



18008

Reference No. {for Democratic Services use}

NOTICE OF DECISION OF THE CABINET MEMBER FOR Waste, Recycling & Cleansing

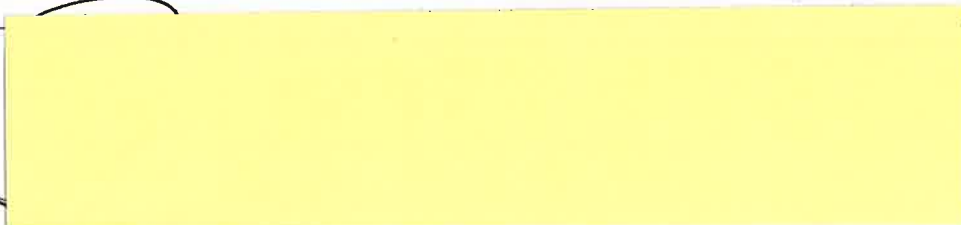
Pursuant to the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, Regulation 13(1) and Section 9F (4) of the Local Government Act 2000

Household Waste and Recycling Operations

Decision	To approve the household waste and recycling operational document.
Reason for Decision	The Cabinet approved a new policy and approach for the collection of waste in November 2016. The policy requires an operational document broadly setting out how the new bin collection service will work in practice.
Possible alternatives considered but rejected	The Council could continue not to have the operational document and implement the policy without one. This would mean it did not have a clearly set out way of dealing with some issues such as contamination.
Conflict of interest and any dispensations granted	None.
Date of Decision	26 April 2018
Date by which decision may be implemented	

This decision is an executive decision as described in Section 14 of Part 4C *Overview and Scrutiny Procedure Rules* of the Constitution of the Council. A copy of this decision notice has been provided to all members of the council and the Chairman of the Overview and Scrutiny Committee.

Signed:



Cabinet Member for {insert title}

Waste, Recycling & Cleansing

Not Exempt

Background Information

1 Introduction and Background

- 1.1 The Council agreed a new policy for bin collections in November 2016.(cabinet 24th November 2016 Waste and Recycling Review This was to meet the challenge of recycling more and the government target of 50% for kerbside recycling by 2020. The new policy will see household waste collected one week and all recycling (including garden waste) collected the following week. The household waste and recycling operations document broadly sets out how the Council will practically implement the new policy agreed by Cabinet on 24th November 2016.
- 1.2 This document sets out how the Council will collect waste, practical issues like the hours of operation and the bins used for collection and other matters like the process for dealing with contamination.
- 1.3 It is good practice to have a clear approach that sets out how the Council's new approach will be implemented.

2 Relevant Council policy

- 2.1 The Council approved a new policy for the collection of waste in November 2016. This set out a new approach that would be implemented in 2018. The Council's corporate plan states that it will implement a bin collection service in order to reach the 50% target for the recycling of household waste.

3 Details

- 3.1 The Appendix to this report sets out how the Council will implement its new bin collection service. This includes information on:
 - The model and the frequency of household collections
 - The approach taken for bank holidays
 - The collections for: household waste, recycling and garden waste
 - The bins used for waste collection
 - The Council's dispensation policy for particular households
 - Assisted collections
 - Side waste and the closed bin lid policy
 - Missed bins and the appeal process
 - Education and behaviour change
 - Contamination
- 3.2 The purpose of the operational document attached as an Appendix to this report is to set out how the Council will implement its new policy for bin collections. It provides more practical information on how the new collection service will work and clarifies detailed issues like at what time bin collections will commence. It will

provide the Council with a clear and simple approach for the new bin collection service.

- 3.3 It is not the purpose of the Operational Document to be an exhaustive account of how the whole of the waste and recycling service provided by the Council will operate. It is limited to the new bin collection service and its implementation.

4 Next Steps

- 4.1 If the Document is agreed, it will be used as an aid to implement the new bin collection service agreed in November 2016.

5 Outcome of Consultations

- 5.1 The document was discussed at the Waste, Recycling and Cleansing Policy Development Advisory Group on 24 January 2018. The advisory group supported the introduction of the document.
- 5.2 The Monitoring Officer and the Director of Corporate Resources have been consulted and their comments are detailed below.
- 5.3 The Cabinet Member for Waste, Recycling and Cleansing has been consulted on the document.
- 5.4 The policy to change the bin collection service was agreed by Cabinet in November 2016. This decision included an equalities impact assessment.

6 Resource Consequences

- 6.1 There are no direct financial consequences as a result of this report.
- 6.2 There are no direct staffing implications as a result of this report.

7 Legal Consequences

- 7.1 Section 45 of the Environmental Protection Act 1980 ('EPA 1990') places a duty on the Council to collect household waste. There is nothing in the EPA 1990 or any other regulation relating to it imposing any particular frequency of waste collection. In addition, the Council is able to specify the size and nature of containers that can be used by residents for the presentation of their waste under Section 46 of the EPA 1990. The service agreed by Cabinet in November 2016 complies with these duties and the document agreed as part of this report regards the implementation of this new service.

The Deregulation Act 2015 removed criminal sanctions for households who present their waste for collection incorrectly. This was replaced by a new civil sanction that means householders no longer face the threat of a criminal prosecution because they have failed to comply with a notice served under section 46 of the EPA 1990. Councils can still continue to issue penalties to those householders who fail to present their waste properly. The document presented for agreement takes into account this change.

8 Risk Assessment

- 8.1 The purpose of the plan attached as an appendix to this report is to reduce some of the risks associated with the implementation of a new Council service. By having a clear document setting out how the Council will deal with issues like missed bin collections and contamination it reduces the risks to residents and the Council.

9 Other Considerations

- 9.1 The document complies with the Council's approach to issuing fixed penalty notices. It is noted that prior to the agreement of the new bin collection service, an equalities impact assessment was undertaken, which has now been updated to include the issuing of fixed penalties to householders who fail to comply with the Council's requirements.

A revised EIA for this report has been completed.

Background Papers

Waste & Recycling Collection Review – Cabinet report – 24 November 2016.

Wards affected: Bins are collected across the District and therefore all wards are affected.

Contact: Include the name, job title and contact number of the author of the report.

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