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## COMMERCIAL COLLECTION & RECYCLING POLICY (2020/21 version)

The Highland Council endeavours, throughout the Highlands to provide both collection and disposal services which meet the needs of most businesses for the same charges in all three Highland Council Areas.

The Council also seeks to promote waste avoidance, minimisation and recycling, but only where this is both financially viable and environmentally sustainable.

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## 1. Refuse, Waste and the Law

Under part II of the Environmental Protection Act 1990 the Council can only collect Commercial, and certain types of Household waste if a **REQUEST** for the Service has been made and reasonable cost recovery charges are paid. An online Service Request form, which also incorporates the Duty of Care Waste Transfer Note, must be completed by all customers requesting a collection service.

The Council may also permit businesses to dispose of waste at its Waste Transfer Stations / Landfill Sites subject to payment of a reasonable cost recovery charge.

The waste producer (i.e. the customer) has a responsibility to fully comply with the Duty of Care Regulations which involves:

- Taking care with waste handling and containment
- Describing and quantifying the waste
- Passing this waste only to a registered waste carrier, or taking the waste directly to a suitably licenced transfer or disposal site

## 2. Recycling and the Law

From 1<sup>st</sup> January 2014 **ALL** businesses must present metal cans/tins, plastic, paper, card and glass separately for collection.

Metal cans/tins, aerosol cans, plastic bottles/tubs/pots/trays, paper, envelopes, cardboard and cardboard-based food & drink cartons (Tetrapaks) can be recycled using the Council's kerbside recycling service (see schedule 9 below). These materials, plus glass, can be recycled at Household Waste Recycling **Centres** (HWRCs) using the Council's free Recycling Bring Scheme (see schedule 12 below). Glass can also be recycled at glass Recycling Points.

These items are **not permitted** in the refuse bins.

## 3. Waste Containment

All waste presented for uplift must be contained within wheeled bins compatible with the Council's refuse collection vehicles. All bins must comply with the relevant standards (EN-840). Responsibility for the purchase, supply and maintenance of bins rests entirely with the customer. Customers can purchase bins from the Council – details of the applicable charges are available on request.

## 4. Collection Operating Hours

All commercial customers must present their bin in time for 7am on the day of their collection as although routes tend to be fixed, unforeseen circumstances may result in changes to normal route operation.

During normal service conditions, bins may be collected at any time during the working week (Monday to Friday) between 7am and 4pm.

## **5. Missed Collections**

Missed collections may result from vehicle breakdown, temporary restricted access, adverse weather, refuse crew error or a customer failing to present their bin on the scheduled collection day/time.

In the event of a missed collection resulting from no fault of the customer, collection staff will return to collect a missed collection but only where it is practicable to do so. In the event of a remote missed collection, the service will offer to remove excess black bags on the next scheduled collection day.

The service will not return to collect a missed collection in the event of a customer failing to present their bin on the scheduled day or time.

## **6. Adverse Weather Conditions**

It is foreseeable that during adverse weather conditions the service is at risk of widespread disruption. During adverse weather, when on route, the driver, in consultation with a direct supervisor, will make a decision on whether to access a road/street based on route safety. During extreme conditions, the Waste Operations Manager will make a decision on the withdrawal of a complete route or service.

Interruptions to service delivery on individual routes will be notified to the Service Centre for dissemination to the public. During area-wide service disruption the Council's Public Relations team will be notified and a public notification strategy agreed and implemented.

## **7. Collection Point**

The collection point shall normally be at the kerbside, or where no kerbside exists, at the road end at the nearest point of an adopted roadway. The bin will be returned to the collection point after uplift.

Customers must, as soon as practicable after collection, remove the wheeled bins from the collection point and return them to their premises. to avoid any possible danger or nuisance to any members of the public.

The Council recognise that from past agreements, some existing collections are on an un-adopted roadway. The Council may change these collection points if:

- The road surface presents an unacceptable risk to personnel and/or vehicles. Safe vehicular access and egress can no longer be achieved.
- Re-routing demonstrates efficiency to the service.

Any decision to change a collection point will be based on a risk assessment by the Waste Management Officer.

## **8. Residual Waste Collection**

The minimum residual waste collection service of residual waste will be on a scheduled day, fortnightly on the alternate week to the dry mixed recycling collection. Where resources are available this may be increased to more fully meet the customer's needs, but the Council reserves the right to specify the maximum service that can be provided to the individual customer.

Any commercial collection service must also include recycling either using the kerbside recycling collection service detailed in schedule 9 below or by using the Recycling Bring Scheme (detailed in schedule 12 below). If any residual waste bin contains any specified recyclable material it will **NOT** be collected.

The range of materials collected may vary as the market develops. Customers will be given advance notification of any changes.

All bins set out for collection **must** have the current self-adhesive permit sticker displayed on **each** bin. **No permit, No Collection.**

## **9. Kerbside Recycling**

A separate kerbside recycling collection service must be part of the commercial collection contract. Residual bins will NOT be uplifted if they contain specified recyclable materials. These materials are as specified in Appendix 1.

The minimum recycling collection service will be on a scheduled day, fortnightly on the alternate week to the residual waste collection. Where resources are available this may be increased to meet the customer's needs, but the Council reserves the right to specify the maximum service that can be provided to the individual customer.

All bins set out for collection **must** have the current self-adhesive permit sticker displayed on **each** bin. **No permit, no collection.**

Glass bottles and jars **cannot** be recycled in the kerbside recycling bins. They can be recycled at HWRCs or glass Recycling Points, using the free Recycling Bring Scheme (see schedule 12).

## **10. Charges for Commercial and Household Waste Collection and Disposal**

Non-Domestic Rates are **not** set by Highland Council. In setting the rate levels, the Scottish Government assumes that the Council is recovering all collection, treatment or disposal costs for commercial waste directly from the waste producers – i.e. commercial customers.

The Council is therefore legally obliged to ensure full recovery of the cost of collection, disposal (or treatment) and landfill tax relating to commercial and certain types of 'household' waste services.

Under the Environmental Protection Act 1990 and the Controlled Waste Regulations 1992, 'household waste' for which a charge for collection may be made, is defined as including waste from:

- Residential Hostels and Homes
- Waste from self-catering holiday businesses (e.g. chalets, caravans, camp sites)
- Waste from Charity-occupied premises wholly or mainly used for charitable purposes.

The disposal charge element cannot be applied to waste from these premises.

The charges are as stated on the Council's website – <http://www.highland.gov.uk/commercialwaste> - and will be the subject of periodic change as specified by the Council.

**Third Party contract customers** - refuse and recycling collections requested by third party contract customers will be subject to a 30% additional charge, except where the total annual value of any request exceeds £100,000 (excl. VAT) on 1st April of the service year. Should a Third Party service request exceed the £100,000 during any service year, the 30% supplement charge will be removed from all service agreements from that date. Should the total annual value of any requests from a Third Party customer fall below £100,000 (excl. VAT) during any service year, the 30% third party supplement will be applied to all service agreements from that date.

**Bin Permits** – once the collection request has been processed and the Duty of Care Waste Transfer Note has been completed, the customer will be sent self-adhesive permits for displaying on the bins. It is the customer's responsibility to ensure that these permits are attached to the bins at all times. A service will not be provided without the permits and Waste Transfer Note being in place. Bins which do not have the current permit attached will NOT be collected.

## **11. Requests for Changes to the Service**

Collection contracts will be limited to a summer and winter level of service (i.e. April to September and October to March respectively). Changes to levels of service should be specified at the commencement of the contract. Any reduction to arrangements during the term of the annual contract (including cancellations) will be subject to £30.90 (excl. VAT) administration fee per change.

## **12. Recycling Bring Scheme**

The Council's commercial customers can use their Duty of Care Waste Transfer Note to take certain recyclable items to their nearest HWRCs. This enables the Council's customers to recycle an amount of material equivalent to the volume of waste collected through the commercial collection contract free of charge. This assists them to reduce the amount of

residual waste that they produce and to access HWRCs and glass Recycling Points free of charge. A wide range of recyclable materials can be recycled and diverted from landfill using this – i.e. glass, cardboard, paper, garden waste, food tins, drink cans, wood, textiles, paper-based drink cartons, plastic bottles/pots/tubs/trays, scrap metal.

The following vehicles are not permitted at HWRCs: plant vehicles, pick-ups and commercial vehicles with a gross weight of 3.5 tonnes or greater, tippers and flatbed trucks of any weight, medium/large trailers with multiple axles or greater than 2.4 metres (8 ft) in length. Customers using the HWRCs must adhere to vehicle restrictions in place at all times.

Full details of the Council's Recycling Point network, HWRCs and range of materials available at each location is available on the Council's website [www.highland.gov.uk/recycle](http://www.highland.gov.uk/recycle)

### **13. Excess Waste**

All bins must be presented for collection with the lid closed and no side waste. Excess waste out with the bin will **NOT** be collected.

An overloaded bin or side waste will be highlighted to the customer by a sticker being attached to the bin.

Waste Management staff will carry out advisory visits to customers where a repetitive excess waste problem has been highlighted.

### **14. Contamination of Recycling Bins**

A sticker will be attached to a recycling bin to alert a customer of a contamination problem. A contaminated recycling bin will **NOT** be collected.

Waste Management staff will carry out advisory visits to customers where a repetitive contamination problem has been highlighted.

### **15. Exclusion of Special Wastes and Animal By-Products**

No Special Wastes (as defined by the Special Waste Regulations 1996) or Animal By-Products (as specified in the Animal By-Products Regulations) will be collected or accepted for disposal at any of the Council facilities.

### **16. Waste Disposal**

The Council has a network of Waste Transfer Stations and two operational Landfill Sites (Seater in Caithness and Granish, Aviemore) where commercial waste may be disposed of by direct delivery by commercial customers. Most types of waste, with the exceptions of Special Waste and Animal By-Products above can be accepted at these facilities. Full cost recovery for the disposal and landfill tax costs is required.

Details of the applicable charges and conditions of acceptance may be obtained from the Council on request.

### **17. Landfill Tax**

Landfill tax is set by HM Customs and Excise and not the Council. The rates are reviewed annually. The Council must pass on all landfill tax collected from commercial customers to HM Customs and Excise.

### **18. Waste Minimisation**

Advice and information to assist commercial customers reduce their residual waste collections, maximise their recycling opportunities and reduce disposal costs is available from the Waste Awareness Team.

### **19. General Terms and Conditions**

The Council reserves the right to terminate or change the collection service subject to 30 days prior notice of the proposed contract change being intimated in writing to the customer.

Commercial customers must give 30 days prior notice of the termination of their contract. Cancellations are subject to £30.90 (excl. VAT) administration fee as per schedule 11.

### **20. Exclusions**

Whilst the Council will endeavour to provide the services detailed in this policy across Highland, local circumstances may dictate that this is not practicable. In these instances, the Council will offer the best collection service practicable bearing in mind local circumstances and the available resources.



## COMMERCIAL WASTE AND RECYCLING COLLECTION POLICY

### APPENDIX 1

#### Specified Recycling Materials –

##### Kerbside Dry Recycling Bin:

**Paper & envelopes** – e.g. paper, envelopes (plastic windows removed), newspapers, magazines, catalogues, unwanted mail, telephone directories, greeting cards, shredded paper

**Food tins, drink cans & aerosol cans** – e.g. steel tins, aluminium cans, empty aerosol cans

**Cardboard** – e.g. food packaging (no food debris), cardboard boxes, egg boxes, toilet roll holders, cardboard-based food & drinks cartons (Tetrapaks)

**Plastic** – plastic bottles e.g. milk bottles, fizzy drink bottles, water bottles, detergent bottles, plastic bottle lids, plastic tubs, trays & pots (food related) e.g. yoghurt pots, ice cream tubs, margarine tubs, veg trays

##### HWRC Bring Scheme:

All items listed above  
Glass bottles & jars  
Garden waste  
Textiles  
Wood  
Scrap

### APPENDIX 2

#### Charges

The charges for the collection and disposal of Commercial Waste will be as agreed by the Council. The charges are as stated on the Council's website – <http://www.highland.gov.uk/commercialwaste> - and will be the subject of periodic change as specified by the Council