



Environment Committee

20 January 2020

Title

Garden Waste Collections – Introduction of Charges

Report of

Chairman of Environment Committee

Wards

All

Status

Public

Urgent

No

Key

Yes

Enclosures

Appendix A: Report of Public Consultation
Appendix B: Equalities Impact Assessment

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Summary

Barnet Council has recently worked with the Mayor of London to identify mechanisms by which Barnet can deliver the aims of the Mayor's London Environment Strategy (LES) via the Council's Reduction and Recycling Plan (RRP). The introduction of Garden Waste Charging has been identified as an important enabler for the delivery of the initiatives in the RRP.

Over the next five years the Council needs to save over £70 million from its revenue budget. Environmental services has a target of £15.1 million to contribute towards this savings figure. In order to achieve Medium Term Financial Strategy savings targets the Council has considered the possibility of introducing charges for household garden waste collections, which is not a statutory service.

Charging for garden waste collections has the potential to deliver net savings to relieve

financial pressures on the Street Scene service and protect the overall quality of environmental services into the future. It would also enable the Council to continue the additional investment of £500k in street cleansing, continue the ongoing capital investment in upgrading roads and pavements, and, subject to take up of the service, potentially enable further investment in improving the cleanliness of the borough which is a top resident and political priority.

Many Councils across the UK (59%) already charge their residents to use their garden waste service, including all of Barnet's neighbouring boroughs. The Council launched a public consultation on garden waste charging to gather residents' views on the issue. This consultation started on 10 October and concluded on 22 November 2019. The response rate to the consultation was high compared to other consultations that the council has undertaken with 6,517 residents taking part.

Considering the outcomes from the consultation alongside the Council's need to deliver the savings, and the aim to continue to invest in priorities within the environment portfolio it is proposed that the authority introduces charges for the garden waste collection service for all properties that choose to opt in to this service, from 6 April 2020. As part of this the Council would also promote home composting and other alternatives.

Officers Recommendations

- 1. That the Environment Committee considers this report, the consultation report (appendix A and section 6) and equalities impact assessment (appendix B and section 5.6) and agrees the introduction of charges for household garden waste collections.**
- 2. That the Environment Committee agrees the following elements of the service:**
 - **The service will become chargeable from 6 April 2020.**
 - **There will be up to 23 collections a year, the service year will run from April.**
 - **The charge will be a fixed charge of £70 per bin per year, payable through credit or debit card.**
 - **Authority to be delegated to the Interim Executive Director of Environment in consultation with the Chairman of the Environment Committee authority to agree the level of any discounted charge for additional garden waste bins beyond the first bin.**
 - **Sign up to the service will be online although assistance will be given when required.**
 - **Stickers will be used to identify bins that have been paid for.**
 - **Existing Household Recycling & Waste Policies relating to contamination of refuse and recycling bins will be applied.**
- 3. To delegate to the Interim Executive Director of Environment in consultation with the Chairman of the Environment Committee authority to implement the decision of the Committee and make any necessary alterations to the proposals of this report.**

1. WHY THIS REPORT IS NEEDED

This report is required to enable Elected Members to consider the outcomes from the public consultation exercise (see appendix A and section 6) and the equalities impact assessment (see appendix B and section 5.6) for the possible introduction of charges for household garden waste collections and next steps.

- 1.1 On 31 May 2018 the Mayor for London published his London Environment Strategy (LES). Under the Mayor of London's Environment Strategy (LES) all London Boroughs are required to develop a Reduction and Recycling Plan RRP covering the period 2018 – 2022. These RRP's must demonstrate how London Boroughs will work towards the objectives of the LES.
- 1.2 Barnet is aiming to achieve the service standards of the Mayor of London's LES via the Council's RRP by 2022. In meeting these standards, the Council will incur significant additional service costs. Within the LES there is no funding put forward by the Mayor of London to achieve these outcomes. The LES goes so far as to state that - "Unprecedented funding cuts to local authority budgets has stifled investment in waste and recycling collection services, as boroughs are forced to make savings... Without a guarantee of further funding and fast action from government, it will not be possible for London, or England, to meet statutory waste targets".

London Environment Strategy (LES) Expectations

- 1.3 The LES introduced an expectation that all Local Authorities in London would carry out a number of the following policies/proposals:

"Policy 7.2.1 Increase recycling rates to achieve a 65 per cent municipal waste recycling rate by 2030"

Proposal 7.2.1.a *The Mayor will set targets for local authority collected waste, a minimum level of service for household waste recycling collections and hold a contract register of waste authority waste contracts. The Mayor expects waste authorities to collectively achieve a 50 per cent LACW* [Local Authority collected waste] recycling target by 2025 and aspire to achieve:*

- *a 45 per cent household waste recycling rate by 2025*
- *a 50 per cent household waste recycling rate by 2030*

To help them achieve the recycling targets, waste authorities should deliver the following minimum level of service for household recycling:

- *all properties with kerbside recycling collections to receive a separate weekly food waste collection*
- *all properties to receive a collection of, at a minimum, the six main dry recycling materials, i.e. glass, cans, paper, card, plastic bottles and mixed rigid plastics (tubs, pots and trays)*

Waste authorities will need to demonstrate how they will meet the above minimum level of service by 2020 (at the latest), and also look to provide separate food waste collections to flats where feasible. They should also collect other items for recycling from

households, such as small electrical waste, foil, tetra packs and garden waste, where it makes sense to do so.

Waste authorities are expected to provide the minimum level of service to nondomestic properties, including schools and public organisations. Some waste authorities have experienced cost savings and recycling improvements from reduced collection of residual waste, through reducing bin sizes or changing the frequency of collections. The Mayor encourages waste authorities to consider such interventions”.

“Proposal 7.2.1.b The Mayor expects local authorities to develop reduction and recycling plans by 2020, which should include local reduction and recycling targets that contribute to the Mayor’s London-wide targets education and recycling plans should reflect borough circumstances. They should also take account of WRAP modelling, which estimated the household waste recycling rate that each waste authority could realistically achieve through implementing the Mayor’s minimum level of service and restricting residual waste.”

In addition, Local Authorities are encouraged to:

- 1.4 Consider a range of measures to restrict residual waste, for example through smaller bin containers or changes to collection frequency.
- 1.5 Extend minimum level* of household service to non-domestic properties (for example schools, and government departments, and businesses).
- 1.6 Garden waste collections or activities supporting community or home composting. Through the waste section of the LES the Mayor of London sets out various ambitions and targets for London between 2020 and 2030. These include:

Table 1: LES Targets and Aspirations

| Target Date | LES Target Description |
|-------------|--|
| 2020 | <i>“The Mayor expects local authorities to develop reduction and recycling plans by 2020, which should include local reduction and recycling targets that contribute to the Mayor’s London-wide targets”</i> |
| 2020 | <i>“Waste authorities will need to demonstrate how they will meet the ... minimum level of service by 2020 (at the latest)” *</i> |
| 2025 | <i>“The Mayor expects waste authorities to collectively achieve a 50 per cent LACW** recycling target by 2025”</i> |
| 2025 | <i>“Aspire to achieve 45 per cent household waste recycling rate by 2025”</i> |
| 2030 | <i>“The Mayor expects London to achieve an overall 65 per cent municipal waste recycling rate (by weight) by 2030”</i> |
| 2030 | <i>“minimum of 75 per cent business waste recycling by 2030 (Policy 7.2.2)”</i> |

| | |
|------|--|
| 2030 | <i>“Aspire to achieve 50 per cent household waste recycling by 2030”</i> |
|------|--|

*The minimum level of service includes, six main dry recycling materials collected from all properties, separate food waste collections, including from flats where practical and cost effective and focus on improving performance from flats.

**LACW – Local Authority Collection Waste. All household and commercial waste which local authorities collect, including street cleansing waste.

- 1.7 Following discussions with the Mayor’s Office that arose out of the Council’s decision to suspend food waste collections, it was agreed that Barnet and the GLA would jointly commission an independent review on Barnet’s Waste and Recycling Service. This independent review was funded by the Mayor’s Office and assisted Barnet with identifying options to consider for the Borough’s RRP, to support the Mayor of London’s LES.
- 1.8 The independent review also identified the requirement for additional financial resource to be available to enable the delivery of the Council’s RRP. The review noted both the introduction of a chargeable Garden Waste service and the reduction in residual waste collection frequency from weekly to fortnightly as options to potentially relieve financial pressures to allow the delivery of the RRP. As Barnet considers it is important to retain weekly residual waste collections, the chargeable garden waste service is now the most appropriate option to take forward. It should also be noted that many other councils have already introduced a chargeable service. If it is decided to introduce charges to the garden waste service, the Council will monitor any effect on tonnages collected and the recycling performance levels and continue to promote recycling as its preferred option. The 11 September 2019 Environment Committee Reduction and Recycling Plan (RRP) report and Independent Consultant’s report are available to view in the background papers.
- 1.9 The Council currently provides a fortnightly collection of green garden waste bins as part of an opt-in service, with no additional charge to users of this service. There are circa 75,000 garden waste bins in circulation. The free collection of garden waste is not a statutory service that the council has to provide by law. The garden waste service is not used by all residents and is an opt-in service used by 58% of street-level properties (Waste Participation Analysis, April/May 2015).
- 1.10 As with all other Council services, Environmental Services has savings targets to meet to ensure that the council is able to set a balanced budget and continue to sustain services and to invest in service improvements. Over the next five years the council needs to save over £70 million. Environmental services have a target to contribute £15.1 million towards the council’s savings. Charging for the garden waste collections is one of the proposals that will help the Council meet this requirement. It has the potential to deliver net savings in excess of £800,000 a year depending on the uptake of the service.
- 1.11 In February 2019 the Government’s consultation on Consistency in Recycling Collections in England included questions on whether local authorities should provide a free garden waste collection service for households with gardens (see section 5.4.5). 80% of individuals agreed with the proposals for a free garden waste collection for households with gardens. By comparison, only 38% of stakeholders agreed with this proposal, including only 20% of local authorities. The most common concern raised by local authorities and others was the financial implications of providing a free service and the

potential loss of income this might represent. Some respondents also commented that a free garden waste collection could mean that those without gardens were supporting a subsidised service for those with gardens.

The Environment Bill published by the government on 15 October 2019 makes no reference to charges for garden waste collections.

- 1.12 If income cannot be raised by introducing this proposal then savings or income will need to be found from other Environmental services, or other wider Council services. Specifically, it would mean that the additional investment in street cleansing would need to be reduced, along with the capital investment in improved roads and pavements across the borough.
- 1.13 The Council is proposing that the service will operate on the same basis as the current green garden waste collection service, with fortnightly collections of 240 litre green garden waste bins. However, those residents who choose to opt in to continue to receive the service will pay an annual subscription fee for up to 23 collections. Payment will be made primarily online via the council website through credit or debit cards, and those who sign up will be issued with a coloured sticker to identify the bin as being opted into the service for the year for which payment is made. It is proposed that the service year would run for 12 months from April 2020, with a pause during the winter season as has been standard practice in recent years. Black refuse bins and blue recycling bins containing garden waste will not be collected.
- 1.14 Of the 368 local authorities in the UK which offer regular kerbside collections of domestic garden waste, 217 (59%) charge annually.
- 1.15 Of the 33 London Boroughs, 20 charge for this service. London Boroughs that charge include the boroughs of Brent who charge £60, Bromley who charge £60, Enfield who charge £65, Haringey who charge £75, Harrow who charge £75 and Kensington & Chelsea who charge £66.30 annually. The average charge made by boroughs that are part of the North London Waste Authority is £70 per annum.
- 1.16 Currently, 100 Councils (27%) in the UK provide a regular garden waste service at no charge, eight (24%) London Boroughs provide a service free of charge to their residents, while 5 (15%) London Boroughs do not provide a separate garden waste collection service. 311 (83%) councils in England operate a fortnightly collection service of their garden waste (BBC Research, 2019).

2. REASONS FOR RECOMMENDATIONS

- 2.1 The Council is legally allowed to levy a reasonable fee for the collection of garden waste and a number of authorities have already introduced this charge. The introduction of such a charge is consistent with Barnet's environment strategy, its Reduction and Recycling Plan, and the need to support the council's work to address financial pressures.
- 2.2 Charging for the service is expected to encourage more residents to compost their garden waste at home, this is the most environmentally favourable way to treat garden waste as this reduces the reliance on collection vehicles, transportation and treatment

infrastructure. The council has and will continue to promote home composting as part of any communications to residents, if it is decided to introduce charges.

2.3 Environment Committee of November 2018 reviewed the Business Planning 2019/2024 Report. This included a recommendation to approve the launch of a public consultation regarding the introduction of charging for the collection of domestic garden waste, which was agreed. The report outlined savings targets of £550,000 2019/20 and £150,000 for 2020/21 for chargeable garden waste collections. The savings target has subsequently been revised to £800,000 from 2020/2021.

2.4 Recommended Option

2.4.1 The consultation results showed a substantial response against the proposal to introduce charges, although these objections were at a similar level to that seen when other proposals have been put forward to generate savings or revenue. The level of objections is also in line with the response to the government's consultation on Consistency in Recycling Collections in England (see section 5.4.5).

2.4.2 The Council considers that the introduction of charges will support actions and behaviours that contribute to the Reduction and Recycling Plan. This charge will contribute to the costs of waste collection and other environmental services. The council has considered the rate of the charges and believes that £70 is in line with other councils and is a reasonable fee. The consultation responses (see section 6.8.7) indicated that 37.4% of respondents who said they currently use the service would continue to use it if a charge was introduced, and this is a relatively positive level of response compared with the take up rates seen in other London Boroughs.

2.4.3 There is a risk of an increase in garden waste being placed into refuse or recycling bins. The Council's Household Recycling and Waste Policies set out that where containers are found to contain unsuitable items they will be classed as contaminated and will not be emptied until the incorrect items are removed, or a charge for the collection of the bin's contents as refuse is paid. Garden waste is defined as those materials that the council collects through the garden waste collection service as set out on the council's website. Where garden waste is placed in refuse or recycling bins, these bins will be treated as being contaminated. A monitoring and enforcement plan will be put in place if it is decided to introduce charges, to address any incidents of garden waste being placed in refuse and recycling bins.

2.4.4 It is recommended that it is agreed that charges are introduced from April 2020. Residents would be given advance notice that charges are to be introduced through a range of communications, and those signing up to the service would receive bin stickers to identify their bins for collection. There would be a charge made for each bin that is to be collected once the service becomes chargeable. The sign-up process would be online, with supporting information and terms and conditions being made available. Alternatives that would be available to residents who choose not to sign up to a chargeable service include home composting (home composting bins are available via the council's website at discounted prices) and taking garden waste to the Reuse and Recycling Centre. Information on alternatives for those residents who do not sign up would be made available. Policy will be developed in relation to garden waste bins that are no longer required by residents who choose not to sign up to a chargeable service (see section 4.6).

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 The Council has considered responses from residents to the consultation regarding charges for garden waste. These suggestions are not considered viable by the Council.
- 3.2 Stop the service altogether – some local authorities in the UK do not provide a household garden waste collection service, as this is not a statutory service. However, it is recognised that Barnet has a significant proportion of properties with a garden and the council wishes to continue to offer this service as it is preferable that residents have the option to pay to continue to have a service.
- 3.3 Reduce budgets for other Environmental services – Efficiencies have already been made in other Environmental services and any further reductions in budgets may affect the breadth and quality of services provided to other residents.
- 3.4 Reduce budgets for other services within the Council - Environmental services will need to contribute £15.1 million towards this savings target, other services also have challenging savings targets and any rebalancing of savings target allocations would need to be carefully assessed.
- 3.5 Reduce collection frequency – The Council does not consider a reduction of the frequency of the garden waste bins a suitable option.
- 3.6 Better financial management/efficiency savings – The Council is already working continuously to provide services as efficiently and as cost effectively as possible.

4. POST DECISION IMPLEMENTATION

- 4.1 If Environment Committee agrees to introduce garden waste charging, it is proposed that charges are introduced and become effective from 6 April 2020. From this date only those bins for which a charge has been paid will be emptied.
- 4.2 Communications would be issued to residents about the changes to the service in February to maximise the amount of time available to them to join the service should they choose to and to communicate the time period during which those wishing to join the chargeable service will need to make payment. Communications could include: leaflets, letters and/or postcards to be delivered to all residents, social media campaign, posters in libraries and leisure centres, street posters, voice recorded message on the Customer Support telephone service, an article in Barnet First, advert and e-newsletter, an article in Barnet Homes magazine “At Home”, Communities Together Network newsletter, website updates and FAQ’s, an advert in Barnet Times, emailed information to charities, organisations including allotment groups, and Friends of Parks groups, the school circular and a press release. An update would be provided to all Members.
- 4.3 Internal staff communications could assist in promoting the scheme given the significant number of council staff that are Barnet residents, and this could include: information on computer desktop backgrounds, internal service newsletters, Intranet article, First team email, Chief Executive’s weekly email, crew memos and staff briefings.

- 4.4 A webform would be created and uploaded onto the Council website to allow residents to sign up and pay for the service online. The primary mechanism for residents to sign up and make payments would be online via the Council's website, and this is supported by the results of the consultation questionnaire which showed that 87.3% of respondents stated that they could sign up online including with the help of family, friend or neighbour. The Council wishes to ensure that customers can access services and as such the Council will investigate an exception process via the telephone for those residents who cannot access the online payment system.
- 4.5 A bin sticker supplier will need to be procured in order to help deliver the garden waste service. Stickers would be provided following successful payment of charges. A date will be defined by which residents would make payment in order to receive their sticker in time for the introduction of charges, to avoid any gap in their service. Any residents joining after this date may have a gap in their service. The sticker supplier will need to comply with defined specifications, which includes printing and delivering the stickers to each resident who subscribes by post within a defined period.
- 4.6 Policy will be developed in relation to garden waste bins that are no longer required by residents who choose not to sign up to a chargeable service. This will include allowing residents to keep their bins or arrange for the collection and recycling of the bins in an appropriate manner in line with the Council's approach to recycling.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

5.1.1 There is the potential for a reduction in the percentage of household waste recycled, compost or reused. Where residents choose not to join the chargeable service and take their garden waste to the Reuse and Recycling Centre, this will still support the achievement of the Councils recycling targets. Home composting bins would be promoted, these are available at a discounted rate to Barnet residents. Where residents choose to compost at home, this will not support the achievement of the Councils recycling targets but is the most environmentally beneficial method of dealing with garden waste.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

5.2.1 Finance and value for money – The key financial expenditure for the introduction of charges is related to the procurement and purchase of stickers to identify paid for bins, and extensive communications to ensure that all residents are provided with all the necessary information on garden waste charges. Assuming a charge of £70 was introduced from April 6, a take up rate of 10% of the circa 75,000 households that have green bins would generate £525,000 income, a 15% take up would generate £787,500 income. If there was a 20% take up rate this would if achieved generate £1,050,000 and if there was a take up of 30%, this would generate £1,575,000. However, the take up rate may be higher or lower than this. A report will be made to the Committee after the first year of operation so that this can be reviewed.

5.2.2 Procurement – It would be necessary to procure a service provider to produce and deliver bin identification stickers.

- 5.2.3 Staffing – It is not anticipated that there would be any implications on permanent staff. If appropriate staff may be reallocated to other elements of service delivery. It is not envisaged that there would be any redundancies as a result of this recommendation.
- 5.2.4 IT – There will be a requirement for an online system for residents to join the chargeable service and make payment. This would be facilitated by the Customer Support Group (CSG).
- 5.2.5 Property – There would be no property implications.
- 5.2.6 Sustainability – There is a possibility that the tonnage of garden waste that is collected for recycling will reduce. Garden waste will not be collected in refuse and recycling bins and therefore, the options of taking part in the chargeable service, taking the garden waste to the Reuse and Recycling Centre, and composting at home all promote the sustainable management of this waste stream. There is an increased risk of negative air quality effects if residents decide to not join the service and instead dispose of their garden waste using bonfires. There is no legislation against domestic bonfires, and although the council may investigate compliance of nuisance, this risk cannot be eliminated.

5.3 Social Value

- 5.3.1 There are no social value implications.

5.4 Legal and Constitutional References

- 5.4.1 Section 45(1) of the Environmental Protection Act 1990 states:
- (1) It shall be the duty of each waste collection authority—
- (a) to arrange for the collection of household waste in its area except waste—
- (i) which is situated at a place which in the opinion of the authority is so isolated or inaccessible that the cost of collecting it would be unreasonably high, and
- (ii) as to which the authority is satisfied that adequate arrangements for its disposal have been or can reasonably be expected to be made by a person who controls the waste;
- (b) if requested by the occupier of premises in its area to collect any commercial waste from the premises, to arrange for the collection of the waste.

Section 46 of the Environmental Protection Act 1990 states:

Where a waste collection authority has a duty by virtue of section 45(1)(a) above to arrange for the collection of household waste from any premises, the authority may, by notice served on him, require the occupier to place the waste for collection in receptacles of a kind and number specified.

The kind and number of the receptacles required under subsection (1) above to be used shall be such only as are reasonable but, subject to that, separate receptacles or compartments of receptacles may be required to be used for waste which is to be recycled and waste which is not dry recyclable waste, any dry waste stream, food waste, or any other waste which is to be recycled.

- 5.4.2 The revised Controlled Waste (England and Wales) Regulations 2012 set out what charges local authorities can make for waste collection and waste disposal. Under these

regulations local authorities can make charges for the collection of garden waste from households.

- 5.4.3 In February 2019 the Government issued three consultations. The consultations were linked to the Government's proposals to implement the national Resources and Waste Strategy.
- 5.4.4 The consultation on Consistency in Recycling Collections in England included questions on whether local authorities should provide a free garden waste collection service for households with gardens (Consultation proposal 7).
- 5.4.5 The Government's response in July 2019 on the consultation outcomes in relation to garden waste was as follows:

Consultation proposal 7 collection of garden waste: Whether households generating garden waste should be provided with access to a free collection service with a minimum fortnightly collection of 240 litre capacity.

80% of individuals agreed with the proposals for a free garden waste collection for households with gardens. By comparison, only 38% of stakeholders agreed with this proposal, including only 20% of local authorities. The most common concern raised by local authorities and others was the financial implications of providing a free service and the potential loss of income this might represent. Some respondents also commented that a free garden waste collection could mean that those without gardens were supporting a subsidised service for those with gardens.

With respect to the details of service provision, the majority of respondents agreed that the service should be fortnightly with a capacity of 240 litres and with further garden waste collections above that amount being chargeable.

Garden waste contributes significantly towards progress on meeting weight-based recycling targets. It is also important from an environmental perspective that this material is recycled or home composted, rather than sent to recovery or landfill. Whilst we retain the view that a free collection would be the most effective way of ensuring this, it is noted that stakeholder respondents were generally not supportive, with particular opposition from local authorities. We will therefore give further consideration to the costs and benefits of this measures before making a final decision on whether garden waste collections should be free of charge, or whether charging should be a matter for local decision making.

- 5.4.6 The Government published the Environment Bill on 15 October 2019.
- 5.4.7 The Bill states that food waste must be collected separately and at least weekly and also outlines the following recycling streams:
- glass
 - metal
 - plastic
 - paper and card
 - food waste
 - garden waste
- 5.4.8 The Bill does not make reference to charges for household garden waste collections.

5.4.9 The London Environment Strategy encourages the collection of garden waste, but does not prevent or discourage London Borough Councils from charging.

5.4.10 Council Constitution (Article 7, Committees, Forums, Working Groups and Partnerships) sets out the responsible body and their functions. For the Environment Committee its function is:

Responsibility for all borough-wide or cross-constituency matters relating to the street scene including, parking, road safety, lighting, street cleaning, transport, waste, waterways, refuse, recycling, allotments, parks, trees, crematoria and mortuary, trading standards and environmental health.

The Environmental Protection Act 1990 Part II Waste on Land, section 46 Receptacles for Household Waste, provides waste collection authorities with the power to determine the size of the receptacles and the type of waste that can be deposited in them.

Section 355(1)(a) of the GLA Act requires each of the waste collection authorities in Greater London (of which Barnet is one), in exercising any function under Part II of the Environmental Protection Act 1990, to act “in general conformity” with the provisions of the London Environment Strategy (“the Strategy”) dealing with municipal waste management.

5.5 Risk Management

5.5.1 A risk register has been prepared. The risks include; failure to deliver bin stickers, failure to engage with and communicate effectively to residents, and failure to deliver the required savings. These risks would be mitigated through appropriate planning of procurement and communications activity.

5.6 Equalities and Diversity

5.6.1 Equality and diversity issues are a mandatory consideration in the decision making of the council.

5.6.2 Decision makers should have due regard to the public-sector equality duty in making their decisions. The equalities duties are continuing duties they are not duties to secure a particular outcome. The equalities impact will be revisited on each of the proposals as they are developed. Many of these proposals will need to be subject to separate decisions and at this stage the decision maker will need to be equipped with an updated equality impact assessment before they can make their decision. Consideration of the duties should precede the decision. It is important that Environment Committee has regard to the statutory grounds in the light of all available material such as consultation responses. The statutory grounds of the public sector equality duty are found at section 149 of the Equality Act 2010 and are as follows:

5.6.3 A public authority must, in the exercise of its functions, have due regard to the need to:

- a) eliminate discrimination, harassment, victimisation and any other conduct prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 5.6.4 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular the need to:
- a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
 - c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 5.6.5 The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.
- 5.6.6 Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, the need to:
- a) Tackle prejudice, and
 - b) Promote understanding.
- 5.6.7 Compliance with the duties in this section may involve treating some persons more favourably than others but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act. The relevant protected characteristics are:
1. Age
 2. Disability
 3. Gender reassignment
 4. Pregnancy and maternity
 5. Race
 6. Religion or belief
 7. Sex
 8. Sexual orientation
 9. Marriage and Civil partnership
- 5.6.8 The Equality Act 2010 and The Public Sector Equality Duty impose legal requirements on elected Members to satisfy themselves that equality impact considerations have been fully taken into account in developing the proposals which emerge from the finance and business planning process, together with any mitigating factors. To allow the Council to demonstrate that it has met the Public Sector Equalities Duty as outlined above, each year the Council undertake a planned and consistent approach to business planning. This assesses the equality impact of relevant budget proposals for the current year (affecting staff and/or service delivery) across services and identifies any mitigation to ease any negative impact on articular groups of residents.
- 5.6.9 A full Equalities Impact assessment can be found in appendix B.

5.7 Summary of Equalities Impact Assessment

The Equalities Impact Assessment involves consideration of the data available in relation to age, disability, gender reassignment, marital status, pregnancy and maternity, race and ethnicity and religious belief. This information is presented below, alongside data from the responses to the consultation.

5.7.1 Age

There are lower numbers of residents in the older age groups – the data shows that for both males and females in the borough, the most populous age bands are 30-34 years (16,600 men and 16,000 women) and 35-39 years (16,200 men and 15,900 women) and the least populous are 85-89 years (2,100 men and 3,200 women) and 90+ years (1,200 men and 2,300 women).

5.7.1.1 What did people tell us

Respondents aged 18-24 were the most likely to say they agree with charging, with 36.8% saying so.

Respondents aged 75+ were less likely to say they would be able to sign up online (65.2% compared to 83.7% overall.) Mitigation for this will be provided to assist residents to sign up.

Older respondents who currently use the service were more likely to consider paying for the service than younger respondents: Respondents aged 75+ (60.6%) and 65-74 (49.9%) compared to those aged 18-24 (15.8%), 25-34 (23.7%) 35-44 (30.7%) and 45-54 (32.0%).

Respondents aged 35-44 and 45-54 were more likely to say they did not consider any charge to be fair than respondents aged 55-64, 65-74 and 75+ (80.7% and 79.2% compared to 73.9%, 68.9% and 60.0% respectively.)

Respondents aged 35-44 and 45-54 were more likely to strongly oppose the proposal than those aged 55-64, 65-74 and 75+ (76.0% and 74.7% compared to 66.5%, 61.4% and 52.5% respectively.)

5.7.2 Disability

There are a small number of residents with a learning disability (7,276 in 2018) and a significant number with a physical disability (23,735 in 2018.)

5.7.2.1 What did people tell us

Respondents who stated that they had a disability were less likely to say they would be able to sign up online than residents who stated that they did not have a disability (71.1% compared to 87.1%.) Mitigation for this will be provided to assist residents to sign up.

Assisted collections will continue to be provided to those residents that sign up to the chargeable service and require this.

5.7.3 Gender Reassignment

No data available. Unlikely to have an adverse disproportionate effect.

5.7.3.1 **What did people tell us**

The consultation data does not show any significant findings based on gender reassignment with 0.3% of respondents (6 respondents) to the question confirming their gender identity is different than the sex they were registered at birth.

5.7.4 **Marriage and Civil Partnership**

No data available. Unlikely to have an adverse disproportionate effect.

5.7.4.1 **What did people tell us**

Widowed respondents (marital status) were more likely to say that a charge of £50 a year was fair than residents who are single, co-habiting and married respondents (22.9% compared to 14.2%, 15.1% and 15.2% respectively.)

5.7.5 **Pregnancy and Maternity**

No data available. May have an adverse disproportionate effect due to possible reduced income.

5.7.5.1 **What did people tell us**

The consultation data does not show any significant findings based on pregnancy and maternity with 8 respondents confirming they were pregnant and 7 respondents confirming they were on maternity leave.

5.7.6 **Race/ Ethnicity**

In 2018, the largest ethnic category in Barnet is White British, accounting for 40% (158,900) of the borough population, while residents of a Bangladeshi origin accounts for the smallest ethnic category 0.6% (2,500).

5.7.6.1 **What did people tell us**

The consultation data does not show any significant findings based on ethnicity/race.

5.7.7 **Religion and Belief**

There is a range of beliefs among the population, with the largest groups being Christian (38.6%), Jewish (22.6%) and No Religion (20.5%).

5.7.7.1 **What did people tell us**

The consultation data does not show any significant findings based on religion or belief.

5.8 **Corporate Parenting**

5.8.1 There are no corporate parenting implications.

6 **Consultation and Engagement**

6.1 As a matter of public law, the duty to consult with regards to proposals to vary, reduce or withdraw services will arise in four circumstances:

1. Where there is a statutory requirement in the relevant legislative framework.
2. Where the practice has been to consult, or, where a policy document states the council will consult, then the council must comply with its own practice or policy.

3. Exceptionally, where the matter is so important that there is a legitimate expectation of consultation.
4. Where consultation is required to complete an equalities impact assessment.

6.2 Regardless of whether the council has a duty to consult, if it chooses to consult, such consultation must be carried out fairly. In general, a consultation can only be considered as proper consultation if:

1. Comments are genuinely invited at the formative stage.
2. The consultation documents include sufficient reasons for the proposal to allow those being consulted to be properly informed and to give an informed response.
3. There is adequate time given to the consultees to consider the proposals.
4. There is a mechanism for feeding back the comments and those comments are considered by the decision-maker / decision-making body when making a final decision.
5. The degree of specificity with which, in fairness, the public authority should conduct its consultation exercise may be influenced by the identity of those whom it is consulting.
6. Where relevant and appropriate, the consultation is clear on the reasons why and extent to which alternatives and discarded options have been discarded. The more intrusive the decision, the more likely it is to attract a higher level of procedural fairness.

6.3 Members were previously asked to approve public consultation on proposed changes to the garden waste collection service to enable £700,000 savings by 2021. This savings target was subsequently increased to £800,000.

6.4 The public consultation ran for six weeks from 10 October to 22 November 2019.

6.5 The analysis of all consultation responses was undertaken by an independent data research and analysis company. Their full report is available at appendix A.

6.6 The garden waste consultation was promoted through the following:

- Council website pages
- Press release
- Social media campaign via Twitter and Facebook
- Libraries – poster campaign
- Barnet First e-newsletter
- Community Barnet newsletter
- Communities Together Network bulletin
- Email to Friends of Parks and allotments groups
- Advert in Barnet Times (print and online).

6.7 Summary of consultation

6.7.1 Summary of method:

- The consultation consisted of an online questionnaire published on engage.barnet.gov.uk together with information detailing the background to the proposal.

- Paper copies were also available in all Barnet libraries
- An easy-read version was available on request as well as provided to an adults with learning difficulties group to complete
- The promotion of the consultation included use of channels listed in point 6.6.

6.7.2 Response to the consultation

A total of 6,517 questionnaires were completed:

- 10 easy-read paper questionnaires were completed
- 172 paper versions of the questionnaire were completed
- 6,335 questionnaires were completed online via Engage Barnet

There were also three written responses which did not answer the questions included in the public consultation questionnaire, these email responses from the general public were assumed to be Barnet residents. These responses have been reported on separately and further details are provided in point 6.9.

6.7.3 The full consultation report, which includes analysis of responses in relation to key demographics and protected characteristic groups is available at appendix A.

6.8 Summary of key findings

The key findings from the consultation are outlined below:

6.8.1 **Nearly all those who responded to the consultation have a garden and green garden waste bins**

98.6% of respondents indicated they had a garden and just slightly less, 98.1%, said they had at least one green garden waste bin. Furthermore, 7.7% of all respondents had more than one green waste bin.

Respondents aged 75+ were most likely (12.1%) to have more than one garden waste bin compared to all respondents. Those living in Oakleigh ward were also the most likely to have more than one bin (21.3%) compared to all respondents (7.8%).

6.8.2 **More than half of respondents who have a green waste bin put it out on every collection**

56.3% of respondents who said they have a garden waste bin put their bin out on every collection. A further 15.8% said they put their bin out once a month. Those aged over 45 were more likely to put their bin out for every collection than those who are younger than 45. For example, 71.8% of those aged 75+ put their bin out on every collection compared to 23.0% of 35-44 year olds.

6.8.3 **Just over three quarters of respondents disagree that introducing a charge for only those who use the service is fair**

77.6% of respondents disagreed that it is fair to introduce a charge to only those that use the service, compared with 16.3% who said they agree with it. Respondents aged 18-24 were the most likely to say they agree, with 36.8% saying so.

6.8.4 **Four fifths of respondents oppose the introduction of an annual subscription**

82.1% of respondents opposed the introduction of an annual subscription charge for users of the garden waste service, compared with 12.3% who said they support it.

6.8.5 Three quarters of respondents don't consider any charge to be fair

Respondents were asked for their views on what they would consider to be a fair level of charge for the garden waste collection service. 76.4% of respondents said they did not consider any charge to be fair. However, some respondents did suggest different amounts that they thought would be fair with the most common amount of £50 a year being suggested by 14.1% of respondents.

6.8.6 Respondents that opposed the introduction of a charge were asked where they would rather see a change to

Of those that responded, almost a third of respondents (28.5%) said they would prefer to see an increase in Council Tax rather than a charge introduced. A fifth (21.6%) said they would prefer to see a change in another Council service and 12.3% said Environmental services. Other responses included council salaries/expenses/bonuses, better financial management and that the frequency of collections should be reduced.

6.8.7 Three fifths of respondents said they would not continue to use the service if a charge was introduced

Three fifths of respondents (58.9%) said they currently use the service but would not continue to use it if a charge was introduced. However, almost two fifths of respondents (37.4%) said they currently use the service and would continue to use it if a charge was introduced.

6.8.8 Current users of the service who said that they would not use it if a charge was introduced would deal with their garden waste in a variety of ways

A quarter (26.7%) of respondents that would not pay for the service said they would take their garden waste to the Reuse and Recycling Centre at Summers Lane and a further 14.5% said they would compost their garden waste at home. A further 8.3% said they would share their neighbour's garden waste bin. However, of those that said they would not pay for the service, nearly a quarter (23.3%) said they would put it in the general waste bin. 16.1% said they would dump it/fly tip it and a further 14.9% said they would burn it.

6.8.9 The majority of respondents who said they would consider using a chargeable service would be able to sign up online

87.3% of respondents said they would be able to sign up online for the service, whether directly or with the support from a family member, friend or neighbour. 6.4% of respondents said they would not be able to sign up online, 6.4% said they were unsure.

6.8.10 General 'other' comments were largely opposed to the proposal of charging

Given the opportunity to provide any other comments, respondents were largely opposed to the introduction of charging for garden waste. Nearly a quarter (23.9%) of respondents to the question commented that charging for the service will encourage people to fly tip and illegally dispose of their waste. There was concern amongst one fifth (19.7%) of those responding to this question that they already pay Council Tax and should not have to pay extra.

15.8% of respondents commented that savings or revenue should be made elsewhere and/or there should be better financial management and 14.6% of

respondents commented that the proposed charges are excessive and unaffordable, and a fairer charging system should be used.

A small percentage (2.2%) of respondents said introducing a charge was a good idea and they were happy to pay a charge.

6.9 Written responses

6.9.1 Three written responses were received during the consultation. To summarise, the comments were:

- A food waste strategy should be introduced before charges are introduced for green waste collections
- Residents already pay for the service through their Council Tax
- Council Tax should be increased to cover the cost of garden waste collections
- Council Tax is already too high
- If charges are introduced, fly tipping could increase
- Any charge should not exceed £60 per year
- Collections should continue throughout the winter
- Residents with mobility problems or who don't own a car cannot use the Reuse and Recycling centre
- Pensioners would find it difficult to pay for the service
- Charging for green waste collections sets a precedent to charge for other services
- Charging for the green waste collection service contradicts Barnet Council's recycling policy, particularly after the food waste scheme was withdrawn
- Concern that other residents will use their neighbour's garden waste bin instead of paying for their own
- Other Councils provide free garden waste collection services

7 Insight

7.1 In 2017/18, 59% of local authorities charged for garden waste collection. (<http://laportal.wrap.org.uk/>)

7.2 UK statistics:

- Of the 368 local authorities in the UK which offer regular kerbside collections of domestic garden waste, 217 (59%) charge annually.
- The annual charge for the collection service ranges from £22 to £96. The average annual charge nationally is £31.
- Eleven local authorities do not provide a garden waste collection service
- Some 100 local authorities (27%) provide a regular collection service for free (BBC Research 2019)

7.3 England statistics:

- Some 72 out of 318 (23%) local authorities provide a regular kerbside garden waste collection for free
- Of the 311 local authorities which do offer regular kerbside garden waste collections:
 - 258 collect fortnightly (83%)
 - 29 collect weekly (9%)(BBC Research 2019)

7.4 London statistics:

- In London, of 33 local authorities, ten (30%) do not have an annual charge
- The City of London, Westminster and Hammersmith & Fulham do not provide a regular free service
- The highest annual charge for the service was Lewisham at £80 (BBC Research 2019)
- The average annual charge made by boroughs that are part of the North London Waste Authority is £70

8 BACKGROUND PAPERS

- 8.1 Environment Committee 28 November 2018 Business Planning 2019/2024 report:
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=695&MId=9478&Ver=4>
 - 8.2 Environment Committee 11 September 2019 Reduction and Recycling Plan (RRP) report:
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=695&MId=9907&Ver=4>
 - 8.3 Independent report: Options Appraisal for the London Borough of Barnet
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=695&MId=9907&Ver=4>
 - 8.4 Policy & Resources Business Planning report 6 January:
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=692&MId=10084&Ver=4>
 - 8.5 Household Recycling and Waste Policies:
<https://www.barnet.gov.uk/recycling-and-waste/household-recycling-and-waste/household-recycling-and-waste-policies>
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