
Meeting of Executive Member for Neighbourhood Services and Advisory Panel

19th March 2008

Report of the Director of Neighbourhood Services

Rural Collection of Waste

Summary

1. This report reviews the current arrangements for collecting refuse from remote properties and farms and proposes a new policy.

Background

2. The council has a duty to arrange for the collection of household waste from properties unless the properties are so isolated or inaccessible that the cost of collecting it would be unreasonably high. (Environment Protection Act 1990 s45) No property in York is excluded on this basis.
3. The council may, by notice require the occupier to place the waste for collection in receptacles of a kind and number specified and may make provision with respect to the size, construction and maintenance and the placing of receptacles for the purpose of facilitating the emptying of them (EPA s46).
4. The Household Waste Recycling Act 2003 requires at least two types of waste to be collected for recycling, together or individually separated from the rest of the household waste by 31 December 2010.

Current Arrangements

5. Collections of domestic refuse are made from 148 rural or remote locations. Several of these locations include farms with adjacent residential premises. As an example, at the New Farm estate, Cinder lane, Nether Poppleton, there are eight properties.
6. Collections are made from a total of 370 properties. Of these 57 are roadside collections, the remainder being accessed from unadopted roads and farm tracks. Some accesses are of good quality with hard surfaces, others are rough and narrow. During inclement weather the access may be undefined which is a problem as many have deep ditches alongside. In areas such as this there is also an increased risk of an accident or damage to one of our

vehicles being experienced. Examples of vehicles experiencing difficulties are shown below.



7. Many of the collections are made from within the working farmyard area where there is some space to turn the collection vehicle. The remainder of the residential collections are from adjacent to the track and typically these properties have only a right of access, which makes manoeuvring problematic.
8. Only mixed domestic refuse is collected, there is no current recycling provision. Two types of collection vehicle are used, a large but narrow Refuse Collection Vehicle(RCV) and a smaller caged vehicle with a tail / bin lift. This smaller vehicle is necessary where there are bridges with weight limits.
9. Both vehicles operate 5 days per week and collect other waste whilst on their rounds. The larger RCV also collects commercial waste from some farms. The small vehicle does not have the capacity to collect from all the remote properties and farms.
10. Waste management policies were reviewed in September 2005 when wheeled bins and alternate weekly collections were introduced. It was agreed that for all properties, the point of collection should be the edge of the boundary of the property, or if advised, at a central collection point. However this policy did not apply to the remote properties and farms because they did not have alternate weekly collections.
11. For the kerbside service (green bins and grey bins) the council provides an assisted collection service to those households where none of the occupants are physically able to put containers out for collection. This has not been an issue on the rural round as collections have been from adjacent to the properties.

Foot and Mouth Precautions

12. During the foot and mouth outbreak, collections from farms and the associated properties were suspended. After restrictions were lifted, letters were sent asking that refuse bins be placed adjacent to the nearest adopted highway for collection, this being the equivalent of the edge of property in urban situations.

13. Following complaints from affected householders about the impracticality of this arrangement, the previous collection arrangements were reinstated whilst further investigations were undertaken.

Concerns Raised by Householders

14. A selection of comments raised by customer is detailed below:
 - Not reasonable to wheel bin long distances to main road;
 - Leaving bins on main road is dangerous and theft/ vandalism could occur;
 - Farm track is in good condition, used by large feed wagons, so no risk to refuse collection vehicle;
 - Service standard being reduced: with no adopted highway, streetlights or drainage, refuse collection is the only relevant service provided for their council tax.

Approach taken by other Waste Collection Authorities

15. Adjoining Districts:
 - In Hambledon collections are from the lane end unless there are three or more properties. If there is good access i.e. an acceptable surface, passing places, no gates and a safe turning space, collections are made from the property.
 - In Ryedale the kerbside policy for all farms is strictly enforced. Collections will however be made from the farm if there are 3 or more separate properties eligible to pay council tax.
 - In Selby where residents are within approximately 140 metres of a public highway they must bring their bins to their property boundary for collection. Properties beyond this distance have a “garden gate” or “farmyard boundary” collection subject to there being satisfactory access and facilities for manoeuvring a refuse collection vehicle.
16. Annex 1 to this report summarises a web-based request for information undertaken by East Riding. It can be seen that the majority of collection authorities insist on “lane end” collections i.e. adjacent to the adopted highway. Agreed shared collection points are commonly used if the owners of the private roads agree and the access is suitable.
17. Those authorities retaining edge of property collections provide sacks and use small vehicles with limited capacity, (even down to “Transit” size vans in one authority).

Appraisal

18. The level of service that historically has been provided has resulted in damage to vehicles and allegations of damage to the private tracks used. It is not sustainable when foot and mouth restrictions apply.
19. The Health and Safety Executive have published a 'good practice' document for the waste industry. In it, they state, that reversing causes a disproportionately large number of moving vehicle accidents in the waste industry. Where possible the risk should be controlled by eliminating reversing and reducing distances reversed.
20. They go on to recommend that waste collection authorities should 'liaise with householders and customers to re-locate waste and recycling collection points'.
21. The council has provided a more extensive service than many other collection authorities, in particular our neighbouring councils. Lane end collections are widely implemented.
22. Early planning is needed to assist in the development of a recycling service to these properties. The process of kerbside sort of recycling takes significantly longer than the emptying of bins, therefore it is important that minimal 'narrow lane' travelling is achieved in order to ensure an efficient recycling service.
23. It is therefore appropriate to review the current arrangements for collecting refuse from remote properties and farms and agree the basis of a policy which will then assist with recycling collection arrangements as they are introduced.
24. A policy is required which produces a consistent approach whilst allowing for the incorporation of site specific, common sense solutions where appropriate.

Proposed Policy

25. Officers consider that the following policy should be adopted for collecting waste from rural or remote areas.
26. Where the boundary of a property does not border on an adopted highway, refuse containers should be placed adjacent to an adopted highway for collection, irrespective of distance, unless otherwise agreed with the council.
27. Collection vehicles will not use private roads, tracks or drives serving one or two properties unless it is expedient to do so and a local agreement is made with the relevant landowner.
28. Subject to compliance with paragraphs 29 and 30 below, groups of 3 or more properties liable for council tax, which are served from a shared private road, track, or drive, will be provided with an edge of property collection unless an accessible shared collection point can be located to serve the properties.

29. The method of collection of waste may be by plastic bags for easier delivery to the collection point, or by wheeled bins. The council will provide the wheeled bins, boxes or communal containers as required.
30. Where possible, local collection points will be suitable for the introduction of recycling containers and will be located to avoid collection arrangements being disrupted by foot and mouth restrictions.
31. The use of unadopted roads, tracks or private drives will only be acceptable to the council when the condition, surface and alignment are suitable and where the landowner has agreed in writing to indemnify the council for damage caused to the access route by the refuse vehicle and damage to the vehicle caused by using the access. Passing and turning spaces must be available and their use similarly indemnified.
32. Deterioration of any aspect of the suitability of the private road, track or drive may result in the removal of a local arrangement. In this case a direction would be made requiring waste to be placed at a specified point adjacent to the adopted highway.
33. Assisted collection arrangements will be available in accordance with existing policy and be taken into account when agreeing local collection arrangements.

Consultation

34. Over 120 letters were sent to properties on the “Farm Collection “ round which resulted in 40 responses. All were followed up and site visits undertaken. The information gathered was used to refine the proposed policy. Many of the issues raised have been taken into account whilst the proposed policy was being established.
35. There has been consultation with adjacent authorities on their policies, details are contained in this report.

Options

36. Three options should be considered:
 - **Option 1:** retain the status quo i.e. provide collections from all properties using private roads, tracks and accesses as necessary.
 - **Option 2:** implement a strict “lane end” approach.
 - **Option 3:** A “lane end” with exceptions approach as set out in the proposed policy.

Analysis

37. Option 1 does not address the concerns regarding collection vehicles using unadopted roads and private tracks and accesses, nor does it consider the

guidance given by the Health and Safety Executive. It is not within the existing council policy where collections are not from the boundary of the properties.

38. Option 2 is not within existing policy as some collections would not be from the boundary of the property. The affected households would all have a poorer level of service than is normal elsewhere in the city.
39. Option 3 requires a change of policy as not all collections would be at the edge of the property. It significantly reduces the risk of damage to collection vehicles. If the access is adequate, it provides the same level of service to groups of properties as they would receive if the properties were not remote. The proposed policy would align the council's collection arrangements with those of neighbouring authorities.

Corporate Priorities

40. This work is specifically relevant to the following Corporate Priority:

Decrease the tonnage of biodegradable waste and recyclable products going to landfill.

Implications

41. **Financial** – The effects of implementing the proposed policy will be to decrease the risk of vehicle damage. Vehicle utilisation will change but no significant variation in transport or employee requirements is anticipated. The cost of site inspections, meetings with residents and any additional refuse containers will be contained within existing budgets.
42. **Human Resources (HR)** – No implication in this report
43. **Equalities** – Equalities issues have been considered and are addressed within the proposed policy.
44. **Legal** - The proposed policy may be implemented under sections 45 and 46 of the Environmental Protection Act 2006.
45. **Crime and Disorder** – No implication in this report
46. **Information Technology (IT)** – No implications in this report
47. **Property** – No implication in this report.

Risk Management

48. In compliance with the Council's risk management strategy, the main risks that have been identified in this report are:
 - Damage to the Refuse Collection Vehicles;

- Damage to resident and customer property;
 - Health and Safety risk of reversing large vehicles in confined areas, or long reversing distances.
49. The proposed policies reduce the risk to council vehicles and employees. They also reduce the risk of claims against the council for damage to private property.

Recommendations

50. That the Advisory Panel advise the Executive Member:
51. That the proposed policy be approved, as set out in option 3 above.
52. That consultation with affected householders be undertaken to agree local collection points where necessary.
53. Reason:

To reduce the risk of damage to vehicles and property, reduce the risk of an accident occurring and minimise the need to carry out reversing manoeuvres as set out in the guidance from the Health and Safety Executive.

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Wards Affected:

All

For further information please contact the author of the report

Background Papers: None

Annexes – Annex 1 - Information on the policies of other authorities