

TEIGNBRIDGE DISTRICT COUNCIL

EXECUTIVE COMMITTEE

MEETING DATE 10TH FEBRUARY 2020

PART I

Report Title	The Provision of Waste & Recycling Containers at New-Build Dwellings.
Purpose of Report	To consider charges for the provision of waste and recycling containers at new-build household properties in the district.
Recommendation(s)	The Overview & Scrutiny Committee RECOMMENDS that the Executive resolve that; (1) The Standard Charge as described in the report is introduced from April 1st 2020 and the cost is reviewed annually. (2) Consideration is given to a concessionary rate for those eligible for the Council Tax Reduction Scheme (CTRS). (3) A mechanism to transfer the charge from the occupier to the developer be investigated. (4) The Council make representations to the Secretary of State for legislation to be reviewed to enable the cost of the initial provision of waste and recycling containers to be levied on housing developers.

Financial Implications	<p>There are significant costs incurred by the Council to provide the necessary waste and recycling receptacles at new properties. The introduction of charges seeks to offset these costs.</p> <p>Please see Section 2.1</p> <p>Chief Finance Officer Email: Martin.Flitcroft@teignbridge.gov.uk</p>
Legal Implications	<p>Statutory provisions contained within the Environmental Protection Act 1990 enable the Council to charge occupiers for waste and recycling containers. However, this is subject to the occupier's consent. There is no power to impose such a charge.</p> <p>Please see Section 2.2</p> <p>Paul Woodhead Legal Services Team Leader and Deputy Monitoring Officer Paul.Woodhead@teignbridge.gov.uk</p>
Risk Assessment	<p>Please see Section 2.3.</p> <p>Waste & Cleansing Manager Chris.Braines@teignbridge.gov.uk</p>
Environmental/ Climate Change Implications	<p>Please see Section 2.4.</p> <p>Waste & Cleansing Manager Chris.Braines@teignbridge.gov.uk</p>
Report Author	<p>Chris Braines Waste & Cleansing Manager Chris.Braines@teignbridge.gov.uk</p>
Portfolio Holder	<p>Cllr Alistair Dewhirst</p>
Appendices / Background Papers	<p>None</p>

1. INTRODUCTION / BACKGROUND

Growth in housing within the district is increasing the demand on waste and recycling collection services.

One of the main costs is for the initial provision of waste and recycling containers to enable service participation. These costs are currently covered by the Council at approximately £50,000 per year (based on a rate of 620 new properties per year).

The Environmental Protection Act 1990 affords the Council a conditional power to charge occupiers for receptacles for household waste. If the occupiers decline to pay, the Council cannot impose a charge. However, it can require the occupier to provide their own receptacles which conform to the Council's specification(s).

The proposal is to charge the occupiers of new household properties for waste and recycling containers to cover the costs incurred by the Council.

A suite of containers will only be delivered once payment is received. The containers will remain the property of the Council.

On the 14th January 2020 the proposal was considered by the Overview & Scrutiny Committee where the following recommendations to the Executive Committee were made

- a) The charges as set out in the report be introduced from 1 April, 2020, and reviewed annually.
- b) Consideration is given to a concessionary rate for those eligible for the Council Tax Reduction Scheme (CTRS).
- c) A mechanism to transfer the charge from the occupier to the developer be investigated.
- d) The Council make representations to the Secretary of State for the legislation to be reviewed in line with (b) above.

As a result the following charges should be considered.

The proposed 'Standard Charge' for 2020/21, including VAT is as follows;

- **£80 per property for a full set of containers** (1 x 180 litre residual waste bin, 2 x 55 litre recycling boxes, 1 x food waste container, 1 x indoor food caddy and 1 x reusable paper sack). The charge does not include garden waste bins which would be provided separately as part of the subscribed service.

A concessionary rate for those eligible for the Council Tax Reduction Scheme (CTRS) as follows;

- **£40 per property for a full set of containers for those eligible for the Council Tax Reduction Scheme (CTRS)** (1 x 180 litre residual waste bin, 2 x 55 litre recycling boxes, 1 x food waste container, 1 x indoor food caddy and 1 x reusable paper sack). The charge does not include garden waste bins which would be provided separately as part of the subscribed service.

2. IMPLICATIONS, RISK MANAGEMENT & CLIMATE CHANGE IMPACT

2.1 Financial

The proposed charges will help cover the costs of providing waste and recycling receptacles to new households occupied from 1st April 2020. There is the potential to generate up to £41,000 per year of additional income dependent on the numbers of new households arising and charges introduced. This figure would be reduced for any concessionary rates charged.

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The loss of income from the concessionary rate described in Section 1 is estimated at £4,133 per year. This is based on the assumption that 20% of 620 new builds would be occupied by those eligible for the CTRS concession.

This approach was identified as part of the Council's BEST 2020 review program to help offset service costs.

Where communal bin stores are provided using alternative container combinations each property using that bin store would also be charged at the applicable rate for a set of containers (dependent on their status in relation to the Council Tax Reduction Scheme (CTRS) if the concessionary charge is approved).

Continuing to provide the initial receptacles to all new dwellings free of charge would result in an ongoing avoidable financial burden.

It is not proposed that any new charges are introduced for replacement containers at existing dwellings or at new properties once the initial containers are provided.

2.2 Legal

Section 46 of the Environmental Protection Act 1990 enables the Council, as a Waste Collection Authority, to make charges for receptacles required for the collection of household waste and recycling subject to the occupier consenting.

The containers provided will remain the property of the Council and be linked to the property they were provided to. This ensures that following initial provision occupiers who have paid the 'set-up' charge (and any subsequent occupiers) will go on to benefit from free replacements of damaged, broken and missing containers (with restrictions) at that property in line with existing practises.

2.3 Risks

The existing online/digital replacement waste container process will be developed to confirm consent and take payment at initial point of contact, thereby minimising associated administration costs and ensuring swift delivery of containers.

This will require resource and technical input from the waste, BID and STRATA teams. Whilst it is anticipated that this will be completed prior to April 1st 2020 it will be dependent on availability of those involved.

There is a risk of challenge if a charge is imposed and there may be some negative publicity resulting from the proposed charge. This will be managed by the communications and waste team as required.

2.4 Environmental/Climate Change Impact

Successful participation in the waste and recycling service provided to households by the Council positively contributes to reducing our environmental and climate change impacts.

Sensible financial management of the service ensures it remains efficient and effective and stimulates higher levels of participation from residents.

3. ALTERNATIVE OPTIONS

Consideration was given to charging developers of new properties for waste and recycling containers. There is no legal provision contained within the Environmental Protection Act 1990 to support this approach however.

The option to levy the charge on developers through the planning process will be investigated further as a potential alternative to the fee imposed on residents.

Representations will be made to the Secretary of State to review any relevant legislation should the option to recover costs through the planning process be untenable.

A degree of flexibility will be available to the Head of Operations or their nominated deputy to reduce or waive the charge in extenuating circumstances.

4. CONCLUSION

The Council is under increasing financial pressure to reduce spending and generate income. Introducing these charges will help to offset the significant costs of providing waste and recycling containers to new properties as identified in the BEST 2020 program.