

PROVISION OF HOUSEHOLD WASTE AND RECYCLING CONTAINERS POLICY

1.0 EXECUTIVE SUMMARY

- 1.1 This report seeks Cabinet approval for a policy for the supply of waste and recycling receptacles to householders. The policy details the situations where residents will be charged for replacement or additional containers. This report also highlights the financial implications of current and future service demands for replacement bins and the rising cost of new bins as a result of increased oil prices.

2.0 BACKGROUND

2.1 Current Approach

Currently, Wirral Council operate under the following procedures, although no policy has ever been officially implemented:

2.1.1 Bulk Bins

Bulk refuse bins for multi-occupancy properties are leased to the property owners or management company by the Council's Waste Collection Contractor (Biffa) for an annual charge (currently £64 per Euro bin) under this leasing arrangement, Biffa will repair damaged bins free of charge.

2.1.2 Individual Wheeled Bins (green residual bins)

Green bins are given out free of charge to new dwellings upon requests via Streetscene. If a resident reports a missing bin then they must pay a charge (currently £27) for a replacement. However, if the resident states their bin went missing on collection day, then they will receive a replacement bin free of charge. If the resident requests a repair to their bin, such as the need for a replacement lid, wheels or cracked shaft, then the Council will repair or replace the bin free of charge. If the bin has been vandalised, such as set on fire, then the resident is required to replace their bin at their own expense. (Exceptions may arise, if for example, the bin was vandalised whilst awaiting a late collection). If residents have more than 5 people living in their household then they are entitled to additional provision. Currently additional bins are given free to householders. The amount of income generated from charging residents for the sale of green bins is negligible, suggesting that the current procedure may be being abused.

2.1.3 Individual Wheeled Bins (grey recycling bins)

Grey bins are given out free of charge to new dwellings upon requests via Streetscene. Grey bins are also provided free of charge to houses joining the recycling scheme through planned roll outs. Currently all lost, damaged or vandalised bins are replaced free of charge. This approach was taken to

minimise barriers to recycling and increase participation in the early stages of the alternate weekly collection scheme. Additional grey bins requested by larger households or households producing regular excess recycling are given free to the householder.

2.1.4 Individual Wheeled Bins (brown garden waste bins)

Brown bins are given out free of charge to new households upon requests via Streetscene, providing they can be added to an existing garden waste round. Brown bins are also provided free of charge to houses joining the recycling scheme through planned roll-outs. If a resident reports a missing bin then they must pay a charge (currently £27) for a replacement. However, if the resident states their bin went missing on collection day, then they will receive a replacement bin free of charge. If the resident requests a repair to their bin, such as the need for a replacement lid, wheels or cracked shaft, then the Council will repair or replace the bin free of charge. If the bin has been vandalised, such as set on fire, then the resident is required to replace their bin at their own expense. (Exceptions may arise, if for example, the bin was vandalised whilst awaiting a late collection).

2.2 Implications of Current Procedures

2.2.1 Since taking over the new waste contract, Biffa have struggled to secure annual leasing payments from a minority of property management companies (4%). It appears these companies never paid an annual charge to the previous contractor and the previous contractor made no attempts to pursue payment. Such companies are concerned that they will have to pass on charges to residents, and feel this is unfair as residents with individual wheeled bins have their bin provided free of charge initially.

2.2.2 In relation to the financing of replacement wheeled bins, Technical Services receive an annual budget for "*bins and waste containers*" (excluding litter bins) of £106k per annum. This budget was specified when residents only had one bin for residual rubbish and is insufficient to meet current demands, where 108,000 properties now have at least three wheeled bins and a further 25,000+ have at least two wheeled bins. At current levels of demand, the annual budget needed to cover all bin requests would be at least £260K from 2008/9 onwards and the 2007/8 budget is projected to be overspent by approximately £100K. It is important to note that oil price increases mean that the average cost of bins has risen by at least 30% over the passed two years and will have a significant effect on the effectiveness of future budget provision.

2.2.3 Many green residual bins, implemented around 12 to 15 years ago, are now wearing out and replacement bins are necessary, putting additional pressure on the bin replacement budget.

2.2.4 Most damaged grey bins have been covered under a 12-month warranty with the manufacturer. However this warranty has now expired for all bins delivered on the grey bin roll-out and the majority of brown bin roll-outs, meaning that the cost of replacing damaged grey bins is currently being funded by the Council.

2.3 Legislation and Obligations on Councils

2.3.1 Under Section 46 of the Environmental Protection Act 1990, the Council can specify the type and size of container that the resident must present their waste in, and can specify the type of waste to go in the container. The Council may also levy a charge to the resident for the provision of the waste receptacle. Alternatively, the householders may provide their own receptacle.

2.4 Summary of Local Authority Practices

2.4.1 Bulk Bins

A random telephone audit of 18 North West Local Authorities has revealed that only one Local Authority (Vale Royal) has an existing policy to cover the provision of bulk bins to residents. Out of the 18 surveyed, 9 local authorities did not charge for the provision of bulk bins and 9 did. However, out of the nine that made some sort of charge, 6 only made a one off charge to the developer of new multi-occupation properties. None of the 18 councils surveyed intended to charge multi-occs for the initial provision of shared recycling facilities, although some indicated charges might be levied at a later date for replacement bulk bins, or to cover repairs.

2.4.2 Individual Wheeled Bins

Councils have a wide range of procedures for the provision of individual wheeled bins. The only consistent approach was that the first container is provided free of charge (whether it be for recycling or residual waste) during initial mass roll-outs. A range of interesting approaches include:

- Some councils charge residents who require additional bins, even though they are entitled to more provision as a result of their additional bin policies. This approach has recently been recognised by the Ombudsman association as acceptable practice (Congleton July 2008).
- Many councils limit the entitlement to free replacement bins to 1 per household over a fixed period of time to reflect the life expectancy of the bin (usually 10 years). The limit is applied to the house address not the individual.
- Many councils apply a similar approach to Wirral by offering a free replacement bin if the bin goes missing on collection day. However, they put in place additional measures and restrictions to ensure residents are not attempting to acquire additional bins. In one council, this resulted in the discovery that 25% of bins were being claimed illegitimately.

3.0 PROPOSED POLICY

3.1 Policy Justification

Technical Services believe that the implementation of a clear and robust policy, within the confines of government legislation is required to reduce the financial risk facing the Council as a result of spiralling bin costs and abuse of current procedures. Immediate adoption of the policy will reduce the projected overspend of the Council in 2007/8 and subject to monitoring, should ensure the current budget provision for “bins and waste containers” is adequate from 2008/9 onwards, at least in the short to medium term. Should the policy be approved, I recommend it is implemented from 1st January 2009. This will give officers enough time to amend existing procedures and carry out briefings to Streetscene staff.

3.2 Multi-Occupation Dwellings: Roll-out of co-mingled recycling scheme

In order to encourage residents of multi-occupational dwellings to recycle, Technical Services propose to provide all existing dwellings with free recycling receptacles in the first instance. This provision is proposed to be funded by the Waste Capital Infrastructure Grant in 2007/8 (£100K) and 2008/9 (£150K). The £250K will be required to provide all multi-occupancy dwellings with bulk recycling bins, or 240 litre lockable wheeled bins.

Once delivered all recycling bins become the responsibility of the property owners (property management company, RSL, private landlord or property owner, mortgagee). Cleaning, maintenance, repair and replacement of the bins will be the responsibility of the property owner.

The property owner is responsible for ensuring that the bins are maintained to a standard that enables the waste contractor to empty them without undue risk to health and safety, or risk of damage to lifting equipment.

Security of the bins will be the responsibility of the property owner. If the dwellings have no obvious space for recycling provision, the landlord, owner, property management company or tenants association of the dwellings will be given 6 months notice to provide suitable storage on that property so that they are able to comply with Section 46 of the Environmental Protection Act 1990. The Council will offer a range of recycling solutions at this time to best accommodate the property management companies faced with space restrictions.

The multi-occupancy dwelling roll-out is due to be completed no later than June 2009. Any dwellings that come into existence after this time will be covered by sections 3.3 and sections 3.4 of this policy.

3.3 Bulk Bins for New and Existing Multi-Occupation Dwellings (residual waste)

Bulk bins can be purchased outright from the Council via the Council's waste collection contractor. Repairs for bulk bins become the responsibility of the purchaser, unless the repair is covered under warranty, or is the fault

of the waste collection contractor. If the bin requires a repair under warranty, the purchaser must deal directly with the bin manufacturer. If the bin has been damaged by the waste collection contractor, then the contractor will make good the damage or replace the bin.

The price of bulk bins will be advertised at all times on the Council's website, and can be obtained from the Council's Streetscene Call Centre.

Residents may provide their own receptacles for the presentation of waste but these receptacles must meet health and safety/ collection mechanism requirements of the waste collection contractor and be approved by them in advance of the first schedule collection.

Alternatively, opportunities exist for the owner, property management company or tenants association of the dwellings to lease bulk bins with the Council's waste collection contractor, or other receptacle suppliers. The repair and maintenance of bins is usually covered in such leasing arrangements.

The Council will not compensate any dwelling or occupants if that dwelling chooses to opt out of local authority waste collection services.

Any claims arising from damage to privately owned bins by the waste contractor can be reported via the Streetscene Call Centre on 0151 606 2004, and will be dealt with directly by the Council's waste collection contractor.

3.4 Bulk Bins for New Multi-occupational Dwellings (recyclable waste)

Following completion of the multi-occupancy roll-out outlined in section 3.2, developers will be charged for the provision of recycling containers to new properties and will be notified at the planning stage by the waste and recycling team. Developers will also be required to ensure adequate storage space is provided for the provision of recycling containers. Wherever practical, all new multi-occupation dwellings shall be put on the borough's alternate weekly waste collection scheme, where residual waste is collected on one week, and recyclable waste is collected on the alternate week.

3.5 Individual Wheeled Bins - All Colours

3.5.1 Bin Repairs

Residents will be entitled to free repairs (or free replacements to damaged wheeled bins) for the following issues:

- Damaged/ cracked / lost lids
- Damaged/ lost hinges
- Damaged/ lost wheels
- Cracked shaft arising from general wear and tear or frost damage.

3.5.2 Lost, Stolen or Vandalised Bins - Criteria for Free Bins

Requests by residents for replacement bins must meet all of the following criteria to be eligible for a free replacement bin:

- There must not have been a previous request for a replacement bin within the past 7 years at that address.
- The resident must state they have lost their bin on collection day (or whilst awaiting a late collection).
- The resident must report their missing bin by 4pm on the following working day after the actual day of collection*.

** NB: At this point of contact, the request will be logged and the resident will be asked to call back (with the CRM number) after the next scheduled collection day if the bin does not turn up. If the request is for a residual bin, the call centre will mail out 5 disposable sacks that can be used in the mean time by the resident and presented at the designated collection point on the next scheduled collection day. Recyclable waste cannot be collected in disposable sacks. Residents will be advised of bring site locations and the location of the nearest household waste recycling centre.*

- The resident must state they had their address on their wheeled bin. (The house number as a minimum requirement, and ideally the street name.) Residents are to be informed that their address should be on their bin in the 2009 Calendar drop to all properties on the alternate weekly scheme to be completed in December 2008. All new bins delivered to properties will also include this instruction.
- Where a resident reports the theft of the bin from their own secure property, the Council will offer the resident a second hand bin free of charge, subject to availability. A crime number will be required.
- The Council may carry out pre or post delivery checks on all requests for new bins to qualify eligibility. Residents who are subsequently found not to be eligible for a free bin will be charged retrospectively.
- Where the Waste Collection Contractor has recorded they have damaged a bin (or the bin has fallen in the Refuse Collection vehicle), the resident will be entitled to a free repair or replacement. This information must have been at the point of collection by the waste collection crew. The contractor has a contractual obligation to report all bins damaged in this way.

3.5.3 Lost, Stolen or Vandalised Bins – Approach to Charging

Request for bins not meeting the criteria above will be chargeable to cover the cost of the bin, administration costs and delivery. This cost will be reviewed at least annually, due to the unstable price of bins, linked to the price of oil.

Residents may request up to 5 disposable residual waste sacks (as in section 3.5.2.) if they wish to attempt to recover their missing bin between the time of report and the next scheduled collection day.

All requests from private and social landlords for replacement bins will be chargeable, without exception.

Vandalised, dirty, burnt out and contaminated bins will not be replaced free of charge by the Council.

Homeowners or tenants moving into a new home are advised to ensure the developers or previous owners/ tenants or landlords have provided clean, empty and operational bins. This can be specified on tenancy agreements, or on legal documents listing the “fixtures and fittings” of a house during it's sale. The Council will not provide free bins to residents moving home.

3.5.4 New Developments

All new developments will be charged for the provision of wheeled bins. This will be specified (along with costs) at the planning application stage. Developers will also be required to ensure adequate storage space is provided for the provision of residual and recyclable waste containers.

3.5.5 Additional Bins

3.5.5.1 Residual bins (green)

Households qualifying for an additional green bin will be charged a one off price to cover the cost of the bin, delivery and associated administrative costs. *This excludes those households requiring additional storage for medical waste, or waste directly associated with managing disabilities, which are entitled to a free bin.* Residents who have opted to take part in a Council waste audit may also be entitled to an additional bin free of charge. Residents will also be required to notify the Council of changes of address and change of circumstances that affect eligibility for additional containers.

3.5.5.2. Dry recycling bins/containers (grey)

One additional dry recycling container per household will be provided free of charge to properties on request, subject to approval by an authorised Council officer and associated checks. Requests for further additional containers will be assessed on an individual basis.

Free additional bins allocated to residents will be taken from refurbished or re-used stock when available. Bins will be washed out prior to delivery but may contain old house numbers and addresses/ markings. The resident will be required to re-number the bin upon delivery.

3.5.5.3 Garden Waste Bins (brown)

Additional garden waste bins can be provided to a resident upon request. The resident will be charged for the full cost of each additional bin, including delivery and associated administrative charges. All additional brown bins

will have a red lid, to denote that household is entitled to present the extra bin.

4.0 FINANCIAL IMPLICATIONS

- 4.1 Latest projections of a “do nothing” approach would result in an additional revenue requirement in excess of £150K per annum to the existing budget provision. This policy intends to enable Technical Services to manage the bin provision services within existing budget in the future. The cost of providing receptacles to new homes is estimated to be around £40K per annum (based on the number of new dwellings in 2006/7).
- 4.2 The cost of providing free first time recycling receptacles to all existing multi-occupancy dwellings not yet on a co-mingled recycling scheme is estimated to be approximately £250K. Additional costs will also be incurred for signage and locking posts. £181K has already been allocated for this project from the 2007/8 Waste Capital Infrastructure Grant. Members are recommended to approve the remaining WCIG grant for 2008/9 £245K is prioritised for the provision of receptacles to multi-occ dwellings in order to complete the roll out as quickly as possible. The diversion of additional waste through this scheme will result in a minimum levy saving to the Council of £35K per year in landfill charges and landfill tax savings, growing to over £100K per year in the longer term.
- 4.3 Consideration has been given to providing existing multi-occupancy premises with free bulk bins. *However, it would cost the Council an additional £70K per year to cover all current leasing costs.* The introduction of recycling facilities to each complex, where weekly residual waste collections are to continue, should result in a reduction in the number of residual containers required by each complex, which will then result in a reduction in the annual leasing costs of these bins and a tangible saving back to the residents. The Council hopes this approach will encourage residents and property management companies to recycle as much waste as possible.

5.0 EQUAL OPPORTUNITIES IMPLICATIONS

- 5.1 There are no specific implications under this heading. Residents who are on a bulk bin service also receive an enhanced service, to include doorstep, rather than kerbside collection.

6.0 PLANNING IMPLICATIONS

- 6.1 Technical Services will ensure that new developments are flagged up to the Waste and Recycling Team so they may be contacted regarding their obligations over the provision of waste containers and suitable storage. Adaptations to planning guidance may need to be considered to ensure adherence to this policy.

7.0 COMMUNITY SAFETY IMPLICATIONS

7.1 There are no community safety implications arising from this report.

8.0 HUMAN RIGHTS IMPLICATIONS

8.1 There are no specific implications under this heading.

9.0 LOCAL AGENDA 21 IMPLICATIONS

9.1 All activity proposed in this report supports the principles of the LA 21 Agenda, contributing positively to Wirral's Nottingham Declaration and sustainability plans.

10.0 SOCIAL INCLUSION IMPLICATIONS

10.1 There are no specific implications under this heading.

11.0 ANTI-POVERTY IMPLICATIONS

11.1 Bin rental charges are currently £66.75 per annum for a Eurobin and £41.08 for a Paladin bin. Usually 6 to 12 properties share one Eurobin, resulting in a weekly cost of no more than 21 pence. The vast majority of residents of multi-occupancy dwellings are used to paying this cost as an integral part of their "service charge". Many housing associations do not pass bin rental charges onto their tenants, and other low-income families in receipt of benefits to cover rent should not be affected.

12.0 ACCESS TO INFORMATION ACT

12.1 There are no specific implications under this heading.

13.0 LOCAL MEMBER SUPPORT IMPLICATIONS

13.1 There are no specific implications under this heading.

14.0 RECOMMENDATIONS

That

- (1) the Provision of Household Waste and Recycling Containers Policy detailed in section 3.0 of this report be approved for implementation by January 1st 2009; and
- (2) the prioritisation of the remaining 2008/9 Waste Capital Infrastructure Grant (WCIG) funding totalling £245K be approved for the provision of recycling receptacles to multi-occupancy properties.

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