

Report to the Cabinet

Report reference: C-030-2022/23

**Date of meeting: 12 December
2022**



**Epping Forest
District Council**

Portfolio: Contracts and Commissioning Portfolio (Cllr Nigel Avey)

Subject: Introduction of Charging for Additional/Replacement Waste Containers.

Responsible Officer: James Warwick (01992 564350).

Democratic Services: Adrian Hendry (01992 564246).

Recommendations/Decisions Required:

- (1) To agree to introduce charging residents for additional and replacement waste containers.**
- (2) To agree that developers cover all the costs of providing all new bins and containers (Waste and Recycling) required by a new residential development.**
- (3) To agree the following recommendations:**
 - a) That additional food and garden bins (AF&GB) are renamed 'garden waste bin'.**
 - b) That residents are charged for the assessment, issuing and delivery of additional garden waste bins.**
 - c) That residents that request a larger refuse bin above the standard service offered to residents of a 180-litre bin to be charged for the assessment, issuing and delivery of the larger waste bin.**
 - d) That if a bin is completely lost or a resident cannot produce their bin, the replacement cost should be down to the resident. However, where a bin can be repaired the repair will continue to be free of charge to residents.**

Executive Summary:

The current open-ended policy concerning waste containers has always created a constant demand for additional waste containers especially when there is no cost that affects the resident. The waste management team believe that current revenue costs can be reduced if the above recommendations are introduced.

Reasons for Proposed Decision:

Epping Forest District Council is facing financial challenges and is always striving to reduce costs of services and identify efficiencies. The cost of the Waste Management Contract continues to rise and present challenges, therefore a review of the options to reduce existing waste container costs has been undertaken. The review recommends that Epping Forest District Council introduces charges to residents for additional and replacement waste containers.

We have benchmarked with other Local Authorities and found that in line with the best practice elsewhere, many Local Authorities now charge residents for replacement containers when bins are

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reported lost or stolen. It is believed that residents look after the containers better and keep them off the streets between collections to avoid the replacement costs. This promotes the tidier streets which are so important to our residents.

Other Options for Action:

Do nothing and continue to supply additional and replacement waste containers free of charge. The costs of this will increase year and year and put a financial strain on the waste contract and Epping Forest District Council.

Report:

1. Under the Environment Protection Act 1990 we can require residents to present their waste in a proscribed way and in containers that we specify. Under this legislation we may charge for the issue of containers. This authority has never charged for replacement containers and only on certain occasions for new developments. Since the introduction of wheeled bins, the costs have increased in line with manufacturing increases and the free availability of replacement wheeled bins and other waste containers have resulted in a high demand and costs to Epping Forest District Council. The numbers of replacement/additional waste containers and the costs for the last three calendar years are shown in Appendix A.

2. The current open-ended policy concerning waste containers has always created a constant demand for additional waste containers especially when there is no cost that affects the resident. The waste management team have had to spend time and money removing additional unauthorised waste containers where residents have ordered replacements because they are lost but then the waste management team find that residents still have their original bins and present them for collection with the new replacement container.

3. There are four main categories of requests that require Epping Forest District Council to pay for additional or replacement waste containers and the options below relate to one off charges.

- **Additional food & garden bins (AF&GB)**

4. The issuing of these bins to residents is currently suspended for the foreseeable future. If they are started again the following will be automatically implemented if agreed.

These are issued to residents who report that they cannot cope with their garden waste and that they comply with policy criteria. A number of other Local Authorities charge for the collection and the containers of garden as allowed under legislation.

5. This report recommends that the additional food and garden bins (AF&GB) are renamed 'garden waste bin'. The reason for this is that request for additional containers in these instances relate to additional garden waste and not food waste. The waste management team have not had an instance of one property out of the 1,679 assessments carried out (and out of those 610 authorised), where additional food and garden bins ever produce more than 180 litres of food waste per week. The additional waste generate is purely garden waste.

6. As the garden waste bin is above the standard service offered to residents of a 180-litre bin the costs of providing this is recharged to the resident. The report does not propose to charge for the collection of garden waste but does recommend that residents are charged for the assessment, cost of the wheeled bin and delivery of the larger/additional garden waste bins.

- **Larger refuse bins**

7. It is recommended that residents that request a larger refuse bin above the standard service offered to residents of a 180-litre bin to be charged for the assessment, cost of the wheeled bin and delivery of the larger waste bin if the requested is acceptable in line with current policy criteria.

- **Replacement bins**

8. It is recommended that if a bin is completely lost or a resident cannot produce their bin, the replacement costs should be down to the resident. However, where a bin can be repaired the repair will continue to be free of charge to residents.

9. If a resident reports that a bin is broken, waste management will require for the residents to state what is broken e.g., wheels, lids etc so that they can book an effective repair. This has been discussed with Customer Services and forms have been updated if this report is approved. Instances where waste management do not know what the issue is, a site visit will be carried out to make an assessment as to whether the bin can be repaired or needs to be replaced. There are no additional resource implications or costs associated with the bin repair service, as this is done through the current contract arrangements and resources.

10. This requirement to the repair system to state the damage to a wheeled bin will apply to individual properties where bins and containers are issued to a single property including houses in multiple occupation (HMO's) but not properties served by communal bins of 660 litre and larger. The existing policy will continue.

- **Medical and other containers.**

11. These bins and containers should remain free of charge.

- **New Developments**

12. The recommendation that developers cover all the costs of providing all (Waste & Recycling) new bins and containers required by a new residential development. When a developer looks at building new properties, they must consider additional costs in addition to actual building costs such as landscaping and S106. It has become common practise across the country that any new properties incorporate the costs of providing all the waste facilities needed for the new properties. Currently developers pay for the bin compounds, dropped kerbs and all refuse containers above 660 litres. This report recommends extending this obligation to cover all recycling containers and smaller wheeled bins. These powers are granted to us under the Environmental Protection Act 1990.

Resource Implications:

The waste management team estimated that current revenue costs can be reduced if the above recommendations are introduced. This would present cost savings of approximately £25,000 per year based on the previous three years costs. It is proposed that a further report on the savings is made once a full year has been completed with the new changes.

Legal and Governance Implications:

Under the Environment Protection Act 1990 we can require residents to present their waste in a proscribed way and in containers that we specify. Under this legislation we may charge for the issue of containers.

Safer, Cleaner and Greener Implications:

The proposals listed in the report will have a positive impact on the street scene in the District.

There are no adverse implications arising from the recommendations of this report in respect of the Council's commitment to the Climate Local Agreement, the corporate Safer, Cleaner, Greener initiative, or any crime and disorder issues within the district.

Consultation Undertaken:

This report has been presented to the Waste Management Partnership Board and Stronger Place Select Committee.

Background Papers:

None

Risk Management:

None

Appendix A – The numbers of replacement/additional waste containers and the costs for the last three calendar years

Year	Replacement/Additional Waste Containers Costs	Number of Bins
2020	£83,308.61	3776
2021	£78,126.93	3317
2022	£66,377.67	3103*
Total	£227,813.21	10,196

*To date

Equality Impact Assessment

1. Under s.149 of the Equality Act 2010, when making decisions, Epping District Council must have regard to the Public Sector Equality Duty, ie have due regard to:
 - eliminating unlawful discrimination, harassment and victimisation, and other conduct prohibited by the Act,
 - advancing equality of opportunity between people who share a protected characteristic and those who do not,
 - fostering good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.
2. The characteristics protected by the Equality Act are:
 - age
 - disability
 - gender
 - gender reassignment
 - marriage/civil partnership
 - pregnancy/maternity
 - race
 - religion/belief
 - sexual orientation.
3. In addition to the above protected characteristics you should consider the cross-cutting elements of the proposed policy, namely the social, economic and environmental impact (including rurality) as part of this assessment. These cross-cutting elements are not a characteristic protected by law but are regarded as good practice to include.
4. The Equality Impact Assessment (EqIA) document should be used as a tool to test and analyse the nature and impact of either what we do or are planning to do in the future. It can be used flexibly for reviewing existing arrangements but in particular should enable identification where further consultation, engagement and data is required.
5. Use the questions in this document to record your findings. This should include the nature and extent of the impact on those likely to be affected by the proposed policy or change.
6. Where this EqIA relates to a continuing project, it must be reviewed and updated at each stage of the decision.
7. **All Cabinet, Council, and Portfolio Holder reports must be accompanied by an EqIA.** An EqIA should also be completed/reviewed at key stages of projects.
8. To assist you in completing this report, please ensure you read the guidance notes in the Equality Analysis Toolkit and refer to the following Factsheets:
 - Factsheet 1: Equality Profile of the Epping Forest District
 - Factsheet 2: Sources of information about equality protected characteristics
 - Factsheet 3: Glossary of equality related terms
 - Factsheet 4: Common misunderstandings about the Equality Duty
 - Factsheet 5: Frequently asked questions
 - Factsheet 6: Reporting equality analysis to a committee or other decision making body

Section 1: Identifying details
Your function, service area and team: Contracts (Waste Management)
If you are submitting this EqIA on behalf of another function, service area or team, specify the originating function, service area or team: N/A
Title of policy or decision: Charging for additional/replacement waste containers
Officer completing the EqIA: David Marsh Tel: Email: dmarsh@eppingforestdc.gov.uk
Date of completing the assessment: 24/10/22

Section 2: Policy to be analysed	
2.1	<p>Is this a new policy (or decision) or a change to an existing policy, practice or project?</p> <p>New policy decision.</p>
2.2	<p>Describe the main aims, objectives and purpose of the policy (or decision): Epping Forest District Council is facing financial challenges and is always striving to reduce costs of services and identify efficiencies. The cost of the Waste Management Contract continues to rise and present challenges, therefore a review of the options to reduce existing waste container costs has been undertaken. The review recommends that Epping Forest District Council should introduces charges to residents for additional and replacement waste containers.</p> <p>We have benchmarked with other Local Authorities and found that in line with the best practice elsewhere, many Local Authorities now charge residents for replacement containers when bins are reported lost or stolen. It is believed that residents look after the containers better and keep them off the streets between collections to avoid the replacement costs. This promotes the tidier streets which are so important to our residents.</p> <p>What outcome(s) are you hoping to achieve (ie decommissioning or commissioning a service)? Reduce costs of waste contract and free capacity.</p>
2.3	<p>Does or will the policy or decision affect:</p> <ul style="list-style-type: none"> • service users • employees • the wider community or groups of people, particularly where there are areas of known inequalities? <p>Residents will receive the same level of services as they currently do from the Waste Contract and reduce the cost of the service.</p>

	<p>Will the policy or decision influence how organisations operate?</p> <p>Yes, implement efficiencies, savings and an improvement in services.</p>
2.4	<p>Will the policy or decision involve substantial changes in resources?</p> <p>Resource and costs savings to EFDC</p>
2.5	<p>Is this policy or decision associated with any of the Council's other policies and how, if applicable, does the proposed policy support corporate outcomes?</p> <p>Climate Change Action Plan and Policy</p>

Section 3: Evidence/data about the user population and consultation¹

As a minimum you must consider what is known about the population likely to be affected which will support your understanding of the impact of the policy, eg service uptake/usage, customer satisfaction surveys, staffing data, performance data, research information (national, regional and local data sources).

3.1	<p>What does the information tell you about those groups identified?</p> <p>The current contract serves all residents of the District and all residents can access EFDC's waste collection service</p>
3.2	<p>Have you consulted or involved those groups that are likely to be affected by the policy or decision you want to implement? If so, what were their views and how have their views influenced your decision?</p> <p>N/A</p>
3.3	<p>If you have not consulted or engaged with communities that are likely to be affected by the policy or decision, give details about when you intend to carry out consultation or provide reasons for why you feel this is not necessary:</p> <p>N/A</p>

Section 4: Impact of policy or decision

Use this section to assess any potential impact on equality groups based on what you now know.

Description of impact	Nature of impact Positive, neutral, adverse (explain why)	Extent of impact Low, medium, high (use L, M or H)
Age	Neutral This service is for all residents regardless of age.	L
Disability	Neutral The service is for all residents and assisted collections can be arranged	L
Gender	Neutral The service is available to all residents.	L
Gender reassignment	Neutral The service is available to all residents.	L
Marriage/civil partnership	Neutral The service is available to all residents.	L
Pregnancy/maternity	Neutral The service is available to all residents.	L
Race	Neutral The service is available to all residents.	L
Religion/belief	Neutral The service is available to all residents.	L
Sexual orientation	Neutral The service is available to all residents.	L

Section 5: Conclusion

		Tick Yes/No as appropriate	
5.1	Does the EqIA in Section 4 indicate that the policy or decision would have a medium or high adverse impact on one or more equality groups?	No	
			If 'YES', use the action plan at Section 6 to describe the adverse impacts and what mitigating actions you could put in place.

Section 6: Action plan to address and monitor adverse impacts

What are the potential adverse impacts?	What are the mitigating actions?	Date they will be achieved.

Section 7: Sign off

**I confirm that this initial analysis has been completed appropriately.
(A typed signature is sufficient.)**

Signature of Head of Service: 

Date: 24/10/22

Signature of person completing the EqIA: DAVID MARSH

Date: 24/10/22

Advice

Keep your director informed of all equality & diversity issues. We recommend that you forward a copy of every EqIA you undertake to the director responsible for the service area. Retain a copy of this EqIA for your records. If this EqIA relates to a continuing project, ensure this document is kept under review and updated, eg after a consultation has been undertaken.

