



**GREEN WASTE COLLECTION SERVICE CONSULTATION  
REPORT OF DEPUTY CHIEF EXECUTIVE (COMMUNITY DIRECTION)**

**WARDS AFFECTED: ALL**

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1. PURPOSE OF REPORT

- 1 To update Council on actions following the decision on 4 November relating to a proposal to seek public consultation on the options relating to the future provision of the green waste collection service and to consider requests for budget transfer from reserves for 2015-16

2. RECOMMENDATION

- 1.1 That Council agree that in the light of the expected additional income to the Council for 2014-15 there is no need to consult on charging for green waste for 2015-16.
- 1.2 That Council approve a transfer from General Fund balances to the Waste Management Reserve of £350,000 in 2014/2015.
- 1.3 That Council approve a transfer from the Waste Management Reserve in 2015/2016 of £350,000 to fund the forecast budget pressure arising from the withdrawal of green waste recycling credits.
- 1.4 That Council note that this transfer can only occur because of one off savings arising in year as a result of large planning applications and savings in the production of the Area Action Plan. Council should acknowledge that a longer term solution must be sought to fund this budget gap from 2016/2017.

3. BACKGROUND TO THE REPORT

- 3.1 Council on 4 November 2014 considered a report on future provision of the service following withdrawal of recycling credits for green waste from Leicestershire County Council from April 2015. It also sought consent to seek public consultation on the options. The recommendations were accepted and Scrutiny Commission was requested to consider the report and agree the consultation questions
- 3.2 In the light of the current financial position, it is recommended that the Council defer consideration of the future options to enable any future proposal to take into account the budget and tax implications of the anticipated further changes to the dry recycling service funding. The increased net cost of £345,000 for the provision of the service for 2015-16 will be met by the identified surplus for 2014-15, arising largely from unbudgeted additional income to the planning service.
- 3.3 It is requested, therefore, that approval is given to the transfer of £350,000 from surplus for 2014-15 to the Waste Management Reserve, to cover the shortfall for 2015/16 only.

4. FINANCIAL IMPLICATIONS [KP]

- 4.1 The financial gap that will arise from the changes proposed by Leicestershire County Council in 2015/2016 is estimated to be £345,792 as outlined below.

	<b>£</b>
Reduction in Recycling Credits (Pressure)	-549,070
Reduction in gate fees (Saving)	203,278
Net saving/(pressure)	<b>-345,792</b>

- 4.2 It should be noted that the reduction in recycling fees in based on 2013/2014 actuals where in reality the 2014/2015 budget was set at £485,000 and therefore the true budget pressure may be seen as reduced to £281,722.
- 4.3 As at September 30th, the General Fund outturn forecast that £849,890 will be transferred from General Fund balances for 2014/2015. In considering this position it should be noted that a transfer of £1,153,000 from balances to reserves was approved by Council in July 2014. Taking this into account, a net under spend of £503,199 is forecast for 2014/2015 as indicated below. The majority of this movement has arising because of higher then budgeted planning fee income and savings on production of the Area Action Plan. Members should note that this under spend may increase depending on Business Rates collection at year end.

	<b>Transfer to/(from) Balances</b>
	<b>£</b>
Original Estimate	-200,089
Approved transfer to reserves	-1,153,000
Forecast position	-1,353,089
Current outturn position	-849,890
(Over)/ underspend	<b>503,199</b>

- 4.4 It is therefore recommended a transfer be made from these savings (currently held in General Fund balances) to the Waste Management Reserve in 2014/2015 of £350,000. This will be released from the Reserve in 2015/2016 to fund the shortfall in costs for one year ahead of decisions that may be made on Council Tax or Green Waste Charges.
- 4.5 In accordance with Constitution, all transfers to and from earmarked reserves should be approved by Council.

## 5. LEGAL IMPLICATIONS [EH]

- 5.1 A council may make a charge for the collection of green or garden waste under Section 4 of the First Schedule of the Controlled Waste (England and Wales) regulations 2012.
- 5.2 As a Best Value authority the council is under a general Duty of Best Value to “make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.” The government guidance issued on this goes on to state:

*“Under the Duty of Best Value, therefore, authorities should consider overall value, including economic, environmental and social value, when reviewing service provision...”*

*To achieve the right balance – and before deciding how to fulfil their Best Value Duty – authorities are under a Duty to Consult representatives of a wide range of local persons; this is not optional..”*

- 5.3 Under the duty to consult we are required to conduct consultation with:
- (a) Representatives of persons liable to pay any tax, precept or levy to or in respect of the authority,
  - (b) Representatives of persons liable to pay non-domestic rates in respect of any area within which the authority carries out functions,
  - (c) Representatives of persons who use or are likely to use services provided by the authority, and
  - (d) Representatives of persons appearing to the authority to have an interest in any area within which the authority carries out functions

This will need to be undertaken, and the responses considered, prior to any decision being implemented.

- 5.4 Best practice taken from other authorities who have implemented this shows a consultation undertaken on the imposition of charges (often with other “options” to be ranked) for members of the public to comment on.
- 5.5 Failure to comply with this duty would leave any decision open to challenge.

## 6. CORPORATE PLAN IMPLICATIONS

- 6.1 Green waste collections contribute to the corporate plan aim of reducing our impact on the environment.

## 7. CONSULTATION

- 7.1 Scrutiny Commission considered the proposals for charging or ceasing the green waste service as detailed above.

## 8. RISK IMPLICATIONS

- 8.1 It is the Council’s policy to proactively identify and manage significant risks which may prevent delivery of business objectives.
- 8.2 It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer’s opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.
- 8.3 The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant Risks		
Risk Description	Mitigating actions	Owner
Financial pressure on MTFS arising from the reduction in recycling credits	Allocate surplus from 2014-15 to Waste Management Reserve prior to review of service during 2015-16.	Caroline Roffey

## 9. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

- 9.1 A flat charge is recommended to ensure residents all have equal access to the service despite their geographical location.
- 9.2 Discounts are not available for those in receipt of benefits due to the additional costs which will be incurred validating eligibility for discounts, and processing different payments.
- 9.3 Those who do not pay for the service will be able to continue to recycle their green waste in the following ways:-
- Home composting
  - Using a mulch mower to grass cycle (grass cuttings are chopped very finely by the mower and then pushed down into the lawn preventing the need for their collection and removal)
  - Taking green waste to the Household waste and recycling sites (Barwell and Whetstone are the nearest for our residents)

## 10. CORPORATE IMPLICATIONS

- 10.1 By submitting this report, the report author has taken the following into account:
- Community Safety implications
  - Environmental implications (reduced recycling performance)
  - ICT implications (payment system upgrade – channel shift project)
  - Asset Management implications
  - Human Resources implications (addition staff to assist with payments / customer service built into costs)
  - Planning Implications
  - Voluntary Sector

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Background papers: None

Contact Officer: Rob Parkinson x5641  
Executive Member: Councillor Stuart Bray