

Council – 25th February 2008

Notice of Motion - Bin Charging Policy

Background

The Council has a duty imposed by Section 45 of the Environmental Protection Act 1990 to collect household waste.

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 and failure to obtain a suitable container could result in waste not being collected.

Under Section 46 sub-section (7) of the Environmental Protection Act 1990 it says residents may either:

- a) Purchase a bin from the council (the current charge is £18.50).
- b) Purchase a bin from an alternate supplier, providing it is in accordance with the Councils specification.

There is the opportunity if an occupier is unsatisfied to appeal to the Magistrates Court.

There are two grounds of appeal.

- 1) The first ground of appeal is that the requirement to provide a bin and put his rubbish in it is unreasonable.
- 2) The second ground of appeal is that the receptacles in which he is currently putting his household waste are adequate.

Current situation

Detailed below is the current charging policy for the replacement of wheeled bins. This policy was approved by the Environmental Services Committee on the 18th January 2001. The charge was introduced on 2nd April 2001, following the approval.

Criteria where charges are applicable:

- Bins reported stolen
- Bins reported lost
- Bins reported vandalised
- Bins reported damaged (other than by Walsall Council operatives and equipment)

- Additional bins i.e. more than one per household
- Bins for new properties
- Bins for new occupants of existing properties.

Criteria where the charge would not apply:

- Where there are more than seven occupants in one household
- Bins reported damaged by Walsall MBC operatives or equipment
- First bins allocated as part of the extension of the garden waste service

Additional Information

During the budget setting process for 2007/08 financial year, Cabinet approved an increase in the charges for replacement bins from the rate of £16.50 to £18.50 per bin. This cost reflected the procurement price of bins at the time but does not include delivery.



Jamie Morris
Executive Director

Date: 20th February 2008