

	<p><b>CHIEF OFFICER IN CONSULTATION WITH COMMITTEE CHAIRMAN DELEGATED POWERS REPORT</b></p>
<p style="text-align: center;"><b>Title</b></p>	<p><b>Household Recycling &amp; Waste Policy Amendment – Abandoned Waste Containers</b></p>
<p style="text-align: center;"><b>Report of</b></p>	<p>Executive Director, Environment</p>
<p style="text-align: center;"><b>Wards</b></p>	<p>All</p>
<p style="text-align: center;"><b>Status</b></p>	<p>Public</p>
<p style="text-align: center;"><b>Enclosures</b></p>	<p>None</p>
<p style="text-align: center;"><b>Officer Contact Details</b></p>	<p>Craig Miller, Street Scene Director 020 8359 6065 craig.miller@barnet.gov.uk</p>

## Summary

This report seeks approval of a minor amendment to the council's Household Recycling & Waste Policies. The proposed amendment would enable the council to remove wheeled bins where these are identified as being abandoned on the public highway or footway and cannot be linked to a residential property.

This proposal follows approval by Environment Committee on 20 January 2020 to introduce a chargeable collection service for garden waste. In making this decision, the committee also requested that policy be developed in relation to garden waste bins that are no longer required by residents who choose not to sign up to the chargeable service.

The council currently provides a bookable collection service for residents who do not sign up to the garden waste collection service and do not want to keep their green wheelie bin. The amendment detailed in this report would provide specific provision for dealing with waste containers that are abandoned.

## **Decisions**

### **1. To agree an amendment to the Household Recycling & Waste Policies 2018 as set out at paragraph 2.2 of this report.**

#### **1. WHY THIS REPORT IS NEEDED**

- 1.1 The council's subscription-based garden waste collection service has been very well received. 42,447 green garden waste bins are currently subscribed to the service. This amounts to a participation rate of circa. 57% based on the 75,000 containers included in the previous non-chargeable service.
- 1.2 Despite this success, intelligence from the council's waste collection crews has highlighted a small number of garden waste containers that appear to have been abandoned on the public highway and do not have any markings or features that link them to a particular household.
- 1.3 This report proposes an amendment of the council's current Household Recycling and Waste Policies to enable the removal of garden waste and other waste bins that have been abandoned in this way.
- 1.4 The council's Household Recycling and Waste Policies (2018) state that "all recycling and waste containers should be presented at the edge of a resident's property, at the point where the premises meet the adopted highway for collection, unless an Assisted Collection has been agreed." The policies also state that "all collection containers remain the property of the council". The policies do not currently contain any provision for the removal of waste containers that appear to be surplus to requirement.
- 1.5 The report to the Environment Committee of 20 January 2020 on the introduction of charges for garden waste collections noted that "policy will be developed in relation to garden waste bins that are no longer required by residents who choose not to sign up to the chargeable service. This will include allowing residents to keep their bins or arrange for the collection and recycling of the bins in an appropriate manner in line with the Council's approach to recycling."
- 1.6 The council currently provides a bookable collection service for residents who do not sign up to the garden waste collection service and do not want to keep their green wheelie bin. However, take up of this service has been relatively low.

#### **2. REASONS FOR RECOMMENDATIONS**

- 2.1 Waste bins that are abandoned on the highway can present an obstruction hazard for pedestrians and highway users. Full containers can also give rise to a nuisance from odours, attract vermin and insects and can have a detrimental impact on the public realm and aesthetics of a local area.
- 2.2 It is proposed that the policies are amended to include the following:

*“Where the Council identifies potentially abandoned waste bins that have not been returned to within the boundaries of the property, a notice will be placed on the bin(s) advising that they will be removed if not reclaimed. The Council will remove the bin(s) if still present after monitoring for at least two weeks to allow for retrieval by a household”.*

### **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

- 3.1 The only alternative option would be for abandoned bins to be left on the footway/highway, but the issues highlighted above would not be resolved.

### **4. POST DECISION IMPLEMENTATION**

- 4.1 It is proposed that the policy amendment would become effective from 1 June 2021.
- 4.2 From this point, Street Scene staff would identify and monitor any potentially abandoned waste bins for a period to allow for a household to retrieve the container. A sticker will be applied to potentially abandoned bins advising that the council intends to remove the container if it is not reclaimed by a household. After the monitoring period, arrangements will be made for the container to be removed. A record will be kept of the date and location of the waste bin removal.
- 4.3 Waste bin removal records will be shared with the Customer Service Group. If a household subsequently reports a waste bin as missing, records of bin removals will be checked. If it can be identified that the service has removed the bin the resident would be informed as to the reason. If the resident requires a replacement bin, they will need to order and pay for a new bin.

### **5. IMPLICATIONS OF DECISION**

#### **5.1 Corporate Priorities and Performance**

- 5.1.1 Removal of abandoned waste containers would support the Council’s work to maintain a clean, safe, and well-run borough.

#### **5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

- 5.2.1 The administration and operational implications of implementing the policy amendment can be incorporated within the existing Street Scene resources.

#### **5.3 Legal and Constitutional References**

- 5.3.1 The Council’s Household Recycling and Waste Policies (2018) state that “All recycling and waste containers should be presented at the edge of a resident’s property, at the point where the premises meet the adopted highway for collection, unless an Assisted Collection has been agreed.” The policies also state that “all collection containers remain the property of the council”.

5.3.2 Under the Council's Scheme of Delegation the Executive Director Environment can make decisions relating to the Council's compliance with its obligations under the Environmental Protection Act 1990 relating to waste and cleansing.

5.3.3 Section 6 of the Refuse Disposal (Amenity) Act 1978 gives the council the power to remove anything in their area that is abandoned without lawful authority on any land in the open air or on any other land forming part of a highway.

#### 5.4 **Insight**

5.4.1 There are no insight implications.

#### 5.5 **Social Value**

5.5.1 There are no social value implications.

#### 5.6 **Risk Management**

5.6.1 There are no specific risks related to this proposal.

#### 5.7 **Equalities and Diversity**

5.7.1 No Equalities and Diversity report is needed.

#### 5.8 **Corporate Parenting**

5.8.1 There are no corporate parenting implications.

#### 5.9 **Consultation and Engagement**

5.9.1 No Consultation and Engagement report is needed.

6.1 N/A

### **DECISION TAKER'S STATEMENT**

7.1 *I have the required powers to make the decision documented in this report. I am responsible for the report's content and am satisfied that all relevant advice has been sought in the preparation of this report and that it is compliant with the decision-making framework of the organisation which includes Constitution, Scheme of Delegation, Budget and Policy Framework and Legal issues including Equalities obligations. The decision is compliant with the principles of decision making in Article 10 of the constitution.*

Chairman:  
Has been consulted

Councillor Dean Cohen

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Date 23 March 2021

Chief Officer:  
Decision maker having taken into account the views of the Chairman

Signed: Executive Director, Environment

Date: 06 May 2021

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