

Cheltenham Borough Council

Cabinet – 4 December 2018

Garden Waste Charges

Accountable member	Councillor Chris Coleman, Cabinet Member Clean and Green Environment
Accountable officer	Karen Watson, Client Manager – Environmental Services (interim)
Ward(s) affected	All
Key/Significant Decision	Yes
Executive summary	<p>The Authority's garden waste collection service began in February 2011. Since 31st March 2013 the number of garden waste bins collected under the scheme has seen a gross increase of around 1000-1,500 bins/year. Retention rates have remained high at around 95%, reflecting general satisfaction with the service; with the result that net take-up has been between 800-1000 bins/year in the earlier years, reducing to 530 in 2017/18. The actual total number of bins collected has increased from 12,781 as at 31st March 2013 to 17,498 as at September 2018.</p> <p>Since February 2011, the charge for collecting garden waste has increased on only three occasions: from £36/year to £37/year in February 2014; from £37/year to £38/year in February 2015, and from £38/year to £42/year in February 2017. Since the start, the Authority has offered a £2/year discount (increased to £3/year in February 2017) for existing customers who renew their subscription ahead of their annual renewal date (a 'prompt payment' discount) as well as a £2 'spring offer' discount (increased to £3/year in February 2017) for new bin applications, if customers subscribe between the period 1st February to 31st May.</p> <p>Subject to consultation, it is proposed that from February 2019, the Authority's garden waste collection charge will be increased from £42/year to £45/year per bin to reflect the increased cost of running the service such as the cost of diesel and increase in living wage.</p> <p>Existing customers who renew their subscription ahead of their annual renewal date, and new customers who take advantage of the 'spring offer' discount, will continue to benefit from the £3/year per bin 'prompt payment' discount or 'spring offer' as above and will see an increase of £3/year per bin whilst customers who do not take advantage of the discounts will see a £6/year rise in the cost of subscription per bin.</p> <p>Subject to consultation, it is also proposed that from February 2019 the number of collections of garden waste per customer per year will be reduced by 2 resulting in no garden waste collections for 4 weeks over the Christmas/New Year. Customers will be advised each year, subject to how</p>

Christmas falls, which collections will be suspended. Historically garden waste collections have been lighter over the Christmas/New Year period minimising inconvenience to customers. Suspending 2 collections (over 4 weeks) at this time of year when severe weather (snow) is more likely to cause service disruption, will enable the vehicles and crews to be used on other services where collections are heavier over Christmas and New Year, particularly residual waste (refuse), and also catch up collections are required due to not working bank holidays.

There will be no change to collections for December 2018/January 2019 however it is proposed, subject to consultation, that collections will be suspended weeks commencing: 23 December 2019, 30 December 2019, 6 January 2020, 13 January 2020. If this change is implemented, normal collections will resume Monday 20 January 2020.

Recommendations

That Cabinet recommends:

- 1. An increase in the garden waste collection charge from £42/year to £45/year per bin;**
- 2. The prompt payment discount is retained at £3 per bin for households renewing their subscription ahead of their annual renewal date;**
- 3. The spring offer discount is retained at £3 per bin for new customers who subscribe to the garden waste collection service during the period 1st February 2019 to 31st May 2019**
- 4. That appropriate consultation be undertaken with regard to:**
 - An increase in the garden waste collection charge from £42/year to £45/year per bin;**
 - The prompt payment discount being retained at £3 per bin for households renewing their subscription ahead of their annual renewal date;**
 - The spring offer discount being retained at £3 per bin for new customers who subscribe to the garden waste collection service during the period 1st February 2019 to 31st May 2019;**
 - reducing the number of garden waste collections over the Christmas/New Year period by 2 collections each year commencing 23 December 2019**

and authority be delegated to the Managing Director – Place and Growth, in consultation with the Cabinet Member for Clean and Green Environment, to decide whether or not to implement the above mentioned proposals after careful consideration of representations made and to take any steps as necessary to implement the decision.

Financial implications	<p>As detailed in section 2 to this report. The proposed changes to the fee structure is expected to generate additional income of £50,000 per annum, based on the volume of take up of the service as at 30th September 2018. This income will offset the additional cost of extra vehicle and crew costs incurred through the increased volume of activity.</p> <p>Contact officer: Paul Jones, Executive Director Finance and Assets paul.jones@cheltenham.gov.uk, 01242 264365</p>
Legal implications	<p>The Council is permitted to charge for the collection (but not disposal) of garden waste by paragraph 4(2) of Schedule 1 to the Controlled Waste (England and Wales) Regulations 2012. Section 45(3)(b) of the Environmental Protection Act 1990 further provides that any charge must be “reasonable” and thus any increase should not be contrary to this requirement. The Act does not define “reasonable” but the usual meaning is that the charges should be comparable with those levied by other authorities and service providers.</p> <p>Under Section 45(3)(a) of the Environmental Protection Act 1990 the duty to collect garden waste and ability to charge for such collection is dependent on the Council being specifically requested to collect the waste. Accordingly, the renewal process which involves customers actively seeking a new subscription rather than automatically renewing for another year at the increased charge is appropriate.</p> <p>With regard to the consultation it should be in accordance with the duties imposed by section 3(2) of the Local Government Act 1999 (as updated by revised Best Value Guidance Statutory Guidance of March 2015) and the Equality Act 2010 (as subsequently interpreted by case law and guidance). In terms of the Equality Act 2010 the Council has to bear in mind its wider Public Sector Equality Duty (PSED) when proposing service changes i.e. the duty to: (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this (Equality) Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.” (‘protected characteristics’ are: Age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.)</p> <p>Again, in practical terms, the PSED requires any consultation regarding service change to be at the earliest opportunity, with persons possessing a protected characteristic who may be affected, be clear who it may affect and how, and give them the opportunity to express their views.</p> <p>Contact officer: Shirin Wotherspoon, shirin.wotherspoon@teWKesbury.gov.uk, 01684 272017</p>

HR implications (including learning and organisational development)	<p>None as a direct result of this report.</p> <p>Contact officer: Clare Jones, Clare.Jones@cheltenham.gov.uk,</p>
Key risks	<i>Please refer to Appendix 1 of this report</i>
Corporate and community plan Implications	The garden waste collection service supports the Authority's corporate outcome: Cheltenham's environmental quality and heritage is protected, <i>maintained and enhanced</i> .
Environmental and climate change implications	The Authority's garden waste collection service supports the environment by potentially diverting organic waste from landfill, thereby saving the cost of landfill tax and the associated production of methane and leachate. Residents who choose not to participate in the scheme can use the county council site at Wingmoor Farm
Property/Asset Implications	<p><i>None as a direct result of this report.</i></p> <p>Contact officer: Garrie.Dowling@cheltenham.gov.uk</p>

1. Background

- 1.1** The Authority's garden waste collections service began in February 2011. Since 31 March 2013 the number of garden waste bins collected under the scheme has seen a gross increase of around 1,500 bins per year. Retention rates have remained high at around 95%, reflecting general satisfaction with the service and the net take up of the service has been between 800-1000 bins per year in the earlier years, reducing to 530 in 2017/2018. The actual total number of bins collected has increased from 12,781 as at 31 March 2013 to 17,498 at 30 September 2018.
- 1.2** Since February 2011, the charge for collecting garden waste has increased on only three occasions; from £36 a year to £37 a year in February 2014, from £37 a year to £38 a year in February 2015 and from £38 a year to £42 a year in February 2017. Since the start, the Authority has offered a £2 per year early bird discount for existing customers who renew their subscription ahead of their annual renewal date (a prompt payment discount) as well as a £2 'spring offer' discount for new bin applications, if customers subscribe between the period 1 February to 31 May. In February 2017, the Authority increased both the prompt payment discount and the spring offer to £3 per bin.
- 1.3** It is proposed that from February 2019, the Authority's garden waste collection charge will be increased from £42 per year to £45 per year. The Authority intends to retain the £3 prompt payment discount, along with the £3 spring offer discount. This will mean that existing customers who renew their subscription ahead of their annual renewal date, and new customers who take advantage of the spring offer discount, will benefit from a £3 discount per bin but will also see a £3 increase in the 2019 subscription per bin, whilst customers who do not take advantage of the discount will see a £6 per bin rise in the cost of subscription.

2. Reasons for recommendations

- 2.1** The Authority has not increased the cost of garden waste subscriptions since February 2017 and in response to rising service costs such as an increase in fuel (diesel) and general inflation it is necessary to increase the price of garden waste subscriptions to help fund the cost of collection

whilst also reflecting the impact of inflation on the service. It is estimated that the impact of increasing charges will increase income by approximately £50,000 per year, which will offset the additional costs associated with the service.

- 2.2** In addition, the increasing number of customers subscribing to the garden waste service requires an additional vehicle and crew for 9 months of the year. The increase in charges for the service will also help offset these additional year on year costs for the authority by an estimated £50,000 per year additional income.
- 2.3** Finally, the proposed increase in charges for the garden waste collection service, if approved, will bring this Authority closer in line with our neighbouring Authority, Tewkesbury Borough Council, which also currently charges £45 per year for their garden waste collection service (albeit without any discount).
- 2.4** During the winter of 2017 and the early part of 2018, severe weather (snow) caused service disruption which was more difficult to manage at this time of year as a result of the adjusted schedule of collections already in place due to the Christmas and New Year bank holidays and therefore the need to schedule catch up Saturday collections.
- 2.5** Subject to consultation, the proposed reduction in the number of garden waste collections per year by 2 per customer will enable this resource (vehicle and crew) to be utilised to assist seasonal catch up collections or catch up collections required as a result of suspending services due to severe weather (snow) improving the overall waste and recycling service provided to customers at this time of year.

3. Alternative options considered

- 3.1** That the Authority does not increase the charges for the garden waste collection service. This has been rejected on the basis that there is a requirement to support the funding of the existing garden waste service and any additional costs associated with waste and recycling service disruption as a result of severe weather (snow) over the Christmas/New Year period.

- 3.2** That the Authority either leaves the number of collections the same but continues to risk greater service disruption to residents given the increasing frequency of severe weather over the Christmas/New Year period which is not considered acceptable, or it suspends the garden waste service over the winter period, i.e. 3 months. This would further reduce the service offered to customers bringing it in line with other local authorities. Given the winter is not the growing season, most customers should not be greatly inconvenienced by a 3 month suspension in collections however the financial saving would be greater and could be used to either improve waste and recycling services overall or offset the cost of the garden waste service. This option has been rejected at this point in time but may be reconsidered in future years.

4. Consultation and feedback

- 4.1** In advance of the October 2017 service change, the Authority undertook a consultation exercise with Cheltenham residents to understand which type of waste and recycling service they would prefer to receive. As part of the consultation exercise the Authority also asked how residents would prefer to pay for their new waste and recycling service. Of the four options provided: closing the Household Recycling Centre; increasing charges for garden waste collection; closing the recycling banks; or increasing the Authority's other fees and charges, a significant proportion of residents who took part in the consultation (i.e. 1913 out of 3092 – 62%) chose increasing the garden waste charges as their first or second preferred option. Whilst this does show a preference for increasing garden waste collection charges over some of the other options given, it should be noted that it is not known whether those who took part in this consultation were also users of the garden waste collection service.
- 4.2** In practice, majority of customers will look to take advantage of the £3 per year discount, thereby ensuring that the charge for the majority of customers will be £42 per year rather than the pre-discounted charge of £45 per bin per year.
- 4.3** Further consultation will be carried out prior to 1 February 2019 regarding the proposed reduction in the number of garden waste collections by 2 per year per customer over the Christmas/New

Year period which will minimise any service disruption due to severe weather (snow) is appropriate.

5. Performance management –monitoring and review

- 5.1** Performance in terms of take-up and income generated will continue to be monitored monthly/quarterly as part of the CBC-Ubico performance monitoring arrangements. Outcomes will be used to inform the thinking on any possible changes to the charges in the future.
- 5.2** As with any changes in service provision, it will be necessary to ensure good communication with customers regarding the suspension of garden waste collections over the Christmas/New Year period and feedback from customers will be monitored by customer services.

Report author	Contact officer: Karen Watson, Client Manager – Environmental Services (Interim), Karen.watson@cheltenham.gov.uk, 01242 264350
Appendices	1. Risk Assessment 2.
Background information	1.

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	If the proposed increase in charge to the garden waste collection service is not agreed, then the Authority may be unable to meet its requirement to generate an additional £50,000/year to support service provision and cover the cost of inflation. In addition, any service disruption as a result of severe weather may further increase service costs if the number of garden waste collections is not reduced by 2 over the Christmas/New Year period.	Karen Watson	22/11/2018	5	2	10	Reduce	Cabinet approves the proposed increase in charge for the garden waste collection service and a reduction in the number of collections per year	18/12/2018	Karen Watson	
	If the charge for the garden waste collection service is increased and the number of collections reduced by 2, then take up of the service may reduce, resulting in less income for the Authority.	Karen Watson	22/11/2018	2	2	4	Reduce	A reduction in the demand for the service has been taken into account in assessing the £50,000 additional income that it is anticipated will be generated as a result of the increased charges.	18/12/2018	Karen Watson	

Explanatory notes												
Impact – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)												
Likelihood – how likely is it that the risk will occur on a scale of 1-6 (1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)												
Control - Either: Reduce / Accept / Transfer to 3rd party / Close												

Control

Either: Reduce / Accept / Transfer to 3rd party / Close

Action

There are usually things the council can do to reduce either the likelihood or impact of the risk. Controls may already be in place, such as budget monitoring or new controls or actions may also be needed.

Responsible officer

Please identify the lead officer who will be responsible for the action to control the risk.

For further guidance, please refer to the [risk management policy](#)

Transferred to risk register

Please ensure that the risk is transferred to a live risk register. This could be a team, divisional or corporate risk register depending on the nature of the risk and what level of objective it is impacting on