

Southampton City Council

Waste Management Policy

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1. Introduction

- 1.1. We know that having a clean and attractive neighbourhood is important to you. That is why we are working hard to give you a quality service. This policy has been developed to inform residents of the services we, the council, provide, outline what we expect you to do and provide a framework of enforcement action that we can use when things go wrong.
- 1.2. Our purpose is to make Southampton a clean city and to help Southampton residents to recycle as much as possible and to minimise and manage their waste in the most cost effective and efficient way.
- 1.3. We aim to work with the local community to enable local people to participate directly in the development, improvement and maintenance of their own local environment. If you want to put forward a suggestion or report a problem with any of the services included in this policy please contact us via our website, Recycle for Southampton app or call Actionline (details at the end of this document).
- 1.4. Research has shown that an unattractive local environment can have a negative impact on local communities and people's perceptions of an area. The presence of graffiti, litter, fly posting, bins left on pavements and fly tipping has an impact on perceptions of safety, can encourage further vandalism and more serious crime and can impact on quality of life.
- 1.5. Everyone in Southampton has a personal responsibility to manage their waste responsibly and keep Southampton free of litter, graffiti, fly tipping, fly posting and dog fouling.

2. Scope of policy

- 2.1. This policy applies to the management of waste across Southampton and includes all local environmental quality issues (LEQ- litter, graffiti, fly tipping, fly posting and dog fouling) and the collection of waste and recycling from all households in Southampton. (It does not cover commercial waste collection from businesses.)
- 2.2. The aim of this policy is to improve Southampton's local environmental quality and increase the quality and quantity of waste recycled.
- 2.3. The Environmental Protection Act 1990 places a duty on local authorities to ensure that the roads and highways for which they are responsible are kept clear of litter and refuse, as far as is practicable. The Act also imposes a duty on waste collection authorities to arrange for the collection of household waste in their areas. Southampton City Council is a waste collection authority.
- 2.4. The Clean Neighbourhoods and Environment Act 2005(CNEA) introduced a raft of powers for local authorities to use to help tackle LEQ problems and anti-social behaviour such as litter, graffiti, fly tipping and dog control.
- 2.5. This policy sets out how we will meet these duties and how we will use these and other powers and tools at our disposal, to ensure that within available resources, enforcement work is carried out in an effective, consistent, proportionate and fair manner across the city.
- 2.6. We have adopted the Cabinet Office's "Enforcement Concordat" which sets out the principles of good enforcement. In addition, all officers will consider and follow the Code of Practice for Crown Prosecutors, issued by the Crown Prosecution Service, when taking decisions on whether to prosecute.

3. Local environmental quality (LEQ)

3.1. Litter

- 3.1.1. Any rubbish dropped on the ground or disposed of inappropriately is littering. This includes, but is not limited to, cigarette ends, chewing gum, fast food/drinks containers and snack/confectionary wrappers. The act of littering is not only unlawful but it is also dangerous, can be harmful to ourselves and wildlife, attracts vermin and spoils the appearance of the city.
- 3.1.2. We provide over 1,000 litter bins on the streets of the city for members of the public to use.
- 3.1.3. We aim to remove reported build ups of litter within one working day.
- 3.1.4. We can issue fixed penalty notices to anyone caught dropping litter or chewing gum, discarding rubbish from a vehicle or throwing away cigarette ends.
- 3.1.5. Businesses have a responsibility to keep their waste tidy and safe and to pay for the disposal of their own waste. Trade or commercial waste should not be placed in litter bins. We may take enforcement action against businesses which fail to comply.

3.2. Graffiti

- 3.2.1. Graffiti is criminal damage and is defined as any illegal marking to walls or surfaces and can range from small scribbles or 'tags' to large spray paintings.
- 3.2.2. We are responsible for removing graffiti from public property and aim to remove racist and obscene graffiti within 24 hours of it being reported. Other graffiti will usually be removed within 2 to 4 weeks.
- 3.2.3. Racist and obscene graffiti will normally be removed from private property free of charge (we may look to recover costs from commercial properties). Graffiti of any other kind on private or commercial property is the responsibility of the landowner/ occupier. We may be able to offer a chargeable removal service for the removal of other graffiti from private and commercial property. Availability and cost of the service would be discussed with the property owner on a case by case basis.
- 3.2.4. A fixed penalty notice may be issued for minor graffiti offences. Hundreds of pounds worth of damage can quickly be done by a single "tagger". These prolific "taggers" could be prosecuted and could receive a fine of up to £2,500 or be imprisoned.

3.3. Fly tipping

- 3.3.1. Fly tipping or dumping is the illegal deposit of any waste onto land or a highway. This includes garden waste.
- 3.3.2. Everyone has a duty of care to ensure that anyone taking their waste away disposes of it correctly. If your waste is later fly tipped and traced back to you, then you could be prosecuted.
- 3.3.3. We may take enforcement action against anyone found to be fly tipping on public or private land. If a substantial quantity of waste is dumped or if it contains hazardous materials, offenders could be prosecuted which could lead to a fine of up to £50,000 and confiscation of the vehicle used to transport the waste.

3.4. Fly posting

- 3.4.1. Fly posting is the illegal display of advertising material generally on buildings and street furniture, without the permission of the owner. Fly posting can be unsightly and make an area feel unsafe and uncared for.
- 3.4.2. We are responsible for removing fly posting from public buildings and property. The owner of the property is responsible for removing fly posting from private property.
- 3.4.3. We may take enforcement action against businesses or individuals undertaking fly posting activity in the city.

3.5. Dog fouling

- 3.5.1. It is the responsibility of the dog owner or the person in charge of the dog to clear up any dog foul left by their dog. The regulations state specifically that being unaware that the dog has fouled, or not having a suitable means of removing the faeces is not a reasonable excuse for failing to clean up after your dog.
- 3.5.2. Dog faeces are potentially harmful to public health and should be disposed of appropriately. As long as it is bagged correctly, dog waste can be put in any public litter bin.
- 3.5.3. If you fail to clean up after your dog you can be issued with a fixed penalty notice, or if the case goes to court a fine of up to £1,000.
- 3.5.4. The council has in place Dog Control Orders which allow us to take enforcement action against irresponsible dog owners. The Fouling of Land by Dogs (the City of Southampton) Order 2011 enables us to take action against people who fail to clean up after their dog.

4. Waste and recycling

4.1. Household waste and recycling collections

- 4.1.1. Residents in all dwellings in the city will have their dry mixed recycling (blue lidded wheeled bin or clear sacks) and their general waste (green lidded wheeled bin or black sacks) collected at a time and schedule determined by us (details available on our website, including bank holiday arrangements). We also operate a chargeable collection service for garden waste (see section 4.2). From October 2013 we will be introducing a glass collection service (see section 4.3).
- 4.1.2. All properties that we consider can accommodate a wheeled bin anywhere within the boundary of the property will be required to use one unless we agree otherwise in writing.
- 4.1.3. Should you believe your property is not suitable for wheeled bins (due to space, access, steps etc.) you should contact Actionline. We will visit the property to decide upon the most appropriate container to be used for waste and recycling collections. Plastic sacks will be issued to those properties that we agree are not suitable for wheeled bins.
- 4.1.4. Plastic sacks of a type and number considered reasonable by us (usually one per scheduled collection) will be issued annually. Additional sacks will only be provided for recycling collections.
- 4.1.5. Wheeled bins and sacks should be placed where the public highway begins and private land ends (the edge of your property). In the majority of cases this will be where gates or drives meet the pavement.

- 4.1.6. Collection teams start work from 6.30am, so all bins or sacks are required to be put out in time, or the night before. Collections will be between 6.30am and 5pm. You should not rely on crews arriving at a set time.
- 4.1.7. Any bins/sacks not placed out for collection or placed out late resulting in a missed collection, will be emptied on the next scheduled collection day.
- 4.1.8. If a bin is placed out for collection in accordance with this policy and (save for circumstances beyond our control) we fail to empty the bin, we will rectify this within two working days of it being reported, or as soon as possible by arrangement with you. This might include occasions when access to a property is blocked.
- 4.1.9. There are occasions when collections may be missed due to circumstances beyond our control. These might include factors such as adverse weather (e.g. snow/ice) and industrial action. We will make every effort to minimise the disruption to residents but some collections may be missed. Where we are unable to recover missed collections due to circumstances beyond our control, you are asked to keep hold of your materials until the next scheduled collection or you can choose to take them to the household waste recycling centre (we will not be liable to reimburse the cost of any alternative disposal method that you choose to use).
- 4.1.10. If you move house, waste and recycling bins/sacks must be left for the new occupant of the property. Although the receptacles remain the property of Southampton City Council, they are allocated to individual properties. Residents who remove a bin from a property without our written permission may be charged for the provision of a replacement. If you move into a house in Southampton and the waste and recycling containers have been removed, please contact Actionline.
- 4.1.11. Waste and recycling from residents living in flats is collected via communal bins that are regularly emptied. Bin store areas are the responsibility of the landlord.
- 4.1.12. Bin cleaning is the responsibility of the householder or in the case of communal bins it is the responsibility of the landlord. Keeping bins clean reduces unpleasant odours, flies and vermin.

4.2. Garden waste

- 4.2.1. We operate a chargeable collection service for garden waste from households.
- 4.2.2. The service runs from April to March and there is an annual charge which needs to be renewed each year. A half year charge is available for new residents joining the scheme part way through the year, depending on the date they join the scheme.
- 4.2.3. The service offers a variety of bin sizes with 24 fortnightly collections throughout the year on a day specified by us. There are no collections over the Christmas and New Year period. More details can be found on our website www.southampton.gov.uk.
- 4.2.4. If you live in a property without a frontage you may be entitled to purchase disposable bags, this will be decided by us on a case by case basis.
- 4.2.5. No garden waste should be placed in your general waste or recycling bins (green and blue lidded bins). If garden waste is found in these bins we can ask you to remove it before we empty your bin and may take enforcement action as appropriate.
- 4.2.6. If you contaminate your garden waste bin, we may refuse to collect the bin until the contamination is removed, suspend or cancel the service or take enforcement action. In the

event that the service is suspended or cancelled due to improper use / contamination, you will not be eligible for a refund of the charge for the remaining period of the year.

- 4.2.7. Alternatively you can compost your garden waste at home or dispose of garden waste for free at the household waste and recycling centre at the City Depot and Recycling Park.

4.3. Glass recycling

- 4.3.1. From October 2013 we will be rolling out a glass collection service to all households (to be completed by summer 2014).
- 4.3.2. The majority of houses will be provided with a plastic box that will be collected at the same time as dry recyclables (the blue lidded bin).
- 4.3.3. All flats and some houses which we consider to have difficult access or to be inappropriate for collection of a box, will be allocated to a community glass recycling point consisting of a small glass bank or a communal wheeled bin. These properties will not be eligible for a glass recycling box.
- 4.3.4. Glass will only be collected from the container provided. Residents who are eligible for a glass recycling box can request additional glass recycling boxes via Actionline.

4.4. Side waste

- 4.4.1. Side waste is any waste that is put out for collection that is not contained inside the wheeled bin with the lid fully closed. All waste should be contained within the correct container or sack. Side waste attracts rats, causes obstructions and damages the local environment.
- 4.4.2. Recycling side waste will be collected with the blue lidded bin if suitably contained (see the council website for further advice).
- 4.4.3. Other side waste will not be collected and collection crews will empty the wheeled bin and place the side waste into the empty bin for collection on the next collection day.
- 4.4.4. If you persistently leave out side waste, we may take enforcement action.
- 4.4.5. Any side waste or bulky waste that is left out on non collection days may also be treated as littering or fly tipping and we may take enforcement action or a charge may be made for its removal.

4.5. Bins on pavements

- 4.5.1. Bins and containers should be put out for collection as stated in section 4.1.
- 4.5.2. Collection crews are instructed to return bins to the point they were collected from or a safer, more appropriate position. For example in certain circumstances where the pavement is particularly narrow, the collection crew may return the bin to the edge of the property as a safer position.
- 4.5.3. It is your responsibility to take your bins back in after collection. This should be undertaken by the end of the collection day. If you fail to return the bin to your property by the end of the collection day without reasonable excuse, we may take enforcement action.
- 4.5.4. If you are on holiday or working away from home, please make arrangements with a neighbour/someone else to present the bins/sacks for collection, and take the bins back in after collection.
- 4.5.5. We accept no liability for any obstruction, loss or damage, howsoever occurring, resulting from any bin left on the highway for collection unless directly attributable to the negligence of

our collection crew. Obstruction, loss or damage is, in the first instance, a matter for your household insurance arrangements.

4.6. Contamination

- 4.6.1. Contamination is when items of waste are placed in the wrong bin or container.
- 4.6.2. It is important that we collect good quality materials for recycling. Putting items that cannot be recycled in the blue lidded bin reduces the quality of our recycling and there is a risk that it will be rejected by the re-processors. This means that the waste is sent to landfill or other less environmentally sustainable forms of disposal and ultimately costs Southampton residents more to dispose of. A contaminated load of recycling costs us over £500 to deal with.
- 4.6.3. Items that can be recycled should be placed loose in the blue lidded bin (i.e. not in plastic or black bags.) Plastic and black bags cannot be recycled by us.
- 4.6.4. In order to improve our recycling quantity and quality and to reduce the cost of the collection service, if the recycling bin is contaminated it will not be emptied (blue lidded). If the contaminating materials are removed, the bin will be emptied on the next scheduled collection day.
- 4.6.5. If the green lidded household waste bin contains the wrong items (e.g. garden waste) the bin will not be emptied. If the contaminating materials are removed, the bin will be emptied on the next scheduled collection day. Garden waste cannot be processed with general household waste.
- 4.6.6. If garden waste bins are contaminated (brown lidded) we may remove the bin and no longer provide the service. (Customers would not be eligible for a refund for the remaining period of the collection year.)
- 4.6.7. If you persistently contaminate your bins (green lidded bin, blue lidded bin, brown lidded bin and glass recycling box) we may take enforcement action (see section 6).
- 4.6.8. You should make every effort to put the right materials in the right container. If you need help or advice, please contact Actionline or visit our website to check what can be recycled www.southampton.gov.uk/recycle.

4.7. Bin and container sizes (smaller, larger, additional)

- 4.7.1. A 240 litre capacity wheeled bin is the standard bin issued to all properties for the collection of recycling and household waste (one bin for recycling, one for household waste).
- 4.7.2. If you require a smaller household waste bin (140 litre capacity) because you only produce a small amount of waste, please contact Actionline. Requests will normally be processed within seven working days.
- 4.7.3. Families of six or more permanently residing at the property may, at our discretion, qualify for a larger 360 litre capacity wheeled bin. In exceptional cases a second household waste bin may be offered.
- 4.7.4. If a larger/additional bin is required you should complete an application form and you must be able to demonstrate that you are maximising use of the recycling facilities provided.
- 4.7.5. Larger/additional recycling bins will be provided for residents if requested as long as there is space to store them in the front of property and if we consider the request reasonable having regard to the waste collection needs of the household.

4.7.6. Support is available to help you recycle and manage your waste and we may undertake 'waste audits' to help residents who are struggling.

4.8. Replacement bins and containers

4.8.1. If a bin or container goes missing or is stolen it will be replaced the first time free of charge, thereafter a charge may be made. Replacement bins should normally be delivered in seven working days, subject to availability.

4.9. Assisted collections

4.9.1. Assisted collections can be provided to residents who have difficulties moving their wheeled bins/sacks to the edge of the property. This could include residents who are elderly, or who have a physical or mental disability, which could be short or long term. There should be no one in the property able to present bins/sacks for collection. We will assess applications on a case by case basis.

4.9.2. Residents should contact Actionline in the first instance. Each application will be dealt with confidentially and sensitively and a home visit may be required. We will determine the type, size and number of collection containers.

4.9.3. The register of assisted collections will be reviewed regularly. Residents must contact Actionline when this service is no longer required. We reserve the right to cancel an assisted collection, having given notice to the registered service user, if we believe it is no longer required.

4.10. Bulky household waste

4.10.1. We are not required to collect bulky waste items such as beds, washing machines, furniture etc. free of charge. These should not be left out for the domestic waste collection. It is your responsibility to organise the disposal of these items by either taking them to the City Depot and Recycling Park (Household Waste Recycling Centre) or asking the Council or another organisation to collect these items (for which there will be a charge).

4.10.2. We provide a chargeable bulky household collection service for residents to dispose of large household items which cannot be disposed of through the normal domestic collection service.

4.10.3. For information about this service and current charges please visit www.southampton.gov.uk/recycle or contact Actionline.

4.11. Developers and new property

4.11.1. We expect the developer to meet the cost of providing bins to housing developments and apartment blocks. Prior to purchase of the bins the developer is to contact us to request a detailed specification. Bins that do not meet our specification will not be collected and developers that fail to meet their obligations in this regard may be subject to enforcement action. Waste storage areas should be sited and designed to enable residents and collection workers to conveniently and safely access waste containers.

4.11.2. Please check the Planning Design Guide for further details www.southampton.gov.uk/planning

5. Household waste recycling centre

- 5.1. You can use this facility to dispose of items not collected via the domestic waste and recycling collection service. Such items include side waste, wood, small quantities of soil and rubble, garden waste, car engine oil, car batteries, furniture, electrical goods and household effects. Where possible items are resold or recycled.
- 5.2. The centre also accepts hazardous waste such as paint, pesticides, specialised cleaning materials and fluorescent light tubes. The centre also accepts and recycles low energy light bulbs.
- 5.3. The centre will not accept trade or commercial waste. Southampton City Council and Hampshire County Council have jointly introduced a permit scheme at Household Waste Recycling Centres across the county to prevent traders using commercial vehicles to deposit trade waste.
- 5.4. If you only have access to a commercial type vehicle for your domestic use, you can still use the HWRC free of charge by obtaining up to 12 permits a year. To obtain a van or trailer permit please contact Hampshire County Council on 0845 603 5634.
- 5.5. A height barrier (5ft 9"/ 1.75 metre) is in place to prevent misuse of the centre by trade vehicles. Please check your vehicle will be able to get under the barrier prior to visiting the site to avoid disappointment. If you have a people carrier, 4 x 4 or transit type van it is unlikely you will be able to access the site except on Saturday and Sunday, when the height barrier is raised to allow access for this type of non commercial vehicle.

6. Education and enforcement framework

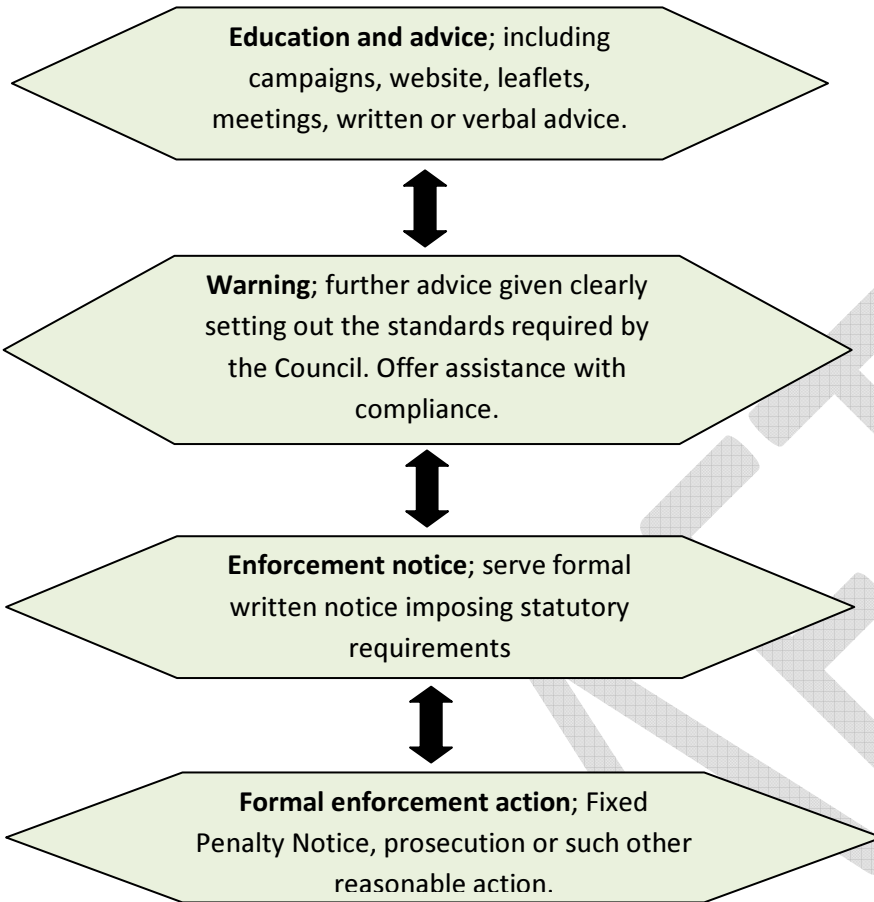
- 6.1. Everyone should take responsibility for the waste they produce. We aim to educate local residents, businesses and visitors to the city to increase awareness and understanding of their role in responsible waste management. This may be through targeted campaigns, the council website, leaflets, posters, events and working with community groups.
- 6.2. Where education has failed to improve behaviour, we may take enforcement action and will generally prioritise waste management enforcement activities on a risk basis as per the risk rating matrix below. Issues which are considered high risk by us will be prioritised for enforcement action. Offences causing a danger to public health will be given highest priority. Other factors that will be considered include, but are not limited to, offences which cause a public nuisance or harm to the local amenity. These may include causing an obstruction to the highway, damage to property or causing a detrimental impact to the quality of the local environment. (Wider highway enforcement issues are not covered by this policy.)

LIKELIHOOD (of causing public nuisance or harm to local amenity)	Very High	A					High priority
	High	B					
	Significant	C					
	Low	D			Medium priority		
	Very Low	E					
	Almost impossible	F	Low priority				
RISK RATING MATRIX			5	4	3	2	1
			Negligible	Marginal	Significant	Critical	Catastrophic
			IMPACT				

e.g. if a bin is left out on a narrow pavement the likelihood of this causing an obstruction is high and the impact of the obstruction would be significant, therefore the risk would be red and a high priority for us to take action.

e.g. if the bin contains a few of the wrong items the likelihood of being rejected is very low and the impact to the rest of the recycling load is marginal, therefore risk would be green and not a priority for enforcement action.

- 6.3. We have statutory duties under the Environmental Protection Act 1990 and the Clean Neighbourhoods and Environment Act 2005 to keep the streets clean and clear of litter and refuse. These pieces of legislation also give us powers to tackle local environmental quality issues and to undertake enforcement.
- 6.4. We issued city wide notices under Section 46 of the Environmental Protection Act 1990 in September 2013. These notices set out the legal duties and obligations of the council and residents alike and form the basis for the council's enforcement framework for waste and recycling collections.
- 6.5. The enforcement process will normally only take place where attempts to improve resident behaviour through education, awareness and alternative service provision are unsuccessful, although single high risk / impact offences may be considered for enforcement action where there is an immediate risk to public health and it is in the public interest to urgently remedy the matter.
- 6.6. We will determine enforcement action on a case by case basis and where resources allow.
- 6.7. When evidence of an offence is found, we will decide whether taking enforcement action is appropriate. The level of enforcement activity will be in proportion to the seriousness of the offence. The factors and questions that will be considered include, but are not restricted to;
- a. The seriousness of the offence. Is there a danger to public health and safety or damage to property?
 - b. Is the offence spoiling the local environment or causing a public nuisance?
 - c. Can the offender be easily identified?
 - d. The quality of available evidence and probability of the enforcement action being successful
 - e. The past history of the offender and the probability of re-offending. Is there any reasonable excuse?
 - f. The likelihood that enforcement action and publicity would warn other people not to break the law
 - g. The availability of resources, and whether deploying them elsewhere would be more likely to have a greater impact on improving waste management or improving the local environment.
- 6.8. We will normally take enforcement action if it is supported by an assessment of the factors listed in 6.7, or appropriate warnings have proven unsuccessful. There is no requirement to have first provided education where the infringement is deemed by us to be of a serious nature.
- 6.9. Where an offence has been committed but the offender cannot be identified e.g. fly tipping in a greenway, we may carry out a leaflet drop or write to all properties in the area to inform residents of the problem and their responsibilities.
- 6.10. The enforcement process includes warnings, educational activities and formal enforcement activity up to and including the issue of fixed penalty notices (fines) or prosecution. The diagram below summarises the framework of education and enforcement, however we may take an incremental approach to education and enforcement and may move between stages or jump stages at our discretion depending on the nature and severity of the individual case.
- 6.11. In certain circumstances of environmental crime such as littering or dog fouling, an on the spot fine or fixed penalty notice (FPN) may be issued without prior warning or educational activities.



Littering or dog fouling may result in an on the spot fine (Fixed Penalty Notice)

Offences relating to waste and recycling collections would normally have a minimum of three stages e.g. contamination of recycling for the 1st time- oops hanger placed on bin and bin not emptied; 2nd time – red warning hanger and bin not collected; 3rd time – warning letter and bin emptied 4th time – visit from officer, bin may be removed and sacks provided, may issue FPN.

6.12. The table below outlines the environmental crimes, relevant legislation and potential penalties that may be applied should formal enforcement be justified. Charging levels are set in accordance with legislation. Other legislation and powers are available that may be used to deal with waste management issues. This will be assessed on a case by case basis.

Description of Offence	Act and Relevant Section	Full amount of penalty (FPN)	Amount of penalty (FPN) if paid within ten days	Maximum penalty on conviction
Litter (including discarded gum and cigarettes)	S88(1) Environmental Protection Act	£75	£50	£2,500
Street litter control notice and litter clearing notices	S94(2) Environmental Protection Act	£100	£60	£2,500
Graffiti and fly posting	S43 Anti-Social Behaviour Act 2003	£75	£50	£2,500
Failure to produce authority (waste transfer notes)	S34a(2) Environmental Protection Act	£300	£180	Summary £5,000 or indictment. £50,000 and/or imprisonment. Forfeiture of vehicle
Failure to furnish documentation (waste carriers licence)	S5b(2) Control of Pollution (amendment) Act 1989	£300	£180	£5,000
Offences in relation to waste receptacles (e.g. putting the wrong thing in the wrong bin)	S47za(2) Environmental Protection Act	£100	£60	£1,000
Offences under dog control orders (e.g. dog fouling)	S59(2) Clean Neighbourhoods and Environment Act 2005	£75	£50	£1,000
Fly tipping	S33 Environmental Protection Act 1990	No fixed penalty notice	No fixed penalty notice	Summary £5,000 or indictment. £50,000 and/or imprisonment
Distribution of handbills/leaflets	Southampton City Council byelaw	No fixed penalty notice	No fixed penalty notice	£500

7. Contacts and further information

Southampton City Council www.southampton.gov.uk

Download our Recycle for Southampton app for more information

Actionline 023 8083 3005

actionline@southampton.gov.uk

Household waste and recycling centre;

City Depot and Recycling Park
First Avenue
Southampton
SO15 0LJ

Keep Britain Tidy www.keepbritaintidy.org

Environment Agency www.environment-agency.gov.uk

Recycle now www.recyclenow.com



DRAFT