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Household Waste & Recycling Collections

Policy and Procedures

2 October 2023

1. **Legislative Powers**

Braintree District Council is a Waste Collection Authority under the terms of the Environmental Protection Act 1990 (EPA) and has a statutory duty to collect household waste from all domestic properties under Section 45 of the Act.

The term “household waste” is defined in Section 75(5) of the EPA 1990 as being waste from:

* a domestic property, that is to say, a building or self-contained part of a building which is used wholly for the purposes of living accommodation.
* a caravan.
* a residential home.
* premises forming part of a university, school or other educational establishment.
* premises forming part of a hospital or nursing home which are used to provide a care home service.

Section 45A (3) of the EPA 1990 requires Waste Collection Authorities to collect at least two types of recyclable waste together or individually separated from the rest of the household waste.

Section 46(4) of the EPA gives the Council specific powers to stipulate:

* The size and type of collection containers
* The materials or items which may or may not be placed within the containers
* The collection point for waste materials

The frequency of collections is currently a matter for local authorities to determine.

While section 45 of the EPA 1990 imposes a duty on Waste Collection Authorities to collect household waste, there is no provision in this Act or associated secondary legislation that imposes an explicit frequency of collection on authorities.

Section 45(3) of the EPA 1990 provides that ‘no charge shall be made for the collection of household waste except in cases prescribed in regulations made by the Secretary of State.’

Local authorities have powers under section 46A of the EPA 1990 to issue written warnings and penalties for failure to comply with requirements relating to household waste containers.

Paragraph 4 of Schedule 1 to the Controlled Waste (England and Wales) Regulations 2012 (SI 2012/811), as amended, provides for these exceptions. It includes (among other things):

* Household waste that is generated from certain non-domestic properties such as universities, hospitals and prisons.
* Waste that weighs more than 25kg or that cannot fit into the bin provided.
* Asbestos.
* Garden waste.

This policy sets out the service standards that apply to the provision of household waste collections in the Braintree District.

**2. Provision of Containers**

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| **Type of Waste** | **Standard Container Provided Per Household** |
| Food waste | 23L kerbside bin. |
| Garden waste | 180L green bin (additional bins provided on request on a chargeable basis). |
|  | Biodegradable sacks from March 2024 for households not on wheeled bin collections. |
| Refuse | 180L (or optional 140L) black bin. |
| Refuse (if property not suited to bins) | Black sacks - 2 rolls of 26 sacks delivered to households (including flats) p.a. No additional supplies provided. |
| Mixed Recycling | Clear sacks – 3 rolls of 26 sacks delivered to each household p.a. Additional supplies available on request. |

1. **Type of Container**

Where the Council considers it impractical for residents to use the standard containers it provides owing to access or storage issues, a site assessment will be made to determine if an alternative can be offered. This will be based primarily on health and safety or access grounds.

Residents living at properties which, in the opinion of the Council, are unable to accommodate wheeled bins will be offered a black sack collection service for general household waste and, from March 2024, a biodegradable sack collection for garden waste if they wish to subscribe to that service. Residents will be expected to participate in the other elements of the recycling service.

1. **Type and method of collection**

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| **Type of Waste** | **Method of Collection** |
| Food waste | Green kerbside bin |
| Dry Mixed Recycling | Clear sacks (unrestricted quantity) |
| Garden Waste | Green wheeled bin \* |
| General rubbish | Black wheeled bin (or black sacks if bins unsuitable) |
| Glass bottles/jars | Bring banks at various sites across the District |
| Food/drink cartons | Some bring banks (mainly at larger supermarkets) |
| Textiles/shoes/handbags | Some bring banks |
| Bulky household waste | Up to 6 or max. 12 items collected from outside premises |
| Clinical waste arising from self-treatment in the home | Subject to medical condition but could include sacks or sharps containers. |
| Small electrical items | Up to 4 items collected free of charge with any booking for a Special Collection. There are also collection points at all libraries in the District. |

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| \* Subscription-based service only from March 2024 using 180L green wheeled bins.  Households on black sack collections will need to purchase biodegradable sacks from the Council if they wish to receive this service, the cost of which includes collection and disposal. |

1. **Frequency of collections**

The Council operates an alternate-weekly collection of refuse/recycling and garden waste and a weekly collection of food waste, the collection dates for which are publicised on the Council’s website.

The non-chargeable garden waste service will be withdrawn at the end of November 2023 and replaced with a subscription-based service from March 2024 which will operate throughout the year with a two-week suspension over Christmas/New Year.

On Bank Holiday weeks, collections are normally a day later than usual with Friday’s collection being completed on the Saturday. However, there may be exceptions to this rule (including some advance collections), particularly over Christmas/New Year and other festive periods, and residents are advised to check our website for changes.

1. **Collection point**

Collections are made from the front boundary of each property (where it meets the public highway) unless otherwise agreed with or designated by the Council.

Where properties do not have pavements or a kerb adjoining their boundary, bins/ sacks may be presented at the inner boundary of the property where they are visible from the road.

1. **Private/Unadopted Roads**

Where possible, the Council will endeavour to collect from the boundary of properties via private/unadopted roads (unless directed otherwise) if safe for the collection vehicle to do so.

However, if conditions are not suitable, for example, narrow access, unkempt verges, overhanging trees, weak road surface, potholes, lack of turning point (if no-through road) etc., the Council will require that waste is presented for collection on the pavement or verge nearest to the public highway to which the collection vehicle has access.

The Council reserves the right to review existing arrangements and may designate an alternative collection point in the event of access issues.

1. **Presenting waste for collection**

It is the householder’s responsibility to place their refuse and recycling at their designated collection point by 7am on the day of collection and no earlier than the evening before. All waste should be contained within the bin with the lid shut and sacks should be tied securely to prevent littering and contents getting wet.

The crews will empty the bins and return them with the lids shut to their original collection point after emptying. Food bins will be laid down.

At the earliest opportunity following collection, the householder should retrieve their bin/s and store them within the curtilage of their property until the next scheduled collection. Bins must not be left on the pavement, highway or other public area or right of way as this can constitute an obstruction.

1. **Flats/communal bin stores**

Flats usually have a communal bin store/area from where we will collect waste on a weekly basis. Some management companies/social landlords provide bulk bins for the convenience of their tenants which we will empty (subject to access), however, these are managed and maintained privately.

The removal of fly-tipped waste (e.g., bulky waste) from bin stores is the responsibility of the management company/landlord, although the Council can provide a clearance service on a chargeable basis on request.

The collection crews will not collect where fly-tipped waste prevents access to bulk bins and recycling sacks and, in these circumstances, the onus will be on the managing agents or landlord to clear the offending items to facilitate access. The Council will collect on the next scheduled collection day following clearance unless the managing agents/landlord wish to pay for a return visit before that date.

1. **Business Premises with Domestic Dwellings attached**

By law, the collection of commercial (business) waste attracts a charge and so separate bins must be used for domestic and business waste. Disposing of business waste in a domestic waste stream is a criminal offence which could leave the business owner liable to prosecution. Any domestic bins found to contain business waste will not be emptied and the Council may take enforcement action if appropriate.

1. **Assisted collections**

An assisted collection service is available to residents who are unable to put out their waste and recycling owing to ill health, infirmity or disability and who have no other person aged 16 yrs or over resident at the property who can assist. In these circumstances the collection crew will collect bins/sacks from an agreed location on the property and return bins to that point after emptying.

The link below will take you to a simple application form that needs to be completed before this service can be authorised.

<https://www.braintree.gov.uk/bins-waste-recycling/assisted-collections/1>

We ask householders to notify us of any change in their circumstances. However, the Council reserves the right to review these arrangements from time to time and may withdraw this service if circumstances have changed such that assistance is no longer deemed necessary.

1. **Clinical waste**

Clinical waste is any waste from healthcare activities that could pose a risk to public health or the environment if not disposed of correctly.  The Council engages a contractor to provide a collection service for residents who are self-treating at home. It is the responsibility of the householder to notify the Council that they require a collection.

***Responsibility for disposal of waste* a*rising from treatment by NHS workers in the home rests with the NHS.***

Some clinical waste is hazardous and poses a risk of infection, so it requires specialist receptacles for storage which are available from your healthcare provider. You must never put hazardous waste into your normal household bins. This waste includes any medical instruments that could cause punctures or cuts, or anything that could be harmful to others such as needles, sharps, waste arising from infectious diseases, swabs, and wound dressings.

Non-infectious waste may be offensive in nature but has no identified risk of infection such as incontinence wear/pads, colostomy bags and catheters. If the waste is not infectious, it should be double-bagged and put into your household waste bin.

1. **Bulky waste (Special Collection) service**

A chargeable collection service is available to all residents for bulky items of household waste such as household and garden furniture and equipment, white goods, carpets, etc. There is a two-tier charge based on up to 6 items and a maximum of 12 items and we will also take up to 4 small waste electrical items/ appliances at no extra cost with any booking. A list of items that we do and don’t collect as part of this service can be viewed on the Council’s website.

Items must be left in an accessible location outside the property by 7am on the day of collection and only those items listed at the time of booking will be removed.

The service operates by area on weekdays only and we will confirm your collection date at the time of booking.

1. **Ad-hoc Services**
2. **Amenity Collections**

The Council provides a commercial service to town and parish councils who, from time to time, arrange local collections of household waste within their area. Prices are available on request. The Council does not collect POPs (Persistent Organic Pollutants) waste as part of this service. Examples include but are not limited to:

* Sofas, sofa beds and futons.
* Armchairs.
* Padded kitchen and dining room chairs.
* Padded stools and footstools.
* Home office chairs.
* Bean bags, floor, and sofa cushions.

1. **Christmas Tree Recycling Service**

In the New Year, the Council will collect real Christmas Trees from designated collection points free of charge. Details are available on the Council’s website.

1. **Recycling ‘bring banks’**

The Council provides c.90 local bring banks across the District, primarily for the collection of glass bottles and jars, although some sites also include facilities for food/drinks cartons and textiles/clothes/shoes (the latter being owned and maintained by third parties).

These sites are inspected, and the banks emptied regularly to maintain sufficient capacity for materials. As with the kerbside collections of recyclables, it is important to deposit the correct materials in the right banks to avoid loads being rejected by the processing plant.

Residents must not leave items on top of or around the containers as this constitutes fly-tipping and can result in enforcement action being taken and a fine incurred.

1. **Disruption to service**

The crews endeavour to keep to scheduled collections but occasionally this may not be possible owing to inclement weather, road closures, vehicle breakdowns or other reasons outside of the Council’s control. Where delays arise, residents are asked to leave their waste at their normal collection point and crews will work as quickly as possible to catch up. Regular service updates will be posted on the Council’s website and via social media.

1. **Missed collections**

The crews aim to return and collect missed waste within 2 working days of receiving a report where the crew has overlooked a collection.

Residents are required to report missed collections after 3pm on the day of collection (to allow for any delays), but in any event **no later than** **12 noon on the next working day after collection** and should leave their waste container/s at their normal collection point to facilitate access.

The collection crews will not return to collect waste in the following circumstances:-

* The waste is not at the normal collection point when the crew call.
* The waste is not household waste.
* The containers are too heavy to be lifted/tipped.
* The waste has been stickered as ‘contaminated’.
* The waste is excess (side) waste.
* The bin is unauthorised.
* The contents are compacted or frozen inside the bin.
* The bin has no subscription sticker and there is no valid subscription in force (garden waste only w.e.f. March 2024).

Missed bin reports may be verified by the crew records including photographs taken at the time of their visit.

1. **Restricted Access**

When a collection cannot be made due to access being restricted by parked vehicles, the crew will inform their manager/supervisor. Two further attempts will be made to complete the collection over the next 2 working days, but if access is still not possible, the crew will not return until the next scheduled collection. A postcard will be left on the windscreens of the offending vehicles asking the driver to park elsewhere on collection days to avoid causing an obstruction and inconvenience to residents.

Where there are repeated access problems, the Council may seek the following solutions:-

* on-street parking restrictions
* change of collection time/day
* change of collection point

1. **Contamination**

Black bins found to contain waste which is not household waste (e.g., vehicle parts, hazardous waste, builder’s rubble, concrete, commercial/business waste, etc.) will not be emptied. Householders must make alternative arrangements for the proper disposal of this waste.

Bins/sacks must not be contaminated with incorrect materials: only deposit waste in a container that the Council has provided for that particular type of waste. This is particularly important to ensure that we maximise the amount of waste that can be recycled.

Where any container (including clear sacks) includes items that are not accepted, the waste will be left by the crew and the container stickered to explain why. In these circumstances, the onus is on the resident to either remove the contaminants and re-present the waste on the next scheduled collection day or take it to their local Household Waste & Recycling Centre.

Information on what the Council can/can’t collect is available to view on our website.

1. **Spillages**

The crews are required to clear any spillages for which they are responsible and may request Street Cleansing staff to attend if necessary. For this reason, we ask that residents do not place liquids (oils/paint etc.) in their bins.

Any spillages that occur in advance of collections are the responsibility of the householder to clear.

1. **Excess waste or side waste**

For the purpose of this policy, the term ‘side waste’ refers to excess waste in bags or boxes or loose rubbish that is presented either alongside or on top of the black wheeled bin/s.

The Council will only collect waste contained in council-issue wheeled bins or sacks (including garden waste sacks from 2024) for which the appropriate charge has been paid where appropriate. Waste placed alongside or on top of bins will not be collected as this does not support our waste minimisation objectives or encourage residents to reduce and recycle as much of their waste as possible. In these circumstances, the crews will photograph and sticker the side waste, empty the bin and leave the side waste in-situ.

Given the environmental impact of disposing of waste, we require residents to manage their waste and keep this to a minimum wherever possible. Residents are also expected to participate fully in the recycling elements of the service to ensure that they have adequate capacity within their residual waste bins. Residents who generate additional waste will need to take this to their nearest Household Waste and Recycling Centre or store it within the curtilage of their property and present it for collection on their next scheduled collection day.

**EXCEPTIONS**

The Council may exercise its discretion to remove side waste, for example over Christmas/New Year when households traditionally generate more waste than is normal.

Side waste will also be removed if it arises because of prolonged delays in collecting caused for example by restricted access, road closures or during periods of inclement weather (icy conditions/floods, etc.)

We recognise that larger households and those with special (medical) needs may require additional bin capacity despite fully recycling, and the Council makes provision for this as set out in para. 22 below.

1. **Additional bin capacity**

Requests for additional bin capacity for general household waste will be assessed using the following criteria:-

* The number of people living at the property on a permanent basis providing every effort is made to maximise recycling.
* Medical circumstances that generate additional waste e.g., incontinence pads.
* Larger households with children using nappies day and night.
* Other exceptional circumstances at the discretion of the Council.

In all cases, residents will be required to complete an application form (available on-line or via Customer Services) and applications will be assessed on a case-by-case basis.

It is the responsibility of the householder to let us know of any changes in their circumstances that may affect their eligibility for extra bin capacity. The Council reserves the right to review these arrangements from time to time and may withdraw this service if extra bin capacity is no longer deemed necessary.

Additional garden waste bins are available on a chargeable basis and, from 4 March 2024, on a subscription basis only. There is a separate charge to purchase a bin and an annual fee/subscription to empty each bin.

1. **Damaged/lost/stolen containers**

Requests to provide a replacement wheeled bin for refuse or garden waste owing to damage can be made on-line or via the Customer Services Centre on 01376 552525.

Wheeled bins damaged or accidentally tipped into the collection vehicle will be replaced free of charge. If a householder deliberately damages their bin/s, a charge may apply.

*Garden waste bins: N.B. From March 2024, damaged garden waste bins will only be replaced if a subscription fee has been paid. A charge may apply.*

Where a bin has been stolen, the Council will replace the bin free of charge if the theft has been reported to the Police and a Police Incident reference number is obtained.

We aim to provide new or replacement bins within 10 working days of receiving a request.

1. **Subscription-based Garden Waste Service (commencing March 2024)**

From 4 March 2024, the Council will offer a subscription-based garden waste collection service only. This requires residents to buy both a 180L green bin (one-off cost) and pay an annual subscription to have the bin emptied. *Existing bins may be used until such time as they are no longer serviceable and need replacing.*

Additional bins may be purchased but a separate subscription is required for each bin to be emptied.

The service will operate all year round, except for a two-week period over Christmas/ New Year.

The Council will collect unwanted bins free of charge from households who do not wish to take out a subscription, providing they are empty and are left for collection at the normal collection point on the agreed date. Requests to have a bin collected should be made on-line. ***Residents should not use their garden waste bin once the winter suspension starts unless they intend to subscribe to the new service, as it will not be emptied.***

*Households who have relinquished their bins and then decide they would like to use the garden waste service will need buy a bin from the Council.*

A sticker authorising collection will be provided for each subscription purchased, and this must be affixed to the rear of the bin underneath the handle. The bin must be positioned with the sticker facing towards the public highway when presented for collection so that it can be seen clearly by the crew.

It is the householder’s responsibility to:-

* Look after the bins they own and store them within the curtilage of their property in between collections to minimise the risk of theft.
* Report any damage to the garden waste subscription sticker. Bins not displaying a sticker will not be emptied.
* Ensure that the sticker is clearly visible to the crew on collection day.
* Tell us if they move out of the District so that we can cancel the subscription.
* Tell us if they move within the District and wish to cancel or transfer their subscription to their new address so that we can update our records.
* Ensure that garden waste is only put into the garden waste bin or biodegradable sacks and not presented for collection in any other receptacle/s.

1. **If you move house**

Other than bins owned (purchased) by the resident, all bins should be left at the property ready for the new residents. The only exception to this is if residents are relocating to another property within the District and wish to transfer their garden waste subscription to their new address, in which case they should take their garden waste bin/s with them.

1. **Looking after your bins**

Residents are responsible for the storage and safe keeping of bins provided by the Council and for maintaining them in a hygienic condition.

Residents may personalise bins by affixing the number of their property but must not cover the Council’s logo.

1. **Enforcement**

The Council aims to offer advice and guidance in the first instance to secure compliance with its Household Waste & Recycling Collection Service. However, we recognise that enforcement powers may be necessary in some circumstances and, where this is necessary, we will exercise those powers in a transparent, reasonable, and proportionate way. Enforcement action may be taken if:-

* Waste is left on the public highway (pavement/road) on non-collection days.
* Waste is left in a place other than the designated collection point.
* There has been unauthorised use of another person’s bin.
* Waste is persistently contaminated with incorrect materials.
* Excess waste is persistently presented alongside wheeled bins.

Some offences relating to the incorrect disposal of household waste - for example, littering and fly-tipping - are criminal offences and the Council will not hesitate to take formal action against the perpetrator/s where the source of the waste is established and seek to recover the full costs of clearing and disposing of the waste.

1. **Complaints**

We aim to deliver our services correctly first time but accept that things occasionally go wrong. We ask residents to let us know as soon as possible if this happens so that we can put it right.

If the issue is not rectified and a formal complaint is lodged, we will investigate and respond in accordance with the Council’s formal complaints procedure.

<https://www.braintree.gov.uk/council/make-complaint>

**Service Standards – Household Waste & Recycling Collections**

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| Service | Target |
| Collection of refuse and recycling. | Alternately weekly from designated collection point on scheduled collection day |
| Collection of food waste | Weekly from designated collection point on scheduled collection day |
| Collection of garden waste (chargeable service) | Fortnightly from designated collection point on scheduled collection day where a subscription has been purchased. |
| Provision of garden waste subscription bin sticker | Within 10 working days of subscribing to the service. |
| Missed collections of any waste type (where the Council is at fault) | Collect within 2 working days of receiving a report |
| Notify residents of changes to collection days | **Planned Changes:** Within 1 working day via re-text and the Council’s website.  **Unplanned Changes:**  As soon as possible via the Service Update page of the Council’s website. |
| Replace damaged/missing bins (subject to authorisation by the Waste Management Team).  *N.B. A charge may apply* *for the bin.* | Within 10 working days of receiving request. |
| Deliver appropriate bins/sacks to new housing developments | Within 10 working days of notice of occupancy (subject to refuse and recycling storage and collection points complying with Planning Regulations.) |
| Empty overflowing banks at Recycling Banks | Within 1 working day of receiving a report. |
| Determine applications for additional grey bin capacity and notify applicant. | Within 2 months of receiving application. |
| Determine applications for Assisted Collections and notify applicant. | Within 14 working days of receipt. |
| Annual supplies of black sack (for refuse) | Max. 2 rolls of 26 sacks (total 52) delivered to door nearest to public highway.  No additional supplies provided. |
| Annual supplies of clear sacks (for recycling) | 3 rolls of 26 sacks (total 78) delivered to door nearest public highway.  Ad-hoc supplies delivered within 10 working days of receiving request. |
| Biodegradable sacks for garden waste (non-wheeled bin households only). | Delivered within 10 working days of receiving order. |
| Special Collections of bulky household waste (chargeable service) | Completed within 3 weeks of receiving request. |
| Clinical Waste Collections | Referral to external service provider within 5 working days of receiving a request. |

**APPENDIX 2**

**PROPOSED PROCEDURE FOR DEALING WITH SIDE WASTE PRESENTED ALONGSIDE GREY WHEELED BINS**

For the purposes of this procedure, the term ‘Side Waste’ refers to excess waste in bags or boxes or loose rubbish that is presented either alongside or on top of grey wheeled bin/s.

Households with wheeled bins are required to contain their residual waste within their grey bin/s and present them for collection with the lid shut. Any side waste presented will not be removed.

Where waste collection crews encounter side waste, the following procedure will apply during any 3-month period:-

**Step 1:** Bin emptied; **side waste removed as ‘one-off’** and **standard letter sent** to householder asking them not to put out any side waste for collection.

**Step 2:** Bin emptied; **side waste photographed, stickered and left.** Customer Service Centre (CSC) notified via in-cab technology and **standard reminder letter sent to householder asking not to present side waste** for collection and offering advice/guidance on managing waste if required. Letter to explain consequences of continuing to present side waste.

**Step 3:** Bin emptied; **side waste photographed, stickered and left.** Address referred to Waste Minimisation & Recycling Team for **personal** **intervention** to engage with the resident and offer support.

**Step 4:** Bin emptied; **side waste photographed, stickered and left.** Address **referred to Street Scene Protection Team** to investigate as an unauthorised deposit of waste under S.87 of the Environmental Protection Act 1990 part IV which **may result in the issue of a fixed penalty notice.**

**Step 5:** In the event of **non-payment of an FPN** by the due date a **prosecution may be taken.**