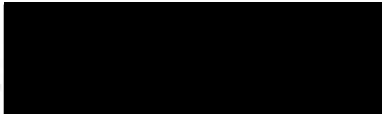
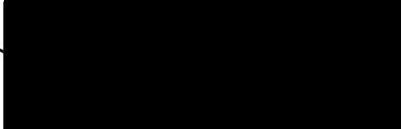


**EXECUTIVE DECISION RECORD
Cabinet Member**

REF No: 237/24

A1 Service Area	Environment
A2 Title	Subscription Based Garden Waste Collection Service – Charges for 2025
A3 Decision Taken By	Cabinet Member
A4 Chief Officer	Please print name: Mark Rizk  Please sign name
A5 Leader / Deputy Leader	Please print name: Councillor Dennis Fletcher Please sign name: 
A6 Date of Decision	9 th October, 2024.

Confidential or Exempt Information

A7 Does this decision contain Confidential Information?	No
A7.1 Does this Decision contain Exempt Information as described in Schedule 12A of the Local Government Act 1972?	No
A7.2 If yes, please state relevant paragraph from Schedule 12A LGA 1972.	NA

Conflict of Interest

Are there any conflicts of interest to declare? No (*please delete as appropriate*)

(If “Yes” please contact the Chief Executive before making the Decision. A note of dispensation should be attached).



Scrutiny/Audit

A8 Which Committee should this decision be submitted to? *(Please tick as appropriate)*

Scrutiny (Value for Money Council) Committee

Scrutiny (Regeneration Development and Market Hall) Committee

Scrutiny (Health and Wellbeing) Committee

Scrutiny (Climate Change and Environment) Committee ✓

Audit Committee

B1 What is the Decision?

To implement a subscription charge of £40 per bin for the garden waste collection service for calendar year 2025. This will be reduced to £35 for those households who subscribe prior to 31 January 2025.

To offer a 50% concessionary rate to those households in receipt of passported benefits.

B2 What are the reasons for the Decision?

At their meeting in May 2024, Cabinet considered a report on the introduction of a subscription based garden waste collection service. This report recognised the on-going financial pressures being faced by the Council, with a reduction in its core funding from central Government of £6.4 million (equivalent to 78%) since 2011/12. This, combined with an annual cost of the service of £1.1 million, previous advice from the external auditors and the need to explore options for further savings led to the principle of charging being approved.

At this meeting, Cabinet also resolved to launch a public consultation to help shape the service, with questions regarding the level of charges, concessions, participation and fairness. This consultation ran for a period of six weeks, from 8th July to 16th August 2024, and attracted 2,067 responses.

Following the consultation, it is now proposed to introduce a subscription charge of £40 per bin for calendar year 2025, as detailed above.

B2 Alternative options considered and rejected?

When reviewing the financial pressures being faced by the Council and the aspirations to deliver future projects, the current service was considered to be unviable.

A number of pricing options were also considered, including concessions and 'early bird' reductions. These were subject to a public consultation as detailed above.

B3 What are the contributions to Corporate Priorities?

The proposed subscription service supports the following Corporate Priorities:

- Creating a Prosperous East Staffordshire;
- Developing a New Green Deal for East Staffordshire

B4 What are the Human Rights considerations?

There are no Human Rights issues arising from this decision.

Financial Implications

B5 What are the financial implications?

The main financial issues arising from this decision are as follows:

The financial implications are set out below. The figures are based on a number of assumptions using data obtained from other local authorities already offering a subscription service, as follows:

- An annual subscription rate of £40 per bin (reduced to £35 for those who subscribe prior to 31 January 2025);
- A 50% concessionary rate for those households in receipt of passported benefits;
- An estimated participation rate of 45% (equivalent to 21,600 households);
- 50% of subscribers sign up before 31/01/25 at the discounted rate;
- 74% of all subscribers sign up ahead of 31/03/25.

These projections indicate that level of subscription would generate circa £570k of income during 2024/25 and then £770k of annual income in future years. However, this carries significant risk as it is dependent on the overall level of participation rate achieved.

As such, it is recommended that all income received during 2024/25 is transferred to a new Garden Waste Charging Smoothing Reserve to be used to manage the financial impact over the MTFS should participation rates be lower than those currently assumed.

From a consistency perspective, this ensures the Council is still recognising 12-months' worth of income within each financial year and avoids the administrative cost of seeking to split out prepayments etc. which would be difficult and time consuming to do (for example this would require individual review and judgement e.g. if someone signed up in February 2025 they would still be charged £40 so the level of prepayment would not be 8/10th of that value).

From 2025/26 onwards, the current MTFS assumed an outline income level of £790k per year and as such the refresh of the MTFS will need to reflect the revised income projection of £770k per year.

The subscription charge will be reviewed annually in accordance with the Fees & Charges Policy.

Revenue	2024/25	2025/26	2026/27
Income from subscription charges	£570k	£770k	£770k
Transfer to Garden Waste Charging Smoothing Reserve	(£570k)	£0	£0
Total	£0	£770k	£770k
Capital	2024/25	2025/26	2026/27

N/A

The finance section has been approved by the following member of the Financial Management Unit:

Please print name: Lloyd Haynes

Please sign name: (Approval via email
08/10/2024)

Policy Framework

B6 Is the Decision wholly in accordance with the Council's policy framework?	Yes
B6.1 If No, does it fall within the urgency provisions (Part 3 of the Constitution)?	NA
B6.2 Has it got the appropriate approvals under those provisions?	NA
B7 Is the Decision wholly in accordance with the Council's budget?	Yes
B7.1 If No, does it fall within the urgency provisions (Part 3 of the Constitution)?	NA
B7.2 Has it got the appropriate approvals under those provisions?	NA

Equalities Implications

B8 What are the Equalities implications:

B8.1 Positive (Opportunities/Benefits):

B8.2 Negative (Threats):

B8.3 The subject of this decision is a policy, strategy, function or service that is new or being revised. An equality impact assessment is in place for the service and will be reviewed as part of the project delivery.

Risk Assessment

B9 What are the Risk Assessment implications:

B9.1 Positive (Opportunities/Benefits):

The introduction of a subscription based service will support the Council's financial position by seeking to recover operational costs.

The service will be operated on an 'opt-in' basis, so only those residents that subscribe will pay for the service.

B9.2 Negative (Threats)

A subscription based service is likely to lead to resistance from some residents and adverse publicity. A petition against introducing charges was considered at a meeting of the Council on 23 September 2024.

The financial position is based on a number of assumptions using data obtained from other local authorities already offering a subscription service. Any deviation from these assumptions will have an impact on the financial position.

The introduction of a subscription based service will have a detrimental impact on the Council's recycling performance, since annual collection tonnages will reduce. At present, garden waste accounts for approximately 21% of the overall performance. The level of impact will be dependent on the participation rate and collected tonnages. National studies indicate that those residents that subscribe to the service present higher yields per household than for a free service. Based on research from Newcastle and Lichfield/Tamworth, the introduction of their charges resulted in a reduction of approximately 5%. The Council's outturn performance for 2022/23 was 41%.

B9.3 The risks are referred to in the Risk Register. Any financial implications to mitigate against these risks are considered above.

Legal Considerations

B10 What are the Legal Considerations:

B10.1 The main legal issues arising from this decision are as follows:

Section 57 of the Environmental Act 2021 (Amending s45A Environmental Protection Act 1990) introduced a statutory requirement for waste collection authorities to collect garden waste from households if requested to do so.

Schedule 1, Paragraph 4, of the Controlled Waste (England and Wales) Regulations 2012 allows local authorities to charge for its collection.

The Council has a common law fiduciary duty to local tax-payers to ensure that it manages its finances in a prudent and efficient manner. This places an obligation upon the Council to assess and balance the financial/costs benefits to the Authority and local tax-payers.

This section has been approved by the following member of the Legal Team

Please print name: John Teasdale

Please sign name: (Approval via email 09/10/2024)

B10 What are the Legal Considerations:

Environmental Impacts

B11 What are the Environmental Impacts:

Consider impacts related to the Climate Change & Nature Strategy aims:

- Reducing greenhouse gas emissions (climate change mitigation)
- Preparing for future climate change (adaptation)
- Protecting and enhancing nature
- Using resources wisely and minimising waste and pollution

B11.1 [The impacts are **significant** and have been subject to an enhanced consideration by the Council's Climate Change and Adaptation Officers for inclusion below.] [The impacts are **not significant** and are set out below without enhanced consideration by the Council's Climate Change and Adaptation Officers.]

(note – a **significant** impact will likely result from any project, policy, procurement exercise or service change that has a direct or indirect effect on energy or fuel use, water use, land use, other physical resource use, waste generation, pollution, regeneration or construction – If unsure contact the Council's Climate Change and Adaptation Officers.)

B11.2 Positive Impacts (Opportunities/Benefits):

With the current garden waste collection service, the waste is bulked-up in collection vehicles and then processed to produce compost. When the compost is added to the soil the carbon it contains is stored in the soil rather than escaping to the atmosphere. The emissions associated with the transport and processing of the waste are the only concern. Charging for the service might result in more home composting. This would be beneficial because it would remove the transport and processing emissions. As suggested in the report, it would be environmentally beneficial to place a strong emphasis on promoting home composting.

B11.3 Negative Impacts (Threats/Mitigation):

A subscription service will reduce the number of households requiring a collection and therefore reduce the council's vehicle mileage and carbon dioxide emissions. However, there may be an overall increase in mileage and emissions if householders do not subscribe to the scheme and make individual vehicle trips to the Household Waste Recycling Centres (HWRCs). Whilst the Council's recycling performance will reduce as a consequence of implementing a subscription based service, the overall level may be maintained through both home composting and the material deposited at the HWRCs.

Health & Safety Implications

B12 What are the Health & Safety implications:

B12.1 A Risk Assessment has not been carried out and entered into Safety Media for all significant hazards and risks because there are no significant hazards or risks arising from this decision.

Key Decision

B13 Is this a Key Decision? Yes

Note: A Key Executive Decision is one where:

1. **REVENUE** – Any contract or proposal with an annual payment or saving of more than £100,000
2. **CAPITAL** – Any capital project with a value in excess of £150,000
3. A decision which significantly affects communities living or working in an area comprising two or more wards.

B13.1 If this is a Key Decision, is this an urgent decision such that a delay caused by use of the Call-in Procedure would seriously prejudice the public interest? No

B13.2 If yes, has the Mayor or in his/her absence the Deputy Mayor or in his/her absence the Chair of the relevant Scrutiny Committee agreed that the decision will be exempt from Call-in? NA

NOTE: If this decision is subject to the Call-in Procedure it will come into force, and may then be implemented, on the expiry of 3 working days after publication – unless 10 Members of the Council call in the decision.

Please send the original signed document to:
democratic.services@eaststaffsbc.gov.uk