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HOUSING AND ENVIRONMENT COMMITTEE

16 February, 2010

MATTER OF URGENCY

The Convener intimated that she had directed in terms of Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973 that the Committee consider the following item as a matter of urgency to enable the Committee to consider the policy following receiving legal advice regarding the potential charging element to the policy.

HOUSEHOLD WASTE AND RECYCLING CONTAINERS POLICY - H&E/10/001

1. The Committee had before it a report by the Director of Housing and Environment which sought to clarify Council policies relating to household waste and recycling containers and sought approval to bring all existing Council policies relating to waste and recycling containers into one document.

By way of background the report provided a detailed overview of the current waste infrastructure provided by the Council as well as advice given to residents in relation to general refuse, kerbside cycling, and garden and food waste collections. It was highlighted that whilst some information regarding the waste services provided was made available on the website and information leaflets, there was no single policy document that set out what residents with individual wheeled refuse bins, kerbside recycling and the garden and food waste collections could expect to receive from the Council and how the Council required these waste containers to be presented. However, it was explained that the significant changes to the waste collection regime due to be implemented in the near future, had presented an opportunity for the Council to bring together all existing practises and policies relating to household waste and recycling containers into one, clear and simple document. Therefore, it was proposed that in order to improve customer services that all existing practices and expectations be compiled into one document. The proposed Household Waste and Recycling Containers Policy was attached as Appendix 1 to the report.

In terms of the proposed Household Waste and Recycling Containers Policy it was advised that the document represented a consolidation of Council policies relating to household and waste recycling containers. The only exceptions to this

related to the Additional and Replacement bins section. It was explained that since these policies had been approved by the former Policy and Strategy Committee in 2008, it had become apparent that several procedural amendments and clarifications were required before they could be successfully implemented and at present, neither represented existing practice. Firstly, in relation to additional bin policy, it was advised that the majority of amendments to the policy did not fundamentally change the policy but rather provided clarity and simplified procedural issues which would allow for successful implementation. However, the one substantive change was the removal of the £60 annual collection charge due to the possible conflict with the Environmental Protection Act (1990) as had been advised by the Council's legal team. There was a nominal loss of revenue associated with this change, however there would be no actual loss experienced in comparison with existing practice as no annual collection charge was currently levied.

Secondly, with regards the replacement bin policy, it was highlighted that there was one significant change proposed, namely that the revised policy did not require the levying of a charge for issuing replacement bins. This amendment was required due to significant difficulties experienced in implementing and administering such a charge, not least establishing a fair mechanism to identify fault for the loss of the bin. Again there was a nominal loss of revenue associated with the change, however there would be no actual loss experienced in comparison with the existing practice which was to replace bins free of charge.

Appended to the report was (1) the proposed Council's Household Waste and Recycling Containers Policy; (2) the Council's current Additional Wheeled General Refuse Bin application form; (3) the Council's current Additional Bins Policy; and (4) the Council's current Replacement Bins Policy.

The Committee resolved:-

- (i) to approve the Household Waste and Recycling Containers Policy, attached at Appendix 1 to the report, and to refer to the report to the Finance and Resources Committee for consideration of the financial issues arising from the Policy; and
- (ii) to instruct officers to undertake a full review of enforcement policy and practice relating to all waste issues including:- litter, fly-tipping and issues arising from the policy including side waste; and to present full and costed proposals for the implementation of enforcement policy to the Housing and Environment Committee at its meeting on 24 August 2010.