

Item: 7

Development and Infrastructure Committee: 30 March 2021.

Charges for Replacement Bins.

Report by Executive Director of Development and Infrastructure.

1. Purpose of Report

To consider issues arising from implementation of the policy on charging for replacement refuse bins.

2. Recommendations

The Committee is invited to note:

2.1.

That, in March 2019, the Council agreed to introduce charges for replacement refuse bins, with the charges being implemented from June 2019.

2.2.

That, following an increased number of complaints from the public, Elected Members have requested that officers review operation of the charging policy in respect of replacement bins.

2.3.

That implementation of the charges has led to a significant burden for Customer Services and Development and Infrastructure service teams responding to customer concerns.

It is recommended:

2.4.

That charges for replacement refuse bins be suspended from 1 April 2021 to enable the Corporate Charging Consultative Group to undertake a review of the charging policy for replacement bins.

2.5.

That the Executive Director of Development and Infrastructure should submit a report, to the next available meeting of the Committee, detailing the findings of the review by the Corporate Charging Consultative Group, together with options in respect of the charges for replacement refuse bins.

3. Background

3.1.

In March 2019, the Council agreed to bring in charges for replacement bins as a budget efficiency. This is in line with similar approaches across other local authorities in Scotland. Charges are levied for replacements required for lost, damaged or stolen bins, however where the collection crews record that the lift has damaged the bin, there is no charge for a replacement. In addition, new build properties are not charged for their first bin. Charges only apply for refuse bins as recycling bins and containers are replaced or provided free of charge.

3.2.

When collection crews notice a damaged bin, a tag is placed on it notifying the householder of the damage and requesting them to contact the Council for a replacement. Operational practice is that crews are instructed not to lift a bin which is visibly damaged. This is to ensure that Health and Safety risks are appropriately managed, should the bin fail, fall or spill its load during the emptying process. This practice is covered by a working document, with refresher briefings provided to operational staff in early January 2021.

3.3.

Householders requesting a replacement bin are asked for payment before the order can be confirmed. However, if a householder challenges the need for payment, citing, for instance, damage by the crew, they will be referred to a member of the Environmental Services – Strategic team who will investigate the situation. A large number of householders do challenge the requirement, but the policy is clear that unless there is a record of damage by the operational crews, payment is required. If payment is not received within thirty days the case is closed on the Customer Services system.

3.4.

Householders are advised that if they do not want to replace their bin, they should take their refuse to one of the Household Waste Recycling Centres. Currently, due to the service alterations imposed in response to COVID-19 requirements, only Hatston and Garson Recycling Centres are accepting black bag waste.

4. Charges and Income

4.1.

The charge for a 240 litre grey refuse bin was set at £25 in 2019/20, whilst the charge for a 140 litre grey refuse bin was £20. Published charges have since increased by 3% each year in line with standard charging policy.

4.2.

Between June 2019, when charges were first introduced, and February 2021, there were a total of 2,102 requests regarding bins logged on the Customer Services

portal. It should be noted that this includes new bins and boxes, bins for storage on the isles and collection of bins and bags that are no longer needed. Of this, 119 of the 240 litre bins were paid for, together with 16 of the 140 litre bins, at a total income of £3,295. Requests for free replacement recycling containers increased sharply in 2020/21 as a result of the COVID-19 driven changes to the kerbside recycling collection service.

4.3.

Payment for replacement bins is fairly common across other Scottish local authorities. Officers recently investigated information on Council websites and noted that charges ranged from £35 to £76 for a 240 litre bin.

5. Issues

5.1.

Customer Services report that almost every customer who calls in for a replacement bin disputes the need to pay and claims that the bin was not broken by them. Most calls are lengthy and confrontational, although only four have led to a formal complaint.

5.2.

Elected Members have recently notified the Chief Executive that they are concerned about constituent dissatisfaction regarding this policy and have requested that officers investigate the appropriateness and consistency in its application.

5.3.

It is noted that the Alternate Weekly Collection scheme was implemented in 2012 and many of the bins issued at that time could be coming to the end of their lifespan simultaneously. Wear and tear on bins is inevitable as they are made of plastic which does degrade over time. This can also be exacerbated for a number of reasons, including poor storage, misuse by the householder, overloading or the stress of being lifted into the refuse cart.

6. Conclusions

6.1.

This has proven to be a very difficult policy to enforce as there is rarely any objective evidence as to how a bin was damaged.

6.2.

However, difficulty of implementation should not mean that a policy is abandoned without due consideration. There were clear and specific reasons for this policy being brought in originally, and this is not out of step with other local authorities. The original objectives were largely around ensuring that householders took appropriate responsibility for the containers and did not misuse them, rather than a desire to

recover costs. It should be noted, though, that there is an on-going cost to the Council for replenishment of stock.

6.3.

Whilst there is a perception that the Council is inconsistent in its application of the policy with regards to paying for replacement bins, there is no objective evidence that this is, in fact, the case.

6.4.

Notwithstanding all of the above, it is evident that there is no clear and common understanding around the implementation of this policy and its intent. As a result, significant amounts of Customer Services and the Environmental Services – Strategic team’s time is being spent addressing public concerns. The number of bins which have been paid for is relatively small and, whilst this income does help to offset costs associated with replenishing stock, it is not commensurate with the level of effort associated with applying the policy. In addition, the issue is causing significant reputational harm to the Council.

6.5.

There may be many reasons why the system of charging for replacement bins is causing problems, including the usual teething problems, lack of understanding on the part of the public, the level of charges being applied or even a general dislike of any new charges. To assist in making an informed decision, it is therefore considered prudent to suspend charging and to refer the charging regime to the Corporate Charging Consultative Group for review.

6.6.

It is also proposed to implement a communications campaign, reminding residents that damaged bins will not be emptied and so should be reported as soon as possible after any damage is identified, in order to ensure that waste can be uplifted from that property.

7. Equalities Impact.

An Equality Impact Assessment has been undertaken and is attached as Appendix 1 to this report.

8. Corporate Governance

This report relates to the Council complying with its financial processes and procedures and therefore does not directly support and contribute to improved outcomes for communities as outlined in the Council Plan and the Local Outcomes Improvement Plan.

9. Financial Implications

9.1.

The original efficiency saving measure put forward by the Development and Infrastructure Service as part of the budget setting process in financial year 2019/20 was to implement a new charge for the replacement of bins. This was duly accepted by the Council and applied to the revenue budget in the 2019/20 budget as an annual efficiency saving of £10k against the Waste Collection revenue budget.

9.2.

The level of income generated over a 20 month period of £3,295 is worthy of note. Against an annual efficiency saving target of £10k per annum, this equates to a shortfall of approximately £13,370 over this period.

9.3.

Development and Infrastructure will therefore need to revisit its efficiency savings targets with a view to identifying an alternative and/or additional efficiency saving measure as a priority in order to make up the shortfall within the Waste Collection service revenue budget.

10. Legal Aspects

There are no legal implications arising directly from the recommendations of this report.

11. Contact Officers

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12. Appendix

Appendix 1: Equality Impact Assessment.



Equality Impact Assessment

The purpose of an Equality Impact Assessment (EqIA) is to improve the work of Orkney Islands Council by making sure it promotes equality and does not discriminate. This assessment records the likely impact of any changes to a function, policy or plan by anticipating the consequences, and making sure that any negative impacts are eliminated or minimised and positive impacts are maximised.

1. Identification of Function, Policy or Plan	
Name of function / policy / plan to be assessed.	Charge for replacement refuse bins – suspension pending review by Corporate Charging Consultative Group
Service / service area responsible.	Development and Infrastructure
Name of person carrying out the assessment and contact details.	Lorna Richardson
Date of assessment.	15 March 2021
Is the function / policy / plan new or existing? (Please indicate also if the service is to be deleted, reduced or changed significantly).	Existing service with no change to service provision proposed, other than suspension of charges

2. Initial Screening	
What are the intended outcomes of the function / policy / plan?	To address concerns raised by Elected Members regarding charges for replacement refuse bins
Is the function / policy / plan strategically important?	Yes – the council has a duty to collect under the EPA Act 1990, and to provide vessels that are cost effective in their use. Ensuring that there is no misuse or abuse is important in delivering an affordable service. Charges such as these cover these costs and act as an incentive in some cases to be more careful.
State who is, or may be, affected by this function /	Domestic households in Orkney who are in receipt of a kerbside Alternate Weekly Collection through

policy / plan, and how.	a wheeled bin service
How have stakeholders been involved in the development of this function / policy / plan?	As part of the development of the Alternate Weekly Collection service, extensive consultation was undertaken
Is there any existing data and / or research relating to equalities issues in this policy area? Please summarise. E.g. consultations, national surveys, performance data, complaints, service user feedback, academic / consultants' reports, benchmarking (see equalities resources on OIC information portal).	No
Is there any existing evidence relating to socio-economic disadvantage and inequalities of outcome in this policy area? Please summarise. E.g. For people living in poverty or for people of low income. See The Fairer Scotland Duty Interim Guidance for Public Bodies for further information.	No. However, this proposal would be adopted across all households in Orkney and would reduce an existing burden
Could the function / policy have a differential impact on any of the following equality areas?	(Please provide any evidence – positive impacts / benefits, negative impacts and reasons).
1. Race: this includes ethnic or national groups, colour and nationality.	Residents from poorer communities may currently struggle to afford a replacement bin. Therefore, the existing charges could disproportionately affect disabled, BAME and new migrant communities. Suspension of the charges will have a positive impact however.
2. Sex: a man or a woman.	No likely impact identified
3. Sexual Orientation: whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.	No likely impact identified
4. Gender Reassignment: the process of transitioning from one gender to another.	No likely impact identified
5. Pregnancy and maternity.	Suspension of the charge may have a positive impact on families who may require additional

	capacity as a result of additions to the family
6. Age: people of different ages.	Older people may have pressure on finances which means that affording a replacement bin could have been a concern. Suspension of these charges will therefore have a likely beneficial impact
7. Religion or beliefs or none (atheists).	No likely impact identified
8. Caring responsibilities.	No likely impact identified
9. Care experienced.	No likely impact identified
10. Marriage and Civil Partnerships.	No likely impact identified
11. Disability: people with disabilities (whether registered or not).	No likely impact identified
12. Socio-economic disadvantage.	No likely impact identified
13. Isles-proofing.	Isles residents are on a bagged service, rather than bins and so are not impacted by this charge, or by its removal.

3. Impact Assessment

Does the analysis above identify any differential impacts which need to be addressed?	No. Any impacts identified are positive
How could you minimise or remove any potential negative impacts?	N/A
Do you have enough information to make a judgement? If no, what information do you require?	N/A

4. Conclusions and Planned Action

Is further work required?	Yes
What action is to be taken?	Charging for replacement refuse bins will be reviewed
Who will undertake it?	Corporate Charging Consultative Group
When will it be done?	Before December 2021
How will it be monitored? (e.g.	The conclusion of the Consultative Group will be

through service plans).

brought to Committee for further scrutiny and review

Signature



Date: 15/3/21

Name: Lorna Richardson

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Please sign and date this form, keep one copy and send a copy to HR and Performance. A Word version should also be emailed to HR and Performance at hrsupport@orkney.gov.uk