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Replacement programme for wheeled bins

Ward(s) All

Portfolios: Cllr A Harris – Leisure, Culture and Environment

Summary of report:

Green wheeled bins were first introduced in 1992 as a pilot scheme prior to the introduction of a borough wide service in 1993.

There are now around 300,000 bins being used within the borough for waste and recycling collections.

Green bins in some areas of Walsall have now been in service in excess of 18 years and, at worst, as many as 98,000 bins could potentially be coming to the end of their useful lives. There is increasing evidence that these bins are now beginning to fail, albeit in small numbers. Consideration needs to be given to how we will manage replacement of these bins and how this will be funded.

The expected outcome from the Panel's consideration of this issue is that a recommendation (or recommendations) will be put forward to Cabinet for consideration on 15 September 2010.

Background papers:

None.

Reason for scrutiny:

At its meeting on 10 June 2010, the Panel was made aware that the issue of replacement bins was due to be considered by Cabinet and resolved that the Panel should consider the issue prior to this.

Resource and legal considerations:

Financial: On average, we replace, 80 grey bins, 30 brown bins and 60 green bins each month and, at June 2010, had stocks of 1,192 grey, 1,396 brown and 1,000 green bins. These stocks should last for the next 12 months.

Some 5,000 bins may need replacing each year based on current fall out rates but this figure would need to remain under review as more bins become in excess of 15 years old.

The budget available for 2011/12 and future years is sufficient to replace around 5,000 bins. A small increase in this amount could come from efficiency savings and reduced disposal costs within the service area. However, this would need to be actively monitored and managed from 2011/12 onwards.

Legal: Under Section 46 of the Environmental Protection Act 1990, a Council may serve notices on the occupiers of the premises from which it collects household waste requiring those occupiers to place the waste in receptacles of a particular kind and of a particular number. The Council may specify the size and colour of these receptacles.

The Council may decide in each case that the bins are to be provided free of charge. It may however decide that it will invite the householders to pay for the bins. The Council cannot require the householder to buy a bin from the Council but could just straightforwardly require the occupier to provide a bin of the appropriate size, specification and colour.

The legislation is worded such that it would not be lawful for the Council to make a blanket decision that bins will only be provided on payment of a charge. What the Council must do is identify each case in which the approved bins are not being used and then serve notice on householders of those premises requiring them to provide bins. If the Council is prepared to provide a replacement bin, at the current cost of £18.50 per bin, it should make that offer. The Council can then refuse to collect waste unless it is placed in such a bin. There may be some occasions in which the householder puts forward a good reason as to why he should not pay for a replacement bin. One of those good reasons may be that he lacks the resources to pay for a replacement bin or alternatively that he has been an unfortunate victim of numerous thefts. The Council must decide in each case what it is to do.

Citizen impact:

If the Council decided that residents should pay for replacement bins when the bins have come to the end of their useful life, the cost to individual households would currently be £18.50 per bin. This is equivalent to less than £0.03 per week if the bin lasted for 15 years. On the basis that a property has three wheeled bins for the three types of waste collected, this would be less than £0.10 per week. This cost would appear to be reasonable but may present difficulties to low income households.

There would likely to be a perceived positive impact for the citizens of the borough if wheeled bins were replaced free of charge when they reach the end of their useful life.

Environmental impact:

It is envisaged that bins would be replaced on an ad-hoc basis. This does present logistical challenges in terms of planning the disposal of the old bin and delivery of the new one. We are currently exploring the issue with our recycling contractor, Greenstar, as recycling the old bins would have a positive environmental impact.

Performance management:

If replacement bins are not provided free of charge, it is likely there will be more bins on the street that are damaged and in need of repair or replacement. Consequently, it is likely there will may produce more spilled refuse, additional complaints and the possibility of injury to individuals using the damaged bins all of which would be likely to have an adverse effect on resident satisfaction.

Equality Implications:

The Environmental Protection Act 1990 gives councils the choice of whether to provide waste receptacles free of charge or not as well as specifying the type and design, dimension and type of bin that the Council will collect. The Council cannot force residents to buy its wheeled bins. If someone does not wish to buy or comply with the Council's policy, the person has a right of appeal against the decision to the Magistrates' Court within twenty one days of notification. In addition the Council cannot have a blanket policy to charge everyone for bins. In the event that someone pleads hardship and/or poverty each application must be decided on its merits.

Should the Council elect not to charge for replacement bins when bins have reached the end of their useful life, this would be likely to have a positive impact on low income households.

Consultation:

Consultation has taken place with Finance colleagues in the preparation of this report

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Report

In 2001, the former Environmental Services Committee agreed to introduce a charging policy for replacement wheeled bins. This policy does not deal with replacement bins when the bins come to the end of their useful life.

The policy was agreed on the basis that the potential savings for these proposals could amount to in excess of £60,000 per annum and, in accordance with the Environmental Protection Act (EPA) 1990, Section 46, the Authority could make a charge in respect of providing receptacles for household waste.

Walsall Council has so far, in each and every case, decided that it will provide bins at a current charge of £18.50. A charge was introduced due to the huge number of bins which were going missing each year. The Council is fully justified in seeking to limit its expenditure in this regard.

At the time, there were no serious issues with the condition of any of the bins, although the original bins, purchased in the early 1990s, were coming to the end of their guaranteed life. Green wheeled bins were first introduced in 1992 as a pilot scheme of around 14,000 properties prior to the introduction of borough-wide service in 1993.

Through legislative change and a need to seek more sustainable means of disposing of waste arisings, brown bins (garden waste) were first introduced in 1997 and recycling boxes were introduced in 2004. Recycling boxes have now been replaced through the introduction of the 140-litre grey bins in 2009 as part of the new waste collection service.

In summary, the kerbside collection of all types of waste in Walsall has developed in the purchase of wheeled bins in the phases described below. There are now approximately 300,000 bins being used within the borough for waste collections.

Year	Number of properties rolled out that year GREEN	Number of properties rolled out that year BROWN	Number of properties rolled out that year GREY
92/93	14000	-	-
93/94	84000	-	-
94/95	-	-	-
95/96	-	-	-
96/97	-	-	-
97/98	-	11000	-
98/99	-	2,000	-
99/00	-	7,000	-
02/03	-	13,000	-
03/04	-	19000	-
04/05	-	8000	-
06/07	-	22,000	-
07/08	-	-	-
08/09	-	-	102,000
09/10	-	11000	-

Wheeled bin manufacturers have offered a guarantee of around ten years (although this varies from manufacturer to manufacturer). Industry evidence is that the life expectancy of original bins can now be over 15 years but, as Walsall was one of the original authorities to use wheeled bins for their waste collections, there is no historical data in the industry as to the maximum life of a wheeled bin. In any event, this will vary dependent on the frequency of emptying and the materials collected.

As the number of bins reaching the end of their normal life begins to increase, what now needs to be decided is whether to:-

1. Continue to charge for replacing such bins.
2. Provide replacement bins in these circumstances free of charge.
3. Introduce a programme of replacing bins when they reach a certain age or condition or,
4. Replace such bins on an ad-hoc basis.

The views of the Scrutiny Panel would be welcomed.