

Title of report: Change of charges for waste collection services

Decision maker: Director of Economy and Place

Decision date: Monday, 1 March 2021

Report by: Waste operations team leader

Classification

Open

Decision type

Non-key

Wards affected

(All Wards);

Purpose

To review waste collection service charges across commercial, bulky, and garden waste in line with the council's full cost recovery policy.

Recommendation(s)

That:

- a) The waste service charges are updated in line with full cost recovery as set out in Appendix 1;**
- b) new charges are introduced for amendments and cancellations to booked bulky waste services and for provision of Duty of Care documents to commercial customers as set out in Appendix 1;**
- c) a new chargeable service is introduced for bulky waste collections for commercial waste as set out in Appendix 1;**
- d) the operation of the parish freighter service is ceased; and**
- e) authority is delegated to the Assistant Director for Regulatory, Environment and Waste to take all operational decisions for waste management including to approve future changes to charges across the waste management service.**

Alternative options

1. Not to change the waste management service charges, but this is not recommended as would be in contradiction to the council's charging principles.
2. Change all prices according to a fixed percentage but this would not accurately reflect the cost of providing the services therefore is not recommended.

Key considerations

3. All waste collection service processes and associated costs have been reviewed to ensure that the council's charging principles are being followed and full cost recovery will be achieved for services provided from 1 April 2021. The review is in line with updated advice regarding council staff overhead costs received from finance in January 2021.
4. The Controlled Waste Regulations 2012 (CWR 2012) classifies waste depending on place of production or the nature of the waste and stipulates whether a charge can be made for the collection and disposal of that waste.
5. All services included in this report are outlined in the CWR 2012 as applicable for charges to be made.
6. The council's charging principles aim to charge for all services where it is appropriate to do so, unless there are conflicting policies or legal reasons not to do so and aim to maximise income from fees and charges by ensuring that charges reflect the full cost of provision, unless there are contrary policies, legal or contractual reasons.
7. Contractor costs charged to the council for the delivery of the services included in this report have increased therefore it is necessary to increase charges in order to recover these costs.
8. Charges for trade waste and bulky collections have been benchmarked with neighbouring authorities in Worcestershire and are comparable.
9. All charges are set out in appendix 1 and will be applicable from 1 April 2021.
10. All charges will be updated on the council website prior to 1 April 2021.
11. The Cabinet Member for contracts and assets took a decision on 3 November 2017 to introduce charges for optional or additional waste management services which included a charge for the swap and delivery of household bins. These charges have not yet been introduced due to changes in IT and difficulties in setting up online payments but will be introduced from 1 April 2021 and charges are set out in Appendix 1.
12. Trade waste customers are currently asked to complete an electronic Duty of Care (DoC) online using the Environment Agency system. Feedback is that the system is not user friendly and many people struggle to use it. It is a legal requirement for commercial businesses to hold a valid DoC but less than 50% complete this online annually and much council officer time is currently spent guiding people through it. We currently charge for a paper copy therefore propose to introduce an electronic process for customers which we propose to make an administrative charge to complete basic administrative only information in the DOC on their behalf.

13. Trade waste customers will be notified of the amendment to charges and the new DoC procedure by written communication prior to them receiving invoices for their April – June 2021 service.
14. The bulky waste collection service charge currently only covers the collection cost and is offered to householders for their own waste. Self-catering holiday lets and waste removed from a domestic rental property by a landlord is classified as commercial waste therefore a charge for the disposal of bulky household items requested for collection by the owner/landlord/agent should be applied as well. It is recommended that this service is offered for commercial waste and the appropriate collection and disposal charge is introduced for this. Appendix 1 outlines the new charges.
15. The parish freighter service is booked by parish councils and is the provision of a refuse collection vehicle and box van for a 2 hour time slot on a Saturday. Between 2018-19 and 2019-20 it was booked by 5 parishes on 13 occasions and has not operated throughout 2020 due to the COVID pandemic.
16. The parish freighter service does not allow separation of waste or recycling other than bulky furniture items therefore is not in line with the county plan 2020 – 2024 objective to increase reuse, repair and recycling. When reviewed, deposited waste contains a high proportion of garden waste, wood and cardboard which could be recycled if taken to a Household Recycling Centre. There is no statutory obligation to provide this service therefore it is recommended that this service is no longer offered to prevent the continued disposal of waste which could be reused or recycled.
17. There is no conflict with any council policy, strategy or service plan.
18. This decision does not amend existing policy nor raise new policy issues.

Community impact

19. There is no impact to the standard household waste and recycling collection services from domestic properties.
20. Only businesses and residents requesting the additional services outlined above will be affected by the changes.
21. Other options available for bulky waste include using a supplier take back scheme where available; using a reuse organisation for items in good condition or taking items to a household recycling centre at no charge to the resident.

Environmental Impact

22. Any amendments to charges may make the person using the service consider alternative cheaper options for waste disposal which could include waste minimisation, reuse or recycling.
23. Any waste minimisation or reuse will result in the collection of less waste therefore generating less carbon emissions from waste transport and incineration.

24. The introduction of a simpler DoC system aims to reduce the need for any paper copies in the future.
25. Loss of the parish freighter service may result in a small increase in vehicle transport emissions as residents access the Household Recycling Centres as an alternative, the associated carbon saving of improved waste segregation and recycling is anticipated to result in a net reduction in carbon emissions.

Equality duty

Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to –

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this 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.
26. An EIA was undertaken as part of the previous decision to introduce charges for bin swaps. This concluded that they are not likely to impact disproportionately on any particular group as outlined in the Equality Act.

Resource implications

27. The council's charging principles aim to charge for all services where it is appropriate to do so, unless there are conflicting policies or legal reasons not to do so and aim to maximise income from fees and charges by ensuring that charges reflect the full cost of provision, unless there are contrary policies, legal or contractual reasons.
28. The changes outlined in this report will ensure that full cost recovery is being achieved for the waste management services provided to customers requesting them.
29. The review of processes and proposed charges have been discussed with the council's Economy and Place Finance Manager who is satisfied that the proposed charges represent full cost recovery and supports the increases.
30. This proposal seeks to address the £115K budget pressure in 2021-22 as a result of increased service delivery costs to the council. This was included within the savings proposals which were approved by Full Council on Friday 12 February 2021.
31. All charges are outlined in appendix 1

Legal implications

32. Pursuant to section 45(3) Environmental Protection Act 1990 (EPA 1990) the council are not permitted to charge for the collection of household waste except as set out in paragraph 4 of Schedule 1 to the Controlled Waste Regulations 2012 (CWR 2012) Schedule 1 paragraph 4 and where the collection of waste has been requested.
33. The CWR 2012 Schedule 1 paragraph 4 sets out the charging regime that the council must operate within for the collection and/or disposal of waste. The regulations lists those properties where the council is permitted to offer a waste collection and/or disposal service, and those for which it can charge for these services.
34. The council are permitted to make a reasonable charge for the collection and disposal of non-household waste pursuant to the specific charging power in section 45(4) (EPA 1990). It is the council's duty to recover the charge unless they think it is inappropriate to do so where it pertains to commercial waste.
The new charges being introduced for provision is in accordance with the provisions for receptacles for waste under section 46 (3) (b) of the EPA 1990. This provides that once the council has determined the receptacles of a kind and number specified, then an agreement can be entered into with the occupier about additional provision by the council on payment of a single payment or periodical payment

Risk management

Risk / opportunity	Mitigation
Loss of income through reduced customers	Benchmarking exercise has shown our proposed charges are in line with neighbouring authorities and considered competitive. This is further mitigated as the service is provided at full cost recovery.
Reputational risk of residents stating we are not encouraging recycling by applying a charge for larger bin	Whilst there is a one off cost for bin swap this is simply to cover the delivery cost and therefore this is still offering an enhanced service of increased recycling being collected whilst they have the larger bin.
Recycling items not recycled as residents may not be willing to pay for a bin swap	Residents have limited capacity in black bin therefore would need to take items to an Household Recycling Centre for disposal where recycling is very easy.
If a resident chooses not to pay the charge for swapping a bin then the council will also save on the cost of providing a new bin.	
Introduction of the new DoC process will support customers to meet their legal requirement to have a valid DoC for the transfer of their waste.	

Consultees

35. The Cabinet member for commissioning, procurement and assets and the Leader have both been consulted and are content for this decision to be taken.

Appendices

- Appendix 1 – Waste Service Charges 2021-22

Background papers

- None identified.