

## SPSO decision report



**Case:** 201100008, South Lanarkshire Council  
**Sector:** local government  
**Subject:** refuse collection and bins; policy/administration  
**Outcome:** not upheld, no recommendations

### Summary

Mr C asked the council to provide a larger household waste bin for his property. The council told him that their policy is to provide a single household waste bin to households with up to four family members, to be emptied fortnightly. They offered to work with him to identify an appropriate solution, and suggested that he carry out a waste monitoring exercise to assist with this. Mr C was unhappy with this, as he had previously carried out a similar exercise and felt that his family circumstances meant that a larger bin was the solution. He complained to us that the council's response was unreasonable because they suggested that he participate in a second waste monitoring exercise and because he felt the council's procedure for collecting excess waste was unreasonably time consuming and illogical.

We did not uphold Mr C's complaints. In responding to his request for a larger bin, the council explained their policy and offered assistance to explore potential alternative solutions to the problems Mr C was facing. Mr C decided to reject that offer and we found that the council's responses in respect of his complaint were reasonable. In terms of the council's procedure for collecting excess waste, Mr C simply disagrees with the council's decision. The Environmental Protection Act 1990 says that policies about the frequency of waste collection and the size and type of waste receptacles that the council will collect are for the council to decide. The SPSO Act says that where an organisation has the right to take a decision we cannot consider a complaint about the decision unless there is evidence that something went wrong in taking it. In Mr C's case, there was no evidence that the council's decision was not properly taken. Mr C clearly disagrees with the procedure for collecting excess waste but this was not in itself evidence of maladministration or service failure. We therefore could not consider that complaint further.