

Reference from Housing, Health and Environment Policy Advisory Committee – Notice of Motion – Replacement Refuse Bins

Timetable	
Meeting	Date
Housing, Health and Environment Policy Advisory Committee	Tuesday 10 October
Cabinet	Wednesday 25 October

Wards affected	All
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Executive Summary

At its meeting on Tuesday 10 October 2023, the Housing, Health and Environment Policy Advisory Committee (HHE PAC) considered the motion moved and seconded at the Council meeting held on Wednesday 27 September. The Motion concerned the Replacement Refuse Bins Policy, and the Mayor referred the matter the Housing, Health and Environment Policy Advisory Committee.

The HHE PAC's consideration of the motion is outlined within this reference.

This report makes the following recommendations to Cabinet:

That the Cabinet consider the motion relating to Replacement Refuse Bins.

Reference from Housing, Health and Environment Policy Advisory Committee – Notice of Motion – Replacement Refuse Bins

1. REASONS FOR RECOMMENDATION

1.1 At its meeting on Tuesday 10 October 2023, the HHE PAC considered the Notice of Motion – Replacement Refuse Bins, as moved and seconded at the Council Meeting held on Wednesday 27 September.

1.2 The original motion is outlined below:

The Council's website has a published policy stating that replacement bins will be paid for by residents no matter who is responsible for the damage or loss: "Residents are responsible for looking after these bins and replacing them if they become damaged, lost or are stolen." and "You are required to pay for replacement bins."

The only time this proposal went to any Committee was Communities, Housing and Environment Policy Advisory Committee on 17th January and one short paragraph of a proposal was included in the budget paper. Within the paragraph these sentences are shown: "This proposal is to recover the costs for the provision of these bins by charging the relevant party for their replacement. A flowchart will be published setting out liability in each scenario where a replacement is required."

The statement at Communities, Housing and Environment Policy Advisory Committee is quite different to the published policy and no flow chart was presented to a Committee for discussion or agreement.

The decision to implement this policy has not been discussed or published by the Executive / Cabinet and has not had the opportunity to be called in by Overview and Scrutiny.

There are increasing numbers of complaints including where CCTV evidence of damage by contractors has been refused by officers as grounds for the Council replacing bins.

Officers have also clearly stated that bins degrade over time and need replacing through no fault of either resident or contractor. This suggests that all residents will be required to purchase new bins at some point, but this has not been communicated to residents.

Officers have stated that the policy was agreed by Council yet there is no evidence in Council papers that this is the case.

I therefore move the following motion:

This Council requires:

- *That the policy of charging for replacement bins be suspended immediately.*
- *That the ownership of and responsibilities for the bins be carefully considered by Councillors.*
- *That the consideration of a policy of charging for replacement bins be recommended using the appropriate constitutional process via Housing, Health and Environment Policy Advisory Committee, Cabinet and potentially Overview and Scrutiny Committee.*

1.3 When moving the motion, Councillor Jeffery, with the consent of the meeting and Councillor Harper, the other signatory, altered it by deleting the first bullet point due to a recent change in policy relating to replacement refuse bins.

1.4 In accordance with Council Procedure Rule 12.9.3, at the conclusion of the debate, there being no proposal to refer the matter directly to the Cabinet, the Mayor referred the motion, as amended, to the Housing, Health and Environment Policy Advisory Committee.

The amended motion is as follows:

This Council requires:

That the ownership of and responsibilities for the bins be carefully considered by Councillors.

That the consideration of a policy of charging for replacement bins be recommended using the appropriate constitutional process via Housing, Health and Environment Policy Advisory Committee, Cabinet and potentially Overview and Scrutiny Committee.

1.5 The (draft) minute of the item's consideration at the Housing, Health and Environment Policy Advisory Committee is outlined below:

As mover of the original motion at Council, Councillor Jeffery introduced the Item and stated that while the policy on replacement refuse bins had been changed since the motion was proposed at Council, an Officer report on the policy and its impact should be brought to the Committee.

The Committee agreed that an Officer report on replacement refuse bins should come to the HHE PAC, but Several Members of the Committee questioned when would be the best opportunity to present a report with enough data on the policy. In response the Head of Environmental Services and Public Realm stated that a January report could be achieved, and the Committee agreed to recommend a report in that time frame.

RESOLVED to RECOMMEND to the CABINET:

1. To note the report; and

2. Ask the Housing, Health and Environment Policy Advisory Committee to review the Replacement Refuse Bins policy with associated data in January.

2. ALTERNATIVES CONSIDERED AND WHY NOT RECOMMENDED

Not applicable.

3. REPORT APPENDICES

Appendix 1 – Copy of the Briefing Note to Council – Replacement Refuse Bins.

4. BACKGROUND PAPERS

Agenda for the Housing, Health and Environment Policy Advisory Committee held on 10 October 2023: [Your Councillors – Maidstone Borough Council](#)