

Signed off by	Strategic Head of Neighbourhood Services
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To	Executive
Date	Thursday, 23 June 2022
Executive Member	Portfolio Holder for Neighbourhood Services

Key Decision Required	N
Wards Affected	(All Wards);

Subject	Council Motion: Roll-Out of Recycling
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<p>Recommendations</p> <p>That the Executive:</p> <ul style="list-style-type: none"> (i) Notes the positive progress that has been made in relation to rolling out the full recycling service to flats such that in excess of 90% of properties in the borough have access to the service (ii) Agrees the importance of continuing the rollout of a full kerbside recycling service to flats and properties with communal bin stores to maximise the amount of good quality recycling collected and to reduce the amount of waste sent for disposal (iii) Notes the motion as presented to Full Council on 29th July 2021, and in response: <ul style="list-style-type: none"> (a) Agrees that the Waste & Recycling Team continues to work with landowners, landlords and occupiers to enable the introduction of full kerbside services wherever possible; and (b) Agrees to continue to work with Surrey Environment Partnership to deliver both local and countywide waste and recycling objectives (c) Rejects other elements of the motion

Reasons for Recommendations

To acknowledge the continued activity of the Council to roll out kerbside recycling services to flats and properties with communal bin stores with a view to further increasing recycling rates, reducing the amount of waste sent for disposal and ensuring that residents can recycle a range of materials directly from their homes.

Executive Summary

At its meeting on 29 July 2021, the Council resolved to refer a motion relating to the roll-out of recycling to the Executive for consideration. The motion, moved by Cllr Essex and seconded by Cllr Chandler on behalf of Cllr Torra, asked the Council to note progress in rolling out the Council's full household recycling scheme to flats and communal properties in the borough. It made a number of observations about challenges that flats/communal properties present and some of the options available to the Council to support these properties to recycle.

This report explains the progress that has been made to date in rolling out a full kerbside recycling service to flats and other properties with communal bin stores, such that in excess of 90% of homes in the borough have access to the full service. Recycling performance in the borough is good, as reported via our quarterly updates on Key Performance Indicators (elsewhere on this meeting's agenda).

While Council officers continue to engage with the owners, landlords and residents of the 6,000 remaining properties that do not receive the full recycling service, there are limitations to our ability to mandate the required property improvements.

The motion being considered makes a number of suggestions and proposals in relation to the ongoing flats roll-out, which the report considers in turn. The report concludes that there are practical and financial considerations which mean that pursuing these is not recommended to the Executive. In summary:

- It is not appropriate that the Council takes a lead in drafting proposals to expand communal bin stores as they remain private property and therefore that responsibility should rest with the landowner
- The Council does not have the discretion to waive planning fees associated with changes to communal bin stores
- Reflecting the Corporate Plan objective 'to deliver a waste and recycling service that provides good value to the taxpayer', it is not considered appropriate that the Council should use public funds to pay for improvements to private properties, particularly at a time when we are facing challenging decisions around future spending as part of our Financial Sustainability Programme.

The Council already works closely with the Surrey Environment Partnership in relation to flats recycling and promoting recycling generally. We will continue to do so in order to enhance services, reduce the amount of waste sent for disposal, maximise the amount of material recycled and achieve the objectives set out in our own Corporate Plan and Environmental Sustainability Strategy and the targets identified in the county-wide Joint Municipal Waste Management Strategy.

The Executive has authority to approve the above recommendations

Statutory Powers

1. Reigate & Banstead Borough Council is a statutory Waste Collection Authority. The borough is permitted to retain materials for the purposes of recycling by Surrey County Council, the Waste Disposal Authority, as described within the Environmental Protection Act of 1990.

Background

2. At its meeting on 29 July 2021, the Council resolved to refer a motion relating to the roll-out of recycling to the Executive for consideration. The motion, moved by Cllr Essex and seconded by Cllr Chandler on behalf of Cllr Torra, asked the Council to note progress in rolling out the Council's full household recycling scheme to flats and communal properties in the borough. It made a number of observations about challenges that flats/communal properties present and some of the options available to the Council to support these properties to recycle. More information about these is provided in the Key Information section below.
3. The Motion requested that the Council:
"Resolve to accelerate and complete the recycling roll out to all properties by:
 - Ensuring the recycling department has sufficient resources to accelerate and complete the roll-out, including to lead in drafting proposals to expand communal bin stores in collaboration with owners and waive the associated planning fees
 - Ensure sufficient capital funds to support bin store improvements and find creative solutions to enable collection from all households; and
 - Collaborate with Surrey Environmental [sic] Partnership as appropriate to aid the delivery of the above."
4. Throughout this report, the term 'flats' is used as shorthand for flats and other properties with communal bin stores.

Key Information

Local strategy

5. The approach to waste and recycling collection in Reigate & Banstead is primarily guided by the Surrey-wide Joint Municipal Waste Management Strategy (JMWMS), which was adopted by the Council in 2010. This strategy addresses the way in which waste and recycling will be managed across the county and sets challenging recycling targets for the waste collection authorities.
6. Other relevant local strategy and policy includes:
 - The 2020-25 Corporate Plan, which commits the Council to 'continue to deliver a waste and recycling service that provides good value to the taxpayer and reduces plastic waste, working with the Surrey Environment Partnership'; and
 - The Council's 2020 Environmental Sustainability Strategy which includes a priority around waste reduction and an action to continue to roll out recycling to all flats within the borough to improve the service provided compared to the [paper and card only] service historically delivered.

7. In 2012, to meet the objectives of the JMWMS and national recycling targets, the Council introduced a comprehensive recycling service to the majority of homes in the borough. The service was not initially provided to flats, as it was recognised that these properties would require a more bespoke approach which would take longer to resolve. In the meantime, flats would continue to receive a more limited recycling service.

Current position

8. Reigate & Banstead borough currently has around 62,000 residential properties. Of these approximately 13,500 are flats or other properties with communal bin stores.
9. In 2018, by which time around 3,800 flats had been provided with the full recycling service, the Executive reaffirmed its continued support for the roll-out of enhanced recycling services to flats, and authorised the Strategic Head of Neighbourhood Services to progress with future phases of 'flats roll-out'. At that time, around 10,000 flats did not have access to the full recycling service (that is, paper, card and cardboard, glass bottles and jars, cans, and plastic pots, tubs and trays, as well as food waste). However, it should be noted that most of those 10,000 flats did have access to the collection of paper and cans.
10. By March 2019, an additional 1,900 flats were in receipt of the full kerbside collection service ('Phase 1'), and in November 2019, the next phase of roll-out commenced with the aim of adding 2,500 more flats ('Phase 2'). Progress on Phase 2 roll-out was unfortunately then halted due to the coronavirus pandemic. This was necessary to enable the Council to maintain statutory waste collections throughout the periods of 'lockdown', when there was a substantial increase in the tonnage of domestic waste presented for collection and the team was required to manage the impact of staff Covid-related illness and self isolation.
11. In July 2021, an operational decision was taken to recommence Phase 2 rollout, and by October 2021 all 2,500 flats within the phase had been added to the new service. This is testament to the efforts of the collection crews and office-based staff who together delivered the Phase 2 roll-out despite the ongoing challenges of Covid.
12. Therefore, as it stands, more than 7,500 of the borough's 13,500 flats receive a full kerbside collection, with around 6,000 awaiting the full service. This means that less than 10% of all residential properties in the borough are still unable to access full collections. The Council's quarterly update on key performance indicators (elsewhere on this meeting's agenda) reports that as at 2021/22 Q3, the year to date outturn recycling total is the Council's strongest performance on record.
13. And progress on the remaining properties continues to be made. 300 more flats have already been identified as ready to be assimilated onto the full service, and a further 600 are nearing this position. It should also be noted that all new-build and recently converted flats receive the full recycling service on occupation.

Responding to the motion suggestions and proposals

14. As noted above, the motion provides some contextual information and ideas before presenting its proposed resolution. It includes the suggestion that the options being proposed by the Council for remaining properties do not work for all properties, and provides a number of examples, which are considered below:
15. **Smaller bins:** The motion notes that the residents of Oaklands Park (Earlswood) have requested smaller bins as they cannot accommodate the 2 full-sized wheelie

bins (which is the standard offer of the Council). Specifically in relation to these properties, the Council has presented several innovative options to residents, none of which have proved acceptable to them. More generally in relation to the suggestion that the Council offer smaller bins, it should be noted that:

- Smaller bins would have less capacity than the standard 140l bin provided to other households and may give rise to requests for an increased frequency of collection.
 - An additional stock of smaller bins would need to be held by the Council, and because of the relatively small number required, it is unlikely that an economy of scale would be achieved thus the unit price would be comparatively high.
16. An alternative option in some cases may be for residents to share larger bins between more than one household, however in some instances (such as Oaklands Park) it is accepted that these would not fit within existing bin stores. It is therefore recommended that officers continue their current approach of continuing to engage with residents on a site-by-site basis to arrive at an efficient and practical method based upon 'standard' service provision where possible.
 17. **Re-sealable bags:** The motion notes that this is an alternative that is used by other Councils. Re-sealable (or re-usable bags) are not an acceptable means of collection when used in conjunction with wheelie bins and automatic bin lifts – they were withdrawn from service following a Prohibition Notice issued to the Council by the Health & Safety Executive in 2015 as their use means crews are likely to enter the danger zone at the rear of refuse collection vehicles to recover re-usable bags once they have been emptied.
 18. In concluding, the motion proposes that the Council should resolve to accelerate and complete the recycling roll out to all properties and identifies three actions to achieve this. Again, these will be considered in turn:
 19. **Ensuring the recycling department has sufficient resources to accelerate and complete the roll-out, including to lead in drafting proposals to expand communal bin stores in collaboration with owners and waive the associated planning fees:** The Waste Operations Team supporting the flats roll-out includes the Council's Recycling Officer, who was supported during Phases 1 and 2 of the project by a Flats Recycling Officer. On completion of Phase 2, this second post's term came to an end. Much work has been completed by the team both before and during the pandemic and periods of lockdown, and it is considered that the Council is well resourced to add further flats to the full kerbside service as opportunities arise.
 20. While our recycling officers have been working with and advising property owners around requirements for bin stores, the suggestion in the motion that the Council takes a lead in drafting proposals to expand communal bin stores is not appropriate as they remain private property and therefore that responsibility should rest with the landowner.
 21. In relation to the suggestion to waive planning fees associated with changes to bin stores, planning fees are set by national regulations (The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, as amended), and the Council does not have the discretion to waive fees.

22. **Ensure sufficient capital funds to support bin store improvements and find creative solutions to enable collection from all households:** As noted above, Council officers have been working with property owners to identify viable and workable solutions to enable the full recycling service to be provided to flats. In doing so, they rightly seek to balance residents needs and desires with operational considerations. However, it must be recognised that the majority of the remaining flats need major adjustments or significant investment before the enhanced service can be introduced, and the Council has no powers to mandate action.
23. Reflecting the Corporate Plan objective to 'deliver a waste and recycling service *that provides good value to the taxpayer*' (emphasis added), it is not considered appropriate that the Council should use public funds to pay for improvements to private properties, particularly at a time when we are facing challenging decisions around future spending as part of our Financial Sustainability Programme. The additional recycling collected would not generate sufficient sustainable income to offset the scale of capital investment that would be required.
24. However, the Council will continue to explore opportunities to signpost property owners to third party funding that may be able to help.
25. **Collaborate with Surrey Environmental Partnership as appropriate to aid the delivery of the above:** Reigate & Banstead Borough Council is an active and engaged member of the Surrey Environment Partnership (SEP). The SEP comprises all eleven Surrey Districts and Boroughs, as well as the County Council, and works collectively to reduce the amount of residual waste sent for disposal, to increase recycling and to share best practice in waste management.
26. During Phase 2 of the flats roll-out, the Council worked closely with the SEP Flats Team to introduce improvements to prevent contamination (that is, to avoid the wrong material being placed in recycling bins) and to provide food waste collections to flats targeted within the Phase. The Council made a successful bid to SEP for match funding towards the purchase of additional bins and containers.
27. We will continue to work closely with SEP to enhance services, reduce the amount of waste sent to landfill, maximise the amount of material recycled and achieve the targets identified in the JMWMS.

Conclusions

28. While the motion does not reference the Government's Waste and Resources Strategy, it is important that Executive Members are aware that this is likely to introduce new statutory duties on waste collection authorities including to provide food waste collections to all domestic properties. Along with any new statutory duties, it is possible that the Government will also make available New Burdens funding, which may be able to help support our continued efforts to enable as many flats as possible to access the Council's full recycling service.
29. In the meantime, and reflecting the above assessment of the motion proposals, it is recommended that the Executive:
 - Notes the motion as presented to Full Council on 29th July 2021
 - Notes the positive progress that has been made in relation to rolling out the full recycling service to flats such that in excess of 90% of properties in the borough have access to the service

- Agrees the importance of continuing the rollout of a full kerbside recycling service to flats and properties with communal bin stores to maximise the amount of good quality recycling collected and to reduce the amount of waste sent for disposal
- That the Waste & Recycling Team will continue to work with landowners, landlords and occupiers to enable the introduction of full kerbside services wherever possible; and
- Officers will continue to work with Surrey Environment Partnership to deliver both local and countywide waste and recycling objectives.

30. For the reasons outlined above it is not recommended that the following proposals within the motion are supported:

- Offering smaller bins or re-useable bags
- Drafting proposals for the expansion of communal bin stores on behalf of private landowners and waiving associated planning fees
- Directly funding improvements to privately-owned properties.

Options

31. The following options are available to the Executive

- **Option 1:** Support the recommendations set out in this report. This option is recommended: it enables the continued roll-out of flats recycling to remaining properties as opportunities arise and supported by advice from the Council's Waste & Recycling team, whilst recognising the financial and operational constraints within which the Council needs to operate, and objectives within the corporate plan.
- **Option 2:** Support the original motion in full. This option is not recommended as several of the proposals in the motion are not considered to be cost effective, operationally viable or possible in light of statutory regulation.

Legal Implications

32. No legal implications have been identified as arising from the recommendations within this report.

Financial Implications

33. There are no direct financial implications arising from the recommendations within this report. The activities proposed can be delivered within existing budgets.

34. Subject to market conditions, a modest increase from the sale of recyclate is likely to be achieved as flats are added to the kerbside service. This will help offset any additional costs incurred during the roll-out.

35. The Council will continue to explore opportunities for third party funding to support the ongoing roll-out, including from Surrey Environment Partnership should the opportunity arise. The longer term financial implications to the Council of the Government's Waste and Resources Strategy will need to be assessed when details are confirmed.

Equalities Implications

36. There are no direct equality implications arising from the recommendations within this report. An equalities impact screening assessment was carried out in support of the 2018 Executive recommendations to continue with the phased roll-out of the flats recycling service. While residents of some flats and properties with communal bin stores do not have the ability to recycle the same material from the kerbside as other householders, the Council continues to seek to reduce the numbers of residents impacted, and to mitigate the impact, the Council continues to maintain a number of recycling 'bring sites', and Surrey County Council operates civic recycling centres at Earlswood and Epsom that offer opportunities to recycle. While the Council is able to offer assisted collections from houses in the borough, we are unfortunately not able to provide the service where it requires entry to residents' homes.

Communication Implications

37. Regular communication with our residents is undertaken to encourage the use of recycling services provided by the Council. The Surrey Environment Partnership also undertake regular communication campaigns and initiatives. This work complements the approach that the Council is takes in respect of its waste and recycling collection activities and the recommendations within this report and includes information for residents of flats and properties with communal bin stores.

Environmental Sustainability Implications

38. The Council's Environmental Sustainability Strategy includes the objectives to reduce waste through avoiding it in the first place, and to facilitate recycling. To achieve these, the Action Plan includes a specific action to continue to roll out recycling to all flats within the borough, and an action to continue to work with Surrey Environment Partnership (including in relation to the recycling of hard to recycle products. The recommendations within this report contribute towards the identified Strategy objectives.
39. As well as being consistent with the Council's own aims, action to increase the amount of material recycled and reduce residual waste sent for disposal will help meet targets identified in the JMWMS.

Risk Management Considerations

40. No specific risk management considerations have been identified, however Executive Members should note that the Government's Waste and Resources Strategy is currently identified as an operational risk, and as such is subject to regular review including the consideration of any mitigating actions that may be required.

Consultation

41. The Portfolio Holder for Neighbourhood Services and other members of the Executive have been consulted on the content of this report.

Policy Framework

42. The recommendations within this report are consistent with objectives within the Council's corporate plan and contribute to the delivery of actions identified in the Environmental Sustainability Strategy.

Background Papers

1. Council motion, 29 July 2021: <https://reigate-banstead.moderngov.co.uk/ieListDocuments.aspx?CId=136&MId=1660&Ver=4>
2. Surrey-wide Joint Municipal Waste Management Strategy: https://www.surreyep.org.uk/wp-content/uploads/2019/03/JMWMS_Rev2_v6_STRATEGY.pdf
3. Corporate Plan 'Reigate & Banstead 2025': www.reigate-banstead.gov.uk/rbbc2025
4. Environmental Sustainability Strategy 2020: https://www.reigate-banstead.gov.uk/info/20065/environmental_sustainability_and_climate_change/1220/our_approach_to_environmental_sustainability
5. 2018 report to the Executive 'Flats Recycling Service': <https://reigate-banstead.moderngov.co.uk/ieListDocuments.aspx?CId=137&MId=216&Ver=4>
6. Government Waste & Resources Strategy: <https://www.gov.uk/government/publications/resources-and-waste-strategy-for-england>