

Cheltenham Borough Council

Cabinet – 23 July 2024

Review of waste and recycling receptacles

Accountable member:

Councillor Izaak Tailford – Cabinet Member Waste, Recycling and Public Realm

Accountable officer:

Karen Watson – Environmental Partnerships Manager

Ward(s) affected:

All

Key Decision: Yes

Executive summary:

To reduce the drain on our natural resources and support our climate change ambitions, residents are encouraged to reduce the amount of residual waste (rubbish) generated, particularly in their green wheeled refuse bins, and recycle as much of the waste they generate as possible.

Since 2011 Cheltenham Borough Council has funded a comprehensive kerbside sort recycling collection service for residents and provided all the necessary recycling boxes, bags and caddies free of charge. The service was further enhanced in October 2017 allowing majority of residents to recycle plastic bottles, pots, tubs and trays; aluminium and steel cans; glass; cardboard; paper; small electrical items; batteries and textiles. Cheltenham was the first council to sign up to the kerbside coffee pod collection (Podback) which has been successfully operating at no cost to the tax payer since October 2021 recycling approximately 4.5 million coffee pods thanks to the support of residents.

The Council currently provides all residents with waste and recycling receptacles free of charge however the annual cost of this is approximately £211,500 per year for the receptacles alone plus the cost of administering and delivering orders. It is nearly 7 years after Cheltenham's kerbside sort service was further enhanced by the introduction of more items which can be recycled and by now majority of residents are familiar with the service and have adequate waste and recycling receptacles with only an occasional need to replace an item.

In common with many other authorities, and in response to budget pressures following the higher cost of fuel, tyres, vehicle maintenance and labour, the Council is recommending the introduction of a delivery charge, from Monday 5 August 2024, of £4.99 per item (reduced to £2.99 per item for residents in receipt of certain benefits) which will increase annually in line with inflation for all receptacles which will also contribute to the administrative costs associated with receptacle orders. The Council will be launching a new online ordering form to take payment quickly and easily.

Developers and landlords who benefit financially from selling or renting properties will be required to pay for waste and recycling receptacles going forward to avoid the cost burden on the Council and council tax payers. These charges will apply from 5 August 2024, will be outside of any CIL or Section 106 agreements negotiated with the Council as the local planning authority and apply to any planning consents granted from this date.

To reduce the number of properties receiving free waste and recycling collections that should not be, the Council will be seeking to charge Air B&B's for their collections going forward.

Recommendations: That Cabinet:

- 1. approves the introduction of a delivery charge for all waste and recycling receptacles, including garden waste bins, with effect from Monday 5 August 2024, of £4.99 per item as set out in paragraph 2.5 of this report. A reduced charge of £2.99 per item will apply to residents in receipt of benefits listed in 2.5 of this report.**
 - 2. approves an increase in the cost of garden waste bags to offset increased collection costs from £17.50 for 10 bags with a £4 delivery charge to £25 for 10 bags with a £4.99 delivery charge as set out in (1) above.**
 - 3. approves the introduction of a charge for receptacles payable by developers for planning applications granted for new developments on or after 5 August 2024 as set out in paragraph 2.5 of this report.**
 - 4. approves the introduction of a charge for receptacles payable by landlords, including communal properties, from 5 August 2024, as set out in paragraph 2.5 of this report.**
 - 5. approves the introduction of a waste and recycling collection charge for Air B&B's from 5 August 2024 and delegate authority to the Chief Executive to agree charges and take the necessary steps to implement the decision in consultation with the Cabinet Member for Waste, Recycling and Public Realm.**
-

1. Implications

1.1 Financial, Property and Asset implications

The net cost of delivering waste and recycling services across Cheltenham exceeds £6 million. Within this budget, the Council has allocated £211,500 for replacement receptacles in 2024/25. The proposed charges aim to directly offset this expenditure.

The introduction of these charges is forecast to generate annual income between £88,972 and £146,168 (£59,314 - £97,445 in 2024/25).

Signed off by: Jon Whitlock, Chief Accountant jon.whitlock@cheltenham.gov.uk

1.2 Legal implications

In each of the following instances and proposals set out in this report, the Council should consider its duty to consult on changes where there is a legitimate expectation of consultation.

Charges for Replacement Receptacles and Receptacles requested from Developers and Landlords

Section 46 of the Environmental Protection Act 1990 (EPA) imposes the duty on waste collection authorities to arrange the collection of household waste from any premises. This Section 46 allows the waste collection authority to specify the kind and number of receptacles for such collection. Section 46(3) of the EPA provides that the waste collection authority may, as agreed with the occupier, require payment for the provision of such receptacles on request. However, it should be noted that such charges must be reasonable.

Charges for Waste and Recycling Collection Charges for Air B&B's

In accordance with Schedule 1 of the Controlled Waste (England and Wales) Regulations 2012, any waste which is collected from a domestic property used in the course of a business for the provision of self-catering accommodation, is classed as commercial waste rather than domestic waste.

The waste collection authority is under a duty to collect commercial waste where requested (Section 45(1)(b) of the EPA), and the waste collection authority may impose a reasonable charge for the collection and disposal of such waste, unless considered inappropriate to do so (Section 45(4) of the EPA). Further advice and support on the proposal set out in this report can be provided by One Legal.

Signed off by: One Legal, legalservices@onelegal.org.uk

1.3 Environmental and climate change implications

The environmental implications for this proposal are complex and dependent on the outcomes. Overall, this is predicted to increase Ubico fleet journeys, however introducing a zonal approach and utilising the HVO fuelled fleet should mitigate the impact to our organisational carbon

emissions. Please see the detail included in the impact assessment tool, which underpins this further.

Signed off by: Maizy McCann, Climate Emergency Officer, Maizy.mccann@cheltenham.gov.uk

1.4 Corporate Plan Priorities

This report contributes to the following Corporate Plan Priorities:

- Working with residents, communities and businesses to help make Cheltenham #netzero by 2030
- Being a more modern, efficient and financially sustainable council

1.5 Equality, Diversity and Inclusion Implications

An Equality Impact Assessment has been carried out and is attached to this report.

To ensure residents in receipt of benefits are not financially disadvantaged by the introduction of delivery charges for waste and recycling receptacles a reduced charge of £2.99 per item will apply. The benefits which will qualify for this reduced charge will be: Universal Credit, Job Seekers Allowance, Pension Credit, Personal Independence Payment (PIP), Carers Allowance and Housing Benefit.

1.6 Performance management – monitoring and review

Monthly monitoring of the number of receptacles ordered, recycling rate, littering, sorted recycling, residual waste figures will continue, along with any issues identified by the neighbourhood team, and be reported back to finance and members. Any feedback from residents will be considered by officers and reported to members as appropriate.

2 Background

2.1 To reduce the drain on our natural resources and support our climate change ambitions, residents are encouraged to reduce the amount of waste generated, particularly in their green wheeled refuse bins, and recycle as much of the waste they generate as possible.

2.2 Since 2011 Cheltenham Borough Council has funded a comprehensive kerbside sort recycling service for residents which was further enhanced in October 2017 allowing majority of residents to recycle plastic bottles, pots, tubs and trays; aluminium and steel cans; glass; cardboard; paper; small electrical items; batteries and textiles.

2.3 The Environment Act 2021 requires local authorities to introduce the kerbside collection of cartons and flexibles by March 2027 and as yet the funding for this is uncertain. Cheltenham is already trialling the collection of flexibles in some parts of the town, funded by the FlexCollect project, however funding for this ceases in March 2025 and the Council is working hard to find solutions to this to enable it to continue and expand across the borough.

2.4 The Council currently provides all residents with waste and recycling receptacles free of charge however the annual cost of this is over £200,000. It is nearly 7 years after Cheltenham’s kerbside sort service was further enhanced by the introduction of more items which can be recycled and by now majority of residents are used to the service and have adequate waste and recycling receptacles with only an occasional need to replace an item.

2.5 This report recommends the following charging schedule with effect from 5 August 2024 to help offset service delivery costs:

Garden waste bags	£25 charge to buy 10 bags plus: £4.99 delivery charge per 10 bags
Garden waste bin	No change to subscription charge (currently £55 per bin/year) £4.99 delivery charge per item
Recycling box	£4.99 delivery charge per item
23L food caddy	£4.99 delivery charge per item
7L food caddy	£4.99 delivery charge per item
Blue cardboard bag	£4.99 delivery charge per item
Replacement lost, stolen or broken bin *	£4.99 delivery charge per item

*A charge of £20 per bin plus delivery charge of £4.99 will be applied for any replacements exceeding 1 in a 24 month period

Communal waste and recycling bins:

140/180L bins	A charge of £20 per bin is applicable for landlords £4.99 delivery charge per item
240L bins	A charge of £43 per bin is applicable for landlords £4.99 delivery charge per item
1100L bins	A charge of £315 per bin is applicable for landlords £4.99 delivery charge per item

New developments:

A set of 140L refuse bin, 3 recycling boxes and lids, 1 blue cardboard bag, 23L and 7L food caddy will be charged to the developer at £49 per set plus a delivery charge of £25 per set per non-communal property.

A set of 5 communal recycling bins will be charged to the developer at £215 per set plus a delivery charge of £25 per set per bin store.

Communal refuse bins will be charged to the developer subject to size plus a delivery charge of £25 per set per bin store – 1100L bins £315 each; 180L bins £20 each.

For residents in receipt of the benefits listed a reduced delivery charge of £2.99 per item will apply. The benefits which will qualify for this reduced charge will be: Universal Credit, Job Seekers Allowance, Pension Credit, Personal Independence Payment (PIP), Carers Allowance and Housing Benefit.

All charges will be subject to inflationary increases as part of the budget setting process.

- 2.6 All residents in Cheltenham are required to use the Council provided waste and recycling receptacles which are compliant with health and safety legislation and guidance and will NOT be able to use alternative boxes or bins. In exceptional circumstances such as severe weather or other service disruption or changes such as Christmas and New Year advice will be available on the Council's website.
- 2.7 Air B&B's are not entitled to receive free waste and recycling collections from their local authority however, following the increase in numbers across the borough in recent years, it is time to seek to identify Air B&B's and other properties which should be charged for waste and recycling collections and no longer provide these free of charge. Please refer to 1.2 of this report.
- 2.8 Officers will identify those properties that they believe fall into this category and write to the owner of the properties and agree the charges. Those properties that fail to pay for collections will no longer receive them free of charge and they will be referred to the neighbourhood team for any enforcement action as necessary.

3 Reasons for recommendations

- 3.1 In common with many other authorities and in response to budget constraints following inflationary pressures which have increased the cost of fuel, tyres, vehicle maintenance and labour, the Council is recommending the introduction of a delivery charge, from Monday 5 August 2024, of £4.99 per item which will increase annually in line with inflation for all receptacles, reduced to £2.99 for residents in receipt of benefits. The cost of just delivering receptacles in Cheltenham has been calculated to be over £4 per item and therefore a per item charge is considered appropriate. The income generated from the delivery charge will help offset the cost of delivering the service.
- 3.2 To ensure that the introduction of delivery charges to offset the cost of the service does not present a barrier to participating in recycling, this charge will be reduced to £2.99 for residents receiving benefits. Residents who are having specific difficulties with their waste and recycling and are referred to the Neighbourhood Team or Environmental Services for support will be exempt from charges.
- 3.3 Historically the Council has not charged developers for the cost of receptacles or the administrative/delivery costs for new developments and has provided bins and boxes free of charge. Many other authorities do make a charge to developers and it is recommended that Cheltenham introduces this from 5 August 2024, as set out in paragraph 2.5 of the report, to cover our costs and avoid these being passed on to the tax payer. Developers will be invoiced by the Council following the first inspection of new developments, for waste and recycling provision purposes, prior to residents moving in, where possible. Charges for receptacles will be separate from any negotiations the Council undertakes with developers in its role as local planning authority.
- 3.4 The Council will write to all developers notifying them of the change in the Council's charging policy for all new planning applications from 5 August 2024. Developers will receive written

notification of the waste and recycling charges once planning consent has been granted post 5 August 2024. Developers will be invoiced once properties have been built and are nearing occupation.

3.5 Landlords/property owners who operate a business renting out accommodation for a financial benefit have been provided with waste and recycling receptacles free of charge up until now. It is recommended that landlords, like developers (see 3.3 above), should be paying for waste and recycling receptacles, not the Council and Council Tax payers as set out in paragraph 2.5 of the report from 5 August 2024.

3.6 Residents who live in certain roads within the borough where there are space constraints for bin storage or vehicular access are able to sign up to a garden bag collection service rather than the standard brown wheeled bin annual subscription. The charges for this service (£17.50 for 10 bags plus £4 delivery charge) are no longer covering the collection costs and this report recommends an increase in the charge for the garden bags to £25 for 10 bags from 5 August 2024 in addition to the new delivery charge applicable to all waste and recycling receptacles of £4.99.

4 Alternative options considered

4.1 Due to the financial position of the Council and the savings target agreed by Full Council there is no alternative to introducing the charges outlined in the report. All cost efficiency measures have already been put in place including the introduction of digital systems therefore the next step is to recover some of the delivery costs associated with waste and recycling receptacles.

4.2 Introducing a discounted charge of £2.99 per item for those residents who are prepared to collect receptacles (not bins) has been considered however to ensure those who do not have a vehicle or aren't able to drive are not disadvantaged a delivery charge of £4.99 for all residents other than those on benefits has been determined to be a better option. The Council acknowledges that some residents have preferred to collect receptacles to date, which also reduces the burden on the Ubico teams delivering receptacles, and feedback from residents will be reviewed following the introduction of delivery charges.

5 Consultation and feedback

5.1 The proposal to introduce delivery charges for waste and recycling receptacles was included as part of the budget consultation in December 2023 in order to meet its duty to consult.

5.2 It is evident from a review of local authority websites that quite a number of Councils already charge varying amounts for delivery of waste or recycling receptacles, or the actual receptacles themselves, however little information is easily available on the impact of such initiatives. A neighbouring local authority that introduced a delivery charge for receptacles some time ago has been consulted and feedback considered by officers. As part of performance monitoring, feedback will be considered by officers and reported to members as appropriate.

6 Key risks

- 6.1 The Council acknowledges that some residents, particularly those on benefits during a cost of living crisis, may not be able to afford the delivery charges for waste and recycling receptacles therefore the charge will be reduced to £2.99 per item for those in receipt of benefits to mitigate the risk of these residents being disadvantaged from participating in recycling.
- 6.2 If residents choose not to use Council issued receptacles or choose not to replace damaged recycling receptacles and participate less in our recycling service, our recycling rate may reduce, as may our income. This may lead to an increased need for intervention from our neighbourhood team particularly if residents fail to use our receptacles and use something they have at home instead.
- 6.3 If the neighbourhood team who are helping residents experiencing waste and recycling difficulties that are referred to them are not able to provide free or charge receptacles to resolve issues, the new charges may be a financial barrier to reducing littering and other issues. The risk will be mitigated by the provision of free of charge receptacles in certain circumstances.
- 6.4 If residents use other types of receptacles other than those issued by the Council, health and safety risks will increase for crews handling the receptacles. Non Council issued boxes are often sharp and more brittle risking cutting crews or breaking whilst being lifted as well as being a larger size and therefore heavier and not compliant with manual handling regulations and guidance.
- 6.5 If landlords fail to provide appropriate waste and recycling receptacles for their tenants more enforcement activity will be required by the neighbourhood team.
- 6.6 If developers do not pay charges for new developments, residents are likely to need to present waste in black bags in the interim, increasing the likelihood of littering from gulls and foxes opening bags of residual waste, whilst debt recovery action is taken against developers and bins are delivered to mitigate environmental concerns.
- 6.7 The Netcall development team will need to delay other workstreams to deliver the online receptacles ordering and payment page to go live by 5 August 2024.
-

Report author:

Karen Watson, Environmental Partnerships Manager, Environmental Services
karen.watson@cheltenham.gov.uk

Appendices:

- i. Risk Assessment
- ii. Climate Change Impact Assessment
- iii. Equality Impact Assessment

Appendix 1: Risk Assessment

Risk ref	Risk description	Risk owner	Impact score (1-5)	Likelihood score (1-5)	Initial raw risk score (1 - 25)	Risk response	Controls / Mitigating actions	Control / Action owner	Deadline for controls/ actions
	If residents participate less in our recycling service following the introduction of delivery charges, our recycling rate (%) may reduce, as may our income streams (£) including from the sale of material and there is likely to be an increased need for intervention from our neighbourhood team.	Gareth Edmundson	4	3	12	Accept	Good communication; socials; officer interventions; customer focused on line order form; easy telephone/email ordering for those on benefits	Karen Watson	August 2024 onwards
	If landlords fail to provide appropriate waste and recycling receptacles for their tenants due to the introduction of charges, more enforcement activity will be required by the neighbourhood team.	Gareth Edmundson	3	3	9	Accept	Good communication; officer interventions	Karen Watson	August 2024 onwards

Risk ref	Risk description	Risk owner	Impact score (1-5)	Likelihood score (1-5)	Initial raw risk score (1 - 25)	Risk response	Controls / Mitigating actions	Control / Action owner	Deadline for controls/ actions
	If developers do not pay charges for new developments, residents are likely to need to present waste in black bags in the interim, increasing the likelihood of littering from gulls and foxes opening bags of residual waste, whilst debt recovery action is taken and bins are delivered to mitigate environmental concerns	Gareth Edmundson	3	3	9	Accept	Good communication; officer interventions	Karen Watson	August 2024 onwards
	The Netcall development team will need to delay other workstreams to deliver the online receptacles ordering and payment page to go live by 5 August 2024	Gareth Edmundson	1	5	5	Accept	Realignment of internal workplan	Karen Watson	August 2024
	If residents use receptacles other than those issued by the	Gareth Edmundson	5	3	15	Reduce	Ensure clear, consistent communication with	Karen Watson	

Risk ref	Risk description	Risk owner	Impact score (1-5)	Likelihood score (1-5)	Initial raw risk score (1 - 25)	Risk response	Controls / Mitigating actions	Control / Action owner	Deadline for controls/ actions
	Council, health and safety risks will increase for crews handling the receptacles. Non Council issued boxes are often sharp and more brittle risking cutting crews or breaking whilst being lifted as well as being a larger size and therefore heavier and not compliant with manual handling regulations and guidance						residents; good ubico reporting of issues; robust intervention by officers		
	If, when the new charges are publicised residents rush to order receptacles prior to the date the new charges will apply, this may cause resourcing issues keeping up with demand.	Gareth Edmundson	3	4	12	Reduce	Officers will review resource required and if necessary delivery timelines will need to be extended.	Karen Watson	31 July 2024 onwards.

