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## OVERVIEW AND SCRUTINY COMMISSION

30 JANUARY 2018

(7.15 pm - 9.25 pm)

PRESENT: Councillors Peter Southgate (in the Chair), Peter McCabe, Brenda Fraser, Abigail Jones, Sally Kenny, Dennis Pearce, Oonagh Moulton, David Williams, Michael Bull, John Dehaney and Daniel Holden

Co-opted Member Helen Forbes

ALSO PRESENT: Councillor Ross Garrod (Cabinet Member for Street Cleanliness and Parking)

Charles Baker (Waste Strategy and Commissioning Manager), Graeme Kane (Assistant Director of Public Space, Contracting and Commissioning), Chris Lee (Director of Environment and Regeneration) and Julia Regan (Head of Democracy Services)

Scott Edgell, Contract Director, Veolia  
Annie Baker, Strategic Partnership Manager, South London Waste Partnership

### 1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies were received from Councillor Hamish Badenoch (substituted by Councillor Daniel Holden) and Councillor Mike Brunt (substituted by Councillor John Dehaney). Apologies were also received from co-opted member Colin Powell.

### 2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of pecuniary interest.

### 3 CALL-IN OF THE RESIDUAL WASTE CONTAINER SIZE (Agenda Item 3)

The Chair reminded all present that the purpose of the call-in was to determine whether Cabinet's decision on 15 January was flawed in relation to the council's principles of decision making and, if so, to demonstrate where it fell short. The Chair therefore instructed the meeting should relate solely to Cabinet's decision relating to the size of the waste containers and that any points relating to previous decisions taken by Cabinet, including on the decision to adopt wheeled bins as the method of delivery, would be ruled out of scope.

The Chair invited Councillor Michael Bull to speak as a signatory to the call-in request. Councillor Michael Bull said that he believed that Cabinet's decision had been flawed in relation to the principles of proportionality, openness and consultation. He said that Cabinet's report had not considered how the use of different sized bins

would impact on street cleanliness or what the safety implications would be for residents and operatives. Councillor Bull said there had been a lack of engagement with residents on this issue. He was concerned by the lack of publication of an updated equalities impact assessment with the Cabinet report. In conclusion, he urged the Commission to look closely at Cabinet's decision.

In response to questions from members, Councillor Michael Bull made some additional points:

- As there had been no formal consultation on bin size, he would welcome more information on what informal feedback had been provided
- He urged Cabinet to take residents' views in to account and to offer a range of sizes during consultation
- He contended that smaller bins would be easier for residents and operatives to handle, particularly when leaning over to take out bags, also that smaller bins may encourage a higher level of recycling
- He asked why the assisted collection scheme had not been mentioned in Cabinet's report

The Chair asked Chris, Lee Director of Environment and Regeneration, to clarify the handling method that would be adopted. Chris Lee confirmed that the bins would be attached to the vehicle and tipped in automatically, there would be no need for operatives to remove refuse bags from the wheeled bins.

The Chair invited the registered speakers to address the Commission:

Hilary Morris, Battle Area Residents Association

Hilary Morris read out her written statement – this was laid round at the meeting and has been published on the website alongside these minutes.

In summary, Hilary Morris stated that the colour of the bins had not been addressed in the Cabinet report, that she understood that black was proposed and that residents would prefer to have brown or green. She suggested that 120litre or 80litre bins would be adequate to meet the needs of most households, with an option to request a larger size. She expressed concern at the waste of plastic that would be incurred by issuing households with too large a bin and suggested that the bins could be rolled out area by area so that unwanted bins from one area could be used in the next.

In response to questions from members, Hilary Morris said that she had considered the point that people might not be good at estimating how much rubbish they produce and that is one reason why she has proposed an area by area rollout. She also said that she had not been aware of any consultation on bin size (she had first heard of the proposal at a Community Forum meeting) and that residents were not happy about the move to wheeled bins.

Scott Edgell, Contract Director, Veolia, was asked whether bins smaller than 180 litres can be picked up by the vehicle. He said that the lifts could be used for 120 litre containers but that to do so would require a manual override to be activated on the automatic sensors and that this would increase time spent on refuse collection.

#### Daniel Goode, Merton Matters

Daniel Goode said that the council would be moving to wheeled bins and a fortnightly collection despite opposition from residents. He said that the decision to have 180 litre sized bins was based on a flawed pilot and that many questions remained unanswered including the impact on street cleanliness, clutter on the street and how elderly and disabled people would cope with the bins. He also asked what had happened to the proposal on Bell-orb bins.

Daniel Goode made some additional points in response to questions:

- the one ward pilot was too small and didn't reflect the council's plans for service delivery
- more work should be done to assess what residents actually need
- waste being left in containers for two weeks is a cause of concern

#### Nell Allen-Alexander, No Wheelies Please Merton

Nell Allen-Alexander provided a written statement – this was laid round at the meeting and has been published on the website alongside these minutes.

In summary, Nell Allen-Alexander said that the No Wheelies Please campaign had been started because residents felt that the council wasn't listening to their views. Her concern in relation to the size of the bins was more large bins would be ordered than were needed and that the council should survey residents to find out what size each household required. Nell Allen-Alexander drew the Commission's attention to the number of single-occupancy households that would need smaller bins and the need to offer option of shared bins to multiple-occupancy households.

In response to questions, Nell Allen-Alexander said that she would like the whole of Merton to be properly consulted, along the lines of the sample questionnaire she provided with her written submission. Her contention was that smaller bins, such as Bell-orbs, would be more appropriate and that residents should be allowed to keep existing dustbins if they wished.

#### Paula Bailey, Merton Age UK

Paula Bailey said that her main concerns were the lack of consultation and the level of complexity involved with sorting rubbish and putting it into a number of different bins. She said that elderly people take pride in their front gardens and would not wish to have unsightly large bins that would be difficult to manoeuvre. She said that 35% of the over 65s live alone and so would have no-one to help them to move the bins.

In response to questions, Paul Bailey said that Age UK members had not been consulted on bin size and that many were unaware of the assisted bin service. She

said that many older people do not use computers and so had not seen the information about the assisted bin service on the council's website – she suggested that information could be included in My Merton. She said that Age UK would be happy to host meetings and put up posters but cautioned that this would not reach all elderly people in the borough and that other methods would also be required.

#### Lyla Adwan-Kamara, Merton Centre for Independent Living

Lyla Adwan-Kamara said that she was concerned that “bin day” already presented hazards on the pavement for disabled people and that the proposed changes would aggravate this by increasing the number of bins, even though she had received assurances that bins would be collected from inside the property and returned to the same place. She urged the Commission to establish what mechanisms would be put in place for reporting pavement issues.

Lyla Adwan-Kamara said that the size and weight and need to sort waste might cause difficulties for some people and therefore she welcomed the fact that the assisted collection was available on request and without proof of need.

In response to questions, Lyla Adwan-Kamara said that one third of disabled people did not use computers and therefore suggested that the phone number for the assisted collection scheme should be put on the bins. She said that the number of people using the assisted collection would be likely to increase if larger bins were provided. She said that she had met with the Cabinet Member for Street Cleanliness and Parking and with council officers to discuss the proposals and raise issues and that she had received assurances in relation to the assisted collection scheme.

#### Cabinet Member response

The Chair invited Councillor Ross Garrod, Cabinet Member for Street Cleanliness and Parking, to respond to the points made by Councillor Michael Bull and each of the witnesses.

Councillor Ross Garrod welcomed the opportunity that the call-in had provided for a range of views to be aired and discussed. He said that Cabinet's decision had been a pragmatic one that was taken in the context of the council's budget constraints and that addressed the shortcomings of the black bag collection system and associated litter on the streets. He confirmed that the bins would be collected from the boundary of each property and returned to the same place. He said that he had spoken to a number of local organisations and apologised that he had not met with Merton Age UK and said that he would make contact with them.

Councillor Ross Garrod said that research by WRAP and the findings of the Merton pilot showed that smaller bins encourage people to throw less away, hence the proposal to start with smaller bins rather than larger ones. He said that there was a tendency for people to under-estimate the amount of rubbish they produce. He recognised that households have different needs and confirmed that the scheme would be flexible so that large families could have a larger bin and that multiple occupancy households could request a large shared bin. Similarly a smaller 140 litre bin could be provided according to need and individual circumstances.

Councillor Ross Garrod made additional points in response to questions:

- households with 5 or more members can request a larger bin and this will be delivered if they meet the criteria
- there is a recognition that the numbers using the assisted collection service may increase (Scott Edgell, Contract Director, Veolia confirmed that Veolia was aware of this and that uptake would be formally documented in future whereas at present there were a number of informal arrangements made with crews)
- there will be a big communications exercise in the lead up to the delivery of the wheeled bins and this will include information about the assisted collection scheme. Scott Edgell added that a pack would be provided with each bin to give information, including pictures, on where to put the bin so that it could be seen by the bin operatives
- wheeled bins will not be used where properties front directly onto the pavement – visits have been made with ward councillors to identify properties that may be unsuitable for wheeled bins
- obstacles on the pavement and other issues can be reported online or by phone. If bins are persistently left out on the pavement by householders, the council will make efforts to contact them to request that the bins be stored off the pavement.

Chris Lee, Director of Environment and Regeneration, said that no council had consulted on bin size and that to ask residents to estimate the quantity of waste they produce would probably provide inaccurate information. He said that the proposed system was based on evidence of what works in other places that would maximise recycling rates and be cost effective for the council.

In response questions about costs and savings, Scott Edgell, Veolia, said that once the bin size has been finalised, an order will be placed by Veolia and 6-7,000 will be delivered each week. He said that Veolia was experienced in rollouts and would be able to achieve cost savings through economies of scale, low prices and standardisation where possible.

In response to concerns about the amount of plastic waste generated through households not being able to keep existing bins, Chris Lee said that the service delivery method is based on speed and accuracy – consistency of bin colour will ensure bins are easy to spot and that there is no confusion between recyclables and landfill refuse. Scott Edgell added that it was important for the bins to be automatically loaded and that many of the bins currently in use were not suitable for this. Scott Edgell undertook to look into options for recycling discarded bins.

#### Discussion by the Commission

Commission members discussed the evidence received and varying views were expressed about whether the proposals relating to bin size were sufficiently flexible and whether consultation specifically on size should have been undertaken. There

was also a difference of opinion as to whether the decision on size should be referred back to Cabinet.

The Commission then voted on a motion proposed by Councillor David Williams and seconded by Councillor Daniel Holden to reject Cabinet's decision:

“it is proposed that the Commission should refer the decision on bin size back to Cabinet, asking Cabinet to address issues raised by the lack of consultation and to determine issues such as the number of residents requiring assisted collections, the number of households in multiple occupation, the necessity to provide plastic bags for cardboard and paper waste, space conflict where residents have existing wheeled bins that will be made redundant, and that resources would be better used by identifying in advance the proportion of different bin sizes and not all 180 litres.”

There was a recorded vote. Councillors David Williams, Daniel Holden and Oonagh Moulton voted in favour. Councillors Dennis Pearce, Brenda Fraser, John Dehaney, Sally Kenny, Abigail Jones and Peter McCabe voted 6 against. The motion fell, therefore Cabinet's decision was upheld.