Waste and Recycling Collection Policies

Introduction

The Council operates under a complex legislative framework for the management of waste services which includes the Environmental Protection Act 1990, the Waste (England and Wales) Regulations 2011, the Environment Act 2021, the Separation of Waste (England) Regulations 2024, and the Producer Responsibility Obligations (Packaging Waste) Regulations 2024.

It is important that residents and businesses within South Holland are provided with a waste collection service that both fulfils the requirements of these legal instruments and enables them to participate in an effective waste collection service, supporting them to reduce their waste, manage it securely to prevent litter, and increase recycling.

The Council has already demonstrated its commitment to efficient, effective, and legally compliant waste services that support recycling, reduce emissions, and deliver the requirements of Extended Producer Responsibility (EPR) funding for packaging wastes. This document therefore sets out the policies required to enable the Council to meet its strategic commitments and statutory obligations for delivering a waste collection service.

This document also outlines the key elements that guide the delivery of waste collection services across the district to ensure the services are delivered equitably, legally and within the approved budget.

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1. Strategic commitments

1.1 The South & East Lincolnshire Councils Partnership (SELCP) has established Environment as a priority in the Sub-Regional Strategy (2024/5 – 2028/9) and has made the following commitments as part of this strategy:

'Working with partners to play our role in addressing climate change and environmental responsibilities, and also to encourage others to follow our example'.

1.2 Strategic Actions supporting this priority are to:

- Work with the South and East Lincolnshire Climate Action Network (SELCAN) to deliver the Climate Change Strategy.
- Work with partners to increase biodiversity.
- Implement the Environment Act and Extended Producer Responsibility (EPR)
- Discourage fly tipping and environmental crime through deterrence, education and enforcement.
- Maintain and seek to improve street cleanliness
- Work with local communities to develop green spaces and play areas
- Protect and enhance built heritage and environment, with local businesses and through green homes grants, and create new developments.

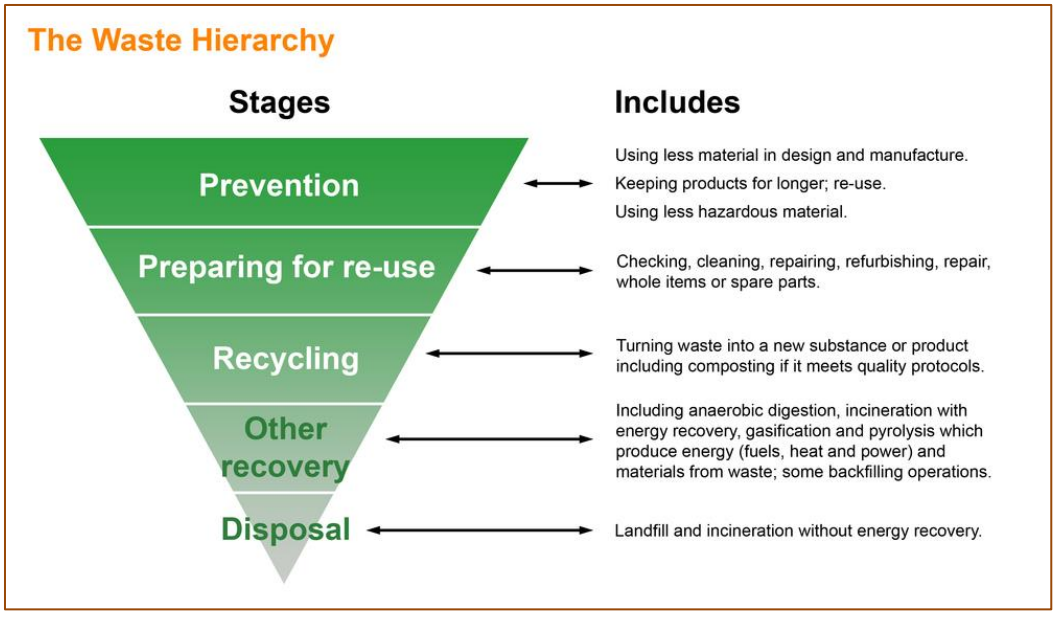
2. Statutory responsibilities

2.1 **Legal responsibility to collect waste:** The Council has a duty under The Environmental Protection Act 1990, as a Waste Collection Authority, to arrange for the collection of household waste in its area, except waste which is situated at a place which in the opinion of the authority is so isolated that the cost of collecting it would be unreasonably high and to which the authority is satisfied that adequate arrangements for its disposal have been or can be reasonably expected to be made by a person who controls the waste.

2.2 **Duty to collect commercial waste:** the Council has a duty under The Environmental Protection Act 1990, as a Waste Collection Authority, if requested by the occupier of premises in its area, to collect commercial waste from the premises, or to arrange for the collection of the waste. However, under the Controlled Waste Regulations 2012, the Council must make a charge for the collection and disposal of this waste. Businesses must ensure they have made separate arrangements for the collection and disposal of their commercial waste, including documented Waste Transfer arrangements.

2.3 **Duty to apply the Waste Hierarchy:** under Article 4 of the revised Waste Framework (Directive 2008/98/EC), as set out in the Waste (England and Wales) Regulations 2011, the Council must apply the Waste Hierarchy to waste management. The Waste Hierarchy shown in Figure 1 below, ranks waste management options according to what is best for the environment; Prevention, Preparing for re-use, Recycling, Other recovery, and then Disposal.

Figure 1 The Waste Hierarchy



2.4 **Requirement to provide an effective and efficient waste service**: the Producer Responsibility Obligations (packaging waste) Regulations 2024 sets out the statutory requirements for the Council to be able to demonstrate an 'efficient and effective' waste service to comply with Extended Producer Responsibility (EPR) funding.

2.5 **Simpler Recycling:** Under the Environment Act 2021 and exercised through the Separation of Waste (England) Regulations 2024, the default requirements for most households are separate containers for the collection of residual (non-recyclable) waste, food waste (to be collected weekly), paper and card, and other dry recyclable materials (plastic, metal, glass).

The aim of 'Simpler Recycling' is to make recycling easier, enabling members of the public and businesses to recycle the same materials across England whether at home, work or school.

3. Waste collection policies

3.1 **Waste collection:** the Council has specific duties under the Environmental Protection Act 1990 to collect waste from households. Section 46 of the Act requires the Council to arrange for the collection of waste from any premises, and by notice served, require the occupier to place the waste for collection in receptacles of a kind a number specified. The Council can specify the type of receptacle, the number, the type of waste presented in each receptacle, where to present waste for collection and the removal of receptacles to the property.

3.2 **Waste collection provision**: the default provision is for waste from all properties to be collected in 3 wheeled bins:

- 1 x 240L bin for residual waste,
- 1 x 240L bin for mixed dry recycling
- 1 x 240L bin for paper and card.

Residents will also receive a kitchen caddy and a kerbside caddy to support the food waste collection. Households will be provided with 52 kitchen caddy liners per year.

Different sizes of bins may be considered on a case-by-case basis.

3.3 **Bank Holiday collections and collection days:** collections will be made on a Bank Holiday, except for Christmas Day, Boxing Day and New Years Day. Changes to collection days may be made from time to time, e.g. due to housing growth, or business continuity needs. Residents will be provided with a collection calendar outlining these changes.

3.4 **Properties exempt from bin collections**: If needed, a decision on whether a property can accommodate bins, will be made by an authorised officer of the Council. Where residents of properties have been assessed as unable to use the standard bin collection provision, they may be supplied with a communal bin, be placed on an authorised bag scheme, or have one or all bins replaced subject to the officer decision.

Exempt properties may include:

i) properties where presenting a wheeled bin at the curtilage requires the householder to take the bin through a room in their house;

ii) where a property has insufficient space within its boundary to accommodate bins, such as a flat;

iii) where bins would be required to be stored permanently on the highway.

Where bags are required, these will be supplied to the capacity equal to the bin provision and the collection frequency, e.g. 4 bags per 240l bin.

3.5 **Side waste:** any waste placed outside of a bin will not be collected. Exempt properties will be provided with 104 residual bags and 104 recycling bags, delivered once per year. No more than 4 residual bags, and 8 recycling bags will be collected on each scheduled collection.

An additional bin may be provided at cost.

3.6 **Requirement to segregate waste:** the Council's policy requires households to segregate their waste as outlined in the Simpler Recycling rules relating to residual (non-recyclable), food waste, paper and card, other dry recyclable materials (plastic, metal, glass). A comprehensive pictorial guide to which materials can be presented in each bin will be provided to residents.

3.7 **Approach to enforcement of regulations:** Education and engagement is the preferred approach to help residents understand how to manage their waste to meet the waste hierarchy – to reduce and reuse waste where possible, with a responsibility to improve recycling supported by the Council.

Residents will be informed on their collection day when wrong items are placed within a bin or bag through the use of tags placed on bin handles, and/or stickers. Contaminated recycling cannot be collected due to the potential impact on the entire vehicle load. Every effort will be made to remove contamination.

Bins must not be stored permanently on the highway, including the footpath, and must be taken back into the property as soon as possible after collection. It is an offence under Section 137 of the Highways Act 1980 if a person without lawful authority, in any way willfully obstructs the free passage along a highway, including the footpath. Bins which are left on the highway, or the footpath, or considered permanently stored, will be removed without notice. A householder requesting return of the bin will be charged a delivery charge.

Any residents not complying with the Council's requirements shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale, other proportionate legal action is available to the Council, or it may remove the waste collection service from the resident and require the resident to make alternative arrangements for the collection and disposal.

3.8 **Unadopted roads**: the Environmental Protection Act 1990 allows the Council to specify where receptacles should be placed for collection. This Council's policy is that wheeled bins/bags will generally not be collected from unadopted roads (unadopted roads are those roads not maintained by a highway authority as defined by Highways Act 1980). In such cases, bins/bags should be presented at the curtilage for collection, which is the point closest to their property on the nearest adopted road.

This policy also applies to long and/or private drives, where bins/bags should be presented at the curtilage of an adopted road. Exceptions may be made to new housing developments, in some situations, by agreement of a legal indemnity between the Council and the land owner, and through the existing private drives policy.

3.9 **Bin colours**:

All bins have a body of anthracite grey with different coloured lids as follows:

- Black-lidded bin: General non-recyclable household waste.
- Blue-lidded bin: Mixed dry recycling (e.g. plastics, cans, glass).
- Purple-lidded bin: Paper and card.
- Orange lidded caddy: Food waste

- A brown bin is provided for Garden waste (optional paid service).

3.10 **Frequency of collection** is as follows:

	Week 1	Week 2	Week 3	Week 4
Black-lidded bin (general waste)	✓		✓	
Blue-lidded bin (mixed dry recycling)		✓		
Purple-lidded bin (paper and card)				✓
Orange-lidded caddy (food waste)	✓	✓	✓	✓

Where a property has been assessed as fully exempt from a bin collection, paper and card will be collected with the mixed dry recycling only due to the need for further segregation of the recycling. The collection frequency is as follows:

	Week 1	Week 2	Week 3	Week 4
General waste bag	✓		✓	
Recycling bag (mixed dry recycling, and paper and card)		✓		
Orange-lidded caddy (food waste)	✓	✓	✓	✓

3.11 **Bin presentation**

- Bins may be presented after 6:30pm the night before the collection day and must be ready for collection at the agreed location by 5:30am on collection day.
- The Council will not return to collect any bins missed due to not being presented in time for the collection.

- Bins should be presented at the curtilage of each property
- Presentation points will be used as agreed with council officers where bins cannot be presented at the curtilage.

3.12 **Missed collections**

- If a householder has not had their bin collected but adjacent neighbours have, and no tag has been added to the bin to inform them that the bin was contaminated, they should report the missed bin after 2 pm on the day of collection and within 24 hours following the day of collection, as crews will be operating within the area and will be able to return for collection.
- Where authorised, re-collection will be within 5 working days.

3.13 **Assisted collections**

Assisted collections will be available to residents unable to present their waste due to ill health, disability, or infirmity and who do not have assistance from household members. This could be a temporary or permanent arrangement.

Applications for an assisted collection will be assessed by an authorised officer and will be subject to regular review. Waste and recycling will be collected from and returned to an agreed location.

3.14 **Additional capacity needs**

Households may request additional capacity if:
- There are 6 or more residents.
- There are 3+ children in nappies.
- There is a need to dispose of additional waste due to health needs.

A waste audit will be conducted before approval. Any additional bins provided will be reviewed periodically.

3.15 **Charging for bins/services** will be levied as follows:

Ref	Chargeable Item / service	Charging
a	Replacement Bins (Black, Blue, Purple, Orange, Brown)	Charges applied where bin has been proven to be damaged, lost or stolen – unless damage / loss caused by council crews or bin is defective
b	Additional Bin (where authorised)	Charges applied for bin delivery
c	Additional Bin Hire (where authorised re policy 3.5)	Charges applied for bin hire and collection
d	Garden waste (Brown bin)	Charges applied for garden waste service, the (brown) bin and bin delivery
e	Bins at Places of worship, village halls & community centres	Authorised locations will be provided with one set of bins if requested and charged at a commercial rate

f	Removal of Bulky Waste	A bulky waste collection service will be provided. This service is chargeable

3.16 **Commercial waste**

The Controlled Waste (England and Wales) Regulations 2012 require a charge to be levied on the producer of the commercial waste for both collection and disposal of the waste.

Where residential properties are used for business purposes, businesses need to ensure they follow their duty of care and obtain appropriate waste documentation from a waste carrier.

3.17 **Collection of bulky waste**

A service to collect Bulky Waste from households will be provided. Bulky wastes are items over 25kgs, such as furniture, washing machines and fridges. A full list of bulky waste items is set out on the list supplied by SHDC Waste services, at Request a bulky/electrical waste collection - South Holland District Council. Bulky waste not collected includes any building materials, oil, car parts, asbestos, batteries, fixtures and fittings etc. Full details will be published on the Council's website.

The Controlled Waste (England and Wales) Regulations 2012 require a charge to be levied for this service.

4 Governance

Version Control			
Issue No	**Author**	**Issue date**	**Reason For Issue**
1.0	Group Manager – Waste and Fleet	8 December 2025	New waste collection model requires clear policies. Version provided for consideration and comment by the Council's Performance Development Panel
2.0	AD	30 December 2025	No issue - version updated to reflect PDP's initial review and inform second PDP meeting
3.0	AD	10 February 2026	Version updated to incorporate PDP's comments at 9 February committee, and circulation to PDP.
4.0	AD	13 February 2026	Report circulated as Appendix to Cabinet report