

THIS ITEM IS FOR INFORMATION ONLY

(Please note that "Information Only" reports do not require Integrated Impact Assessments, Legal or Finance Comments as no decision is being taken)

Title of meeting:	Cabinet
Subject:	Progress on Enforcement of Waste Management Policy
Date of meeting:	10 September 2024
Report by:	Colette Hill, Assistant Director of Neighbourhoods
Wards affected:	All

1. Purpose

- 1.1.** To update the Cabinet on the progress of the enforcement of the updated waste management policy - particularly with regards to flat fronted properties and properties with limited storage space for bins and the changes made to improve accessibility whilst helping those with disabilities.

2. Background

- 2.1.** In July 2023, the administration approved changes to the Waste Collection policy to reflect a number of changes to the service including:
 - **Provision of separate food waste collections**
 - **Provision of mixed plastic bring banks**
 - **Provision of carton bring banks**
 - **Provision of kerbside battery collections**
- 2.2.** Following complaints about littering and nuisance caused by bins left on pavements changes were also made to the process regarding provision of, and if necessary enforcement relating to bins for properties that are flat fronted or properties with limited space at the front to store bins off the pavement.
The changes included:
 - Removal of refuse bin - revert to up to 3 standard bin bags
 - Removal of recycling bins - options include swapping to a smaller bin, or stackable caddy system
 - S46a notice - Environmental Protection Act 1990
- 2.3.** All bins should be stored off the highway on non-collection days - this is to ensure that pavements are clear from obstructions. This ensures residents can pass freely and safely. Where residents cannot easily store bins off the highway, they can place out 'up to 3 standard bin bags' weekly on collection day and recycling boxes or stackable boxes can be provided.

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The amendments in the July 2023 policy streamlined the process for removal of bins where residents are not complying to the requirements to store bins off the highway.

Section 4 - Presentation of waste the policy states:

'4.5. Receptacles must be removed from the pavement as soon as possible after collection on the day of collection.'

'4.6. If a household uses a wheeled bin, dustbin, recycling box/caddy, or food waste caddy for collection and live in a flat-fronted property or property with limited bin storage space, the bin must not be kept on the pavement on non-collection days. Council officers reserve the right to remove the bin if this is not being adhered to'

3. Progress

- 3.1.** There were a large number of bins being left out on the highway on non-collection days and the approach to enforcement is education led. The education approach focusses on explaining to residents their responsibility to bring the bin in and the inconvenience (anti-social behaviour) caused to others using the pavements etc.
- 3.2.** The Waste Management and Community Warden teams have taken a staged approach to the management of bins on the highway and work together to carry out the street audits and education/enforcement actions.
This included:
 - Communications to public to 'bring your bin back in' on social media - July/August 2023
 - Door knocking/Letter drop to affected homes explaining how residents need to manage their waste and bins - October/November 2023
 - Attendance at the Portsmouth District Private Landlords Association meeting to update and ensure landlords understand the collection policy regarding waste collections
 - Flagship article
 - Staged approach - road is audited on non-collection day and doors knocked/letters dropped advising residents what they need to do and consequences of repeat incidents. This is followed up in a following fortnight and non-compliance action is taken. This could be removal of the refuse bin or swap to alternative recycling bin provision. This is also communicated to residents in person or via letter - Started January 2024

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3.3. Since the 1 January 2024 the team has received 124 reports of bins on streets from residents.

3.4. The team has started the work with the roads where we have had the most complaints and issues. To date we have completed the following actions:

Road Name	Warning Letter Issued	Bin Removed/ Swapped
Collins Road	1	
Alver Road	2	
Balliol Road	11	10
Beatrice Road	25	15
Binstead Road	13	2
Cyprus Road	40	22
Harold Road	46	26
Highland Street	4	
Jersey Road	18	12
Langley Road	1	
Leopold Street	25	14
Malta Road	20	12
Methuen Road	74	
Morley Road	2	
Newcome Road	59	34
Norman Road	25	18
Owen Street	16	
St Stephens Road	24	13
Stansted Road	27	
Toronto Road	29	11
Trevor Road	36	24
Winchester Road	35	15
Grand Total	553	229

Please note the blanks indicate we have completed the warning letter stage only at this time.

3.5. There are 358 roads where bins have been reported to be stored on the highway and the team are working through these.

3.6. In the course of this work to date an additional 27 assisted collections (collections for households with mobility issues that prevent them presenting bins in the required way) have been agreed - in these cases residents are permitted (where possible) to store their bins on the highway. These have been agreed in line with the policy as a reasonable adjustment and bins are stickered to indicate they are permitted to be on the pavement.

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- 3.7. Revisits/Further complaints - where we have taken action we have revisited to ensure that compliance continues. Largely roads have remained clear and we have taken necessary steps to act on continuing issues.
- 3.8. Enforcement - overall the main enforcement action we have taken is to remove refuse bins and swap out recycling bins. We are also able to take a more formal approach where this doesn't resolve the issue and consider action under S46a of the Environmental Protection Act 1990. This is a power which can result in repeated fines for incorrect presentation of waste. This is the final enforcement step and will be used where appropriate.
- 3.9. As part of the education led approach we have also been engaging with residents to swap out larger recycling bins for smaller ones or for stackable boxes.

4. Next Steps

- 4.1. The policy and education led approach using enforcement action is working but takes time. The Waste and Community Warden teams are continuing to work through this area of work in order of greatest demand.
- 4.2. There is an article scheduled for the winter edition of Flagship regarding street scene issues - this will include a reminder to 'bring your bin in' and contact numbers for advice and support.

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Signed by (Director)

Appendices:

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Environmental Protection Act 1990 (legislation.gov.uk)	
Agenda for Cabinet on Tuesday, 25th July, 2023, 2.00 pm Portsmouth City Council	