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# Waste incentives schemes: recycling service guidance

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Department for Environment, Food and Rural Affairs  
Nobel House  
17 Smith Square  
London SW1P 3JR  
Telephone 020 7238 6000  
Website: [www.defra.gov.uk](http://www.defra.gov.uk)

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Information about this publication and further copies are available from:

Defra Waste Incentives Pilot Scheme Team  
Area 6C, Ergon House  
Horseferry Road  
London  
SW1P 2AL

Tel: 0207 238 4372

Email: [waste.incentives@defra.gsi.gov.uk](mailto:waste.incentives@defra.gsi.gov.uk)

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## Waste incentive schemes: recycling service guidance

### Introduction

1. This piece of guidance concerns the kerbside recycling service which should be in place before a local authority may introduce a waste incentive pilot scheme. It does **not** provide a general definition of a good recycling service, nor is it intended to be a definition against which all authorities operating a waste collection service are to be judged.
2. One of the criteria laid down as a precondition for an authority to introduce an incentive scheme is that there should be a “good recycling service” in place. The legislation, the Environmental Protection Act 1990, as amended by the Climate Change Act<sup>1</sup>, defines a recycling service as “arrangements for the collection of recyclable domestic waste from premises separately from other waste”. Recycling is defined as including reusing and composting.<sup>2</sup>
3. The legislation also states that a recycling service can only be “good” **for the purposes of a waste incentive scheme** if it meets the standard described in this guidance.<sup>3</sup>
4. Together, these requirements mean that a council which runs a pilot incentive scheme must have in place a kerbside collection system for recycling which meets the criteria in this guidance, both when the incentive scheme is introduced and at all times thereafter whilst the pilot incentive scheme is in place. The local recycling systems in place should be flexible and might change over time, of course, including in response to residents’ needs, but they must always meet the standard specified in this guidance.
5. For a more general understanding of how all authorities can hope to achieve a high quality recycling service, there is a wealth of information and guidance already available. Further work is also in train<sup>4</sup>. The Waste and Resources Action Programme (WRAP) is developing, some general principles of a good recycling service in response to the Communities and Local Government Select Committee’s report of July 2007.<sup>5</sup> Listed at Annex A are WRAP’s initial suggestions.

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<sup>1</sup> Schedule 2AA, paragraph 2(2)(a)

<sup>2</sup> Schedule 2AA, paragraph 15(3)

<sup>3</sup> Schedule 2AA, paragraph 2(2)(b)

<sup>4</sup> Examples of existing toolkits and include:

- A range of WRAP assistance at [www.wrap.org.uk/local\\_authorities/toolkits\\_good\\_practice/index.html](http://www.wrap.org.uk/local_authorities/toolkits_good_practice/index.html)
- Guidance on joint municipal waste strategies at [www.defra.gov.uk/environment/waste/localauth/pdf/munwaste-strategy.pdf](http://www.defra.gov.uk/environment/waste/localauth/pdf/munwaste-strategy.pdf)

WRAP is also doing further work on materials recycling facilities and on collection systems.

<sup>5</sup> The Committee’s report can be found at:

[www.publications.parliament.uk/pa/cm200607/cmselect/cmcomloc/536/536i.pdf](http://www.publications.parliament.uk/pa/cm200607/cmselect/cmcomloc/536/536i.pdf)

6. This guidance sets out the minimum basic standard for a recycling service which a pilot will be required to meet, in the area which would be covered by that pilot scheme. However, in designing and implementing an incentive scheme, authorities will need to be aware of wider developments, for example any new opportunities or requirements to collect certain recyclables and how they could provide an equitable recycling service to households across their area. They will also wish to consider how they could plan for a service which can deal with the expected increase in recyclate collected and possible future expansion of the service in response to the needs of residents. In addition they will wish to consider how to engage effectively with residents and with the employees delivering waste services. WRAP are able to provide advice and guidance on how best to engage with residents.

### **Criteria for waste reduction schemes**

7. This guidance defines the recycling service that an authority seeking to run an incentive scheme must provide (minimum criteria) in the pilot area. It also details additional criteria that will be considered when assessing potential pilot schemes. Taken together, the criteria set out what is defined, for the purposes of these pilot schemes only, a good recycling service (though as noted above this is not intended to apply as a more general definition).
8. When assessing applications, consideration will be given to those proposals which demonstrate that they comply with, or have plans in place which will ensure compliance with, the additional desirable criteria below. Final decisions will be dependent on the nature of the proposals received and will also take into account pilots' likely effectiveness in delivering environmental, economic and operational results, and the diversity of the overall package of pilots. These additional criteria are set out in chapter 5 "Application and Designation".

### **Minimum criteria**

9. The following criteria must be met as a minimum by the recycling service delivered by a local authority wishing to apply to run a pilot:
  - The authority's recycling and composting rate must be at least 20%;
  - There must be free kerbside collection of at least two recyclable waste streams (as defined by the Household Waste Recycling Act compliant recyclable wastes, listed at Annex B), of which
  - At least one of these waste streams must be a dry recyclable<sup>6</sup>.

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<sup>6</sup> Dry recyclables are materials such as paper, glass, metal and plastic which can be separated from the domestic waste stream and collected for recycling. 'Dry' excludes food and garden waste.

## Desirable criteria

10. When assessing applications, **additional weighting** will be given to those which demonstrate, in addition to the minimum requirements, that they meet one or more of the following:

- They are currently achieving, or have plans capable of delivering, by 2010, a rate of recycling and composting of over 40%;
- Current dry recyclables<sup>7</sup> recycling rate of at least 25%;
- Collect at least one type of plastic at kerbside, or plan to do so within 12 months;
- Collect food waste at kerbside, or plan to do so within 12 months. This could be combined with other green waste but separate weekly collection of food waste brings added benefits. WRAP have produced guidance on determining the most effective way to divert food waste from landfill.<sup>8</sup>
- Can demonstrate they have successfully implemented waste management strategies and initiatives in the past.<sup>9</sup>

11. These criteria are in line with the need to further improve performance on waste minimization and recycling.

12. Local authorities may also wish to consider how their recycling service might be tailored to the type of waste incentive scheme they wish to introduce – for example by collecting for recycling relatively heavy materials (such as glass) in a weight-based scheme, or collecting relatively voluminous materials (like cardboard or plastic bottles) in a volume-based scheme.

13. Clearly, local authorities should only introduce collections for additional streams of recyclables, such as plastic and food waste, where sufficient capacity and markets exist to collect and process them in a cost-efficient way, bearing in mind local opportunities and constraints. They should also ensure there is sufficient capacity for dealing with the expected diversion of materials that are already collected.

## The relevant legislation

14. The key legal requirements are set out in the Environmental Protection Act (EPA) 1990 at sections 45 and 45A.

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<sup>7</sup> As defined previously.

<sup>8</sup> [www.wrap.org.uk/local\\_authorities/biowaste/separate\\_food\\_waste.html](http://www.wrap.org.uk/local_authorities/biowaste/separate_food_waste.html)

<sup>9</sup> Examples could include: performance against waste strategy a Local Authority has in place; previous success in raising participation/recycling rates from previous initiatives; or satisfaction surveys.

15. The Disability Discrimination Act 1995 is also relevant and Health and Safety legislation is also intrinsic to work in this area. All these legislative requirements are discussed in more detail in Annex B.

### **Recycling and composting performance**

16. The minimum level of composting and recycling acceptable for any individual authority under the statutory targets for composting and recycling of household waste for 2007/8 was 20%. Statutory targets have now been replaced by local area performance indicators and where recycling is a local priority, by Local Area Agreement targets. As a minimum, though, any authority piloting an incentive scheme would be required to have a rate of at least 20%.

### **Free kerbside collection of dry recyclables**

17. The overall recycling and composting rate for an authority includes services, such as the collection of garden waste, for which local authorities may charge if they choose to do so. However, the criteria above state that in order for an authority to be designated to run a pilot incentive scheme it is necessary for it to collect two waste streams free at kerbside, of which at least one must be a dry recyclable. This means that householders participating in a pilot can reduce their residual waste by separating certain items for free recycling collection.

### **Conclusion**

18. This guidance applies to pilots only. It sets out the standard that must be met by any authority seeking to run a pilot incentive scheme. Further requirements are in the separate guidance on how applications to run pilots will be assessed.

## **Broader issues to consider in relation to a recycling service.**

A good quality local collection scheme should aim to meet the following principles:

### **High quality customer service**

- **Simplicity:** collection services should avoid complex rules about how and when material should be set out and should be designed so that householders can use them easily;
- **Reliability:** services should be provided when advertised with the minimum of changes to routine over the year; complaints systems should be easy to access and responsive;
- **Adequacy:** the services must be designed and managed to deliver the intended and advertised level of service;
- **Flexibility:** collection services should recognize genuine differences or changes in circumstances and be adapted to meet them;
- **Customer care:** crews should be selected, trained and managed so that the standard of customer care is good; authorities will need systems for monitoring and setting targets for the number of complaints received about the service, and for responding to them;
- **Effective communication:** households need clear advice on how to use their collection services and how to get help or changes if those services are difficult for them to use; this advice should be reinforced regularly and feedback provided on the performance of those systems;
- **Engagement:** collection services will gain greater support and greater levels of compliance if there is positive engagement of householders, friendly advice and restrained use of sanctions;

### **Efficient and effective services**

- **Efficiency:** public confidence is higher where collection systems are seen to be both delivering a good service and doing so cost-efficiently;
- **Health and safety:** systems and practice on the ground should deliver arrangements which are safe to use for both the customer and those collecting and processing materials;
- **Monitoring and evaluation:** as services are developed, or the area served changes, authorities need to systematically evaluate their service design and costs in order to optimize service delivery;
- **Measurability:** in addition to data which authorities hold on their recycling rates, recycling systems should provide data on the level of contamination of recyclates put out for collection and the level of participation. Ideally this information should be available before an incentive scheme is put in place so that the impact on these variables can be measured;

### **High quality materials**

- **Contamination:** Authorities should design systems and communications strategies to minimize contamination;
- **Support and participation:** Public confidence in the design, intention, fairness and successful management of collection systems will affect whether they are prepared to do what is expected of them.

How these principles might apply to a particular recycling service will vary according to the nature of the general waste systems in place, the types of housing served and other features of the area. Recycling services, just as other parts of the collection arrangements, should recognize genuine differences in circumstances and be adapted to meet them; e.g. assisted collections or special arrangements for particular groups of residents.

Local authorities may also wish to consider how they might encourage reuse, as well as recycling and composting. This could be done, for example, by promoting local reuse of unwanted good quality products through donations to charity shops and working closely with third sector and local community groups.

## The main legislation relevant to the shape and content of local recycling services

### Environmental Protection Act 1990

The EPA 1990 sets out the duties of local authorities in collecting household waste. In particular s.45(1)(a) provides:

It shall be the duty of each waste collection authority:

to arrange for the collection of household waste in its area except waste -

(i) which is situated at a place which in the opinion of the authority is so isolated or inaccessible that the cost of collecting it would be unreasonably high, and

(ii) as to which the authority is satisfied that adequate arrangements for its disposal have been or can reasonably be expected to be made by a person who controls the waste.

There are several other provisions in that Act which qualify this duty and explain which waste collections can be charged for. However, the great bulk of household waste is captured by the provision above which in effect says that unless it is both uneconomic to collect the waste and it is taken care of through some other means, the authority has a duty to collect it.

Section 45A EPA 1990 (inserted by the Household Waste Recycling Act 2003) provides that where a WCA has a duty, under s45 above, to collect household waste, by 31 December 2010 they must – with two exceptions – collect at least two recyclable waste streams separately from the rest of the household residual waste. Section 45A(2) says that where a WCA has a duty under the provision above to collect household waste:

“...the authority shall ensure that the arrangements it makes in relation to those premises include the arrangements [for the separate collection of at least two types of recyclable waste], unless it is satisfied that (in that case):

the cost of doing so would be unreasonably high; or

comparable alternative arrangements are available.”

The Government guidance for Waste Collection Authorities on the implementation of the Household Waste Recycling Act 2003<sup>10</sup> says that

<sup>10</sup> The guidance can be found at:  
<http://www.defra.gov.uk/environment/waste/legislation/hwra/index.htm>

“these exceptions are narrowly drawn and it is intended that they should be applied restrictively”.

As to the first exception, in almost all cases, if it is possible to collect waste without unreasonable cost under s.45(1)(a), then it will also be possible to collect separate waste streams as required under s.45A(2).

The second exception is not defined further in the Act but the guidance suggests that it could mean arrangements which deliver a service to a similar number of households.

The Government guidance gives the following example on this point:

“Under Section 45(1) of the EPA a WCA provides a doorstep collection of general waste to all premises in a street except an old multi-residence block receiving a communal near entry collection service for general waste. In this example the WCA would find it difficult to justify not providing doorstep collection of recyclates for those currently receiving this service for general waste. However, if there was insufficient space to locate receptacles for recyclable wastes at the near entry waste collection point in the multi residence block, the WCA may be able to justify, as a comparable alternative arrangement, the provision of a nearby bring site to those residents.”

The Government’s guidance on the meaning of recyclable waste and how the separate waste streams have been defined for these purposes is set out in the table attached.

### **Assisted collections**

Where a resident is disabled or frail, help or an assisted collection is recommended. These assisted collections already happen routinely across the country. Furthermore, the Disability Discrimination Act 1995 requires service providers to ensure that disabled people do not find it impossible or unreasonably difficult to use their service and the service provider should have made reasonable adjustments in relation to this requirement from October 2004.

WCAs are encouraged by the Government to make assisted collections available to all in the local community who need it. The availability of such arrangements must be sufficiently well publicized to those who may need them.

### **Health and safety**

Any recycling system must satisfactorily protect, so far as is reasonably practicable, the health and safety of those who use or operate it, regardless of whether the service is provided by the authority directly or contracted out.

## HWRA Compliant Recyclable Wastes List

<b>Material Categories (each of these counts as one type of recyclable waste and will be referred to as a material)</b>	<b>Comments</b>
Batteries	Car and domestic
Garden Waste	Green waste generated in gardens and excluding catering waste
Glass (i.e. bottles and jars)	All colours, together or separately.
Hazardous Liquid Wastes	Includes, paints, varnishes, and oils not for re-use
Catering Waste	Green waste generated in kitchens and so includes materials that fall under the Animal By-Products Regulations 2003. Where garden waste is mixed with catering waste the resulting mixture must be classified as catering waste.
Metals	No distinction made between aluminium and steel.
Paper products	All paper and card products (including newspapers, magazines, pamphlets and cardboard) count as one material.
Plastics	All polymers count as one material.
Textiles and shoes	WCAs are encouraged to only collect this material when it is not fit for re-use.
Waste Electrical and Electronic Equipment (WEEE)	Includes mobile phones.
Wood	Processed wood or wood products (not trees or branches, which would count as garden waste)

WCAs should be aware that there are additional obligations and regulations that apply to some of these waste streams.<sup>11</sup>

As a general rule, a WCA will need to collect materials from at least two of these categories to comply with the Act, but would not necessarily need to collect all products in a category. For example, an authority might decide to collect certain types of plastic but not all polymers.

One-off collections of bulky items do not count as a collection of recyclable waste.

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<sup>11</sup> Further information can be found on Defra's website at:  
[www.defra.gov.uk/environment/waste/localauth/index.htm](http://www.defra.gov.uk/environment/waste/localauth/index.htm)