

**CHARGING FOR A SECOND GREEN BIN – CALL IN  
(Report by the Head of Legal and Democratic Services)**

**1. INTRODUCTION**

- 1.1 The purpose of this item is to consider the Cabinet's decision on Charging for a Second Green Bin, which has been called in for scrutiny by the Panel.

**2. BACKGROUND**

- 2.1 The Cabinet at their meeting held on 22<sup>nd</sup> November 2012 considered a report by the Head of Operations detailing options for charging for a second green bin. A copy of the report is attached at Appendix 1.
- 2.2 The report had previously been considered by the Panel on 9<sup>th</sup> October 2012 and the Panel's comments were conveyed to the Cabinet by way of the report attached at Appendix 2.
- 2.3 The Cabinet deferred the matter to their meeting held on 22<sup>nd</sup> November 2012 to enable the report by the Head of Operations to be considered by the Overview and Scrutiny (Economic Well-Being) Panel. The Panel's comments were conveyed to the Cabinet by way of the report attached at Appendix 3.
- 2.4 The Cabinet approved in principle the introduction of a charge for a second green bin and delegated the timing of the implementation to the Managing Director (Communities, Partnerships and Projects) after consultation with the Executive Leader and the Executive Councillor for Environment in association with a package of other savings measures to be decided no later than April 2013. The draft Minute is attached at Appendix 4.
- 2.5 Following publication of the Cabinet's decision, Councillors I C Bates, G J Harlock and Mrs D C Reynolds have called-in the decision on the grounds that it is 'ambiguous' and 'unclear'. They have said there is an environmental impact of charging for a second bin e.g. dumping of garden waste, lighting of bonfires, driving green waste to re-cycling plants and they have questioned whether an Environment Impact Assessment been undertaken? They have also asked for a list to be provided of all the possible savings the Council is proposing to make and how this has been prioritised, as discussed at the Overview and Scrutiny Panel (Economic Well-Being).
- 2.6 The Panel is therefore invited to consider the decision of the Cabinet. The appropriate Executive Councillor, Councillor D M Tysoe, has been invited to attend the Panel's meeting.

### **3. CALL IN**

3.1 Members are reminded of the guidance for call in as set out in paragraph 14 of the Overview and Scrutiny Procedure Rules of the Council's Constitution.

3.2 The Panel has various options which are as follows:-

- if, having considered the matter, the Panel is still concerned about the decision, then it may be referred back to the Cabinet for reconsideration, setting out in writing the nature of the concerns. The Cabinet is then required to reconsider its decision within 10 working days, amending the decision or not, before adopting a final decision;
- if the Panel decides not to refer the matter back to the Cabinet, the decision shall take effect from the date of the Overview and Scrutiny Panel meeting;
- alternatively, the Panel can refer the matter to full Council. If it is referred to full Council and the Council does not object to the decision which has been made, then no further action is necessary and the decision will become effective on the date of the Council meeting; or
- if the matter is referred to full Council and they decide to object, the Council have no ability to make decisions in respect of an executive decision unless it is contrary to the policy framework or contrary to or not wholly consistent with the budget. Unless this is the case, the Council can refer any decision to which they object back to the Cabinet, together with the Council's views on the decision. The Cabinet can then decide whether to amend the decision or not before reaching a final decision and implementing it.

### **4. CONCLUSION**

4.1 In the event of the Panel referring the matter back to Cabinet, an item will be included on the Agenda for the meeting on Thursday, 13<sup>th</sup> December 2012.

### **5. RECOMMENDATIONS**

5.1 The Panel is invited to consider how to respond to the call in of the decision by the Cabinet relating to charging for a second green bin.

### **BACKGROUND INFORMATION**

Council Constitution

Charging for a Second Green Bin – report by the Head of Operations

Reports by the Overview and Scrutiny (Economic and Environmental Well-Being)

Panels and draft Minutes attached as appendices.

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