

# Chichester District Council

THE CABINET

6 February 2018

## Contaminated Recycling Bin Policy

### 1. Contacts

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### 2. Recommendation

- 2.1 That the Cabinet approves the Contaminated Recycling Bin Policy as endorsed by the Waste and Recycling Panel.
- 2.2 That the Cabinet grants delegated authority to the Chichester Contract Services Manager to issue fixed penalties or other notices for waste and waste-receptacle related offences including (but not limited to) powers under the Clean Neighbourhoods and Environment Act 2005 and sections 46A to 46D of the Environmental Protection Act 1990 (as amended).

### 3. Background

- 3.1 At its meetings held on 7 August 2017 and 29 November 2017, the Waste and Recycling Panel considered an updated approach for responding to consistent levels of contamination in domestic recycling bins.
- 3.2 Contamination occurs when the wrong items are placed in the burgundy recycling bin. When the recycling collected is of poor quality, the whole truck load can potentially be rejected and sent to landfill which is a more expensive disposal route and adversely affects the environment. It can also impact the amount of recycling support payment received which is based on recycling quality and tonnage.

### 4. Outcomes to be Achieved

- 4.1 This initiative complies with sections 46A to 46D of the Environmental Protection Act 1990 as amended by the Deregulation Act 2015. This is a civil enforcement power that local authorities have been given by the above mentioned legislation. The initiative will address those households who persistently put items in their recycling bin that have the potential to contaminate an entire collection round and result in the load being rejected by the recycling plant and sent to landfill. This will support the Council in meeting the national recycling target of 50% recycling by 2020.

## **5. Proposal**

- 5.1 In order to provide clarity for residents, collection crews, and for the staff who handle enquiries and complaints, it is necessary to have a clear policy on how we respond to contaminated bins.
- 5.2 Whilst the current approach (as outlined in steps 1-3 of the Appendix) works for the majority of cases, there is no defined policy for responding to bin contamination that occurs on a regular basis. In these circumstances further action may be necessary. The policy for contaminated recycling bins has therefore been updated and is based on two stages as outlined in the Appendix.
- 5.3 Stage two of the policy includes the potential issue of a fixed penalty. The Waste and Recycling Panel recognise that stage two will only be considered on the rare occasion that there has been a breach to section 46 of the Environmental Protection Act 1990.
- 5.4 The Waste and Recycling Panel recommends that the Cabinet approves the Contaminated Recycling Bin Policy. The Cabinet is also requested to grant delegated authority to the Chichester Contract Services Manager, to issue fixed penalties or other notices for waste and waste-receptacle related offences including (but not limited to) powers under the Clean Neighbourhoods and Environment Act 2005 and sections 46A to 46D of the Environmental Protection Act 1990 (as amended).

## **6. Resource and Legal Implications**

- 6.1 This policy in the Appendix will operate under the provisions of sections 46A to 46D of the Environmental Protection Act 1990 (as amended).
- 6.2 Delegated authority is required for the Chichester Contract Services Manager to issue fixed penalties or other notices for waste and waste-receptacle related offences including (but not limited to) powers under the Clean Neighbourhoods and Environment Act 2005 and sections 46A to 46D of the Environmental Protection Act 1990 (as amended).

## **7. Consultation**

- 7.1 This policy and associated processes were discussed and consulted upon at the Waste and Recycling Panels on 7 August 2017 and 29 November 2017 who supported this initiative and recommend Cabinet adopt this policy.

## **8. Community Impact and Corporate Risks**

- 8.1 This policy supports the governments' target to recycle 50% of household waste by 2020 and the Council's objective to manage our built and natural environments.

## 9. Other Implications

<b>Crime and Disorder</b>		None
<b>Climate Change</b> Reducing landfill and increasing the rate of recyclables supports our natural environment.	Yes	
<b>Human Rights and Equality Impact</b> The policy aims to encourage and support households to recycle prior to the commencement of the enforcement process.		None
<b>Safeguarding and Early Help</b>		None
<b>Other</b>		None

## 10. Appendices

- 10.1 Appendix - Proposed Policy for Responding to Contaminated Domestic Recycling Bins.

## 11. Background Papers

- 11.1 None.