

SPSO decision report

Case: 201200947, Fife Council
Sector: local government
Subject: refuse collection & bins
Outcome: some upheld, no recommendations

Summary

Mr C complained about various aspects of the council's decision to remove his wheeled rubbish bin and replace this service with plastic bags.

We agreed with Mr C that the council had failed to appropriately consult with, or notify him, of their decision to remove his bin. As, however, the council had already apologised for this and said they would make changes to ensure that in future landlords who reside elsewhere are informed of proposed changes, we did not make any recommendations.

Mr C also made three other complaints: that in making the decision to remove his bin, the council unreasonably failed to take into account the fact that he has no outside storage area to store rubbish between collections; that they were treating his property differently from other similar local properties by moving him to plastic bag collection; and that they were failing to ensure other residents who have outside storage areas remove their wheelie bins from the pavements where they cause an obstruction. We did not uphold any of these complaints as we found that the decision was one the council had the right to make and that his property was not being treated differently to other similar ones. On the final point, we found that the council agree that there is a problem with householders not removing their bins and are trying to address the matter. However, we did not uphold the complaint because this was not relevant to the council's decision about whether or not Mr C's property should be provided with a bin.