

<b>Report For:</b>	Executive
<b>Date of Meeting:</b>	07 December 2020
<b>Report Of:</b>	Service Director, Public Protection
<b>Report Author:</b>	Ricky Devlin
<b>Subject:</b>	Implementation of charge for Garden Waste
<b>Lead Executive Member(s):</b>	Cllr Tom Shaw
<b>Wards Affected:</b>	All
<b>Consultations:</b>	<div>Councillors <input type="checkbox"/></div> <div>Scrutiny <input type="checkbox"/></div> <div>Stakeholders <input checked="" type="checkbox"/></div> <div>Others <input type="checkbox"/></div>

## Recommendations

### 1. Executive is recommended to:

- (i) **Approve the proposal to introduce an annual charge for the discretionary collection of kerbside garden waste, with effect from 1<sup>st</sup> March 2021.**
- (ii) **Approve the proposal to operate a chargeable kerbside garden waste collection on a seasonal basis during the months from beginning of February to end of November in all subsequent years.**
- (iii) **Approve that the annual charge will be set at £40 per bin.**
- (iv) **Agree to review the annual charge in accordance with the annual scale of charges review for subsequent years.**

## Background

- 2. In July 2020 the council was forced to set an emergency budget to bridge a circa £49 million deficit in its finances due to the COVID-19 pandemic. As part of the budget that was set, the Council's Executive agreed to explore and consult upon introducing a chargeable garden waste collection model to generate an estimated £300k saving.
- 3. Under the Controlled Waste Regulations 2012 and Environmental Protection Act 1990, it is statutory responsibility for local authorities to make arrangements for the collection of garden waste however there is no duty to provide this service free of charge to the user.
- 4. Benchmarking data demonstrates that approximately 65% of English councils (212) charge for a garden waste collection service, with 17 moving to a chargeable service in the last 12 months
- 5. Charges vary across councils from £14 to £96 per annum, however the national average is approximately £46 per annum.
- 6. Analysis of neighbouring local authorities shows the following collection models and charges:

Authority Name	Frequency of Collection	Bin Size	Charge	Concessions offered
Central Bedfordshire Council	Fortnightly	240 litre	Free (at present)	N/A
Bedford Borough Council	Fortnightly	240 litre	Free (at present)	N/A
North Hertfordshire Council	Fortnightly	240 litre	£40 per annum	Yes-only on first bin
Dacorum Borough Council	Fortnightly	240 litre	Free (at present) but do offer additional bins at an additional cost of £35 if the resident wishes to pay	None
St. Albans District and City Council	Fortnightly	240 litre	Proposed subject to approval £45 per annum	None
Northampton Council	Fortnightly	240 litre	£42 per annum	None

## Current Position

7. The Council currently provide a free and discretionary garden waste collection service to approx. 64,000 of the 83,000 homes within the borough, alongside its statutory waste and recycling collections. Over 20% of residents live in flats and communal managed areas that do not currently benefit from the garden waste collections service as there is either no waste produced due to the type of property or the waste that is produced is disposed of by the communal land owner.
8. The current cost of providing the kerbside garden waste collection including 12 staff, 4 vehicles, management and administrative support is circa £600,000. In addition there is a cost for composting of the garden waste collected.
9. In Luton, residents are supplied with a 240 litre garden waste brown bin. Kerbside garden waste is currently collected from those to whom the service is available, fortnightly for a period of 9 months between March and November.
10. There are currently four x 3 person collection crews that collect garden waste that consist of 4 x LGV drivers and 8 x refuse collection operatives. Of these staff 9 have secured positions in the street cleansing team. The remaining 3 posts are currently vacant. In addition at peak times of year additional crews can be reassigned from other duties if they have capacity to assist in collection of garden waste.

## Goals and Objectives

11. The primary focus is to continue to provide a highly valued garden waste collection service to the residents of Luton who wish to opt-in to the scheme.

## Proposal

12. Should Executive approve a chargeable garden waste service, the existing free service will end immediately. At the current time garden waste collections are suspended for the winter months, but a chargeable service will commence from the beginning of March 2021.
13. The service would run on an opt-in basis which residents would only subscribe to if they wished to use the new customer focussed service.
14. Collections would continue to remain fortnightly on a seasonal basis between the months of February through to November each year. This would be an increase of one month in comparison to the current free service.
15. The fee proposed per resident of £40 for this service has been determined to cover the cost of operating the scheme, the administration and collection of the garden waste. Costs of disposal of the waste based on volume of waste collected are not factored in to this charge.
16. The fee will be subject to ongoing annual review based upon an analysis of costs and take up. No concessions will be offered.
17. Payment options will be by card, either via the online webpage or over the phone for those without access to the internet.
18. Residents would receive a permit for each subscribed bin which would need to be applied to the body of the bin. The permit along with in-cab collection software will determine and identify to collection crews who is in the scheme.
19. The scheme would have a dedicated email address for customer queries and complaints.
20. Existing bins will not be removed from customers who choose not to subscribe unless they specifically request this.
21. All new and replacement garden waste bins will incur a charge of £20 unless the loss or damage has been caused by the council.
22. Residents who choose not to opt-in to the scheme would still continue to have other options available to them to dispose of their garden waste. These options include;
  - **Home compost-** the Council already offers a subsidised home composting container. To further support the aims of this proposal free home composting containers will be offered to 2000 households through community groups representing the elderly and disabled and then more widely to all residents.
  - **Self-delivery** of waste to one of the two tidy tips within the town

23. Taking into consideration projected uptake of the service (consultation responses), it is envisaged that 22% or 14,000 households would subscribe to the service, although it is the experience of other Local Authorities that once a scheme is implemented uptake increases. In Luton we would expect the uptake to increase over time to 35% of households.
24. All operating costs relating to the new service would be covered by the fees charged.
25. Information will be provided to households who subscribe to the service and garden waste presented for collection will be examined prior to collection, with advice stickers and leaflets provided to those taking part.
26. Permission to appoint staff required to deliver the seasonal service will be sought from Administration & Regulation when the level of subscription to the service is known. In addition there would be associated support and administration costs in relation to running the service, including dealing with customer queries and sending/renewing permit labels and welcome letters

## Key Risks

27. The table below highlights key risks and control measures in place if the subscription service is approved by members;

Risk:	Control:
Residents will begin to dispose of their garden waste in the their household waste bin, increasing landfill costs to the authority	<ul style="list-style-type: none"> <li>Information to be provided to residents to encourage the use of free or subsidised home composting containers or self-delivery of garden waste tidy tips</li> </ul>
Increase in Fly-tipping due to reduced provision to dispose of garden waste	<ul style="list-style-type: none"> <li>Information to be provided to residents to encourage the use of free or subsidised home composting bins or self-delivery of garden waste tidy tips</li> <li>Utilise enforcement powers</li> </ul>
Environmental issues due to increase in residents burning garden waste	<ul style="list-style-type: none"> <li>Information to be provided to residents to encourage the use of free or subsidised home composting bins or self-delivery of garden waste tidy tips</li> </ul>
Risk of not achieving projected saving of £300k	<ul style="list-style-type: none"> <li>Advertise the service to generate customers</li> <li>Ensure pricing is correct and service is delivered in a prompt and customer focussed manner</li> </ul>
Reduced customer satisfaction and complaints	<ul style="list-style-type: none"> <li>Ensure that decisions regarding the service are communicated timely and effectively.</li> </ul>

## Consultations

28. A public consultation was carried out via the council's website/paper copy between the dates of Monday 28<sup>th</sup> September and Sunday 25<sup>th</sup> October 2020. In total there were 2722 responses to the consultation, 2720 via the online portal and 2 paper responses.
29. A social media campaign was carried out to raise awareness of the consultation and ask residents to give us their views.
30. Residents were asked to give their views on how they would like to see the service operate, how much they would be willing to pay, how likely they would be to subscribe to the proposed chargeable service what they would do with their garden waste if they did not subscribe. Residents were also given the opportunity to propose alternative options for the council to consider.
31. A full analysis report can be found in Appendix 1, however a summary of responses are as below:
32. The responses to the consultation suggest that approx. **22%** of households would either likely or very likely subscribe to the new service, suggesting a projected customer base of circa 14k customers. **65%** of respondents said that they were either unlikely or very unlikely to subscribe to the proposed service.
33. Respondents were asked on the likelihood that they would subscribe to the service at different price levels, the results were as listed in the table below;

Cost	Very Likely	Likely	Unlikely	Very Unlikely	Not Sure	Not Answered
£35 - £44	14%	15%	13%	51%	7%	1%
£45 - £54	5%	7%	11%	69%	3%	5%
£55 or Over	3%	3%	7%	78%	3%	5%

34. Based on the **29%** of respondents that said that they were either likely or very likely to subscribe at **£35-£44**, it is envisaged that the cost recovery price of £40 determined for this service is likely to achieve a positive take up from residents.
35. Respondents were also asked on the likelihood that they would continue to use the service during the winter months of December and January. Only **16%** of respondents said they were likely or very likely use the service, whilst the majority (**83%**) said they were unlikely or very unlikely to use it during the winter months. These responses show very little uptake in the winter months and indicate that a service would not be used or required by most during this time.
36. Respondents were also asked if they would be prepared to pay extra if the service was to run through the winter months of December and January at different price points. **7%** said they would be willing to pay an extra £5, **3%** said they would be willing

to pay an extra £10, **1%** said they would willing to pay £15 and 0% said they would be willing to pay over £15.

37. However a large proportion of respondents (**77%**) said they would not require the service in the winter months. This again indicates that the service would not be used or required in the winter months.
38. Respondents were asked how they would like to see the proposed service operate. **58%** said that they would like to see the service run seasonal between February to November, whilst **19%** said they would like to see the service run all year round.
39. Respondents were asked the likelihood of subscribing to more than one bin. Only **4%** said that were either likely or very likely to subscribe to more than one bin whilst **93%** said they would be unlikely or very unlikely to subscribe to more than one bin.
40. Respondents were asked what they would do with their garden waste if they did not subscribe to the proposed chargeable service. Of the 2722 responses, **37%** said they would take it to the HWRC (Tidy tip), **15%** said they would home compost their waste, and **41%** said they would do something else.
41. A breakdown of responses that selected **other** is in the table below;

Respondents said they would dispose of garden waste in their domestic waste bin (black bin)	41%
Respondents said they would Fly-tip their garden waste	10%
Respondents said that they would burn their garden waste	7%
Respondents said they were unsure on what they would do with their garden waste	8%
Respondents said they hire a third party contractor to remove their garden waste	1%
Respondents said they would contaminate other bins	1%
Selected other but then did not answer	32%
Total	100%

## Alternative options considered and rejected

42. The consultation responses provided alternate options to consider based on responses.
  - **Continue to provide the service for free**  
Due to the increased financial pressures facing the Council and the need to prioritise key services, charging for garden waste collections is an important way to reduce costs and prioritise essential Council services. This was rejected as it would not produce the savings required as set out in the emergency budget.
  - **Reduce the current free service to less frequent collections.**  
Under the current free service, garden waste is collected from households every fortnight however, a less frequent collection was considered to enable the service to still be provided free every four weeks. This was rejected as it would not produce the savings required as set out in the emergency budget.

## Appendices Attached

Appendix 1 - Consultation results/analysis

Appendix 2 - Integrated Impact Assessment

## List of Background Papers - Local Government Act 1972, Section 100D

There are no background papers associated with this report.

## Implications - an appropriate officer must clear all statements

For CLMT only Legal and Finance are required

### Required

Item	Details	Clearance Agreed By	Dated
<b>Legal</b>	<p>The Council is permitted to charge for discretionary services by virtue of Section 93 of the Local Government Act 2003, however, the annual income must not exceed the actual cost of the service.</p> <p>The Controlled Waste (England and Wales) Regulations 2012 allows a charge to be made for the collection of household garden waste.</p> <p>In proposing revised arrangements for the collection of household garden waste, the Council is required to have regard to the provisions of the Equalities Act 2010 and s.17 of the Crime &amp; Disorder Act 1998. Nothing within the proposals to charge for the collection of household garden waste contravenes the provisions of these Acts.</p>	Raj Popat, Principal Solicitor	12 <sup>th</sup> November 2020
<b>Finance</b>	<p>The emergency budget approved by Council in July 2020 included a proposal to introduce a charge for green waste collection with the aim of saving £300k. In order to generate £300k at a subscription rate of £40 per household per annum would require 7,500 households to subscribe. The income would cover the cost of the service.</p> <p>The cost of the 2,000 free compost bins is estimated at £25,000 and will be contained within the approved capital programme.</p>	Darren Lambert. Finance Business Partner	17 <sup>th</sup> November 2020

Item	Details	Clearance Agreed By	Dated
	<p>In addition to income, the department has also offered savings of circa £500k in a review of recycling stream collections for garden and glass waste. This would be achieved by £320k in salary savings and £180k in vehicle reductions.</p> <p>After analysing consultation responses and forecasting potential uptake of the new service model, it is expected that the department will meet these targets.</p>		
<b>Equalities / Cohesion / Inclusion (Social Justice)</b>	There are no associated implications identified as this is a non-statutory service that the council have no legal obligation to provide. However, following discussion with the Service Director they have agreed to make provision of 2000 free compost bins to community targeting the elderly /disabled groups in the first instance	Sandra Hayes Service Manager Policy, Community, Engagement Luton Council	17/11/2020
<b>Environment</b>	<p>As part of the proposed introduction of a charge for the collection of garden waste, it is envisaged that residents may consider alternative methods of disposal of garden waste. The risks relating to this can be mitigated by the offer of free composting bins to up to 2000 households and ongoing education and advice regarding responsible disposal of waste.</p> <p>As a result of the projected reduction of households requiring the service, collection vehicles would be reduced would lead to a positive impact on the environment</p>	Keith Dove, Strategic Policy Adviser	16 <sup>th</sup> November 2020
<b>Health</b>	There are no associated implications identified	Lucy Hubber Director Public Health	12 <sup>th</sup> November 2020



## Optional

Item	Details	Clearance Agreed By	Dated
<b>Community Safety</b>	There are no associated implications identified	Vicky Hawkes	12 <sup>th</sup> November 2020
<b>Staffing</b>	LBC staff currently employed in the collection of garden waste have all secured alternative roles in the Cleansing Team. As stated in the report, permission to appoint staff to deliver a garden waste service will need to be sought from Administration & Regulation Committee.	Angela Claridge	19 <sup>th</sup> November 2020
<b>Other</b>			