

DECISION TITLE: Charging for replacement household waste bins
Councillor Nigel Simons - Cabinet Member for Infrastructure, Environment and Climate Change
October 2023
Deadline date: October 2023

Cabinet portfolio holder: Responsible Director:	Councillor Nigel Simons - Cabinet Member Infrastructure, Environment and Climate Change Adrian Chapman – Executive Director of Place and Economy
Is this a Key Decision?	YES If yes has it been included on the Forward Plan: YES Unique Key decision Reference from Forward Plan: KEY/21NOV22/01
Is this decision eligible for call-in?	YES
Does this Public report have any annex that contains exempt information?	NO

RECOMMENDATIONS	
The Cabinet Member is recommended to:	
<ol style="list-style-type: none"> 1. Approve the implementation of a charging mechanism whereby occupiers of homes across the city are required to pay for the costs associated with replacement waste bins and receptacles to include residual, recycling, garden and food waste bins. 2. Approve the implementation of a mechanism to charge property developers for the costs associated with the supply of all new waste bins and receptacles when new build properties are ready for occupation. 	

1. PURPOSE OF THIS REPORT

1.1 This report is for the Cabinet Member Infrastructure, Environment and Climate Change to consider exercising delegated authority under paragraph 3.4.3 of Part 3 of the constitution in accordance with the terms of their portfolio.

2. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	No	If yes, date for Cabinet meeting	N/A
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3. BACKGROUND AND KEY ISSUES

- 3.1 All bins and waste receptacles supplied by the council are owned by and remain in the ownership of the council over their lifetime. Replacement bins and waste receptacles are also owned by the council.

Currently all lost, stolen and replacement bins are replaced free of charge by the council, at a cost to the organisation of approximately £160,000 per annum. Historically, occupiers were required to obtain a crime reference number before the council would replace a stolen bin, but the police no longer provide this. Following this change the Council has seen a significant increase in replacement requests.

- 3.2 It is proposed that the council introduces the following charges:

1. Home occupier replacement for lost or stolen bins: costs associated with replacing each bin and waste receptacle, which includes administration, the assembly of the bins themselves and delivery (the “costs”) will now be charged for. The charges that are proposed are as follows:

Item	Price	Price if in receipt of Council Tax Relief
240 litre bin	£29.50	£14.75
Small caddy	£10.00	£5.00
Large caddy	£10.00	£5.00
Small and large caddy delivered together	£12.50	£6.25

The charges will be reviewed annually as part of the contract indexation process with Peterborough Limited. In specific situations occupiers are provided with larger bins in order to ensure adequate provision. Details of these scenarios can be found in the council’s Recycling and Waste Policy Guide. Charges will also be applied if replacements are required in these scenarios and officers will work directly with the occupier or landlord to confirm the relevant charges.

If a resident requiring a replacement bin is in receipt of Council Tax Relief then the cost will be lower. The price charged in this situation is detailed in the ‘price if in receipt of Council Tax Relief’ column in the table above.

If it is proven that any bins are accidentally damaged by Peterborough Limited employees, as a result of day-to-day collection activities, then this cost will be met by Peterborough Limited.

The council will continue to repair damaged bins free of charge where it is possible to do so.

- 3.3 **2. Charges for new dwellings:** costs associated with providing new properties with the required bins, at the point in time when the home is ready for occupation, will be charged to the property developer. The charges that are proposed are as follows:

Item	Price
Two 240 litre bin Small caddy	£70.00 - for provision of all four containers

The charges will be reviewed annually as part of the contract indexation process with Peterborough Limited. In specific situations properties require larger bins in order to ensure adequate provision. Details of these scenarios can be found in the council's Recycling and Waste Policy Guide. Charges will also be applied in these scenarios and officers will work directly with the developer to confirm the relevant charges.

The council will write to all developers in the city to ensure that they are aware of this change.

- 3.4 Officers have undertaken research to compare this proposal to neighbouring authorities. Of the 28 councils researched, 15 charge an average of £36.75 for a standard bin, 8 do not charge and 4 provide no details of charges. This demonstrates that these charges are in line with other authorities.

4. CORPORATE PRIORITIES

- 4.1 This decision links directly to the following Corporate Priorities:

The Economy & Inclusive Growth – Environment - Increase recycling and reduce fly tipping – this session will ensure that residents across the city are provided with the bins they need within a reasonable timeframe and thus support them to segregate their waste appropriately. Through the implementation of charging, we anticipate a decrease in demand which will reduce emissions arising from transport.

Sustainable Future City Council - How we Work - Use new ways of working that will deliver value for money for the taxpayer. This will ensure that the Council's costs associated with providing new and replacement bins are met.

5. CONSULTATION

- 5.1 This charge was initially consulted on as part of phase one of the 2022-2023 budget setting process. As part of this process, it was discussed at a Joint Meeting of the Scrutiny Committees on 17 November 2021. The phase one budget went on to be adopted at Full Council on 8 December 2021.

A further discussion took place at a meeting of the Financial Sustainability Working Group on 19 October 2022 at which point, and in subsequent communications, members agreed to offer a discount to residents in receipt of benefits.

6. ANTICIPATED OUTCOMES OR IMPACT

- 6.1 The council will charge for the costs in relation to new and replacement waste bins and receptacles.

7. REASON FOR THE RECOMMENDATION

- 7.1 Costs incurred by the council due to requests for new and replacement bins continue to increase and it is no longer considered to be sustainable to offer these free of charge.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 Do nothing – it is not considered to be viable to continue offer replacement bins free of charge due to the significant number of requests regularly received.

9. IMPLICATIONS

Financial Implications

- 9.1 The proposed charges are in line with the details outlined in the 2022/23 MTFS.

Legal Implications

- 9.2 The Council has a duty under section 45 of the Environmental Protection Act (EPA) 1990 to collect household waste.

Section 46(1) EPA provides that where the Council has a duty to collect waste, they can specify the kind, number, and size of receptacles the occupier must put the waste into. The Occupiers are under no obligation to use receptacles provided by the council, as long as, the alternative(s) meet the required size, design and number as determined by the Council.

S.46 (2) EPA states that receptacle requirements set by the Council must be reasonable. Where the occupier uses waste receptacles provided by the Council, s.46(3) finds that the Council may provide receptacles free of charge or require the occupier to agree to pay the Council a single payment or such periodical payments as agreed. Charging for a new or replacement receptacles would constitute a single payment under this section.

Equalities Implications

- 9.3 As detailed in this report the prices have been adjusted for those in receipt of Council Tax Relief to ensure people in this scenario are able to access the service.

10. DECLARATIONS / CONFLICTS OF INTEREST & DISPENSATIONS GRANTED

- 10.1 None

11. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985) and The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

- 11.1 Recycling and Waste Policy Guide –
<https://democracy.peterborough.gov.uk/documents/s50760/Appendix%20A%20Recycling%20and%20Waste%20Policy%20Guide.pdf>

Joint Meeting of the Scrutiny Committees on 17 November 2021

<https://democracy.peterborough.gov.uk/documents/s45466/MTFS%20Phase%20one%202022-23-%202024-25%20Joint%20Scrutiny%20Report.pdf>

Meeting of Full Council, 8 December 2021:

<https://democracy.peterborough.gov.uk/documents/s45637/10a.%20Cabinet%20Recommendation%20MTFS%202022-23%20to%202024-25%20-%20Phase%20One.pdf>

12. APPENDICES

- 12.1 None