

## Report of the Portfolio Holder for Environment and Climate Change

**GARDEN WASTE SUBSCRIPTION FEES 2024/25**1. Purpose of Report

To seek approval for the 2024/25 garden waste subscription fees.

2. Recommendation

**Cabinet is to consider and RESOLVE that:**

- 1. The subscription fee for the first garden bin is increased by either £3, £5 or £7.**
- 2. The subscription fee for additional garden bins is increased by either £1 or £2.**
- 3. From the 1 October, the subscription fee for the first garden waste bin is reduced to £25 and any additional bins are discounted by 50%, is approved.**

3. Detail

The collection of garden waste is a non-statutory recycling service. The aim of the garden waste subscription fee is to assist the authority in the delivery of this service to those residents who chose to subscribe.

On the 23 October 2023, DEFRA provided an update on the anticipated waste reforms stemming from the 'Our Waste Our Resources: A Strategy for England', published in December 2018. In the update, DEFRA confirmed that local authorities could continue to charge for garden waste collections.

An income target of £916,000 was set for the 2023/24 garden waste subscription period. As of 1 October 2023, 22,706 properties have subscribed to the current season generating an income of £923,250.

Compared to the previous year, the number of subscribers in 2023/24 has increased by 4%.

Outlined in appendix 1, are options relating to the proposed fees for the 2024/25 garden waste collection service. An equalities impact assessment is provided in appendix 2.

4. Financial Implications

The comments from the Head of Finance Services were as follows:

It is vital that the price increases are supported and income maximised in order to meet the Council's anticipated budget gap in 2024/25. Ongoing marketing continues to drive forward the service with the aim of increasing the volume of subscriptions. A proposed £7 increase in the price for the first bin to £45 and a £2 increase for any additional bins could generate additional income in the region of £164,000. The revised Business Strategy approved by Cabinet on 7

November 2023 included an additional £100,000 in Garden Waste income from an expected fee increase from similar volumes of service users in 2024/25. The fees and charges agreed by Members will be built into the budget setting process for 2024/25.

5. Legal Implications

The comments from the Head of Legal Services were as follows:

The Authority is the waste collection authority for the Borough with a duty to collect specified forms of waste. Section 45(3) of the Environmental Protection Act 1990 states “no fee shall be made for the collection of household waste except in cases prescribed in regulations made by the Secretary of State”. Section 4 of Schedule 1 of the Controlled Waste (England and Wales) Regulations 2012 states that fees may be made for the collection of household garden waste. Additionally, Section 45(3) (b) of the Environmental Protection Act 1990 requires that collection authorities make a reasonable fee for the collection of household garden waste.

6. Human Resources Implications

The comments from the Human Resources Manager were as follows:

Not applicable.

7. Union Comments

The Union comments were as follows:

Not applicable.

8. Climate Change implications

The garden waste collection scheme encourages appropriate diversion of waste away from the black-lidded bin, thus helping to mitigate against additional carbon emissions.

9. Data Protection Compliance Implications

Not applicable.

10. Equality Impact Assessment

As the proposed options for an increase in garden waste subscription fees for 2024/25 is substantial, (as compared to previous years), an equality impact assessment (EIA) has been included in appendix 2 of this report.

11. Background Papers

None.

## APPENDIX 1

Fees for 2023/24Comparison of fees

Table 1 below shows the current fees for the kerbside garden waste collection service for all district councils within Nottinghamshire.

Local Authority	First bin price (2023/24)	Additional bin price (2023/24)	Cost per collection	Service Provision
Broxtowe Borough Council	£38	£24	£1.65	Fortnightly March to November, monthly December through to February. Discount is offered to those signing up from 1 October (£33 for the first bin and then £12 for the second bin).
Ashfield District Council	£28	£14	£1.40	Fortnightly March to December.
Bassetlaw District Council	£34	£33	£1.70	Fortnightly March to November.
Gedling Borough Council	£38	£20	£1.81	Fortnightly April to March – no service January and February. Currently have a waiting list for the service.
Mansfield District Council	£32	£18	£1.68	Fortnightly March to November, one in December and no collections in January and February.
Newark and Sherwood District Council	£35	£35	£1.52	Fortnightly March to November, monthly December through to February.
Rushcliffe Borough Council	£40	£25	£1.67	Fortnightly but no collections over the Christmas and New Year period.

Table 1: Current garden waste subscription fees across Nottinghamshire

The current fee of £38 for the first bin is slightly above the average price of £35 across all the Nottinghamshire districts. There are differences in the subscription fees for additional bins. The authority's current fee for an additional bin is £24, which is also the average price across the Nottinghamshire districts.

As of 1 October 2023, 2,459 subscribers across the Borough have paid for the use of additional bins.

Comparative pricing for garden waste subscription fees has also been undertaken outside of the Nottinghamshire boundary but in areas still local to the Borough (Table 2). This was to evaluate the competitiveness of the Council's current garden waste fees. The findings show that the Council's subscription fee for the first bin, is lower than districts outside of, but local to Nottinghamshire.

Local Authority	First bin price (2023/24)	Additional bin price (2023/24)	Cost per Collection	Service Provision
Amber Valley Borough Council - Derbyshire	£45	£20	£2.25	Collections run fortnightly from February through to November. Residents also need to pay a one off fee of £23 to purchase the bin and have it delivered.
Derbyshire Dales District Council - Derbyshire	£50	£50	£2.08	Fortnightly throughout the year.
Erewash Borough Council – Derbyshire	-	-	-	Currently free of fee, but Erewash will be introducing charging from 2024. Full price will be £37 and £18.50 for additional bins.
Charnwood Borough Council - Leicestershire	£50	£50	£2.00	Fortnightly throughout the year (Except Christmas and New Year).
Harborough District Council - Leicestershire	£61	£61	£2.65	Collections run fortnightly April to November and then the following March. (Nine Months).
Boston Borough Council - Lincolnshire	£40	£20	£2.22	
South Holland District Council - Lincolnshire	£52	£30	£2.17	

Table 2: Current garden waste subscription fees for districts outside of Nottinghamshire but local to the Council.

### Charging mechanism

Residents can currently subscribe to the service in two ways:

- Online
- By telephone

Approximately 89.6% of Broxtowe subscribers use the online or automated telephone system payment system. Online subscription is by far the cheapest and easiest payment method.

#### Options for subscription fees

In order to align the proposed fee structures for garden waste with current economic realities, the Council must consider adjustments that reflect increases in employee, material and fuel costs. These adjustments will ensure that the Council can continue to maintain appropriate services to residents, whilst maintaining the financial sustainability of its operations.

In order to achieve this, a price increase of between £3 and £7 for the first bin and £1 and £2 for any additional bins must be considered.

#### First bin

Fee options for 2024/25 are shown in tables 3 and 4 below. Current subscriber numbers have been used to assist in the forecast of the financial projections.

<b>£38 (current price)</b>	<b>£41 (+£3)</b>	<b>£43 (+£5)</b>	<b>£45 (+£7)</b>	<b>£50 (+£12)</b>
£862,828	£930,946	£976,358	£1,021,800	£1,135,300
Potential additional income against current subscription price.	£68,118	£113,530	£159,000	£272,500
Cost per Collection (23 collections per season)	£1.78	£1.87	£1.96	£2.17

Table 3: First garden bin subscription fee options

#### Additional bin prices

Number of additional bins	Number of subscribers	<b>£24 (current price)</b>	<b>£25 (+£1)</b>	<b>£26 (+ £2)</b>	<b>£28 (+ £4)</b>	<b>£30 (+ £6)</b>
1	2,162	£51,888	£54,050	£56,212	£60,536	£64,860
2	217	£5,208	£5,425	£5,642	£6,076	£6,510
3	52	£1,248	£1,300	£1,352	£1,456	£1,560
4	12	£288	£300	£312	£336	£360
5	9	£216	£225	£234	£252	£270
6	0	£0	£0	£0	£0	£0
7	4	£96	£100	£104	£112	£120

Number of additional bins	Number of subscribers	£24 (current price)	£25 (+£1)	£26 (+ £2)	£28 (+ £4)	£30 (+ £6)
8	0	£0	£0	£0	£0	£0
9	2	£48	£50	£52	£56	£60
10	0	£0	£0	£0	£0	£0
11	1	£24	£25	£26	£28	£30
Total		£51,888	£54,050	£56,212	£60,536	£64,860
Potential additional income		-	£2,459	£4,918	£9,836	£14,754

Table 4: Additional garden bin subscription fee options

Autumn/Winter discount

From the 1 October, subscription fees for garden waste are reduced to encourage residents that haven't already done so, to sign up to the service. At this time, there are approximately ten collections remaining until the end of the season.

Currently, subscribers signing up from the 1 October receive a £5 discount on the first bin and any additional bins ordered are half price. The fees for this year and subsequent 1 October discounts are highlighted in table 5.

Garden subscription fees	First bin price	Additional bins
3 April 2023 – 31 March 2024	£38	£24
1 October 2023 – 31 March 2024	£33	£12

Table 5: Subscription fees for 2023/24.

For the season 2024/25, it is proposed to offer an increased level of discount to encourage further registrations to the service.

Registration numbers after the 1 October over the past three years', are detailed in table 6.

Year	Number of registrations
2020/21	157
2021/22	85
2022/23	239

Table 6: Garden waste registrations after 1 October

Based on an average number of registrations across all three years (160), table 7 details potential income generation using the current £5 discount method based on proposed first garden bin subscription fees of either £41, £43 or £45.

It must be noted, that not all registrations from the 1 October are for a single bin. For the purpose of these calculations, a single bin registration has been assumed.

<b>£41 (£36 with discount)</b>	<b>£43 (£38 with discount)</b>	<b>£45 (£40 with discount)</b>
£5,760	£6,080	£6,400

Table 7: Discount options for 2024/25.

#### Proposal for 1 October discount

It is proposed, that from the 1 October, the first garden bin subscription fee is reduced to **£25**. Based on 160 subscribers, this would generate an income of **£4,000**. Any additional bins will continue to be offered at a **50%** discount rate (as per the current model).

This initiative will help in attracting households who have not yet signed up to the service. Furthermore, it is anticipated that a proportion of the new subscribers will be retained for the start of the new garden waste season in April.

#### Risks

The challenge for the 2024/25 season will be to maintain the existing customer base. Increasing the price may increase the risk that customers do not subscribe to the service. However, this needs to be balanced against the increase in the cost of providing the service.

A growth in subscriber numbers will place additional pressures operationally, although an additional freighter and employee request has been made in a report presented to Cabinet on the 7 November 2023. This resource will help to support the garden waste subscriber number growth.

## APPENDIX 2

**Equality Impact Assessment**

The Equality Act 2010 replaces the previous anti-discrimination laws with a single Act. It simplifies the law, removing inconsistencies and making it easier for people to understand and comply with it. It also strengthens the law in important ways, to help tackle discrimination and equality. The majority of the Act came into force on 1 October 2010.

The general equality duty applies to all of the decisions made in the course of exercising public functions, not just to policy development and high-level decision-making. The functions of a public authority include all of its powers and duties. Examples of this include: policy decisions, strategies, individual decision-making, budgetary decisions, public appointments, service provision, statutory discretion, employment of staff and procurement of goods and services.

Public bodies are required in it to have due regard to the need to:

- eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited under the Act
- advance equality of opportunity between people who share a protected characteristic and people who do not share it, and
- foster good relations between people who share a protected characteristic and people who do not share it.

The public sector Equality Duty came into force on 5 April 2011. The duty ensures that all public bodies play their part in making society fairer by tackling discrimination and providing equality of opportunity for all. It ensures that public bodies consider the needs of all individuals in their day to day work – in shaping policy, delivering services and in relation to their own employees.

The Equality Duty encourages public bodies to understand how different people will be affected by their activities so that policies and services are appropriate and accessible to all and meet different people's needs. By understanding the effect of their activities on different people, and how inclusive public services can support and open up people's opportunities, public bodies are better placed to deliver policies and services that are efficient and effective.

The new equality duty replaces the three previous public sector equality duties, for race, disability and gender. The new equality duty covers the following protected characteristics:

- age
- disability
- gender reassignment
- pregnancy and maternity
- race – this includes ethnic or national origins, colour or nationality
- religion or belief – including lack of belief
- sex
- sexual orientation.

It also applies to marriage and civil partnership, but only in respect of the requirement to have due regard to the need to eliminate discrimination.

Having due regard means consciously thinking about the three aims of the equality duty as part of the process of decision-making. This means that consideration of equality issues must influence the decisions reached by public bodies, including how they act as employers, how they develop, evaluate and review policies, how they design, deliver and evaluate services, and how they commission and procure from others.

Having due regard to the need to advance equality of opportunity involves considering the need to:

- remove or minimise disadvantages suffered by people due to their protected characteristics
- meet the needs of people with protected characteristics, and
- encourage people with protected characteristics to participate in public life or in other activities where their participation is low.

Fostering good relations involves tackling prejudice and promoting understanding between people who share a protected characteristic and others.

Complying with the equality duty may involve treating some people better than others, as far as this is allowed by discrimination law. For example, it may involve making use of an exception or the positive action provisions in order to provide a service in a way which is appropriate for people who share a protected characteristic.

The Equality Duty also explicitly recognises that disabled people's needs may be different from those of non-disabled people. Public bodies should therefore take account of disabled people's impairments when making decisions about policies or services. This might mean making reasonable adjustments or treating disabled people better than non-disabled people in order to meet their needs.

There is no explicit requirement to refer to the Equality Duty in recording the process of consideration but it is good practice to do so. Keeping a record of how decisions were reached will help public bodies demonstrate that they considered the aims of the Equality Duty. Keeping a record of how decisions were reached will help public bodies show how they considered the Equality Duty. Producing an Equality Impact Assessment after a decision has been reached will not achieve compliance with the Equality Duty.

It is recommended that assessments are carried out in respect of new or revised policies and that a copy of the assessment is included as an appendix to the report provided to the decision makers at the relevant Cabinet, Committee or Scrutiny meeting.

Where it is clear from initial consideration that a policy will not have any effect on equality for any of the protected characteristics, no further analysis or action is necessary.

Public bodies should take a proportionate approach when complying with the Equality Duty. In practice, this means giving greater consideration to the Equality Duty where a policy or function has the potential to have a discriminatory effect or impact on equality of opportunity, and less consideration where the potential effect on equality is slight. The Equality Duty requires public bodies to think about people's different needs and how these can be met.

### EQUALITY IMPACT ASSESSMENT (EIA)

Directorate:	Executive Director	Lead officer responsible for EIA	Head of Environment Services
Name of the policy or function to be assessed:		Garden waste subscription fee increase.	
Names of the officers undertaking the assessment:		Head of Environment Services	
Is this a new or an existing policy or function?		Existing function.	
<p><b>1. What are the aims and objectives of the policy or function?</b></p> <p>The collection of garden waste is a non-statutory recycling service. The aim of the garden waste subscription fee is to assist the authority in the delivery of this service to those residents who chose to subscribe.</p> <p>The aim of the decision is to increase the cost of the annual subscription fee for garden waste collections. This will ensure:</p> <ul style="list-style-type: none"> <li>• The operation of the garden waste collection service is cost effective and efficient.</li> <li>• That garden waste disposal is diverted away from the black-lidded bin.</li> <li>• The move towards carbon neutrality by the end of 2027 and net zero for the Council's own operations is supported.</li> <li>• That households are influenced, encouraged and assisted to move towards the same carbon neutral and net zero goals.</li> </ul> <p>The main impact of these changes will be experienced by residents with gardens. Residents who live in flats, apartments or houses without gardens are not considered to be affected by the proposed change.</p>			
<p><b>2. What outcomes do you want to achieve from the policy or function?</b></p> <p>The outcome of the price increase is to operate and deliver a cost effective and efficient garden waste collection service.</p>			

Alternatives to increasing the charges are as follows:

**Stop providing the service.** This is not considered to be a viable option as 45% of households across the Borough utilise the service. At least 65% of all local authorities now charge for the collection of garden waste. In September 2023, DEFRA confirmed that Councils could continue to charge for garden waste collections.

Not continuing with the service would also have a detrimental effect on the Council's overall recycling rate.

**Provision of a free of charge service.** This is cost prohibitive. Employee, vehicle, material and fuel costs have increased, hence the need to increase current garden waste subscription charges.

**Make savings in other areas of the service to support the service.**

55% of households are not subscribed to the garden waste scheme as they live in flats, communal housing complexes, have properties with little or no garden or have decided not to subscribe. It's unfair to expect non-subscribing households to support a collection service they are not able / do not to benefit from.

### 3. Who is intended to benefit from the policy or function?

Everyone who lives in the Borough of Broxtowe.

### 4. Who are the main stakeholders in relation to the policy or function?

- Members
- General Management Team (GMT)
- Employees in the Council
- Residents

### 5. What baseline quantitative data do you have about the policy or function relating to the different equality strands?

- Garden waste subscription numbers – 22,706
- Income received from garden waste subscription fees - £923,250
- Collected garden waste tonnage: 5,600 tonnes in 2022/23
- Methodologies used by residents to subscribe to the garden waste service. – 89.6% online and automated phone system, 9.8% by telephone, 0.6% by cheque.
- Cost of operating **one** garden waste collection team for the year: £112,500

### 6. What baseline qualitative data do you have about the policy or function relating to the different equality strands?

- Complaints and compliments about the garden waste service.
- Feedback from the budget survey.

- Feedback on the service when attending local events.

**7. What has stakeholder consultation, if carried out, revealed about the nature of the impact?**

There has not been any direct public consultation with regard to this particular decision; however, a wider budget setting consultation is currently in the process of being undertaken.

**8. From the evidence available does the policy or function affect or have the potential to affect different equality groups in different ways? In assessing whether the policy or function adversely affects any particular group or presents an opportunity for promoting equality, consider the questions below in relation to each equality group:**

- **Does the policy or function target or exclude a specific equality group or community? Does it affect some equality groups or communities differently? If yes, can this be justified?**

No

- **Is the policy or function likely to be equally accessed by all equality groups or communities? If no, can this be justified?**

Yes

- **Are there barriers that might make access difficult or stop different equality groups or communities accessing the policy or function?**

All households in the Borough are written to informing them of the new garden waste seasons fee charges (this is not just previous subscribers). This is also supported by a digital campaign and information on the website.

- **Could the policy or function promote or contribute to equality and good relations between different groups? If so, how?**

N/A

- **What further evidence is needed to understand the impact on equality?**

The results of the budget consultation currently being undertaken in

November 2023 may provide additional evidence.

**9. On the basis of the analysis above what actions, if any, will you need to take in respect of each of the equality strands?**

**Age:**

An increase in garden waste subscription fees may impact elderly residents, as they maybe on a lower income.

Accessing the Household Waste and Recycling Site as an alternative to the garden waste subscription service may be more difficult for older residents, as admission to site is only by car.

Alternative options for the disposal of garden waste are:

- Home composting.
- Sharing a bin/cost with a neighbour.
- One off bulky waste collections, offered by the Council.
- Small amounts of garden waste can currently be placed in the black bin, although this should not be encouraged.

An assisted collection scheme is available for service subscribers experiencing difficulties with moving their bin.

**Disability:**

An increase in garden waste subscription fees may impact residents with disabilities, as they maybe on a lower income.

Accessing the Household Waste and Recycling Site as an alternative to the garden waste subscription service may be more difficult for residents with disabilities, as admission to site is only by car.

Alternative options for the disposal of garden waste are:

- Home composting.
- Sharing a bin/cost with a neighbour.
- One off bulky waste collections, offered by the Council.
- Small amounts of garden waste can currently be placed in the black bin, although this should not be encouraged.

An assisted collection scheme is available for service subscribers experiencing difficulties with moving their bin.

**Gender:** No impacts identified.

**Gender Reassignment:** No impacts identified.

**Marriage and Civil Partnership:** No impacts identified.

**Pregnancy and Maternity:** No impacts identified.

**Race:** No impacts identified.

**Religion and Belief:** No impacts identified.

**Sexual Orientation:** No impacts identified.

**Executive Director:**

I am satisfied with the results of this EIA. I undertake to review and monitor progress against the actions proposed in response to this impact assessment.

**Signature: Executive Director**

