there are no obstructions. Gates must be unlocked by 7.30am on the day of collection. If the operative is unable to gain access no further collection will be attempted until the next scheduled collection.
- 1.6. Residents must inform the Council if circumstances change and the assisted collection is no longer required. The register will be periodically reviewed and users contacted to confirm a continuing need for the service. The service will be withdrawn if the household is no longer eligible. Where temporary collections have been agreed these will usually have a defined end date where the service will automatically end. Residents must contact the Council to agree any extension.

2. Receptacles, Side Waste and Excess Waste

- 2.1. Under Section 46(4) of the Environmental Protection Act 1990, the Council has specific powers to specify:
 - The size and type of the receptacle (sacks or wheeled bins)
 - Where the sacks/wheeled bins must be placed for the purpose of collection and emptying
 - The materials or items which may or may not be placed within the sacks/wheeled bins
- 2.2. Failure to comply with these requirements may result in a Fixed Penalty Notice or other proportionate legal action, or a loss of the collection service

Waste Receptacles

- 2.3. Households will be provided with standard 240 litre wheeled bins to store different materials as follows:
 - Black for household/residual waste that cannot be recycled
 - Silver for mixed dry recycling (excluding paper and card)
 - Black with purple lid for paper and card
 - Green for garden waste (subject to subscription)
- 2.4. The following materials are to be placed in each wheeled bin/sack

Black wheeled bin with purple lid

All paper and card materials must be clean and dry with no food residue

- paper (with no glue or paint)
- cardboard tubes and boxes
- food packaging boxes (with no food)

- cardboard egg boxes
- envelopes with or without plastic windows
- junk mail
- newspapers and magazines
- household packaging
- greeting cards and wrapping paper (with no foil or glitter)

Silver wheeled bin/clear sack

- glass bottles and jars
- metal cans
- clean foil
- aerosols
- waxed cartons
- plastic bottles, pots and tubs

Black wheeled bin/pink sack

All non-recyclable household waste. Items such as batteries, electrical items, asbestos, rubble, garden waste building material and hazardous waste must not be placed in the black bin/pink sack and should be disposed of at Household Waste Recycling Centers. Details of locations can be found at www.Lincolnshire.gov.uk

- 2.5. Further details of what can be placed in each bin are available on the Councils website at www.southkesteven.gov.uk/whichbin Waste/recycling will not be collected from non-council provided/agreed receptacles.
- 2.6. The Council may empty larger bins provided by landlords by prior agreement e.g. in shared occupancy buildings or flats where there is insufficient space. See Section 8.
- 2.7. Large families e.g. more than 6 people, or more than 3 children in nappies, or residents with large quantities of non-hazardous medical waste may be provided with an additional wheeled bin.
- 2.8. In some instances, it is not possible to safely store wheeled bins on some properties, this is usually due to lack of space or poor access. Properties that may be provided with pink sacks for residual waste and clear sacks mixed dry recycling as an alternative to wheeled bins include:
 - Flats with limited/no external storage
 - Properties with no frontage
 - Properties with no rear access
- 2.9. Residents receiving a sack collection will be provided with 104 sacks of each colour (pink for residual and clear for mixed dry recycling) per year. This provides equivalent capacity to a wheeled bin. A maximum of 4 pink bags will be collected from a household on any collection date. Any additional bags will be treated as side waste and will not be collected. Residents may purchase additional clear sacks for mixed dry recycling.

Side Waste

- 2.10. The presentation of 'side' waste (extra waste which is placed next to the black wheeled bin) does not support waste minimisation principles. Any waste left beside the black wheeled bin or inside bin stores will not be collected.
- 2.11. The provision of two wheeled bins for recycling (silver for mixed dry recycling and black with purple lid for paper and card) should provide sufficient capacity for residents' recycling needs. Where residents have recycling which exceeds the capacity of the relevant bins, this should be taken to a Household Waste Recycling Centre.
- 2.12. Paper and card side waste which is not contained within the purple lidded wheeled bin will not be

collected. This is because the paper and card must remain clean and dry. Householders must place all wet or dirty paper or card in the residual (black) wheeled bin.

- 2.13. Exceptions to the side waste requirements may occasionally apply for example where severe weather conditions impact on the service. Details of any exceptions will be published on the Council's website.

Excess Waste

- 2.14. Householders may disposal of excess waste and recycling at Household Waste Recycling Centers, details of locations can be found at www.Lincolnshire.gov.uk
- 2.15. Residents may choose to use the Council's bulky waste collection service for large items e.g. furniture, the service can be booked online at www.southkesteven.gov.uk/bulky
- 2.16. Where a wheeled bin is considered to be overloaded, either by weight or by volume of material, it will not be emptied. This is at the discretion of the operative based on health and safety and the safe working limits of the collection vehicle lifting equipment.

3. Presentation of Receptacles

- 3.1. Wheeled bins/sacks must be presented at the edge of the householders' property closest to the public highway by 7.30am on the day of collection. Wheeled bin handles should face the highway. Bins must be taken back within the property boundary as soon as practical following emptying.
- 3.2. Bins reported to the Council as being left on the street will be investigated and subject to the investigation may be removed.
- 3.3. There may be occasions when it is necessary to collect bins/sacks prior to 7.30am. for example in extreme weather conditions. Where this occurs, the Council will make every effort to publicise any changes as widely as possible.
- 3.4. Where properties are located on private roads/private shared driveways bins/sacks must be presented where the private access road / driveway meets the public highway.
- 3.5. In cases where due to the access or the location of a property it may not be possible for residents to place wheeled bins/sacks at the edge of the public highway an assessment will be made on an individual basis to agree a suitable collection point.
- 3.6. Refuse collection vehicles are not obliged to travel on private roads or surfaces. Where the collection vehicle must travel over a private road / drive the Council will not be liable for any damage caused to the surface due to weight of the vehicle.
- 3.7. Wheeled bins/sacks will not be collected from within the curtilage of the property unless an assisted collection has been agreed (see section 1).
- 3.8. Residual waste (black bin/pink sacks) will be collected fortnightly. Mixed dry recycling (silver bin) and paper and card (purple lidded bin) will be collected alternately as shown below. Mixed dry recycling sacks will be collected once a month.

Week	1	2	3	4
Residual (black bin/pink sack)	X		X	
Recycling (silver bin)		X		
Mixed Dry Recycling (clear)		X		

sack)				
Paper/Card (purple lidded bin)				X

- 3.9. Collection days may change due to Public Holidays. Collection days are published on the Council's website www.southkesteven.gov.uk
- 3.10. Where adverse weather or other operational issues mean that a waste collection round cannot be completed as planned, residents are encouraged to leave their wheeled bin/sacks out for collection unless advised otherwise. Updates will be provided on the Council's website and through social media.

4. Garden Waste Collection (Green bin)

- 4.1. A chargeable service for the collection of garden waste is available to householders. Information on the service, terms and conditions how to subscribe are available at www.southkesteven.gov.uk/greenbin
- 4.2. Garden waste is not permitted in the residual waste or recycling wheeled bins/sacks. Bins/sacks containing garden waste will be rejected as contaminated and will not be emptied/collected. The householder will be responsible for removing the waste before the next scheduled collection.
- 4.3. Residents who do not subscribe to the service are encouraged to compost or dispose of garden waste at any of the Lincolnshire Household Waste Recycling Centers <https://www.lincolnshire.gov.uk/recycling-waste/find-recycling-centre>

5. Missed Bin/Sack Collections

- 5.1. Residents may report a missed collection via the Council's website from 3pm and within 2 working days of the scheduled collection day. Reports outside of this timeframe will not be accepted and the resident should present their wheeled bin/sack again for collection on the next scheduled collection day. Individual queries will be addressed on a case-by-case basis.
- 5.2. Operatives will return for a 'missed bin' within ~~two~~ **five** working days where the resident has complied with the requirements for the presentation of receptacles (see section 3), but the wheeled bin/sack has not been collected. Residents must leave their wheeled bin/sack at the kerbside during this period. Operatives will not collect missed bins/sacks from within the property boundary unless the resident receives an assisted collection.
- 5.3. Refuse freighters are fitted with an 'in cab' system which is used to monitor collections. All wheeled bins/sacks not presented in accordance with this policy will be logged on the system. There is no incentive for operatives to miss a collection or report it as contaminated on the system. Where a bin/sack has been logged as not out, contaminated, overweight etc. operatives will not return to collect the bin/sacks even if the resident has subsequently rectified the issue. The bin/sack must be presented again for collection on the next scheduled collection day.
- 5.4. Where access to a road is blocked due to road works or parked vehicles operatives will automatically attempt to return either later the same day or in the following days. If after three attempts access is still blocked residents will need to present their wheeled bin/sack for collection on the next scheduled collection day.
- 5.5. Where a wheeled bin is rejected, a tag giving the reason for rejection is attached to the wheeled bin.

6. New, Additional and Replacement Receptacles

- 6.1. A set of three 240 litre bins (silver, black and purple lidded) will be issued to new houses as standard, a charge is made for all new wheeled bins. Where the developer has failed to make this provision, the resident will be liable for the purchase of the wheeled bins. No collections will be

made until such time as wheeled bins, of an approved design and colour, have been purchased.

- 6.2. Any damage to wheeled bins caused during the collection process will be rectified free of charge. This may be through the provision of a new or refurbished wheeled bin.
- 6.3. Residents will be charged for replacement wheeled bins where they have been damaged due to neglect, intentional damage or hot ashes. Charges are reviewed annually and available in the Councils' published fees and charges. Payment must be made at that time of ordering.
- 6.4. Replacement wheeled bins will be delivered to householders as soon as practicable after the payment has been received, this will usually be within 10 working days.
- 6.5. All refuse and recycling receptacles supplied to householders remain the property of the Council.
- 6.6. When moving address, householders must leave the refuse and recycling wheeled bins at the property for the new occupant. Garden waste bins should be taken to the new property by the resident if the new address is within South Kesteven.
- 6.7. Householders are responsible for the storage, safe keeping and cleaning of refuse and recycling receptacles.
- 6.8. Where it is found that additional receptacles have been acquired by householders (i.e. an additional black wheeled bin) the Council will take measures to empty and remove any additional bins.

7. Medical and Hygiene Waste

- 7.1. Hygiene waste includes nappies, stoma bags (must be drained prior to disposal), sanitary products, noninfectious wound dressings and incontinence pads etc. These items should be bagged and placed in the residual black wheeled bin/pink sack for collection.
- 7.2. Residents with large amounts of hygiene waste which cannot be contained within the residual wheeled bin may request an additional marked black bin which will be collected at the same time as the residual (black) wheeled bin. Written confirmation of the need for an additional bin is required from a suitably qualified person (medical practitioner, nurse, GP etc) and should include a description of the waste to be collected. The bins are not suitable for liquid waste and any wheeled bins containing this type of waste will be rejected. Residents must make alternative arrangements with their medical practitioner for the collection of liquid waste.
- 7.3. The Council will collect medical sharps which must be presented and sealed in a sharps bin/container intended for that purpose. The Council does not provide the containers, these can be obtained on prescription from a GP or pharmacist. Residents can request a collection of sharps bins online or via the Customer Service Centre by telephoning 01476 406080. Alternatively, sharps bins will be accepted at the Council's Alexandra Road Depot in Grantham. The Council is unable to provide a service for the removal / disposal of unused pharmaceuticals which should be returned to a pharmacy.

8. Flats and Communal Bin Stores

- 8.1. There may be occasions where it is no practical to provide 3 x 240 litre wheeled bins for each household. The Council will assess the arrangements for flats/ mixed properties on an individual basis
- 8.2. Should a developer/builder/management agent decide to provide their complexes with 1100 litre bins the Council will, by arrangement, empty these bins.
- 8.3. Where agreed, wheeled bins will be collected from and returned to the communal bin store.
- 8.4. Where bins in a communal store area are contaminated they will be rejected and not emptied. It will be the responsibility of the residents / managing agents to arrange for the materials to be removed

before the bins will be emptied on the next scheduled collection day.

- 8.5. Where residents of flats/mixed properties do not segregate their waste for recycling in an effective manner, the Council will endeavor to work with residents to encourage recycling. If appropriate the Council will use its enforcement powers to achieve improvement in recycling performance from multiple occupancy properties. Where there is a recurring problem recycling bins may be removed.
- 8.6. It is the property management company / residents role to present the bins in a manner that allows for a collection to take place. Where access is not possible due to locked gates etc the wheeled bins/bags will not be collected.
- 8.7. Where excess waste blocks access to a bin store (bags, loose waste, furniture etc), the operatives will not clear the area and wheeled bins will not be emptied. It is the responsibility of the management company / residents to clear the area and dispose of the excess waste. Wheeled bins will be emptied at the next scheduled collection subject to access. The disposal of waste by landlords/managing agents must be carried out in accordance with current legislation.
- 8.8. Where a property is part commercial and part residential - for example a flat above a shop the Council will provide for the collection of the household waste only. Where there are doubts as to the origins of the waste (i.e. where commercial waste is apparent) then the waste will not be collected or a charge will be made.

9. Education and Enforcement

- 9.1. Enforcement activities will be in accordance with the Council's 'enforcement policy' and as such, any enforcement will follow these principles.
- 9.2. A full list of materials which may be placed in the silver wheeled bin/clear sack mixed dry recycling is available on the Council's website. Only clean, dry card and paper may be placed in the purple lidded wheeled bin.
- 9.3. The Council will reject for collection, refuse and recyclables receptacles for the following reasons:
 - Overloaded wheeled bins (by weight and volume)
 - Wrong receptacle presented e.g recycling wheeled bin presented on refuse week
 - Wheeled bin is too heavy to lift, due to containing heavy waste e.g construction,DIY or soil waste
 - Contamination of recyclable materials
 - Garden waste in residual collection (black wheeled bin or pink bag).
- 9.4. It is the responsibility of the householder to remove the contamination and dispose of it in the correct manner.

Tools and powers

- 9.5. This section relates to the provision of kerbside domestic waste collections. It does not cover other waste collection services such as litter and dog bins, household waste recycling centres, the collection of recycling from sites where recycling materials are deposited, (also known as 'bottle banks' or 'bring sites'). Information on all waste collection services is available on the Council's website and is kept under constant review.
- 9.6. Section 58 of the Deregulation Act 2015 amends section 46 of the 1990 Act, through new sections 46A to 46D to de-criminalise offences relating to incorrectly presented domestic waste. These amendments enable waste collection authorities in England to issue a written warning if a person fails to comply with reasonable requirements regarding the storage of household waste. These include (but not limited to) the following:
 - prohibiting the presentation of loose residual waste
 - where and when the receptacle is presented for collection

- not to overload the receptacle (e.g. the bin lid is up)
 - what is to be placed within the receptacle.
- 9.7. This penalty is a civil penalty rather than being a criminal offence, and therefore a Fixed Penalty Notice can be issued.
- 9.8. The first step in response to any reports regarding waste collection will be to provide education, guidance and support, whether this be in relation to what goes into the recycling bin or when it should be presented.
- 9.9. Where education does not address the issues of concern, the council will seek to issue formal advice in writing, along with information on how to comply. This will be undertaken at the earliest opportunity to attempt to ensure compliance at an early stage. This intervention will serve as a warning that actions may escalate to service of a Fixed Penalty Notice should the individual(s) responsible fail to comply in the future. This will be in the form of a written warning as specified by the 1990 Act. Any specific requirements would be made clear and will provide details on how the recipient can achieve compliance and by when. Advice and guidance will remain available throughout this process. Legally, enforcement action could be taken 1 year from the service of the written warning.
- 9.10. Should the above steps fail to deliver the desired impact, appropriate enforcement powers will be used in order to bring about a resolution and maintain a clean and welcoming street scene. In such instances, the Council will seek to use powers contained within the 1990 Act, or part 4 of the Anti-social Behaviour, Crime and Policing Act 2014 as appropriate. Education will continue to be provided at all stages of enforcement. Designated officers are authorised through delegations of the council's constitution, to discharge the legal aspects of this policy.
- 9.11. Enforcement is only applicable where non-compliance causes a nuisance or is likely to be detrimental to the amenity of the locality and there has been continued or repeated non-compliance (for example, but not limited to, blocking the footpath or limiting access).
- 9.12. Where the above steps have been taken in relation to reports of non-compliance with waste collection requirements, an authorised officer may serve on the person a 'notice of intent' to serve a Fixed Penalty Notice. A 'notice of intent' will contain information about:
- The grounds for proposing to require payment of a fixed penalty
 - The amount of the penalty that the person would be required to pay
 - The right to make representations (within 28 days).
- 9.13. A person on whom a 'notice of intent' is served may make representations to the authorised officer within 28 days as to why payment of a fixed penalty should not be required. If the representations are accepted, no monetary penalty will be imposed.
- 9.14. If there is still no compliance after this letter a 'final notice' to pay a fixed penalty will be issued as set by our current schedule of fees and charges. If failure to comply continues, further fixed penalties may be issued. A warning will be issued prior to each monetary penalty.
- 9.15. The Council may refuse to collect waste if notices are not complied with and relevant legal and waste contractual contravention conditions are met. This option will be carefully considered against any potential long-term impacts.
- 9.16. Persons may also appeal to the First-Tier Tribunal against the decision to require payment of a fixed penalty. Payment periods are suspended until the case is determined.
- 9.17. Failure to pay any penalty imposed under this policy will lead to recovery action either summarily, as a civil debt or through a high court or county court order.
- 9.18. Should there be continued non-compliance leading to the service of more than one fixed penalty notice within a 12 month period, consideration will be given to further actions other than the use of

fixed penalties to include but not limited to:

- Criminal proceedings under the 1990 Act (potentially leading to prosecutions).
- Withdrawal of aspects of the service (for example garden / green waste and / or recycling bins).

- 9.19. Such measures are as a last resort when all other avenues have expired. Such actions will be decided by the appropriately delegated officer.
- 9.20. All reports will be investigated without bias or preconception. Investigations of complaints may involve the sharing of, or access to, partner information relating to the individuals or complaint. All parties will be kept up to date throughout the course of the investigation and will be notified of action being taken. Cases will usually be closed following contact with the complainant or confirmation from officers that the issue no longer exists. We may close cases in circumstances where the complainant refuses to co-operate and/or engage in working with us in providing evidence of the impact of any relevant issues. If an individual remains dissatisfied they can use the Council's complaints procedure.
- 9.21. Further Guidance
- Sections 35 to 54 of the Clean Neighbourhoods and Environment Act
 - DEFRA, Fixed Penalty Notices issuing and enforcement by Councils and Guidance on the legal definition of waste and its application <https://www.gov.uk/environment/waste-and-recycling>

10. Bulky Household Waste Collection

- 10.1. The bulky household waste collection service is a chargeable service for the collection of household items such as white goods e.g. fridges, televisions, furniture etc. This does not include the collection of fixtures and fittings such as kitchens, bathrooms, etc. Collections may be booked online at www.southkesteven.gov.uk/bulky
- 10.2. Full terms and conditions of the service are available on the Council's website at www.southkesteven.gov.uk/bulky
- 10.3. The Council may suspend the bulky household waste collection service during Bank Holiday periods and in cases of severe weather.

11. Severe Weather

- 11.1. In the event of severe weather, e.g. snow, ice, floods or other conditions that disrupt waste and recycling collection services, the Council will aim to continue services where it is safe to do so.
- 11.2. Where collections are missed due to weather conditions, residents are asked to leave their bins/bags out for collection for 1 week (including the weekend as missed collections may be carried out on Saturdays). If the collection has not been made during this time bins/bags should be taken back into the boundary of the property and re-presented on the next scheduled collection day.
- 11.3. The collection of missed residual (black bin/pink sack) collections will be prioritised. This may mean that the garden waste service is temporarily suspended over any periods of disruption. Depending on the duration of any such event, extra waste will be accepted alongside containers.
- 11.4. Updates for residents will be provided via social media, the Council's website and any other communication means considered appropriate.

12. Additional Capacity for Large families

- 12.1. Households of five or more people can request additional residual and/or recycling wheeled bins to assist with recycling or disposing of their waste. It should be noted that this policy relates to single family units and not houses in multiple occupancy where other arrangements are in force.

- 12.2. Where a household produces excess residual waste which cannot be accommodated in a 240 litre wheeled bin collected on a fortnightly basis and arises from five or more persons permanently residing in the house the provision of additional capacity will be considered.
- 12.3. Where a need is agreed, additional recycling capacity will take precedence and will be provided free of charge. The ongoing need for additional capacity will be reviewed periodically.

13. Commercial / Trade Waste Collection

- 13.1. The Council offers a collection service for commercial/trade waste. Details of the service may be found at www.southkesteven.gov.uk/commercialwaste

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