

Southampton City Council

Managing the Local Environment Policy



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Version	v.3	Approved date	15 May 2019
Date last amended	May 2019	Review date	May 2020
Approved by	Delegated Decision Notice	Effective date	16 May 2019

Purpose

1. Southampton City Council's Council Strategy 2016-2020 sets out the key outcomes for the city. One of the four key outcomes we want to achieve is to make Southampton 'a modern and attractive city where people are proud to live and work'. We know that having a clean and attractive neighbourhood is important to everyone and that is why we are working hard to improve the local environment. This Managing the Local Environment Policy document has been developed to outline the policies and procedures that govern the management of general waste, recycling, garden waste and the local environment in Southampton and the Recycling Centre.
2. Approximately 95,000 tonnes of household waste is collected from across the city each year and these policies are designed to help minimise the environmental and financial impacts of collecting, processing and disposal.
3. 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. 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.
4. Education and awareness raising will always be the first course of action, however, continuous non-compliance with policies could lead to enforcement action being taken. Where these measures prove to be ineffective in sustaining the local environment at the appropriate standard enforcement action may have to be implemented as set out in sections 113 to 119 of this policy, which could result in the issuing of a Fixed Penalty Notice.

Scope

5. These policies apply to the management of household waste and recycling across Southampton principally at houses or small blocks of flats where wheeled bins or sacks are in use. Flats using communal bins will be subject to a review and will be incorporated into this policy once this review has been completed. This policy also embraces local environmental quality issues including litter, graffiti, fly tipping, fly posting and dog fouling. It does not cover commercial waste collection from businesses.
6. The policies cover the obligations in the Environmental Protection Act 1990 (as amended by the Deregulation Act 2015) which 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 the city council to arrange for the collection and disposal of household waste in Southampton.

Waste and recycling

7. Southampton City Council provides a range of collection services for household waste which have been summarised in Table 1 below. The standard collection service is highlighted in bold and the

alternative arrangements are implemented in accordance with the policies and procedures set out in this document.

Table 1 - Summary of Services and Collection Arrangements						
Service	Container Type and Size (litres)	Container/ Lid Colours	Intervals (Weeks)	Charge (Y/N)	Notes	Policy Refs.
General waste						
	wheeled bin (240)	green/green	2	N	Standard Issue	1, 2, 5, 6, 7, 8, 9, 11, 12, 13, 16.
	sacks x 2 (120)	black	2	N	Only used where bins cannot be stored within boundary.	
	wheeled bin (140)	green/green	2	N	Issued upon request	
	wheeled bin (360)	green/green	2	N	Only issued upon request and where sufficient storage space is available.	
Recycling						
	wheeled bin (240)	green/blue	2	N	Standard Issue	1, 2, 5, 6, 7, 8, 9, 11, 12, 13, 16.
	sacks x 2 (120)	clear	2	N	Only used where bins cannot be stored within property boundary.	
	wheeled bin (140)	green/blue	2	N	Issued only upon request	
	wheeled bin (360)	green/blue	2	N	Only issued upon request and where sufficient storage space is available.	
Garden						
	wheeled bin (240)	green/brown	2	Y	Standard Issue	4, 8, 9, 11, 13.
	sacks x4 max (240)	brown	2	Y	Only used where bins cannot be stored within boundary	
	wheeled bin (140)	green/brown	2	Y	Issued on request lower than standard charge.	
Glass						
	Box (40)	grey	2	N	Standard issue	3, 16.
	Wheeled bin (240)	green/grey	2	N	Issued where 2 boxes provides insufficient capacity and sufficient storage space is available, used at flats.	
Bulky Waste						
	n/a	n/a	Bookable service	Y	Charged by size and number of articles	14.
	Notes <ol style="list-style-type: none"> 1. Standard service levels highlighted above in bold, variations must be agreed with the service prior to implementation. 2. Flats utilise communal bins which are subject to collection arrangements as agreed with the managing agents and landlords according to the storage facilities. 					

1. Policy 1 - General waste and recycling collections

1.1. From 5 June 2017, Southampton City Council will provide a weekly collection service alternating between general household waste one week and mixed dry recyclables and glass the following week. The standard size of the wheeled bins issued is 240 litres and exceptions to this will be managed in accordance with the relevant policy.

- 1.2. Collections will normally be on the same day of the week and details of any changes to these days following, for example, bank holidays will be incorporated in the collection calendar and available on the council website.
- 1.3. Southampton City Council will only empty containers supplied by the council, and these containers remain the property of the Council.
- 1.4. All properties that Southampton City Council consider can accommodate a wheeled bin anywhere within the boundary of the property will be required to use one unless agreed otherwise in writing.
- 1.5. Properties in the city will be issued with the following bins as standard:
- a) a 240 litre capacity wheeled bin for general waste (green lid)
 - b) a 240 litre capacity wheeled bin for recycling (blue lid)
 - c) a 40 litre glass recycling box (grey plastic)

Exceptions and additions to this will be managed through the relevant policies where appropriate.

- 1.6. The recycling containers must only be used for the following materials:-

- Food and drinks cans
- Plastic bottles
- Paper and Cardboard
- Junk mail
- Aerosols
- Directories

- 1.7. The general waste container is provided for the disposal of items left over when all materials suitable for recycling, glass or garden waste collections have been removed. The following items should not be placed in the green lidded general waste bins:-

- Recyclable materials (see above and Policy 3)
- Garden waste (see Policy 4)
- Batteries
- Waste Electrical and Electronic Equipment
- Soil and turf
- Rubble and bricks
- Hazardous waste
- Liquid waste
- Paint
- Asbestos / Plasterboard / Wood
- Waste from commercial or business activities (see Policy 17)
- Large bulky items (see Policy 14 and 18)

- 1.8. The majority of the above can be taken to the Recycling Centre as set out in Policy 18.

- 1.9. Should you believe your property is not suitable for wheeled bins (due to space, access, steps etc.) you should go online and complete a changing your bin form at www.southampton.gov.uk/changeyourbin or contact the Waste team, contact details can be found at the end of this document. 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. (See Policy 4 for details).
- 1.10. Waste and recycling from residents living in flats is generally collected from communal bins that are regularly emptied. Where a bin storage area is utilised it is the responsibility of the landlord/managing agent to maintain this area.
- 1.11. If you move house the general waste and recycling bins/sacks must be left for the new occupant of the property. Whilst the containers 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 register this online at www.southampton.gov.uk/changeyourbin

2. Policy 2 – Presentation of Waste Containers

- 2.1. Containers must be placed where the private land ends and the public highway begins (the edge of your property). In the majority of cases this will be where gates or a drive meets the pavement. Collection crews will return containers to the point of collection or a safer more appropriate position.
- 2.2. Collections will be made between 6.30 am and 4.00pm, so all containers are required to be put out in time, or the night before. You must not rely on crews arriving at a set time on each collection day and collection days will vary following bank holidays. Bins must be removed from the publically maintained highway by the end of the scheduled day of collection.
- 2.3. Any containers not placed out for collection or placed out late, i.e. after the scheduled collection has been made resulting in a missed collection, will be emptied on the next scheduled collection day, or you can choose to take your waste to the Household Waste Recycling Centre. Southampton City Council will not be liable to reimburse the cost of any alternative disposal method that residents choose to use.
- 2.4. If a container is placed out for collection in accordance with this policy and (save for circumstances beyond the control of the council) we fail to empty it, we will aim to rectify this within one working day of it being reported, or as soon as possible by arrangement with you. This might include occasions when access to a property is blocked.
- 2.5. There are occasions when collections may be missed due to circumstances beyond the council's 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 we will endeavour to collect the containers as soon as we can. We will provide updates on the situation on our web pages at <http://www.southampton.gov.uk>. Should you wish to, you can choose to take household waste to the Household Waste Recycling Centre. Please note, Southampton City Council will not be liable to reimburse the cost of any alternative disposal method that you choose to use.

3. Policy 3 - Glass recycling

- 3.1. Southampton City Council operates a glass collection service for all households, plus we provide banks for glass across the city and the locations can be found on the map available at the following link <http://www.southampton.gov.uk/bins-recycling/recycling/recycling-banks.aspx>
- 3.2. The majority of houses are provided with a 40 litre grey plastic box, which is collected on the same day as the blue-lidded recycling bin (dry recyclables). Households can request a maximum of two plastic glass recycling boxes. Residents can request additional glass recycling boxes via the following web page www.southampton.gov.uk/mybin or alternatively through the Waste and Recycling team.
- 3.3. If you live in a house in multiple occupation (HMO), there are 6 or more residents in the property and you have a lot of glass bottles and jars that could be recycled, you could request a grey lidded wheeled bin for glass, as long as it can be stored safely and within your property boundary.
- 3.4. All flats and some houses which we consider to have difficult access or to be inappropriate for collection of a box, are allocated a community glass recycling point consisting of a small glass bank or a communal wheeled bin. Glass is only collected from the container provided, and where a single box provides insufficient capacity.
- 3.5. The only items that can be recycled in the glass boxes are:-
 - glass bottles
 - glass jars

4. Policy 4 - Garden waste

- 4.1. Southampton City Council operates an 'opt-in' chargeable collection service for garden waste from households.
- 4.2. The service runs from April to March for which there is an annual charge and a half year charge is available for residents joining the scheme part way through the year, depending on the date the scheme is joined. If the annual charge is not paid the bin will be removed. The service offer two bin sizes (240L & 140L) with 25 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/GardenWaste
- 4.3. The items that can be recycled in the garden waste bin are:-

- grass cuttings
- hedge and shrub clippings
- plants and weeds, leaves, twigs and bark
- cut flowers
- windfalls (fallen fruit)
- branches up to 7.5 centimetres in diameter.

4.4. If you live in a property that cannot accommodate a wheeled bin or you are unable to manoeuvre a wheeled bin yourself you may be entitled to purchase compostable bags. This will be decided by Southampton City Council on a case by case basis.

4.5. Garden waste must not be placed in your general waste or recycling bins (green and blue lidded bins). If garden waste is found in these bins we will ask you to remove it before we empty your bin and may take enforcement action as appropriate.

4.6. If you put wrong items in your garden waste bin which prevents it from being composted, we may refuse to collect the bin until these are removed, suspend or cancel the service, or take enforcement action. In the event that the service is suspended or cancelled due to improper use, you will not be eligible for a refund of the charge for the remaining period of the year.

4.7. If you do not wish participate in the chargeable collection service you have other options including composting your garden waste at home or disposing of it for free at the Household Waste and Recycling Centre at the City Depot and Recycling Park, First Avenue Southampton SO15 0JL.

5. Policy 5 – Incorrect materials placed in recycling containers

5.1. It is important that Southampton City Council collects good quality materials for recycling to maximise the opportunity to recycle these materials and reduce the environmental impacts of waste. The targeted materials that need to be placed in your recycling bin and further details are available on our website or [section 1.6](#) above.

5.2. Items that can be recycled must be placed loosely in the containers so that they can be handled and processed effectively. Do not put materials in plastic bags unless specifically requested.

5.3. Putting items that cannot be recycled reduces the quality of our recycling and there is a risk that they cannot be processed with the materials having to be processed in less environmentally sustainable ways. A single contaminated load of recycling materials costs the council over £500 to deal with.

5.4. All waste containers are liable to inspection before emptying to ensure the correct contents are in the correct container. If the blue lidded recycling bin is contaminated we will inform you via a tag or hanger on your bin. If the wrong materials are removed, the bin will be emptied on the next scheduled collection day.

- 5.5. If brown lidded garden waste bins are contaminated the bin will not be emptied and you will be notified of the reason via a tag or hanger on the bin. If the wrong materials are removed we will empty the bin on the next collection day. If the problem persists we may remove the bin and no longer provide the service. If this occurs, customers are not be eligible for a refund for the remaining period of the collection year.
- 5.6. If you persistently contaminate any of your bins (green lidded bin, blue lidded bin, brown lidded bin and glass recycling box) Southampton City Council may take enforcement action (as set out in sections 109 to 115).
- 5.7. It is important that you make every effort to put the right materials in the right container and if you need help or advice, please visit our website to check what can be recycled www.southampton.gov.uk/recycle or contact the Waste and Recycling team.

6. Policy 6 - Bin and sacks - smaller, larger or additional

- 6.1. The 240 litre capacity wheeled bin is the standard bin issued to all properties for the collection of recycling and general waste (one bin for recycling, one for general waste).
- 6.2. If you require a smaller general waste bin (140 litre capacity) to meet your requirements you should go online and complete a changing your bin form (www.southampton.gov.uk/changeyourbin) or contact the Waste and Recycling team. Requests will normally be processed within 14 to 28 working days.
- 6.3. Where there is no space available to store a wheeled collection bin within the premises the council will, on a six monthly cycle, deliver black sacks for general waste and clear sacks for recycling.
- 6.4. If you consider that the standard general waste containers provided do not meet your requirements on a frequent basis, having made full use of the opportunities to minimise waste and recycle, we will give consideration to the provision of additional capacity.
- 6.5. Initially please go online and complete a changing your bin form (www.southampton.gov.uk/changeyourbin) or contact the Waste and Recycling team. You must be able to demonstrate that you are maximising use of the recycling facilities provided.
- 6.6. Additional capacity can only be provided for residents when requested if there is space to safely store the containers within the property boundary.

7. Policy 7 - Assisted collections

- 7.1. Assisted collections are provided to residents who have difficulties moving their containers to the edge of the property. This could include residents who are elderly, or who have a physical or mental disability, which could be either short or long term. There must be no-one in the property over 16 years old able to present bins/sacks for collection. Southampton City Council will assess applications on a case by case basis.

- 7.2. Residents who require an assisted collection should either complete an application online at <http://www.southampton.gov.uk/bins-recycling/bins/need-help-putting-your-bins-out.aspx> or contact the Waste and Recycling team. 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.
- 7.3. The register of assisted collections will be reviewed regularly and residents must contact the Waste and Recycling team 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.

8. Policy 8 - Replacement bins and containers

- 8.1. It is your responsibility to keep your bins and containers safe and to help with this, please number your bin with your house number. In the first instance if you think your bin might be lost please check it is not elsewhere in your locality.
- 8.2. From September 2017 if you lose your general waste bin (green lidded), it is your responsibility to pay for a replacement bin. Please go online www.southampton.gov.uk/changeyourbin to order and pay for your bin. Replacement bins should normally be delivered in 14 – 28 working days, subject to availability.
- 8.3. Southampton City Council will replace your bin if it is crushed or damaged by the collection vehicle.

9. Policy 9 – Side Waste – General waste & recycling

- 9.1. Side waste is the term used for any waste that is put out for collection that is not contained inside the council provided wheeled bin with the lid fully closed. Side waste can attract urban vermin resulting in bags being ripped open as well as causing obstructions, littering and damages the local environment. All waste must be contained within the correct container or sack.
- 9.2. If excess recycling is produced on a continuous basis, residents can request additional recycling capacity, as set out in sections 6.4 - 6.6 above.
- 9.3. Excess waste can be taken to the Household Waste Recycling Centre (HWRC). Please ensure your waste is segregated so that as much as possible can be either reused or recycled.
- 9.4. Should you continue to present unauthorised side waste Southampton City Council will take appropriate enforcement action under legislative powers which can lead to the issuing of a Fixed Penalty Notice depending the severity and nuisance/detriment caused to the local amenity.

10. Policy 10 - Bins left on pavements

- 10.1. Bins and containers must be put out for collection and removed after emptying as stated in section 2.2.

- 10.2. Collection crews will 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.
- 10.3. It is your responsibility to take your bins back in after it has been emptied and this should be undertaken by the end of collection day.
- 10.4. 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.
- 10.5. If a container is reported as being left continuously on a pavement causing nuisance or is detrimental to local amenities we will write to the resident and require the container to be returned to the property. Failure to comply may result in a Fixed Penalty Notice being issued to the resident and the removal of the bin(s) and replacement with sacks.
- 10.6. Southampton City Council accepts 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.

11. Policy 11 - Heavy Bins

- 11.1. Care must be taken to ensure containers are not too heavy to be emptied safely.
- 11.2. If a container is considered too heavy to be moved safely by the collection crew or to be lifted safely by the collection vehicle lift mechanism it will not be emptied. This is to ensure safe working and to minimise the risk of injury to the collection crews. You will be required to remove the extra waste and the bin will be emptied on the next scheduled collection. The Household Waste Recycling Centre provides a disposal point for heavier items that would otherwise cause your container to become overloaded.

12. Policy 12 – Removal of Excess Bins

- 12.1. If a household is identified as having more bins than should be necessary in line with the policy, the council will contact you to assess your needs and may remove excess bins.

13. Policy 13 - Closed Bin Lids

- 13.1. All residents must ensure that the wheeled bin lid is closed to minimise odours, littering, flies and vermin. On collection days this is essential to ensure that there are no spillages when the bin is emptied by the collection crew.

- 13.2. If the lid is not closed and it presents a hazard for either being moved or loaded into the collection vehicle it may not be emptied at the usual collection time and the resident will be informed about the problem.
- 13.3. Residents who receive a sack collection must ensure these are tied in order to prevent spillages/litter and presented for collection without causing obstruction to footpaths and access ways.
- 13.4. Where containers are continuously presented with the lid wide open due to large amounts of waste these events will be recorded by crews and the resident will be contacted to discuss how the problem can be addressed.

14. Policy 14 - Bulky household waste

- 14.1. Bulky household materials that are too large to fit into your container such as beds, washing machines, furniture etc. must not be left out for collection. It is your responsibility to organise the disposal of bulky items.
- 14.2. We offer a chargeable collection service and details about the service and the charges are available at www.southampton.gov.uk/bulkywaste or contact the Waste and Recycling team. The website offers advice on other ways to dispose of bulky waste.
- 14.3. Bulky materials are accepted at the Household Waste Recycling Centre at First Avenue, Southampton, SO15 0LJ.

15. Policy 15 - Charity Shops

- 15.1. Charity shops fulfil an important role in providing opportunities for the reuse of articles that would otherwise be disposed of whilst raising money for worthy causes. The council works in partnership with charities in the promotion of the facilities they provide. Further details are available at the following web site <https://www.southampton.gov.uk/bins-recycling/bulkywaste/otherways-dispose-bulkywaste.aspx>

16. Policy 16 - Provision of Waste Containers for New Properties

- 16.1. Waste storage areas must be sited and designed to enable residents and collection crews to conveniently and safely access waste containers. Please check the Residential Design Guide for further details <http://www.southampton.gov.uk/planning/planning-policy/supplementary-planning/default.aspx>.
- 16.2. Developers are required to meet the cost of providing bins to new residential units and must contact Southampton City Council at least three months in advance of occupation to request a detailed specification for the bin requirements for the sites. Bins are to be allocated to specific properties sites and must not be moved between developers' properties. 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. See our website for further details at <http://www.southampton.gov.uk/bins-recycling/bins/bin-information-for-developers.aspx>

16.3. If requested by the developer Southampton City Council can provide the containers with appropriate charges levied.

17. Policy 17 - Commercial Waste

17.1. Southampton City Council offers a variety of services to meet commercial needs, including big savings for companies able to recycle. We also offer the ultimate in flexibility operating in all areas of the city six days a week.

17.2. For further details about the chargeable service, arranging a quote and ordering collections visit the Commercial Waste page on our website at www.southampton.gov.uk/commercialwaste

Household Waste Recycling Centre

18. Policy 18 – Recycling Centre Usage

18.1. The Southampton Household Waste Recycling Centre on First Avenue SO15 0JL is available for residents of Southampton to dispose of large items of household waste that are too large or are not accepted as part of the kerbside collections. Items include side waste, wood, garden waste, car engine oil, car batteries, furniture, electrical goods and general effects. Where possible items are resold for reuse or recycled.

18.2. Please check opening times which can be found on our website www.southampton.gov.uk/recyclingcentre. A height barrier (5ft 9"/ 1.75 metre) is in place to prevent misuse of the centre by trade vehicles so 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.

18.3. If you only have access to a commercial type of vehicle for your domestic use, you can still use the Recycling Centre free of charge by obtaining up to 12 permits a year. To obtain a van or trailer permit please contact Hampshire County Council via the web page <http://www.southampton.gov.uk/bins-recycling/recycling/centre/vehicles.aspx> or call on 0845 603 5634.

18.4. Charges are applied for the disposal of soil, rubble and plasterboard as these are classified as construction waste not household waste and are expensive to dispose of. The current charges can be found online at www.southampton.gov.uk/recyclingcentre.

18.5. Cement bonded asbestos is not accepted at the Southampton Household Waste Recycling Centre and can be taken to the Recycling Centre at Netley (Phone 023 8040 3960 in advance to pre-book acceptance). There are a further four sites across Hampshire that accept this material and details

can be found on our web page <http://www.southampton.gov.uk/bins-recycling/recycling/centre/asbestos.aspx>. Charges are applied for the disposal of this material as it is classified as construction waste and not household waste. The current charges can be found online at the web page above.

- 18.6. The Recycling Centre will also accept small quantities of certain trade or commercial waste from small commercial businesses on a 'pay by the load' arrangement. 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.
- 18.7. The centre uses Closed Circuit Television (CCTV) and Automatic Number Plate Recognition (ANPR) technologies on site to provide security and assist with the operation of the centre.
- 18.8. The CCTV cameras are strategically placed to monitor boundary fencing as well as to record vehicle movements to help identify potentially disruptive users, or fly-tippers. The detectors will operate out of hours, and when triggered, will activate recording of the CCTV footage and an audio warning to intruders that their actions are being recorded.
- 18.9. Alongside the CCTV, an updated Automatic Number Plate Recognition System is installed at the centre and will monitor the vehicles which use the site, and allow the Contractor to identify any frequent users.

Street Cleaning

19. Policy 19 – Litter

- 19.1. Southampton City Council provides over 1,400 litter bins on the streets and parks of the city for members of the public to use.
- 19.2. 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.
- 19.3. Southampton City Council can take enforcement action against anyone caught dropping litter or chewing gum, discarding rubbish from a vehicle or throwing away cigarette ends.
- 19.4. We aim to remove potentially harmful litter such as glass and 'sharps' within one working day of reporting.
- 19.5. Areas that fall to an unacceptable level of cleanliness between scheduled street cleansing visits can be reported for remedial attention through the council's website.

19.6. Businesses have a responsibility to keep their waste under control and to pay for the disposal of their own waste. Trade or commercial waste must not be placed in public/domestic litter bins. We may take enforcement action against businesses which fail to comply their duty of care.
<https://www.gov.uk/government/publications/waste-duty-of-care-code-of-practice>

20. Policy 20 – Graffiti

20.1. 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. 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.

20.2. Southampton City Council is responsible for removing graffiti from public property and aims to remove racist and obscene graffiti within 24 hours of it being reported. Other graffiti will usually be removed within 2 to 4 weeks.

20.3. Racist and obscene graffiti will normally be removed from private property free of charge. Graffiti of any other kind on private or commercial property is the responsibility of the landowner/ occupier. If you would like a chargeable removal service for the removal of other graffiti from private and commercial property this service can be requested through the council’s website <http://www.southampton.gov.uk/environmental-issues/street-cleaning/graffiti.aspx>. The availability and cost of the service will be discussed with the property owner on a case by case basis.

21. Policy 21 - Fly tipping

21.1. Fly tipping or dumping is the illegal deposit of any waste onto land or a highway. This includes garden waste.

21.2. 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.

21.3. It is the responsibility of the land owner to arrange removal and disposal of fly tipping from private land. Similarly, fly tipping on unadopted highway is the responsibility of the ‘frontagers’ of that area to remove. The council may in certain circumstances assist with the removal and disposal operation but must recover any additional costs incurred. More detail on the level of assistance the council can offer to land-owners and ‘frontagers’ is provided on the council’s website.
<http://www.southampton.gov.uk/environmental-issues/street-cleaning/fly-tipping.aspx>.

21.4. Southampton City Council may take enforcement action against anyone found to be fly tipping on public or private land if the offender can be identified. If a substantial quantity of waste is dumped, offenders could be prosecuted which could lead to a fine of up to £50,000, imprisonment and confiscation of the vehicle used to transport the waste in line with the duty of care regulations.

22. Policy 22 - Fly posting

- 22.1. 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. Please visit the following link to report fly posting and other street cleansing problems <http://www.southampton.gov.uk/environmental-issues/street-cleaning/default.aspx>
- 22.2. Southampton City Council is responsible for removing fly posting from public buildings and property. However, the owner of the property is responsible for removing fly posting from private property.
- 22.3. The council may take enforcement action against businesses or individuals undertaking fly posting activity in the city.

23. Policy 23 - Dog fouling

- 23.1. It is the responsibility of the dog owner or the person in charge of the dog to clear up any dog waste 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.
- 23.2. Dog waste is potentially harmful to public health and should be disposed of appropriately. As long as it is properly contained in a tied bag, dog waste can be put in any public litter bin or in the dog owner's general waste wheeled bin.
- 23.3. If you fail to clean up after your dog enforcement action may be taken resulting in a fixed penalty fine of £80. If the case goes to court a fine of up to £1,000 may apply.

Education and enforcement framework

24. Policy 24 – Education and Enforcement

- 24.1. Everyone should take responsibility for the waste they produce and Southampton City Council aims 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.
- 24.2. The council has statutory duties under the Environmental Protection Act 1990 as amended by the Deregulation Act 2015 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.
- 24.3. The council recognises that residents may take time to be accustomed to the service requirements contained in this policy. Consequently the council will adopt an approach which will always offer advice, support and guidance as the first and preferred way to establish this policy.

- 24.4. However, the council is aware that resorting to the use of formal powers may be necessary in some circumstances and is committed to seeing such measures applied in an open, reasonable and proportionate way.
- 24.5. A notice under Section 46 (1) of the Environmental Protection Act 1990 (EPA 1990) as amended by the Deregulation Act 2015 needs to have been served on a property before any enforcement action can be pursued for this type of offence. This notice formally requires the occupier to place the waste for collection in receptacles of a kind and number specified. It effectively sets the ground rules for the way household waste should be managed by residents. Serving a section 46(1) notice does not imply that a household is not managing their waste properly, and as such the notices may be served on as many properties as the council feels is appropriate to enable a consistent and fair approach to enforcement across the city.
- 24.6. The following identifies the approach which will be taken in the more serious cases, for example where the requirement to place the correct substance or article of waste into the correct kind of receptacle is continuously persistently ignored and where this behaviour continues despite the informal action detailed at Stages one and two below.

Enforcement Procedure

Stage One

On the first occasion, officers who witness incorrect presentation, such as the presentation of excess 'side waste' or contamination with non-recyclable waste, will advise householders with the use of a "nudge letter" that seeks to remind them of how they must present their waste for collection in the future. A tag or hanger may be used to help draw the residents' attention to the problem. In some cases it will be appropriate to instead serve another notice under s 46 (1) to make the requirements clearer. If residents contact the council within 14 days and offer a reasonable excuse for the infringement, that the council accepts, then no further action will be taken.

Stage Two

Following stage one, if no reasonable excuse is offered by the resident, or if the excuse is not accepted by the council, then the case moves to Stage Two. A written warning will be issued to the resident stating that formal action may be initiated if the failure to comply with the presentation of the household waste continues or recurs. The warning remains in force for a year.

Stage Three

Continued failure to comply with the collection requirements, as defined in the notice under Section 46 (1), could result in formal action being taken against the occupants. A notice of intent would be served on each of the occupants of the property from which the incorrectly presented

or contaminated receptacle originated or appears to have originated. A notice of intent can be issued each time there is an infringement within a year of giving a written warning. The notice of intent informs the occupant that the council intends to require them to pay a Fixed Penalty. The occupant has 28 days within which to make representations to the council, which the council must consider, as to why they should not have to pay it. If the council receives a representation and considers it to be valid, it will withdraw the requirement for the Fixed Penalty. Otherwise the case will continue to the next formal stage.

Stage Four

If no valid representations are received, the occupants will be issued with a Final Notice requiring payment of a Fixed Penalty within 28 days. If the Fixed Penalty is paid then no further action is taken in relation to the infringement. An early payment discount may be applied. The occupier has a further 28 days to appeal, to a First Tier Tribunal, against the issuing of the Fixed Penalty Notice. The tribunal is external to the council and has the power to uphold or withdraw the requirement to pay the Fixed Penalty. If the Fixed Penalty is upheld then the council will pursue unpaid fixed Penalties in accordance with its procedures for debt recovery.

24.7. In the event that the condition of the land causes harm to the local amenity of the area to protect the local environment we will consider serving notices under section 215 (Untidy Sites) of the Town and Country Planning Act. Where statutory nuisance exists as defined under the provisions of the Public Health Act 1936 and the Environmental Protection Act 1990 corresponding notices may be issued.

Management

Southampton City Council is seeking to ensure that the collection and disposal of household waste and protection of the environment in Southampton are managed in the most effective manner. These policies set out how we will manage this responsibility and the approach we will take to the enforcement of the policies.

Our emphasis will always be on working with householders and provide education and awareness support to enable policy compliance. In cases where this approach clearly is not having the desired effect the removal of services and enforcement action will be considered.

Governance

The roles and responsibilities for implementation of the policy are listed below:

- Policy Lead – Service Director Transaction and Universal Services
- Policy Development Lead – Waste Improvement Manager
- Policy Implementation Lead – Service Lead Waste, Fleet and Street Cleansing
- The policy will be reviewed periodically by the Strategy and Commissioning Board.

Appendix 1: Waste Management Customer Charter

Our aim is to

- Collect your bins on time every time
- Manage your waste in the most cost effective and efficient way
- Encourage you to increase recycling, reuse and composting of waste
- Reduce the quantity of waste that is produced and sent to landfill

We will

- Collect your general waste once a fortnight on the same day
- Collect your recyclable waste and glass once a fortnight, on the same day
- Return your bins to where we collected them from, or a safer, more appropriate position
- Provide a chargeable service for the fortnightly collection of garden waste from households
- Provide a chargeable collection service for bulky household waste
- Provide a Household Waste Recycling Centre at City Depot, First Avenue
- Provide 'bring sites' in suitable locations for recyclable materials
- Provide advice and support to residents to help them to recycle more
- Provide assisted collections to eligible residents who are unable to put out their bins or sacks for collection
- Work with residents to reduce incorrect items in recycling bins
- Undertake prioritised and targeted education campaigns to help residents recycle better
- Reward good recycling through our 'Bin it to Win it' scheme
- Keep you informed about waste and recycling services e.g. via our Stay Connected bulletin and our website
- Inform you if your recycling bin is badly contaminated. We will ask you to stop contaminating and if the contamination continues we will consider the implementation of formal enforcement action culminating in issuing a Fixed Penalty Notice in cases of continuous non compliance
- Ensure that all crews are polite and courteous and carryout waste collection efficiently and effectively

You can help Southampton by

- Recycling as much as possible and reducing your waste
- Putting the right materials in the right bin or container
- Putting your bins out for collection on the edge of your property, on the right day before 6.30am and returning the emptied bin inside your property by the end of the collection day
- Telling us if you no longer require the assisted collection service.
- Using the 'bring sites' responsibly for the disposal of recyclable materials only and NOT for the dumping of other forms of waste – this is fly tipping and is a criminal offence.

Appendix 2: Street Cleaning Charter

Our aim is to

- Keep the city clean and free of litter, dog fouling, fly-tipping and graffiti.
- Minimise the time to respond to service requests
- Target 'hot spots' supported by the use enforcement powers.

We will:

- Remove accumulations of rubbish from Council land.
- Keep the streets within the District substantially free of litter and refuse (in accordance with EPA code of practice).
- Empty litter bins at a frequency which is intended to empty them before they become full.
- Deal with offensive and racist graffiti within one working day and all other graffiti within 10 working days of report.
- Endeavour to remove discarded syringes within 24 hours.
- Clear the majority of litter from hotspots within 24 hours of it being reported.
- Remove fly-tipping from council land within 48 working hours of it being reported.
- Respond to reports of fly-posting within 5 working days.
- Deal with racist, obscene or 'hate crime' graffiti within one working day of it being reported.
- Clean the city and district centres daily (including Saturdays and Sundays).
- Empty litter bins regularly to ensure that they do not overflow.
- Respond to requests for new litter bins within 14 days.
- Work with the Hampshire and Isle of Wight Community Rehabilitation Company in support of the Community Payback scheme.

You can help us by:

- Using the litter bins provided, or taking your litter home and disposing of it through your household waste or recycling it.
- Using the free Recycling Centre at First Avenue
- Removing your dog's faeces (waste)
- Not "Fly Posting" – it is untidy and illegal
- Not parking where you want us to clean
- Reporting your concerns to us – using the online reporting systems

Appendix 3: Contacts and further information

Southampton City Council	www.southampton.gov.uk/bins-recycling/ Tel: 023 8083 3005 Email: recycling@southampton.gov.uk
Recycling Centres	City Depot and Recycling Park First Avenue Southampton SO15 0LJ <u>For asbestos – need to pre-book acceptance</u> Household Waste Recycling Centre - HCC Grange Road Netley SO31 5FF Phone 02380 403960
Keep Britain Tidy	www.keepbritaintidy.org
Environment Agency	www.environment-agency.gov.uk
Recycle now	www.recyclenow.com
<div style="display: flex; align-items: center;">  <p>Recycle for Southampton</p> </div>	