

## Report of the Director of Environment and Housing

### Report to Executive Board

**Date:** 27<sup>th</sup> July 2016

### **Subject: Working Together to Improve Domestic Waste and Recycling Practices**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes	No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

### Summary of main issues

Leeds City Council has introduced significant changes and improvements to waste collection services and practices over recent years, in particular with the roll out of fortnightly kerbside recycling collections. As a result, the city has benefitted from increased kerbside recycling, with less waste therefore requiring treatment or disposal, which has in turn delivered significant financial savings.

Although it remains the Council's aspiration to introduce additional kerbside services for food waste and glass, the ability to deliver on this expansion has been inhibited by the current financial pressures.

In recognition of this reality, the Executive Board therefore approved in November 2015 a strategy for ensuring continued increases in recycling through maximising existing recycling capacity and infrastructure. The Council undertook to support this with an effective programme of communications, community engagement, enforcement and service improvement, but noting that this would only succeed with the engagement of everyone in the city in the recycling agenda and through a significant behavioural change in this area.

Since this time, the Council has developed or implemented a range of initiatives or campaigns to support greater recycling participation. A further programme of communications and engagement is now planned, including a series of 'invest to save' campaigns focused on particular materials in order to maximise their separation for recycling by residents.

In January 2014, Executive Board also formally adopted a range of waste collection policies aimed at clearly communicating the role and responsibilities of the Council and residents in managing domestic waste.

For a large proportion of the City's residents, the recently introduced changes to kerbside collection services have entailed an increased frequency of recycling collections, and have required residents to contain and manage their waste and recycling between black and green wheeled bins on an alternating weekly cycle. These changes have also enabled black and green wheeled bins to be collected on the same day of collection, reducing previous confusion over collection days and contributing to a reduction in contact about missed collections or instances of bins being inadvertently left on streets pending collection.

When residents contain their refuse properly, separate recyclables well and routinely present their bins at the kerbside and return them to their properties, this has a positive impact in a number of ways:

- Maintaining clean and tidy streets, since waste is properly contained;
- Ensuring that pavements are clear of obstructions;
- Ensuring the separation of high quality recycling for collection; and
- Providing an efficient collection service.

Although the vast majority of the city uses their waste and recycling services appropriately, the city needs all residents to take responsibility for their domestic waste and manage it well. Without this, there will continue to be a detrimental impact on some neighbourhoods, recycling performance will suffer and resources will be spent needlessly.

The principles guiding the approach to securing behaviour change are that, first and foremost, the Council will aim to educate residents so that they understand their role with regard to responsible waste management. In circumstances, however, where an educational approach has not been successful, the Council will take an incremental approach from targeted support through to formal enforcement action. Residents will be given several opportunities to change and thus avoid the possible sanctions and penalties.

It is anticipated that the need to undertake formal enforcement action will be the exception, and only where residents are choosing to disregard Council policy and persistently act unreasonably in a way which has a detrimental effect on others.

## **Recommendations**

Executive Board is recommended to:

- Note the progress in delivering a programme of co-ordinated communications, marketing and engagement to provide the information, tools and services to support good waste and recycling habits;
- Agree to the targeted use of enforcement powers for persistent and unreasonable waste and recycling behaviours.

## **1 Purpose of this report**

The purpose of this report is to provide an update on progress in developing and implementing the strategy for communications and engagement in relation to waste and recycling. The report also provides an overview of where domestic waste practices and behaviours can result in a detrimental impact on local neighbourhoods, including where residents do not properly contain their refuse, do not use recycling bins properly and/or do not routinely put their bin out or bring it back in. Finally the report sets out the principles to guide the approach to securing behaviour change, from education through to enforcement action.

## **2 Background information**

- 2.1 Leeds City Council has introduced significant changes and improvements to waste collection services and practices over recent years, in particular with the roll out of fortnightly kerbside recycling services in most of the city. As a result, the City has benefitted from increased kerbside recycling, with less waste therefore requiring treatment or disposal, which has in turn delivered significant financial savings.
- 2.2 Although the Council's aspiration is to introduce additional kerbside services and the capture of new recycling streams (in particular food waste and glass), the ability to deliver on this expansion has been inhibited by the current financial pressures and central government funding cuts, with other services across the Council currently needing to be prioritised.
- 2.3 In recognition of this reality, the Executive Board therefore approved in November 2015 a strategy for ensuring continued increases in recycling through maximising existing recycling capacity and infrastructure. It is estimated that if the whole city recycled as well as the areas which perform best in the city, seven percentage points would be added to the recycling result. Not only would this be good for the environment but the costs of dealing with waste would reduce by £1.75m per annum. The Council undertook to support this with an effective programme of communications, community engagement, enforcement and service improvement, but noting that this would only succeed with the engagement of everyone in the city in the recycling agenda and through a significant behavioural change in this area.

- 2.4 Since the November Executive Board, the Council has developed or implemented a range of initiatives or campaigns including the following:
- Delivery of a recycling awareness campaign focused on establishing basic city-wide knowledge before moving on to targeted campaigns (including [whatgoeswhere.org.uk](http://whatgoeswhere.org.uk) 'one click' web tool for recycling);
  - Launch of 'Leeds Bin App' pilot, including accessible information on recycling services and notifications in advance of collections;
  - Development and commencement of delivery of Housing Officer training to support improved recycling engagement amongst Council tenants;
  - Design of 'recycling champion' training for Council tenants;
  - Opening of Visitor Centre and commencement of tours at the Recycling and Energy Recovery Facility, including the first school visit in May 2016. The Council is leading these visits jointly with Veolia in order to communicate wider recycling and environmental messages;
  - Ongoing delivery of schools programme to establish school 'recycling champions', and targeting schools in low recycling areas.
- 2.5 In January 2014, Executive Board formally adopted a range of waste collection policies aimed at clearly communicating the role and responsibilities of the Council and residents in managing domestic waste.
- 2.6 Every householder has a legal responsibility to manage their waste in accordance with the collection systems provided by the Council. For the vast majority of households, the Council provides wheeled bins for the collection and recycling of domestic waste. Using wheeled bins correctly protects the local environment by containing refuse effectively, assists in providing efficient collections and helps to maximise the amount of waste recycled.
- 2.7 Since that time, the focus of the service has been to move to alternate weekly collections (AWC) for the majority of the city. With approximately 265,000 households across Leeds now managing their waste and recycling between the alternating collection of black and green bins, there has been a beneficial impact on the overall recycling performance, with a 13% increase in the level of dry recyclables collected at the kerbside during 2015/16 over the previous year. Detailed communication preceded each phased introduction of this new service including information on how to use the black/ green bins, and days of collection. Having black and green wheeled bins collected on the same day of collection, has reduced previous confusion over collection days and contributed to a reduction in contact about missed collections or instances of bins being inadvertently left on streets pending collection.
- 2.8 Attention now needs to turn to a number of problematic domestic waste practices, as described in more detail below:
- 2.8.1 Side waste (rubbish left alongside a wheeled bin).  
Usually as a result of not making full use of the green recycling bins, some residents have more waste than their black bin will hold and therefore place the excess by the bin in the expectation that it will be collected. This has a detrimental effect on the locality through creating litter, attracting vermin and making streets look untidy and messy.

#### 2.8.2 Contaminated bins.

Residents put items into the wrong bin, causing the waste intended for recycling to be too contaminated for processing. Whilst this is sometimes a result of genuine confusion about what can be recycled, at other times green bins are being used as an additional black bin. Residents do not always remove the contaminants when requested and the bin can then simply remain full and abandoned on the street. The resident consequently finds they have insufficient capacity to store their waste, which is therefore presented as side waste, creating the set of issues covered in 2.4 above.

The level of contamination in green bins has a financial impact both through having to send rejected material for further processing and the poorer quality of separate recycle streams reducing market value.

#### 2.8.3 Bins left on the street

After collection, the wheeled bin should be returned to within the boundaries of the premises and not left on the highway. Bins left on streets can look unsightly, can be vandalised or blown over, causing damage to vehicles, etc., or can be stolen for use elsewhere. When persistently left on the street, they create obstacles to be navigated by, for example, people with pushchairs and people in wheelchairs. People who are blind or partially sighted routinely cite bins on streets as a main obstacle to them using pavements safely.

#### 2.8.4 Excessive numbers of wheelie bins

Evidence suggests that there are a fairly significant number of properties with multiple bins for which they are not eligible. (An additional bin is available to households of greater than five, or with two or more children in nappies.) The provision of multiple black bins does not encourage waste minimisation and recycling and also provides a ready avenue for commercial waste to be presented as domestic waste, thus avoiding commercial collection charges. Executive Board have previously agreed the number of bins that households should have and, in November 2015, approved the removal of bins over and above that number. It is proposed that this policy now be vigorously applied. This has the potential to result in an increase in side waste and contaminated green bins unless complementary enforcement is introduced as proposed in this report.

#### 2.8.5 Poor access

There are occasions when waste and recycling collections cannot be made as access is obstructed, often as a result of poor or inconsiderate parking. Although attempts are made to return, this can result in delays to collection and bins being left on the street longer than necessary. The Council, in conjunction with its partners, may take action where there are repeated problems with access. This action may involve, although not exclusively, enforcing parking restrictions, changing collection days, changing collection points or consideration of new parking restrictions.

#### 2.9 Although the vast majority of the city uses their waste and recycling services appropriately, the city needs all residents to take responsibility for their domestic waste and manage it well. If there is no improvement in this situation, there will

continue to be a detrimental impact on some neighbourhoods, recycling performance will suffer and resources will be spent needlessly.

- 2.10 A programme of co-ordinated communications, marketing and engagement aims to provide the information, tools and services to support good waste and recycling habits in becoming a social norm, with the resulting positive impact on local neighbourhoods. Once these efforts have been exhausted, enforcement action would be taken where the education and support has not produced the desired change in behaviour.

### **3.0 Main issues**

#### **3.1 Communications and Engagement**

- 3.1.1 Across Leeds, there are clearly significant differences in residents' understanding of waste and recycling, from those who are unaware of the basics of putting waste into the correct bins and presenting bins on time through to those who are advocates of high quality recycling and waste minimisation.
- 3.1.2 As agreed by the Executive Board in November 2015, a programme of targeted communications and engagement using a range of different media is being developed and implemented. In line with the Equality Improvement Priority, communication activities are also to be designed to recognise the barriers faced by residents new to Leeds and/or where English may not be the primary language.
- 3.1.3 Since the November Executive Board, the Council has developed or implemented a range of initiatives or campaigns as detailed in para 2.4
- 3.1.4 A further programme of communications and engagement is now planned. To ensure that limited resources can be used to maximum effect, this programme will include:
- a) *Ongoing general information:* provided at a city level around recycling and managing bins. Key messages will include the following:
    - Remember your bin days: To put your bin out and bring it back in after collection;
    - Put the right thing in the right bin to provide good quality recycling;
    - Recycle for Leeds to save money on waste treatment/disposal that can then be used for other vital local services.
  - b) *Targeted information:* addressing specific issues within a defined area or demographic. This may involve bin stickers, specific leaflets, letters, community forums and events.

c) *Personalised support*: this could involve a visit from a Council officer (Waste and Recycling Advisor, Localities or Housing) to understand any barriers to a household's ability to manage waste/recycle and to demonstrate how these can be overcome. Where available, support from residents and communities will also be harnessed to reinforce positive waste and recycling behaviours.

3.1.5 To complement these activities, an 'invest to save' communications plan has been created to target specific issues (i.e. reduce recycling contamination or increased collection of a specific waste stream like glass). The plan aims to invest in specific campaigns to encourage positive waste/recycling behaviours that have been judged to provide a higher return on investment in terms of increasing recycling and savings in disposal costs.

3.1.6 For 2016/17, 'invest to save' campaigns in glass, paper/card and metal have been planned. Recycling and waste minimisation messages and activities will be targeted at specific population segments and areas. This work will be supported through a suite of communication channels including digital, face to face and advertising options.

3.1.7 It is anticipated that, with this robust communications and engagement programme, the need to undertake formal enforcement action will be the exception and only where residents are choosing to disregard Council policy and persistently act unreasonably in a way which has a detrimental effect on others.

3.1.8 The impact of these initiatives will be formally evaluated, although the timescales for influencing major behavioural change and the difficulties in demonstrating a direct and exclusive link between communications/engagement activity and recycling performance must be recognised.

3.1.9 Further work will also be undertaken to support capacity within and enhance the promotion of Third Sector re-use organisations and networks to maximise the capture of re-usable items along with the associated social benefits.

## 3.2 Service Design

3.2.1 The vast majority of residents use their waste and recycling services appropriately and with the successful city wide roll out of alternate weekly collections (AWC), kerbside recycling levels have increased, residual waste levels have fallen and the quality of service has improved.

3.2.2 There remain, however, residents who do not manage their waste appropriately for a range of reasons. For some, the layout of their neighbourhoods makes it inherently difficult to store waste appropriately before collection. For others, the attempts to communicate and educate residents are particularly challenging, due to high turnover, such that the impact of that work is short-lived. Service arrangements which keep areas clean, manage the collection of waste well and encourage recycling need to be tailored with these local factors borne in mind, meaning a 'one size fits all' collection service and education / enforcement approach is not appropriate.

- 3.2.3 Analysis is ongoing in areas not on alternate weekly collections to assess potential future refuse and recycling collection options. This may involve communal collection arrangements for particular clusters of properties or high-rise flats where the current system is not working effectively. Alternatively, there are areas where recycling participation is persistently so poor, that the existing service is proving fruitless. The Ash Road pilot in Headingley, where the green bins were actually withdrawn and an 'opt-in' service offered, has been successful in delivering higher levels of uncontaminated recycling, and there are other areas of the City where this model will be appropriate. As well as addressing the issue of non-participation in recycling or wholesale contamination of green bins, this strategy has also addressed the broader 'street-scene' issues associated with the number of bins left out on these streets.
- 3.2.4 It is therefore proposed to develop a costed and prioritised plan, in consultation with Members, to deliver alternative collection solutions in priority areas.

### 3.3 Legislative framework

- 3.3.1 A range of legislation is now in place for Authorities to deal with persistent issues connected to poor waste management that can blight neighbourhoods. These are outlined below:
- 3.3.2 Environmental Protection Act 1990: Section 46 of this Act relates to household waste. Notices can be served to specify how residents manage their waste, such as the bins to be used, what can be put in them and where they should be presented for collection.
- 3.3.3 Anti-Social Behaviour, Crime and Policing Act 2014: this allows the Council to serve a Community Protection Notice (CPN) for persistent and unreasonable behaviour which has a detrimental effect on those in a locality. This Act also provides the option of using Public Space Protection Orders to deal with behaviours having a detrimental impact affecting people across a whole area.

## 4.0 **Enforcement principles proposed**

- 4.1 The principles guiding the approach to securing behaviour change are that, first and foremost, the Council aims to educate residents to understand their role with regard to responsible domestic waste management. In circumstances where an educational approach has not been successful, the Council would take an incremental approach from education to informal action through to formal action, giving residents several opportunities to change and thus avoid the sanctions and penalties possible.
- 4.2 It is intended that the enforcement principles proposed in this report are available for use across the city and be undertaken with reference to the Council's broader enforcement strategy. Important principles in that strategy are consistency, transparency and proportionality.
- 4.3 In addition to operational decision-making, the targeting of enforcement powers will also be guided by Community Committees through their local prioritisation decisions. Local factors, agreements and contexts will be taken into consideration



when determining the approach on a case by case basis. Given the scale of the issue, it will not be possible to enforce across the city all at once. The full costs of enforcement are not recoverable by the imposition of fines, therefore resources are limited. There will need to be a staged programme of activity. The Executive Member intends to bring together the Environmental Champions from the Community Committees to discuss the practical implementation in September.

#### 4.4 Notwithstanding the above, the summary of stages to be followed are:

**Stage 1** - General and ongoing communication and education as per the city-wide communication plan.

**Stage 2** - Targeted education, either at household or area level. This stage is highly effective at rectifying bad practices as most householders do genuinely want to uphold their responsibilities. It is hoped and expected that this is the stage where behaviours improve and no further action is needed.

**Stage 3** - Initial enforcement action. This could be the issuing of a Notice under the Environmental Protection Act, or a warning letter as the precursor to the Community Protection Notice, or both. The most appropriate legislation will be selected depending on the circumstances. An outline of the two processes can be seen in appendices 1 and 2, but in all cases the behaviours expected of the residents, the timescales within which behaviour changes or actions are needed and the potential consequences or sanctions will be made clear.

**Stage 4** - Completion of enforcement action. This can be either a Community Protection Notice specifying the actions and a timescale for the modification of behaviour by the resident, or the use of the S46 process. For the latter, a formal warning would be used with immediate effect. This would then be followed by the notice of intention to issue a fixed penalty which allows 28 days for representations as to why a fine should not be issued, which then have to be considered.

**Stage 5** - Sanction applied. Fixed Penalty charge of £60 (S46) or £100 (CPN). In both instances, non-payment could lead to court action. The level of this charge would partially offset the costs incurred as a result of poor waste and recycling behaviours.

In some circumstances, when dealing with contaminated bins and where the S46 process has been used, a sanction is the complete removal of the recycling bin or charging to have it emptied in order for it to be used correctly in future. It is proposed that in non AWC areas, the bin is removed, whereas in AWC areas they are returned empty for a charge, due to the need to retain capacity.

Appendix 3 provides some worked-up examples of how the above stages could be applied to three common scenarios.

#### 4.5 General Points:

- 4.5.1 Enforcement action does not always resolve the direct issue such as getting waste removed from gardens or streets. In certain cases, the Local Authority may need to

undertake the work and recharge the resident and this could be in parallel with certain types of enforcement action.

- 4.5.2 It is intended that behaviours improve as a result of interventions at the earliest stage of the process, but these may then lapse some time later. In such cases, the process would be continued, picking up from the stage reached previously. Each case would be considered on its merits.

## **5. Corporate Considerations**

### **5.1 Consultation and Engagement**

- 5.1.1 The waste collection policies referred to in this report have been consulted on previously and were approved by Executive Board in January 2014.
- 5.1.2 The proposals in this report are within the context of the Council's broader enforcement strategy and action taken will be proportionate to the scale of the identified problem. As a delegated function, Community Committees will need to consider the overall prioritisation of enforcement resources, possibly through facilitated workshops, and involving members, the public and other key stakeholders.
- 5.1.3 In preparing for the Council's 2016/17 revenue budget, a round of public consultation was conducted and the results reported to Executive Board in February 2016. Approximately a fifth of respondents who provided a commentary suggested the use of fines for people not presenting their waste well or not recycling as a way to help meet the financial challenges of the Council.

## **6.0 Equality and Diversity / Cohesion and Integration**

- 6.1 A screening report has been completed and submitted to the Equalities Team, and is appended to this report. It has been identified that the proposal will have a positive impact because it will reinforce everyone taking responsibility for their waste and recycling. Positive impacts include:
- Maintaining clean and tidy streets as waste is properly contained;
  - High quality recycling separated for collection;
  - Pavements are clearer of obstructions.
- 6.2 The report recognises the importance of communication and recognising the barriers faced by residents new to Leeds and/or where English may not be the primary language.
- 6.3 The following actions will be pursued as part of the equality, diversity, cohesion and integration action plan:
- Clean and clear pavements, so there is easier access to pavements, particularly for older people and people with disabilities;
  - Improve recycling rates and the quality of recycling from residents new to Leeds where English may not be the primary language;
  - Deliver a programme of co-ordinated communications, marketing and engagement aimed at providing the information, tools and services to support

good waste management habits and high recycling as a social norm. Good waste and recycling habits with a positive impact on local neighbourhoods.

## **7. Council Policies and Best Council Plan**

- 7.1** The proposals within this report are consistent with the Best Council Plan 2015–20, in terms of contributing to:
- Having a strong economy and being a compassionate city, by addressing persistent and unreasonable behaviours that otherwise prevent people from being able to live in decent, affordable homes within clean and well cared for places;
  - Becoming a more efficient and enterprising council, through a reduction in waste treatment and disposal costs.

## **8 Resources and value for money**

- 8.1** The proposed strategy clearly takes account of the current financial pressures, and focuses on maximising the value from existing capacity and infrastructure. There are significant savings to be realised through avoided waste disposal costs, whether through getting recycling out of the black bin and into the green, or through reducing contamination in the green bins.
- 8.2** With alternate weekly collections encouraging residents to use their green recycling bins more, there has been an overall increase in the material captured, with a 21% increase in recyclables captured through this service since 2013/14. However, an increase in the level of contaminating materials that should not be disposed in the green bin service has also been observed.
- 8.3** In recent months over 20% of materials collected via the green bin service have been rejected as unsuitable for recycling at the Materials Recovery Facility in Beeston to which these materials are delivered for processing, separation and onward sale or disposal. This level of contamination has a negative impact both on the quality and market value of the recyclable materials, and in terms of the additional costs of double handling waste that should not be sent to this facility and which then has to be transported on for disposal. Dealing with this current level of contamination in recycling bins costs the city around £100/ tonne more than good recycling.
- 8.4** To realise savings in this area, the emphasis of the Council's recycling strategy therefore needs to be increasingly to secure higher quality and less contaminated recyclable materials separated at source by residents.
- 8.5** Executive Board agreed to a costed 'invest to save' communications plan in November 2015 aimed at achieving the social norm shift referred to earlier in the report. It is estimated that a 1% improvement in the city's recycling rate through transferring the targeted recyclables from the black bin to the green bin would save approximately £250k per annum.

## **9.0 Legal Implications, Access to Information and Call In**

- 9.1 The recommendations in this report have been developed with regard to the Council's ongoing statutory duties as Waste Collection Authority under the Environmental Protection Act and other relevant legislation.
- 9.2 The legal issues relating to enforcement action are covered in section 3 above.

## **10. Risk Management**

- 10.1 A failure to achieve the 50% national recycling target could potentially have implications for the Council should Central Government decide to impose some form of sanction.
- 10.2 It is important to acknowledge that, whilst enforcement is a useful tool in assisting in changing behaviours, both the CPN and Section 46 Environmental Protection Act processes involve specific timescales and steps that are very resource intensive. Completion of the process can be prolonged during which time there can be continuing impact on the local environment.
- 10.3 Demand for enforcement could be well in excess of available resource due to the intensive nature of the enforcement process. In order to manage this risk, any areas requiring specific attention would be selected and prioritised on a needs basis. In some cases, for example, where there is a real risk to public health, it may be necessary to take direct action before the enforcement process is completed. This early intervention and the form it would take would be agreed between Waste Management and Locality Teams.
- 10.4 Identification of perpetrators can be difficult, and will in some cases prove impossible. For example, a bag of waste placed next to a wheelie bin cannot automatically be assumed to be a result of the householder putting out excess waste. In these cases, enforcement may not be possible and the only action available would be to remove the bags.
- 10.5 There will be a proportionate approach to persistent waste issues where specific enforcement action is required, considered on a case-by-case basis. Part of this consideration will be the likely longevity of improved and changed behaviours, acknowledging that some enforcement actions may be highly resource intensive, but with little long term improvement in environmental conditions. For example in areas with highly transient populations other considerations such as changed service design may provide better value for money.

## **11 Conclusions**

- 11.1 The vast majority of the city uses their waste and recycling services appropriately.
- 11.2 When residents contain their refuse properly, separate recyclables well and routinely present their bins at the kerbside and return them to their properties, this has a positive impact on a range of outcomes for the City:
  - Maintaining clean and tidy streets, since waste is properly contained;

- Ensuring that pavements are clear of obstructions;
- Ensuring the separation of high quality recycling for collection; and
- Providing an efficient collection service.

11.3 The Council will support this with an effective programme of communications, community engagement and service improvements. The latter includes a further review of non-AWC areas and possible tailoring of the current waste and recycling provision.

11.4 First and foremost the Council aims to educate local residents to understand their role with regard to responsible waste management. However, in situations where residents choose to disregard Council policy and persistently act unreasonably, such that there is a resulting detrimental impact on the environment or community, enforcement may be appropriate.

11.5 Action taken will be proportionate to the scale of the identified problem as considered on a case by case basis.

## **12 Recommendations**

Executive Board is recommended to:

12.1 Note the progress in delivering a programme of co-ordinated communications, marketing and engagement to provide the information, tools and services to support good waste and recycling habits;

12.2 Agree to the targeted use of enforcement powers for persistent and unreasonable waste and recycling behaviours.

## **12 Background documents<sup>1</sup>**

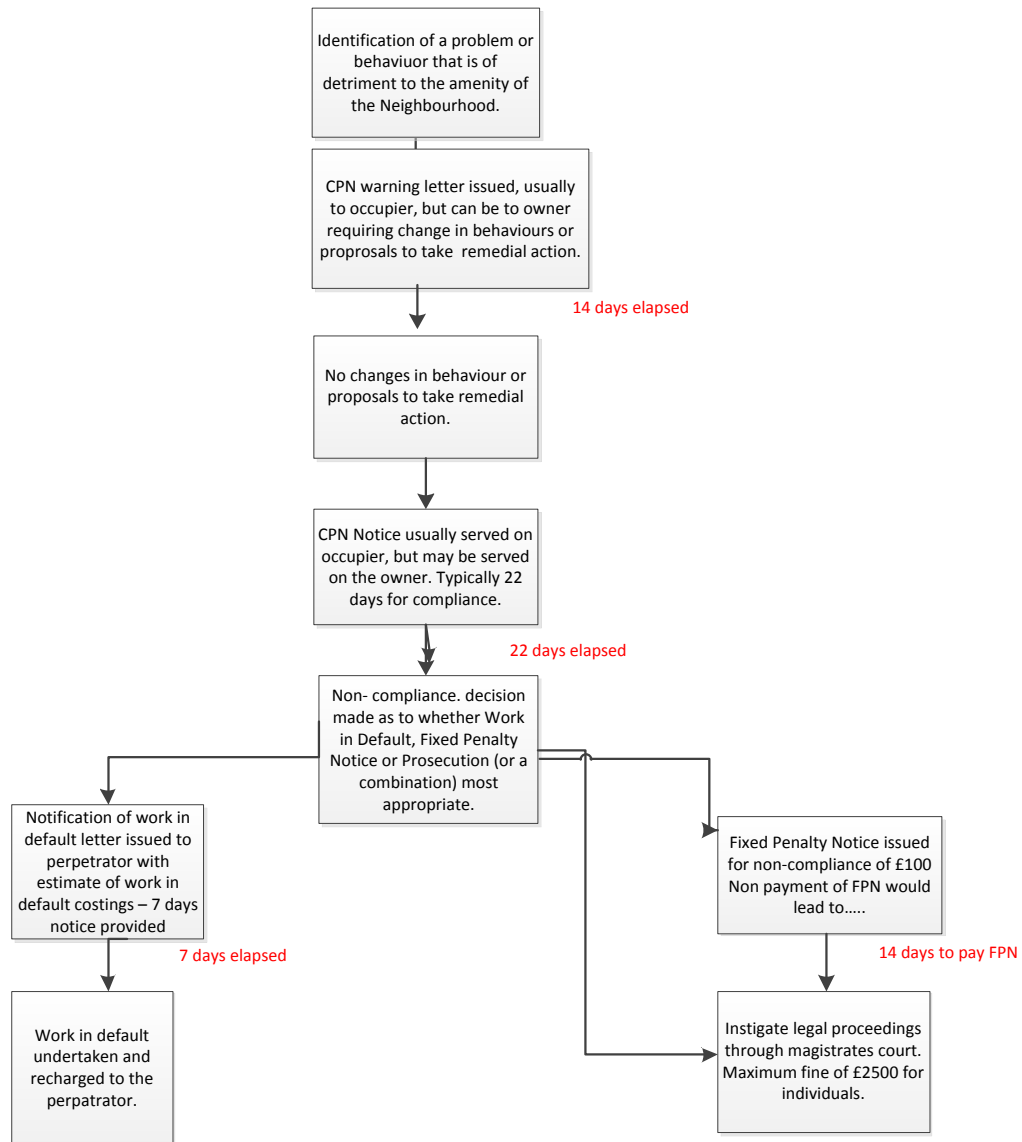
None.

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<sup>1</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

## Appendix 1

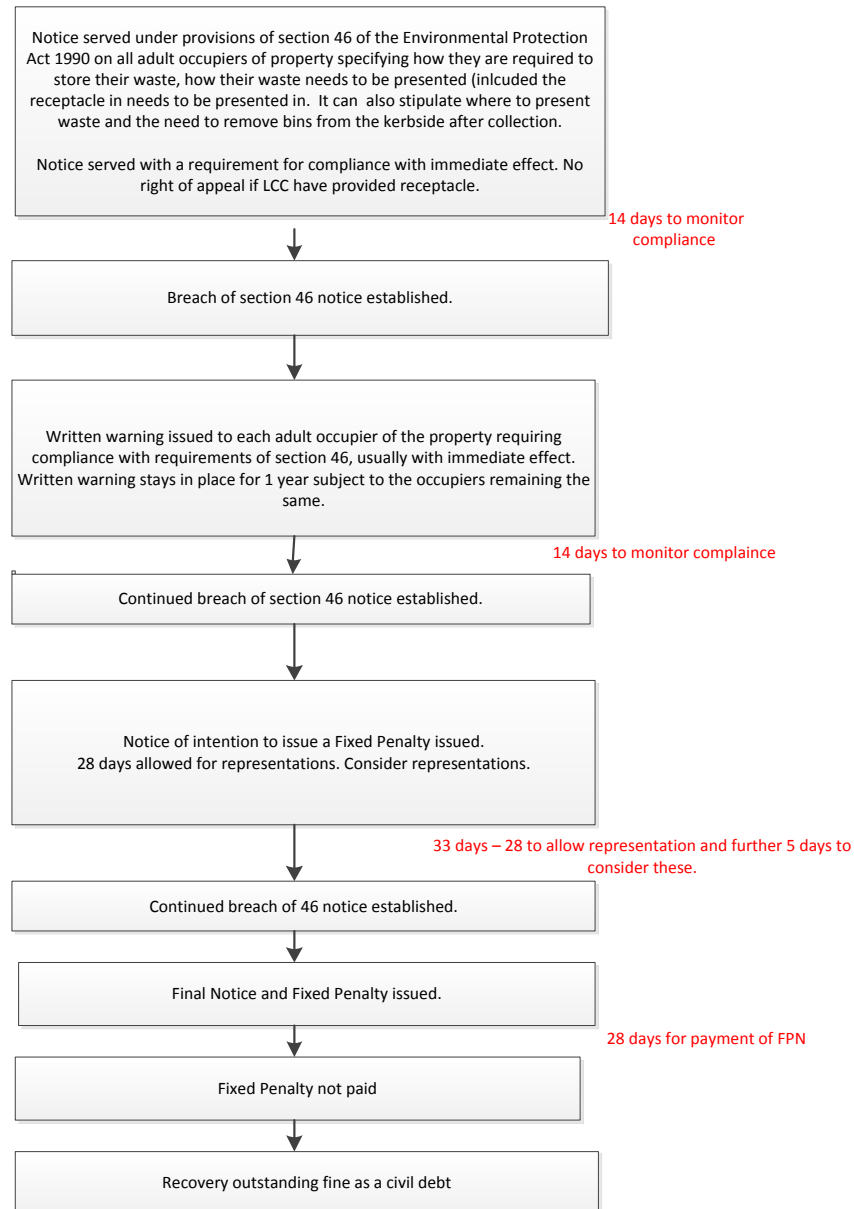
### Appendix 1 – Brief Outline of the CPN Process



Note:- timescales provided are the minimum timescales needed between stages, but they do not include specific timescales for officer to visit and prepare paperwork.

## Appendix 2

### Appendix 2 – Simplified process under section 46 of the Environmental Protection Act 1990 (as amended by the Deregulation Act 2015)



Note:- timescales provided are the minimum timescales needed between stages and do not include specific timescales for officers to visit and prepare paperwork.

## Appendix 3.

### Scenario 1

**A contaminated green bin has been presented by a resident, despite having capacity in their black bin in an AWC area.**

Stage 1. Information would be provided to the local community through a communications plan about how to recycle and sort waste correctly. This would include activities such as mail drops with Council Tax bills, illustrated leaflets, posters in community buildings; and Waste and Recycling Advisors roadshows at local venues and events.

#### Stage 2

(a) An informal, but more targeted approach would then be used in that a sticker would be attached to the bin advising why it hadn't been collected and asking the resident to remove any contaminants and then present the green bin at the next scheduled collection.

(b) A letter would then be sent to the resident in the event that previous interventions had been ineffective advising that the green bin hadn't been collected due to contamination and the need for contaminants to be removed in order for it to be collected. Contact details provided in case more information or support needed.

(c) A representative from Waste Services, Locality Team or Housing Leeds would visit the resident as most appropriate to offer to show the resident what they should do or discuss any problems or issues they may have.

Stage 3. A legal notice would be issued in order to formally require the resident to sort and present their waste and recycle correctly.

The contaminated green bin would be emptied at the same time to provide a fresh start to support the householder in meeting the notice requirements.

Stage 4 - A warning letter would be sent to the occupiers advising that they are not complying with the requirements of the notice and the next step sanctions that would be imposed (see stage 5).

Stage 5 A charge would be levied for the emptying a contaminated green bin in Alternate Week Collection areas



## Scenario 2

**Side waste is presented alongside the black bin on a regular basis in an AWC area.**

Stage 1 – Community wide communications issued, typically leaflets sent out with the Council Tax bill, posters in Housing Offices and community buildings, social media and the press, Waste and Recycling advisors roadshows at local venues and events.

### Stage 2

(a) Stickers are put on bins advising the side waste won't be taken. The black bin is emptied and excess bags placed back in the bin. The stickers would provide contact details should the customer have any difficulties with their side waste.

(b) If the problem continues, a letter is sent advising the side waste won't be collected.

(c) Waste advisors/Housing Officers /Environmental Action Officers visit and advise on recycling and how this can free up space in the black bin. A bin audit is undertaken to ensure that property has sufficient number and types of bin to accommodate the needs of the residents. Additional black bin capacity provided if residents meet the criteria for additional bins.

Advice is also given that extra recycling presented in green or transparent bags will be collected. Bins are labelled for identification purposes.

Stage 3 – A notice is served on all adult occupiers of the property specifying how, when and where their waste is to be presented, including the need for all residual waste to be contained within the black bin.

Stage 4 – Formal warning issued.

Notice of intention (to issue a fixed penalty) is issued, allowing 28 days for representations as to why a fine should not be issued. These representations would then be considered.

Stage 5 – The issue of a fixed penalty of £60 and final notice.

### Scenario 3

**Private sector tenant does not present their black or green bins, resulting in waste overflowing in the garden.**

Stage 1 General communications through community mail drops, illustrated leaflets, posters in universities and other community buildings, landlord welcome packs, social media and Waste and recycling Advisors roadshows at local venues and events.

Stage 2. Write to the resident, due to bags of waste being left uncontained in a garden. Contact the landlord of the property to advise them of the need to assist in ensuring their tenants sort and present their waste correctly.

Stage 3. Issue a notice requiring the tenants to sort and present their waste correctly. Accompany the notice with a warning letter to the tenants and the landlord.

Stage 4 - A Community Protection Notice would also be issued to the occupiers of the property requiring them to contain any waste already in the garden and continue to do so in future.

If the Landlord of the property has not undertaken steps to support his tenants sorting, containing and presenting waste correctly, a notice may also be served on the landlord to effect that.

Stage 5 – Sanctions – If neither the landlord nor tenants have taken steps to improve the situation, it may be appropriate to issue a Fixed Penalty Notice to both parties. A remedy to the waste remaining in the garden would be needed and therefore the garden would be cleared with the cost recharged to the occupiers of the property.