

Cabinet Member for Environment	Ref No: ENV04 (17/18)
September 2017	Key Decision: Yes
Charges at Household Waste and Recycling Sites	Part I
Report by Executive Director Economy Infrastructure and Environment and Director of Energy Waste & Environment	Electoral Divisions: All

Summary

In 2016 West Sussex County Council's Waste Department carried out a review of services and undertook a public engagement exercise regarding proposals to change the way it delivers services to residents at its Household Waste and Recycling sites (HWRSs), including charging for 'non household' waste

In April 2017 these charges were suspended following the publication of the Government's Litter Strategy where the Government signalled its intention to a review HWRS charging policy and law later in 2017. However this review appears to have been pushed back and a new timeframe is not known.

To clarify the situation for the public it is now proposed that the County Council will not charge for the DIY element of 'non household' waste.

Recommendations

That the Cabinet Member approves the following changes to the Household Waste Recycling Services in West Sussex with effect from 1 October 2017 and until further notice:

- i. Charges for the disposal of Construction Waste such as Soil, Hard-core, DIY and plasterboard waste will not apply.
- ii. To maintain the charging for the disposal of Car and Van Tyres

Proposal

1. Background and Context

- 1.1. In 2016 the Council introduced charges for "Non Household" waste consisting of construction/demolition type waste such as soil, hard-core, DIY and plasterboard waste and for car and van tyres. These mirrored charges introduced by many Waste Disposal Authorities (WDAs) in England
- 1.2. In April 2017 following the publication of the Government's "Litter Strategy" it was decided to suspend the charges at West Sussex HWRSs
- 1.3. Whilst the County Council, along with other Waste Disposal Authorities, consider these charges were legally applied, the Government raised concerns about charging for the disposal of DIY Waste, which does not have

a legal definition. The government suggested that this would include waste, which is generated from activities which would normally be carried out by a householder

- 1.4. The Government stated its intention to publish revised guidance by the end of 2017. However we understand this timeframe has been pushed back that the *earliest* expected date would now be spring 2018
- 1.5. It is anticipated the guidance will propose changes in law to clarify what can and cannot be charged for at HWRSSs, particularly in respect of "DIY waste".

2. Proposal

- 2.1 Initially, it was proposed to suspend the charges and review again when the Government's guidance was available. However, with the delay in publishing the guidance, the uncertain position regarding charges risks public confusion. It is therefore decided to formally confirm that construction type waste such as soil, hard-core, DIY and plasterboard waste will not be subject to charges.
- 2.2 As the charge for motor vehicle tyres is not under question it is proposed to continue with this charge.
- 2.3 The Council will review its charging policy from time to time, particularly if and when there is future clarity and a subsequent change in law.

3. Resources

- 3.1 The 2016 decision was based on an anticipated budget saving from charging of £1,160,350 per annum.
- 3.2 To mitigate concerns regarding the possibility of increased fly tipping, a sum of £137,264 had been allocated for the employment of two enforcement Officers. These posts, which are currently vacant, and associated support costs, will no longer be required so the loss of savings will be £1,023,086.
- 3.3 The anticipated savings was reduced by £280,000 during the 17/18 budget process to reflect current demand. Therefore the net impact of this decision creates pressure of £723,086 on the budget.

Factors taken into account

4. Consultation

- 4.1 There has been no direct consultation associated with this decision however the Cabinet Member and the Council in general has received considerable representation on the issue, largely objecting to the charges, from the public and other members of the Council

5. Risk Management Implications

- 5.1 There are no identified Risk Management Implications.

6. Other Options Considered

6.1 Options for realising alternative savings from the service, with a view to minimising any impact on West Sussex Residents, is being considered as part of the Waste Team work programme and will be shared with members in due course.

7. Equality Duty

7.1 An Equality Impact Report is not required as this report is dealing with a procedural matter.

8. Social Value

8.1 A social value report is not required as this decision does not involve a procurement process.

9. Crime and Disorder Act Implications

9.1 The introduction of charges generated concerns about increased fly tipping across the County. The removal of the charges should reduce this concern.

10. Human Rights Implications

10.1 There are no identified Human Rights Act implications.

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