



**Notice of a public meeting of
Corporate Services, Climate Change and Scrutiny Management
Committee (Calling In)**

- To:** Councillors Fenton (Chair), Merrett (Vice-Chair), Ayre, Baxter, J Burton, Healey, Kelly, D Myers, Rowley, Steels-Walshaw, K Taylor, Waller and Widdowson
- Date:** Monday, 12 February 2024
- Time:** 6.00 pm
- Venue:** The George Hudson Board Room - 1st Floor West Offices (F045)

AGENDA

- 1. Declarations of Interest** (Pages 1 - 2)
At this point in the meeting, Members and co-opted members are asked to declare any disclosable pecuniary interest, or other registerable interest, they might have in respect of business on this agenda, if they have not already done so in advance on the Register of Interests. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

[Please see attached sheet for further guidance for Members]
- 2. Minutes** (Pages 3 - 10)
To approve and sign the minutes of the meeting held on 4 December 2023.

3. Public Participation

At this point in the meeting members of the public who have registered to speak can do so. Members of the public may speak on agenda items or on matters within the remit of the committee.

Please note that our registration deadlines have changed to 2 working days before the meeting, in order to facilitate the management of public participation at our meetings. The deadline for registering at this meeting is 5:00pm on Thursday, 8 February 2024.

To register to speak please visit www.york.gov.uk/AttendCouncilMeetings to fill in an online registration form. If you have any questions about the registration form or the meeting, please contact Democratic Services. Contact details can be found at the foot of this agenda.

Webcasting of Public Meetings

Please note that, subject to available resources, this meeting will be webcast including any registered public speakers who have given their permission. The meeting can be viewed live and on demand at www.york.gov.uk/webcasts.

During coronavirus, we've made some changes to how we're running council meetings. See our coronavirus updates (www.york.gov.uk/COVIDDemocracy) for more information on meetings and decisions.

4. Called-in Item: Waste Services - Service Developments Report - Executive Meeting, 25 January 2024 (Pages 11 - 90)

This report outlines the reasons for the call-in of the decision made by the Executive on 24 January 2024, in respect of Waste Services. The report also sets out the powers and role of the Corporate Services, Climate Change and Scrutiny Management Committee (Calling-In) in dealing with the call-in.

5. Urgent Business

Any other business which the Chair considers urgent under the Local Government Act 1972.

Democracy Officer:
Jane Meller

Telephone: 01904 555209
E-mail: jane.meller@york.gov.uk

For more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 (01904) 551550

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Declarations of Interest – guidance for Members

- (1) Members must consider their interests, and act according to the following:

Type of Interest	You must
Disclosable Pecuniary Interests	Disclose the interest, not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.
Other Registrable Interests (Directly Related) OR Non-Registrable Interests (Directly Related)	Disclose the interest; speak on the item <u>only if</u> the public are also allowed to speak, but otherwise not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.
Other Registrable Interests (Affects) OR Non-Registrable Interests (Affects)	Disclose the interest; remain in the meeting, participate and vote <u>unless</u> the matter affects the financial interest or well-being: (a) to a greater extent than it affects the financial interest or well-being of a majority of inhabitants of the affected ward; and (b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest. In which case, speak on the item <u>only if</u> the public are also allowed to speak, but otherwise do not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.

- (2) Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.
- (3) Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations,

and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.

City Of York Council

Committee Minutes

Meeting	Corporate Services, Climate Change and Scrutiny Management Committee (Calling In)
Date	4 December 2023
Present	Councillors Fenton (Chair), Baxter, Clarke (Substitute for Cllr Taylor), Healey, Kelly, Merrett (Vice-Chair), D Myers, Steels-Walshaw, Waller, J Burton, Hollyer (Substitute for Cllr Ayre) and Wann (Substitute for Cllr Widdowson)
Apologies	Councillors Ayre, Rowley and Widdowson
In Attendance	Cllr K Lomas, Executive Member, Finance, Performance, Major Projects and Equalities Cllr P Kilbane, Deputy Leader and Economy and Transport
Officers Present	David Warburton, Head of Regeneration Kathryn Daly, Head of City Development Nick Collins, Head of Property Dawn Steel, Head of Democratic and Scrutiny Services Lindsay Tomlinson, Head of Democratic Governance (via Zoom)

5. **Declarations of Interest 5:37 pm**

Members were asked to declare at this point in the meeting any disclosable pecuniary interest or other registerable interest they might have in respect of business on the agenda, if they had not already done so in advance on the Register of Interests.

Cllr Clarke declared, for transparency reasons, that he had spoken with Spark residents but was not pre-determined.

Cllr Merrett declared, also for transparency reasons, that he had exchanged emails with the Head of Property Services over some of the neighbour nuisance issues and that, in relation to some of the planning applications for the site, he had been involved when he was a member of the Civic Trust Transport Advisory Group.

6. Exclusion of Press and Public (5:39 pm)

Resolved: That the press and public be excluded from the meeting during any discussion arising on agenda Item 5, Annex K to Annex B, on the grounds that they contained information relating to the financial or business affairs of any particular person (including the authority holding that information). This information was classed as exempt under paragraph 3 of Schedule 12A to Section 100A of the Local Government Act 1972 (as revised by The Local Government (Access to Information) (Variation) Order 2006).

7. Public Participation (5:42 pm)

It was reported that there had been two registrations to speak at the meeting under the Council's Public Participation Scheme.

Chris Bush from York Business Improvement District (BID) spoke on agenda item 5. He stated that for the BID to support the alternative proposals around the closure of York's most popular car park, improvements needed to be made to public transport, including the extension to the operating hours of Park and Ride, and to Coppergate car park in terms of cleaning, repairs and 24 hour opening. He also recommended improvements to both the signage of city centre car parks and parking technology, and suggested that examples of other cities that had driven footfall in their areas following enhanced public realm would be useful.

Gwen Swinburn also spoke on agenda item 5 and raised some administrative issues. She raised concerns regarding the executive decision which gave members no options. She suggested that this be revisited whereby businesses cases, financials, legal, risks and other implications could be examined. She asked what would be received in place of the projected £20m loss.

8. Minutes (5:40 pm)

Resolved: That the minutes of the last meeting held on 2 October 2023 be approved by the Chair as a correct record subject to including the words 'by the

Executive Members' to the end of the second sentence in the second bullet point, under, during the process outlined above, it was confirmed that, on page 5 of the agenda pack. The above amendment to minute item 4, Called-In Item: Resolution "X" on Ward Funding from Finance & Performance Monitoring Report would read as follows:

- A number of different formulas could have been used to calculate ward funding. The choice of formula was different from the one put forward by the Call-In Members but was not considered incorrect *by the Executive Members*.

9. **Called-In Item: Castle Gateway Update Report and Next Steps - Executive Meeting 16 November 2023 (5:49 Pm)**

Members considered a report which set out the reasons for the multiple call-in of the decisions made by the Executive on 16 November 2023 in respect of Castle Gateway, along with the committee's remit and powers in relation to the call-ins.

The relevant decision was contained in the extract from the relevant Decision Sheet at Annex A to the report. The original report to Executive was attached as Annex B, and the decisions had been called in by Councillors Steward, Nicholls and Warters, as well as, Councillors Ayre, Mason and Smalley, the detailed reasons and alleged constitutional breach for which were contained in Annex C (i) and (ii), as follows:

Annex C (i), Cllrs Nicholls, Steward and Warters

Poor project progress highlights the need for cross party working rather than swings dependent on who is in power. Labour has a mandate, but just a one seat majority. Consensus, backed by tangible and sound financial business cases is needed, not hopes. There are big lessons which look unlearnt from the likes of the Community Stadium and Guildhall.

Specifically:

- *Spark was only to be a short lease and if the extension goes through will have been in for essentially a decade, paying well below market rent without sufficient positive overall good to justify this. Serious consideration should*

be given to other site uses, including a sale. The site is one location in the Piccadilly area, it is not pivotal. If the lease is extended there is no clear plan for after, it is simply a delay.

- *There is insufficient detail to show clear benefit on the return to the council from a generous lease extension to Mahavir Properties (Coppergate Centre).*
- *The magnitude of the direction change on St George's Field Multi Story Car Park has too little analysis given the associated write-offs and impact it would have.*
- *The reduction in city centre car parking is unacceptable and will be a real issue for businesses, The reduced car usage hoped for in the Local Transport Plan remains a hope.*
- *If city centre parking is cut as proposed there is inadequate planning for the resulting revenue drop.*
- *Report, round estimate, figures (e.g. Castle and Eye of York c. £1 million, St George's MSCP c. £2 million and Castle Mills c. £1 million) provide insufficient depth for members to analyse, never mind time being money and officer time not being tangibly considered.*

Castle Gateway area needs development but the report shows little sign of historically poor progress changing, merely further cost. The following is needed:

- *A realistic assessment of what is key to the project, rather than various sites joined together, as well as consideration of the appropriate public/private sector division.*
- *Cross party discussion and agreement on the future to truly achieve for York.*
- *True, business quality, scrutiny of spend by councillors.*

Annex C (ii), Cllrs Ayre, Mason and Smalley

- *In relation to Castle Mills, due regard has not been given to the potential impact of developing the bridge and riverside route separately from the wider development including the proposed public park. Planning permission in this sensitive area relied heavily on enabling benefits, and insufficient consideration has been given to the risk that securing future development of the site may be more problematic as a result of components of the development having been de-coupled.*
- *Insufficient consideration has also been given to the risk that failure to progress the site will lead to planning*

permission lapsing, potentially incurring significant additional costs through the applicability of new building regulations.

- In relation to car parking at Castle and St George's Field, the decision signals that a 50% reduction is to be made to localised parking provision. This decision is not supported by a wider parking review as agreed by Executive to inform any future car park closures. No assessment of risk is evident such as the possibility of private operators making up a reduction in CYC provision, no assessment is made of the likely positive or negative economic impacts and there is no evidence of consultation with businesses.*
- There is no assessment of the impact to the council of a loss of parking income on top of the potential abortive costs associated with the decision, and no mitigation strategy is evident.*
- There is no assessment of the impact on the future of the Piccadilly multi-storey car park of the December 2019 council motion to restrict all non-essential private motor vehicle journeys within the city walls.*
- There is no identified funding stream for the proposed development of the Castle car park site in the absence of enabling development.*
- In general, there is a lack of clarity around the extent to which due regard has been given to financial considerations – including the potential impact on the Housing Revenue Account - when making these decisions, as relevant financial information has largely been hidden from public view.*

At the invitation of the Chair, Councillors Steward, Warters and Nicholls and then Councillor Ayre, representing his Calling-In Members, expanded on the reasons for their call-ins and then they responded to questions from Members. The Executive Member for Economy and Transport and the Executive Member for Finance, Performance, Major Projects, Human Rights, Equality & Inclusion then addressed the committee and responded to questions, where officers also responded to questions raised regarding the financial implications relating to the original and the new business case, in particular the multi-storey car park, as well as, parking capacity and income from Spark:York. Finally, at the invite of the Chair, Cllr Steward, Warters and then Cllr Ayre summed up on behalf of their Calling-In Members, and the Executive Members summed up their position.

During the process outlined above, it was confirmed that:

- Terminating the scheme to build a multi storey car park on St Georges Car Park would ensure value for money and alignment with the draft Local Transport Plan, as the scheme would have required borrowing of around £15m, at a cost of £1.1m per annum over a 40-year term.
- Car parking income had previously generated £1.6m and the decision made for the re-purposing of Castle Car Park would reduce car parking income by approximately £1m per year. The remaining £600k would be replaced by displaced parking at the council's other car parking sites, which were largely underused for the majority of the year.
- Spark:York were paying a market value rent and the lease extension would provide further time for the council to work with Spark to ascertain if an alternative venue within York could be suitable whilst the Affordable Housing provision on this site continued to be explored.
- The council remained committed to consultation on the Castle Gateway project, including pre-decision scrutiny to support the development of full businesses cases for the projects that would be approved by Executive.
- Achieving better transport systems through the Local Transport Plan should increase the uptake of active travel and public transport use for getting into and around the centre of York.

Under the provisions of the council's constitution at the time the call-in was made, the following options were available:

- In the event of the majority of Members finding no breach, the call-in request would be immediately closed with no further action unless the Committee identified any areas worthy of future exploration by the scrutiny function.
- In the event of the majority of Members finding a breach, the called-in decision will be referred back in full for further consideration at the next appropriate meeting of the Executive.

Members were invited, individually, to state if they considered the core principles identified in the call-in requests to have been breached or not.

Regarding the call-in contained in Annex C (i), five Members found there had been a breach and seven Members found there

had not been a breach, therefore the call-in fell and regarding the call in contained in Annex C (ii), five Members found there had been a breach and seven Members found there had not been a breach, therefore the call-in fell.

The Chair suggested that this committee received updates on future major projects, including Castle Gateway, and to enable members to influence the future direction of the revised schemes, he also proposed that any key decision points and options available should be scrutinised. On being put to the vote, it was

Resolved:

- (i) That the Call-In requests be closed.
- (ii) That this committee be updated on any major projects, including the Castle Gateway project and that pre-decision scrutiny be the preferred route to influence the future direction of the revised schemes.

Reason: To determine the outcome of the alleged breach in Executive decision making and to ensure future appropriate scrutiny of major projects.

Cllr S Fenton, Chair

[The meeting started at 5.35 pm and finished at 7.34 pm].

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**Corporate Services, Climate Change and
Scrutiny Management Committee (Calling In)****12 February 2024**

Report of the Director of Governance

**Called-in Item: Waste Services – Service Developments Report -
Executive Meeting, 25 January 2024.****Summary**

1. This report sets out the reasons for the call-in of the decision made by the Executive on 25 January 2024 in respect of the approved introduction of a garden waste subscription service set out in paragraph 48 of the report. The report also sets out the powers and role of the Corporate Services and Climate Change Scrutiny Management Committee (Calling-In) in dealing with the call-in.

Background

2. An extract from the Decision Sheet published after the Executive meeting of 25 January 2024 is attached as Appendix A to this report. This sets out the decisions taken on the called-in item. The original report to the Executive, together with its annexes, is attached at Appendix B.
3. The decisions have been called in for review by the Corporate Services and Climate Change Scrutiny Management Committee (Calling-In) by Cllrs Hollyer, Fisher and Mason, in accordance with the Constitutional requirements, and on the basis of the detailed reasoning set out in Appendix C attached.

Consultation

4. In accordance with the requirements of the Constitution, the calling-in Members have been invited to attend and/or speak at the calling-in meeting, as appropriate, together with relevant Executive Member(s) and Officer(s).

Options

5. The Committee must follow the practice for dealing with called in business set out in the Scrutiny Procedure Rules in Appendix 5 of the Constitution. After debate and all contributions have been heard, the Chair will invite each Member of the Committee to state whether they consider the core principles identified in the call-in request (Appendix C) have been breached or not.
6. In the event of the majority of Members finding no breach, the call-in request will be immediately closed with no further action unless the Committee identifies any areas worthy of future exploration by the scrutiny function.
7. In the event of the majority of Members finding a breach, the called in decision will be referred back in full for further consideration at the next appropriate meeting of the Executive.

Analysis

8. Members need to consider any breach specifically identified in the call-in request in relation to the original report to the Executive and the consequential decision made. As stated in the options identified above, the Chair will then guide the Committee on the constitutional requirements for handling the meeting and culminating in the Committee determining its position on any breaches.

Council Plan

9. Any implications associated with the delivery of Council priorities for 2023-2027 are addressed in the original report to the Executive set out in Appendix B.

Implications

10. There are no known Financial, HR, Legal, Property, Equalities, or Crime and Disorder implications in relation to handling the call-in of the issue under consideration.

Risk Management

11. There are no risk management implications associated with the call-in of this matter.

Recommendations

12. Members' views are sought on the call-in request and specific breaches identified in Appendix C.

Reason: To enable the called-in matter to be dealt with efficiently and in accordance with the requirements of the Council's Constitution.

Contact Details

Author:

Dawn Steel
Head of Democratic Services
dawn.steel@york.gov.uk
Tel: 01904 551030

Chief Officer Responsible for the report:

Bryn Roberts
Director of Governance
Tel: 01904 555385

Report Approved



Date: 01/02/2024

Wards Affected: All

For further information please contact the author of the report

Appendixes

Appendix A – Extract from the Decision Sheet produced following the Executive Meeting on 25 January 2024, setting out the decisions made on the called-in item.

Appendix B – Report of the Director of Transport, Environment and Planning to the Executive Meeting on 25 January 2024, Service Developments – Waste.

Appendix C – Call in Request from Councillors Hollyer, Fisher and Mason.

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Appendix A

Executive

Thursday, 25 January 2024

Decisions

Set out below is a summary of the decisions taken at the Executive meeting held on Thursday, 25 January 2024. The wording used does not necessarily reflect the actual wording that will appear in the minutes.

Members are reminded that, should they wish to call in a decision, notice must be given to Democracy Services no later than 4pm on Thursday 1 February 2024.

If you have any queries about any matters referred to in this decision sheet please contact Robert Flintoft.

6. Waste Services – Service developments

Resolved:

- i. Noted the report and agreed to introduce a garden waste subscription service at a fee of £46.50 per bin, and instruct officers to begin work so that the Council can introduce an annual fee for kerbside garden waste collections in York;
- ii. That the Council should offer a 50% discount on the subscription rate for the garden waste service for residents who may struggle to afford the service and use Council Tax Support as a way of applying this.

Reason: To determine how the garden waste collection service will be delivered in the future.

- iii. To delegate authority to the Director of Transport, Environment and Planning and in consultation with the Chief Finance Officer, to use the Waste Reserve and take all steps necessary to procure, award and enter into contracts to deliver and effectively implement the new service;

Reason: To enable resources, capital investment, and contracts to be put in place in a timely manner to ensure the garden waste subscription service can be effectively delivered.

- iv. Approved, as a one-off, a free collection of garden waste bins from those households not wishing to subscribe to the garden waste collection service (it is likely residents will need to register for this collection).

Reason: This will facilitate the collection of any unwanted garden waste bins (green wheelie bins) which will be hard for residents to dispose of. The Council will make appropriate arrangements for these unwanted bins to be collected and recycled.

- v. To formally adopt the Waste Policy which is included as Annex A to the report with a view to implementing the Policy from April 2024;
- vi. To delegate authority to the Director of Environment Transport and Planning in consultation with the relevant Executive members to update the Waste Policy and prepare Terms and Conditions.

Reason: To ensure there is a formally adopted waste policy that is clear for waste teams, members and residents and it reflects any decisions e.g. a subscription scheme for garden waste collections.

- vii. To delegate authority to the Director of Environment, Transport and Planning to transfer properties from 'bags to bins', implementing the scheme in affected areas.

Reason: To enable residents to benefit from waste collections via wheeled bins as opposed to bags. This will help with waste containment, reduce windblown litter, increase recycling and have health and safety benefits for collection crews.

- viii. To note that the service does need to undertake a round optimisation exercise to ensure that collection

rounds are efficient as the city continues to expand with additional households requiring waste collections. To delegate authority to the Director of Environment, Transport and Planning to implement an optimisation of collection rounds in consultation with the relevant Executive Members.

Reason: To ensure collection rounds are as efficient as possible and vehicle miles travelled are reduced (it should be noted that this will lead to a change of collection day for some residents at the point at which the new rounds are adopted).

- ix. To note that in parts of the city, waste and recycling collections are delivered by St Nick's under a contract for "Special Waste and Recycling Collection Arrangements for the City Centre". This contract is due to expire and tender prices are being sought.

Reason: To ensure properties in the city centre and that are hard to access, benefit from an option to have their waste and recycling collected effectively.

- x. To delegate authority to the Director of Environment, Transport and Planning, and in consultation with the Director of Governance and Chief Finance Officer, award the contract for "Special Waste and Recycling Collection Arrangements for the City Centre".

Reason: To ensure collection rounds are as efficient as possible.

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Appendix B



Meeting:	Executive
Meeting date:	25 January 2024
Report of:	James Gilchrist, Director of Transport, Environment and Planning
Portfolio of:	Executive Member (joint) for the Environment and Climate Emergency; Cllr. J Kent / Cllr. K Ravilious

Decision Report: Service Developments - Waste

Subject of Report

1. Waste Services are responsible for the collection of all household waste across the city as well as offering and operating a commercial waste service for business customers. This report focusses on the collection of household waste and sets out a number of policy changes to consider as part of the budget process. These are proposed to be implemented over the coming months and years.
2. There are a number of proposals contained within the report which broadly cover four key areas; (i) options for introducing a subscription service for garden waste collections (ii) formalisation of a waste policy (iii) bags to bins changes and (iv) round optimisation.

Benefits and Challenges

3. Garden Waste Subscription: There are a number of benefits and challenges to consider regarding the introduction of a charge for garden waste collections. It should be noted that unlike household waste and recycling collections, the collection of garden waste is not a statutory service.

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Benefits:

- In economically challenging times, charging for a garden waste subscription service would secure the continuation of a much-valued service to residents.
- The income generated from the subscriptions should cover the costs of operating the garden waste service.
- Introducing a charge will mean that the garden waste service can be extended to additional properties across the city making it more equitable. The existing garden waste service is not offered to all households across the city as the operational rounds are over capacity.
- Whilst it is recognised that a subscription based service means an increased cost to residents, it is also an optional cost. Members could decide to offer a 50% discount on the subscription rate for the garden waste service for residents who are not able to afford the service it is proposed that Council Tax Support is the mechanism by which this is applied. For residents that do not wish to subscribe then there are other alternatives which are available for free disposal of garden waste (e.g. home composting and/or disposal at a household waste recycling centre).
- Composting at home helps to reduce emissions and is the most environmentally friendly way of managing garden waste.
- Introducing a charge will align City of York Council with the surrounding North Yorkshire County where all former district councils have already introduced a charge for garden waste collections.

Challenges:

- There is an increased cost to residents if a subscription service is introduced, although this is optional.
- There are costs to operating a subscription service (e.g. licence costs, ICT developments etc).

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4. **Waste Policy:** There are numerous benefits in formally adopting a waste policy. The waste policy contains agreed policies and procedures so there is transparency and clarity for residents, officers and Council Members over what the Waste Service entails. This is essential for setting expectations and resolving complaints. There are no perceived challenges in approving this document.
5. **Bags to Bins:** There are many benefits in extending the number of households that have their waste collected via wheeled bins as opposed to bags (i.e. bags to bins). The project has stalled in recent years but this move will improve waste containment for a number of households across the city, reduce the opportunity for and incidence of windblown litter. An increase in recycling should be expected due to the containment capacity of a wheeled bin for general waste. Lastly, it will lead to reduced manual handling and lifting for waste collections crews.
6. **Route Optimisation:** Undertaking a route optimisation exercise is critical to the ongoing running of the service. As the city continues to grow, a review of operational waste collection rounds is required to ensure they remain reliable and efficient. Undertaking a round optimisation exercise will allow the Council to better plan its collection rounds and provide greater resilience in service delivery. The change will enable a slight reduction in vehicle miles travelled with the benefit to the environment of reduced miles. Importantly, the essential miles travelled can be accounted for and justified. It will also allow other services (e.g. street cleansing, grass cutting etc) to be planned around waste collections. Notably, it will address the imbalance of existing rounds which should reduce the incidence of non collection.

Policy Basis for Decision

7. Proposals contained within this report will assist the Council in delivering a number of core commitments in the Council Plan:-
 - Equalities and Human Rights - Equality of opportunity – At this current time the garden waste service is not available to all households and the fact that some properties remain on a

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bagged waste service means we cannot provide garden waste collections to these properties.

- **Affordability** – Whilst imposing a charge for garden waste collections may have some negative impacts for those on a low income there are environmentally friendly, cost effective and free alternatives to subscribing to a garden waste collection service such as home composting and/or disposal at a household waste recycling centre. Members could decide to offer a 50% discount on the subscription rate for the garden waste service for residents who are not able to afford the service it is proposed to use Council Tax Support as the way of assessing this.
- **Climate - Environment and the climate emergency** – Reducing the mileage and making the service more efficient through optimising collection routes and rounds will have benefits for the environment and carbon and other emissions will be reduced. By focussing collections in an area of the city will enable a review of the way public realm management and service delivery is undertaken. Reducing the number of properties on a bagged collection is expected to increase levels of recycling in those areas.

Financial Strategy Implications

8. There are a number of financial implications contained within the report. The cost of delivering the garden waste service is approximately £1.87 million per year including disposal. If a subscription service was introduced for garden waste collections, then the income derived from a subscription service would go towards offsetting the cost of delivering the service. Introducing a well administered subscription scheme would enable residents to make an informed choice about whether they subscribe to the service or not.
9. Depending on the level of take up, the Council could generate an income between £780k and £1.7 m based on an annual charge and a take up of between 25% and 55%.
10. There are administration costs associated with delivering a subscription service for garden waste collections. These include

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ICT cost for web and system developments and online forms, additional contact centre costs, communication costs and the provision of licences or stickers for subscribing households. The one-off costs incurred in preparing for the service to go live are forecast to be in the region of £250k which can be funded from the waste reserve and ongoing costs of operating a subscription service are assessed at £150k.

11. Given the financial pressures facing the Council, the budget report elsewhere on the agenda, is recommending that the Council introduce a charge for the garden waste service to deliver a net saving of £900k over a full financial year. This equates to a 35% take up, excluding ongoing costs. Without this decision, an alternative saving would need to be identified.

Recommendation and Reasons

12. The Executive are recommended to:
 - i. Note the content of the report and agree to introduce a garden waste subscription service at a fee of £46.50 per bin, and instruct officers to begin work so that the Council can introduce an annual fee for kerbside garden waste collections in York.
 - ii. To decide whether the Council should offer a 50% discount on the subscription rate for the garden waste service for residents who may struggle to afford the service and use Council Tax Support as a way of applying this.

Reason: To determine how the garden waste collection service will be delivered in the future
 - iii. To give delegated authority to the Director of Transport, Environment and Planning and in consultation with the Chief Finance Officer, to use the Waste Reserve and take all steps necessary to procure, award and enter into contracts to deliver and effectively implement the new service.

Reason: To enable resources, capital investment, and contracts to be put in place in a timely manner to ensure the

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garden waste subscription service can be effectively delivered.

- iv. To approve, as a one-off, a free collection of garden waste bins from those households not wishing to subscribe to the garden waste collection service (it is likely residents will need to register for this collection).

Reason: This will facilitate the collection of any unwanted garden waste bins (green wheelie bins) which will be hard for residents to dispose of. The Council will make appropriate arrangements for these unwanted bins to be collected and recycled.

- v. To formally adopt the Waste Policy which is included as Annex A to the report with a view to implementing the Policy from April 2024.

- vi. To delegate authority to the Director of Environment Transport and Planning in consultation with the relevant Executive members to update the Waste Policy and prepare Terms and Conditions.

Reason: To ensure there is a formally adopted waste policy that is clear for waste teams, members and residents and it reflects any decisions e.g. a subscription scheme for garden waste collections.

- vii. To delegate authority to the Director of Environment, Transport and Planning to transfer properties from 'bags to bins', implementing the scheme in affected areas.

Reason: To enable residents to benefit from waste collections via wheeled bins as opposed to bags. This will help with waste containment, reduce windblown litter, increase recycling and have health and safety benefits for collection crews.

- viii. To note that the service does need to undertake a round optimisation exercise to ensure that collection rounds are efficient as the city continues to expand with additional households requiring waste collections. To delegate authority to the Director of Environment, Transport and Planning to

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implement an optimisation of collection rounds in consultation with the relevant Executive Members.

Reason: To ensure collection rounds are as efficient as possible and vehicle miles travelled are reduced (it should be noted that this will lead to a change of collection day for some residents at the point at which the new rounds are adopted).

- ix. To note that in parts of the city, waste and recycling collections are delivered by St Nick's under a contract for "Special Waste and Recycling Collection Arrangements for the City Centre". This contract is due to expire and tender prices are being sought.

Reason: To ensure properties in the city centre and that are hard to access, benefit from an option to have their waste and recycling collected effectively.

- x. To delegate authority to the Director of Environment, Transport and Planning, and in consultation with the Director of Governance and Chief Finance Officer, award the contract for "Special Waste and Recycling Collection Arrangements for the City Centre".

Reason: To ensure collection rounds are as efficient as possible.

Background

13. This report has been brought to this meeting as the contents of the report will need to be considered as part of the budget setting process. There are a number of proposed service developments regarding the garden waste service, adoption of a Waste Policy and the bags to bins work that require formal decisions. In addition, this report builds on the bags to bins project which was agreed in November 2015.
14. Waste Services are responsible for the collection of domestic waste and commercial waste across the city. The 'standard' waste collection service offered to residents across the 91,500 households in the city is as follows:

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- Household waste collected fortnightly (via a black wheeled bin or black sacks)
- Recycling waste is collected fortnightly via recycling boxes (two boxes for glass, tins/cans and plastics and one box for paper/card)
- Garden waste is collected fortnightly between March and early December each year via a green wheeled bin
- Please note that at some flats and high rise buildings there may be a limit on space, therefore collections are often in larger communal style bins (e.g. 660 or 1,100 litre bins)
- There are a small number of properties in the city centre that have their waste collections performed by St Nick's under a contract called the "Special Waste and Recycling Collection Arrangements for the City Centre".

Consultation Analysis

15. At September 2023 Executive it was outlined how the Council would explore the potential to introduce a green waste subscription scheme similar to the one that now covers the whole of North Yorkshire. This was in response to the Council's serious financial position.
16. The service has undertaken analysis of the national picture in developing the options including a subscription service for garden waste collections. Information is contained within the report. The options analysis and evidential basis part of the report is broken down into sections to enable each element of the report to be considered.
17. Garden Waste is a discretionary service, with alternative options for disposal such as home composting or taking to a household waste and recycling centre where it can be disposed of free of charge.

Options Analysis and Evidential Basis

Garden Waste

18. The garden waste collection service in York is currently provided, free of charge, to approximately 66,000 households across the

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city. Collections are undertaken on a fortnightly basis across the city and residents have a green wheelie bin for garden waste collections (the majority of green bins are 180 litre bins; however, there a number of 240 litre bins in circulation across the city).

19. In recent years, the Council has not offered garden waste collections at some new housing developments (e.g. Langley Gate development) and also does not offer the service in some terraced areas, as there is not any capacity on the current operational rounds to take on these additional collections.

Current Garden Waste Collection Service

20. On 7th March 2022, the length of the garden waste collection service was extended by two weeks meaning that the garden waste collection service is provided over 40 weeks per year. Starting the garden waste collection service two weeks earlier means a more phased service introduction with garden waste tonnages gradually increasing over time.
21. Garden waste collected across York is taken to the waste disposal site at Harewood Whin (operated by Yorwaste). Garden waste is treated over a period of three months and is turned into a PAS 100 accredited compost. The compost is available to purchase at household waste recycling centres. The Council undertakes some free periodic compost giveaways (for community groups) and it is proposed that this will continue in future years.
22. The collection of garden waste contributes towards the Council's overall recycling performance figures and any reduction in garden waste volumes will affect these. However, it is important to recognise that garden waste is only a percentage of this overall figure and that dry recycling (e.g. paper, card, glass, tins and plastics etc) accounts for a larger proportion of the waste collected across the city [(for example in 2021/22, 19,051 tonnes of dry recycling was collected across the city compared to 16,610 tonnes of garden waste) (the Council is not able to specify a tonnage for home composting)].
23. The following materials are collected in the garden waste bin; grass cuttings and hedge clippings, leaves and bark, garden plants and flowers, twigs and small branches, windfall fruit, cut flowers

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and house plants, Christmas trees and natural wreaths (providing they are chopped up so they fit inside the bin).

24. The following materials are not collected in the garden waste bin; soil, turf, rubble, coal, barbeque charcoal, large whole branches (these should be taken to a household waste recycling centre and placed in the wood recycling container), invasive weeds such as Japanese knotweed and giant hogweed, food or other kitchen waste, pet or animal waste and any plastic, paper, cardboard and other packaging, such as compostable plastic and bags.
25. Garden waste can be heavy, so the service only accepts garden waste bins where the lids are closed and asks residents do not use any form of plastic bags, including compostable and biodegradable bags. Soil and other heavy items are excluded.
26. In garden waste collection areas, the service currently collects one garden waste wheelie bin for free from households (approx 66,000 households). The service also offers the opportunity for the collection of additional garden waste bins for those households who subscribe to our additional garden waste scheme. Currently there are over 1,600 households across the city who pay for an additional bin at £43 per bin per year.
27. Those households who are not currently served by a garden waste collection service from the kerbside or residents who have additional garden waste materials, can compost at home or take garden waste to a household waste recycling centre (HWRC) free of charge. There are two household waste recycling centres in York; Hazel Court HWRC on James Street, York, YO10 3DS and Towthorpe HWRC on Moor Lane, Strensall, York, YO32 9ST.

Future Garden Waste Considerations

28. The Council has a statutory duty to collect household waste and at least two forms of recyclable waste from the kerbside (e.g. paper/ card, glass, tins or plastics etc). There is not a statutory duty to collect garden waste from the kerbside. Therefore, it is appropriate to decide through the budget setting process, whether the garden waste service is delivered free of charge to all households or whether a subscription charge is introduced and residents will have the option to participate in the kerbside garden collection

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scheme if they so wish.

29. The collection of garden waste is not a statutory service and under the Controlled Waste Regulations 2012, the Council has the discretion to charge for this service. It is also important to point out that the Government consulted on its Waste and Resources Strategy in 2021 and a recent Government response in November 2023, outlined that 'local authorities will be required to provide a garden waste service where it is requested but as is currently the case, they can continue to choose to charge for the service'.
30. However, the cost of providing the garden waste service places a large burden of additional cost upon the authority. The £1.87m cost of the service includes 7 vehicle rounds and associated staffing. There will be a continued pressure on the service as the city expands and new properties are built. A subscription service will allow for the service to be flexed to meet this demand.

Position in Other Authorities

31. Across the country, about 70% of local authorities now charge for kerbside garden waste collections. Indeed, with the formation of the new North Yorkshire Council they now charge for garden waste collections across the County (Selby was the last of the former district councils to introduce a charge for garden waste collections in August 2023).
32. As funding of local government has reduced the proportion of authorities charging for garden waste has increased from 30% in 2012/13 to 70% today. The amounts charged for garden waste collections vary across the country with the highest charges generally in the South. In the North, there is a low of £25 and a high of £53 but charges are as high as £96 in the South East. The charge for garden waste collections in North Yorkshire Council was £43.50 in 2023 and this is increasing to £46.50 in 2024. In York, we currently charge a fee of £43 if residents want an additional bin, with the first garden waste bin collected for free.

Garden Waste Options

33. The first option is to continue to deliver the garden waste service to residents free of charge. This would be a continuation of the current service. It should be noted however that not all households

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receive the garden waste collection service as the Council has not had the resources to add garden waste collections at new build properties over the past 12 months. It will also be possible to further expand the garden waste subscription service in the future to properties that switch from bags to bins (as part of the bags to bins project).

34. The benefit of continuing the free service is that garden waste does not end up in the household waste bins and that the material is composted; maximising the use and re-use of the material.
35. The disadvantage to continuing the free service is that it places a large financial burden on the authority for a service, that is not a statutory function to deliver. Difficult decisions have been made in recent years to restrict the number of households currently covered by the garden waste collection service (circa 66,000) but this does not allow for any further expansion of the service as the city grows. It will also lead to a situation where council tax payers are receiving a differential level of service.
36. The second option is to start charging for the garden waste collection service. If a charge was to be introduced then the Council would need to ensure that this was affordable, to encourage participation in the scheme. The Council could also look at a discounted rate of 50% for residents where affordability may be an issue, using those eligible for Council Tax Support as a way of applying the discount. It is also important to ensure there is adequate provision for those residents who do not wish to subscribe for the garden waste service. This reflects the information contained within the Equality Impact Assessment (see Annex B).
37. Charging for the garden waste service would ensure there was equality of opportunity; the scheme can be offered to all households that are able to have a wheeled bin for garden waste and who wish to subscribe to the service.
38. The disadvantage to charging for the garden waste service is that it is an additional cost for householders. However, Executive may wish to mitigate this by offering a 50% discount on the subscription rate for the garden waste service for residents in receipt of Council Tax Support. However, it does ensure that those residents who want the service can choose to pay for it but other alternatives also

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need to be considered. It will also lead to a likely decrease in the amount of tonnes of waste that are recycled (in terms of the specific performance indicator used to measure this).

Additional Considerations

39. There is also an additional option to offer households who do not wish to subscribe to the kerbside garden waste collection service the chance to purchase discounted home composters. This is not only a benefit to the environment but it also allows households to undertake composting activities at home. The Council could enter into partnership with a compost bin provider to make compost bins available at a competitive price. The Council will provide information on how to use a compost bin and educate and encourage residents to maximise use of this option.
40. If a charge for the garden waste service is to be introduced then it is important to offer alternatives to those households who do not wish to pay for a garden waste collection service. Therefore, the Council would need to continue to allow all residents to dispose of garden waste, free of charge, at the two household waste recycling centres (HWRC's) in York.
41. The garden waste wheelie bins across the city have been in situ for a number of years. If a garden waste subscription service was to be introduced, the bins would be replaced free of charge. This would only be for bins that have damage (e.g. damaged wheels, cracked bins etc). In addition, the garden waste subscription service would be delivered using a 180 litre bin (therefore, if an older 240 litre garden waste bin is in existence this can be used until the point it breaks but the subscription service would be delivered through a 180 litre bin upon replacement).
42. If residents do not wish to subscribe to the garden waste service, then it is recommended that there be the continuation of free disposal of garden waste at HWRC's and the option of purchasing a discounted home compost bin. In addition, as 'old' wheelie bins would be difficult for residents to dispose of it is proposed that (i) residents can be encouraged to keep garden waste bins at their properties and use them for water butts or even for storage purposes and/or (ii) a one-off collection of garden waste bins be undertaken for those households not subscribing to the garden waste service. This would require the resident to register for the

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removal and this collection would be undertaken free of charge (please note that this would likely be undertaken 12 -18 months after any subscription service be adopted). The Council will ensure that it liaises with an appropriate contractor to recycle the old garden waste bins.

43. The majority of local authorities across England charge for garden waste collections from the kerbside. There is no evidence to suggest that charging a subscription fee for garden waste leads to an increase in fly tipping. Most residents either choose to home compost or take their garden waste to a HWRC (which is free of charge). Fly tipping will continue to be monitored and if appropriate enforcement action would be taken against offenders.
44. Consideration has been given to the potential for any adverse climate change impacts. If residents choose not to subscribe to the garden waste service, experience from other authorities shows that people home compost and there is no corresponding rise in residual waste tonnages. In addition, experience shows that not all households will subscribe to the garden waste collection service and therefore, in future years there is likely to be capacity to offer the service to households not currently served by the current garden waste service.

How A Garden Waste Scheme Could Operate

45. The garden waste subscription would operate on an annual basis (i.e. the householder would pay a set fee for kerbside garden waste collections in a particular season (the season would run for 40 weeks between March to early December so a resident would receive up to 20 garden waste collections per year).
46. The fee would be payable, in advance, for the upcoming garden waste season. The fee would be paid in full and it is proposed that this can be done through an online form as a preferred option or through the Council's contact centre.
47. Information for subscribing households could be held on the Council's existing waste management system (Webaspx). This would record which households have subscribed to the garden waste service. In addition to this information, it is proposed that subscribing households are issued with a tamper proof sticker to

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affix to the bin. The colour of the sticker would change annually to provide a visual reminder for collection crews regarding which households have a valid subscription. Only garden waste bins with a valid subscription would be collected.

Garden Waste Conclusion

48. Therefore, on balance it is recommended that the garden waste service becomes a subscription service but with a charge to be set at such a level to encourage participation in the scheme. The current charge for a second garden waste bin in York is £43 and the charge for the annual garden waste service across North Yorkshire (our nearest local authority) is currently £43.50 and is set to rise to £46.50 in 2024. It is recommended that the fee is set at £46.50 per bin. Members could apply a discount of 50% to make this more affordable for some households.

WASTE POLICY

49. The service is seeking to adopt a formal Waste Policy as it is important that there is a clear understanding of what is offered by the Waste and Recycling Service. The Waste Policy will ensure there are agreed policies and procedures in place so there is transparency and clarity for residents, officers and Council Members over what the Waste and Recycling Service entails.

Background

50. The Waste Service operates a domestic and commercial waste service across the city. The service has a statutory duty to collect household waste and at least two forms of recyclable waste from the kerbside at approximately 91,500 households across the city. In addition to this, the service also provides a kerbside collection of garden waste to approximately 66,000 households across the city.
51. The Waste Service also offers and operates a chargeable commercial waste service to over 1,500 businesses across the city. This is slightly different to the household waste service in that it is delivered over six days (Monday to Saturday). Businesses pay for the collection of their waste and can choose from a single waste collection through to multiple recycling collections (depending on how much space they have at their premises).

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52. The Commercial Waste service provides collections to some businesses on a daily basis whereas others will have a fortnightly collection. There is a separate set of documents for businesses as they have to (i) hold waste transfer notes (administered by our service) and (ii) have a contract so therefore, the Waste Policy focusses on household waste collections (although Commercial waste is briefly mentioned).

Household Waste

53. The policy sets out the key metrics of the household waste service and what residents can expect from the service. This ranges from the frequency and types of collection through to information on missed collections, assisted collections, bulky waste and the Council's household waste recycling centres (HWRC's).
54. There is a detailed section on the Council's website dedicated to showing residents what happens with the waste that is collected and highlights the waste journey in terms of recycling and waste disposal. This is a highly visual aid (with a video) so this information is not referenced within the Policy.
55. The Waste Policy builds on information that is contained within internal documents and on the Council's website regarding waste. However, it pulls this information into one document and focuses more on the agreed policies and procedures so there is transparency and clarity for residents, officers and Council Members over what the Waste Service entails. The Policy is clearly indexed and contains links to the Council's website for ease of navigation.
56. Waste Services is a complex operation with many different variables and therefore having a clear and unambiguous policy is important for all service users. The Policy will be subject to periodic reviews and can be adapted if there are any national changes or local changes to waste collections, collections frequencies or types of collections offered. The Policy is included at Annex A.

Recommended changes to Existing Waste Policies/Practices

57. There are a couple of areas within the Waste Policy where the service would recommend some changes to current practices.

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These are as follows:-

- Medical collections – the service would recommend that residents who require the medical collection service be collected on a weekly basis. If there are still issues, then a larger bin could be offered.
- Missed collections – the service is proposing that there will no longer be a return for single missed collections (the service will still return for (i) missed medical collections, (ii) missed assisted collections and (iii) any missed whole streets as the result of 'no access', breakdowns etc). This is to ensure that the service balances cost with environmental factors. Additional waste would be accepted at the next scheduled collection for single missed collections.
- Bulky waste collections – the service proposes that we will now start to collect items from behind alley gates (as and where appropriate)

Other Future Service Developments

Bags to Bins

58. The bags to bins project seeks to improve household waste collections for residents in some terraced areas of the city and reduce the potential for injury to our waste collection operatives. The project also seeks to reduce the incidence of windblown litter from torn refuse sacks. In 2015, a project was initiated that identified properties that potentially would be suitable to transition from bags to the wheeled bin service. The project was agreed in principle at the Cabinet Decision Session in November 2015 and commenced in earnest in 2017.
59. The project was implemented in 2 wards (Holgate and Westfield), to the benefit of 1,016 properties which were successfully changed from bags to bins. Since then, the project has stalled because of competing priorities. The Environmental Services team are now in a position to progress this project, but before doing so are seeking approval and a mandate that on the basis of Health and Safety, unless there is a genuine physical reason why a property or street cannot accommodate a wheeled bin, the standard collection method for CYC will be a wheeled bin service.

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60. The majority of properties in York already present their household waste using this method (circa 83,500 properties). However, there are about 8,000 properties, in 285 streets, currently have a bag collection for their household waste. It is anticipated that the Bags to Bins project will enhance street level service and the street environments by reducing the amount of litter created from split waste sacks generally caused by residents using kitchen bin liners to present waste rather than proper refuse bags and animals scavenging.
61. If a property is able to accommodate a wheeled bin for household waste, then it is likely to also be suitable for garden waste collections. Garden waste can only be provided to those properties deemed suitable for an individual domestic wheeled bin service. At present there is no scope to expand the garden waste service which is at capacity. However, through other projects such as route optimisation, the provision of a wheeled bin would mean these properties could be looked at for inclusion when reoptimizing the garden waste service.
62. The service would like to supply a wheeled bin service to approximately 5,500 properties across 7 wards.
63. The table below shows the wards identified by the project which are considered suitable for wheeled bins. Wards are not in priority order. If members would like officers to consider specific wards as a priority these can be looked at, otherwise they will be implemented in the order they appear in the table.

Ward	No. of streets suitable for wheeled bins	No. of properties suitable for wheeled bins
Clifton	20	635
Fishergate	14	433
Guildhall	49	1313
Heworth	5	95
Holgate	2	184
Hull Road	1	49
Micklegate	79	2835
TOTAL	170	5544

64. Every street in scope of the project was re-assessed for bin suitability and vehicle access in 2021, after new Route Risk

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assessments were undertaken. Many properties previously deemed as unsuitable were reclassified as now suitable for a wheeled bin collection. This is also in part to the service procuring new narrow chassis refuse vehicles which make access easier. The table below shows the number of properties that have now moved from 'unsuitable' to 'suitable'.

Ward	No. of properties previously unsuitable	No. of these properties now suitable
Clifton	1223	635
Fishergate	638	433
Guildhall	2374	1313
Heworth	157	95
Holgate	413	184
Hull Road	49	49
Micklegate	3487	2835
TOTAL	8341	5544

65. Suitable properties are those which meet the following criteria:
- sufficient external storage space for the wheeled bin in between collections.
 - streets which are accessible to the vehicles which are able to collect wheeled bins.
 - properties in streets where accessibility is afforded and wheeled bins would not cause significant obstruction to the highway on collection day.
 - properties with a suitable place to present the bin for collection – this may be front edge of property or at a central collection point for a number of properties.
66. Properties which are unsuitable for wheeled bins are those which do not meet the criteria above. They may also have other operational reasons identified which make them unsuitable for wheeled bin collections.
67. If the decision is to approve the move from bags to bins then there is provision in the existing capital budgets for the purchase of wheeled bins.
68. The service is keen to provide wheeled bins where possible to residents and transition households from bagged collections to wheeled bin collections for household waste. The service is happy to undertake any individual Councillor ward 'walkabouts' prior to

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agreeing the streets moving from bags to bins in each ward. Adopting this approach also means we could order a large number of bins at once which would bring the price of containers down compared to smaller individual orders.

69. If properties do transition from bagged collections to wheeled bins, then one standard grey 180 litre wheeled bin for residual waste will be provided free of charge to each property. Following roll out, any subsequent replacement bins requested by the resident will be subject to the council's charging for bins policy.
70. If adopted, ward members will be informed in advance of rollout within their ward. They will be provided with a list of affected streets and property numbers, a timetable for the rollout, and any other information of relevance to the project and their ward.
71. The service will write to properties suitable for wheeled bins and provide affected residents with notice that wheeled bins are being introduced. This communication will also include:
 - dates for rollout
 - guidance on how to use a standard 180 litre wheeled bin.
 - where the bin should be stored in between collections.
 - the presentation points for collection.
 - where relevant, we may include maps showing the location of a central collection point.
 - our responsibilities during collections.
 - assisted collection information.
72. Households currently registered for an assisted collection will continue to receive this service using their wheeled bin. We will write a separate letter to these addresses to ensure assisted collection residents are not unduly concerned and understand that the service will continue.
73. Larger households, which meet the qualifying criteria, may upgrade their wheeled bin to a 240 litre (households of 5), or a 360 litre bin for households of 6 or more.

Round Optimisation

74. The service has reached a point where a round re-balancing and re-routing exercise is required. This is the result of expansion of

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the city with more households to service and changes made to the waste. In addition, changes to the waste and recycling fleet offer opportunities to further improve the service. The current rounds are based on the old fleet and are therefore less efficient than they could be.

75. The new rounds should improve the service to customers whilst reducing cost and minimises the impact on the environment by reducing mileage (waste vehicles drive travel approximately 4 miles to the gallon). Re-optimisation of the collection rounds would be designed to ensure that recent housing growth and new developments in construction, can be added to collection rounds and also ensures that the 'task' is more balanced and equitable amongst the collection crews.
76. The round optimisation piece of work is complex and requires both internal and external resources (i.e. external and internal checking and verification of routes and updating of the round management system). The re-optimisation will see the creation of circa 250 collection rounds. As part of the modelling, the service would seek to ensure that residents have a 'matched' collection day (i.e. their household waste and recycling waste is collected on the same day but on different weeks). Collection days for the vast majority of residents would change as when all vehicles are 'grouped' and collecting in a similar area each day there will be a high proportion of collection days and in some cases the week of collection that may change from the current collection day/week.

City Centre Collections

77. Waste collections in parts of the city centre where access for waste collection vehicles is most difficult are undertaken under a contract with St Nicks. This contract is due to expire and cannot be extended again.
78. The Council is seeking tenders to continue the service under contract. The proposal is that subject to tenders being affordable the award of contract is delegated to officers in consultation with the relevant Executive Members and statutory officers.

Next Steps

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79. Should members decide to approve the principle of a garden waste subscription service then officers will update the Draft Waste Policy in Annex A to reflect a Subscription Service for Green Waste and prepare a set of Terms and Conditions.
80. Further work will be undertaken on the Draft Waste Policy to update the documents in terms of the previous decision to charge holiday lets and Air B7Bs as commercial waste.
81. In addition the council will develop of waste campaigns that support residents and businesses to reduce the amount of waste they produce, recycle more of it and move towards a circular economy (review performance measures in line with this change).

Organisational Impact and Implications

82. The implications are as follows:
 - **Financial:** The recommendation is to introduce a subscription service for garden waste collections. This is anticipated to generate an income of circa. £900k which will offset the overall costs of providing the service. One-off costs of up to £250k can be charged to the waste Reserve which currently stands at £829k. The cost of purchasing new bins for the 5,500 Bags to Bins properties can be met through the Public Realm and Waste Equipment capital budget of £163k. The overall value of income will ultimately be dependent on take up for the service. If Members were to offer the 50% discount, it is likely to reduce overall income received indicatively forecast at £30-£50k.
 - **Human Resources (HR):** Any posts that are required to deliver the garden waste service will follow appropriate HR and cost control procedures.
 - **Legal:** Green Waste: A Council does not have to collect garden waste but it is a service it can choose to provide. It can also recover the costs of providing discretionary services but it cannot make a profit. Household Waste: Councils are under a statutory duty to collect household waste and must arrange to do so consistently with concurrent duties to secure continuous improvement and set a balanced budget.
 - **Procurement:** Any proposed works or services, or variations to existing contracts will need to be commissioned via a compliant procurement route under the Council's Contract

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Procedure Rules and where applicable the Public Contract Regulations 2015. All tenders will need to be conducted in an open, fair and transparent way to capture the key principles of procurement. Further advice regarding the procurement routes, strategies and markets must be sought from the Commercial Procurement Team.

- **Health and Wellbeing:** Garden waste removal has several positive health benefits for the individual, public health is broadly in support of the proposal presented to approach this aspect of waste removal in the city. We note the revised approach to medical waste removal and feel this is a positive step forward for residents.
- **Environment and Climate action:** The amount of garden waste composted as part of the Council's operation may reduce. However, the garden waste not collected from the kerbside would either be composted at home, taken to a household waste recycling centre (HWRC) and composted or in a worst-case scenario placed in a black household waste bin and recovered at Allerton Park (through the anaerobic digestion process). By undertaking a piece of routing and rounding optimisation the collection rounds will be more efficient; reducing emissions and help to improve carbon emissions and air quality. There is no evidence to suggest that increased fly tipping or paving of gardens take place where garden waste charges have been introduced.
- **Affordability:** Members may wish to offer a 50% discount on the annual subscription fee for resident who may not be able to afford the service e.g. those in receipt of Council Tax Support. If residents do not wish or cannot afford to subscribe then there are other alternatives which are available for the free disposal of garden waste (e.g. home composting and/or disposal at a household waste recycling centre).
- **Equalities and Human Rights:** There is a proposal for extending the number of households that have their waste collected via wheeled bins as opposed to bags. In addition, these properties could benefit from a chargeable garden waste collection service if they wish to do so. In relation to the proposal to move to a subscription service for garden waste then there are alternatives available to households (e.g. free options such as home composting or taking materials to a household waste recycling centre or even spreading cost through sharing a subscription with a neighbour).

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- **Data Protection and Privacy:** no specific comments on this report.
- **Communications:** Communications support will be required in the short term around the introduction of the new policy in terms of both managing any media and ensuring public awareness of the change. This will be undertaken, at least in part, within the planned activity which supports the Council's current budget process. In the longer term, a business case for marketing the new service will need to be developed to ensure that householders are aware of the new service, and either subscribe or make use of the alternatives available to them.
- **Economy:** no specific comments on this report.

Risks and Mitigations

83. The key risk is if residents do not sign up to a subscription service for garden waste collections, then the expected income projections may not be realised. However, the experience in other local authorities shows that their residents continue to subscribe to the garden waste collection service in their areas. Should subscription rates be lower than expected, then the Council would not be deploying resources to collect so there would be a saving to offset the cost. Should take up of the service be lower than anticipated it should be possible to reduce the overall costs as fewer rounds will be required. This should allow operational savings to be made in future years.

Wards Impacted

84. All wards are impacted by the decisions contained within the report.

Contact details

For further information please contact the authors of this Decision Report.

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Author

Name:	James Gilchrist
Job Title:	Director of Transport, Environment and Planning
Service Area:	Place
Telephone:	01904 552547
Report approved:	Yes
Date:	16 January 2024

Co-author

Name:	Ben Grabham
Job Title:	Head of Environmental Services
Service Area:	Place
Telephone:	07749 710152
Report approved:	Yes
Date:	16 January 2024

Background papers

Executive September 2023 - 2023/24 Finance & Performance Monitor 1
[\(Public Pack\)Agenda Document for Executive, 14/09/2023 17:30 \(york.gov.uk\)](#)

Annexes

Annex A - Draft Waste Policy
 Annex B - Equality Impact Assessment

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Introduction

In 2023, waste was responsible for 2.7% of York's total greenhouse emissions and represents a depletion of finite resources which we need to reverse. Our Climate Strategy outlines 3 objectives; (i) to reduce the amount of waste (ii) to increase recycling rates where reduction is not possible and (iii) to move towards a circular economy. As individuals and as a city, we all need to play our parts in achieving these objectives.

To support this, the Refuse and Recycling Policy for the City of York Council aims to ensure that its waste and recycling services operate effectively and efficiently to maximise recycling and reduce the amount of residual waste.

This policy document is designed to lay out agreed policies and procedures that are clearly defined. Ensuring transparency and clarity for residents, Council members and Officers of the City Council.

Under the terms of the Environmental Protection Act 1990, The City of York Council is classed as a Waste Collection Authority. As such, under section 45(1) we have a statutory duty to collect household waste from all domestic properties within our administrative area.

Under Section 46(4) of the Environmental Protection Act 1990, the Council has specific powers to stipulate:

- The size and type of the collection receptacles
- Where the receptacles must be placed for the purpose of collection and emptying
- The materials or items which may or may not be placed within the receptacles

Any residents not complying with the Council's requirements, may be subject to a fixed penalty ticket or other legal action under the Section 46 notification, or a loss of the collection service. It is intended that the policy document will outline how the City of York Council will deliver the refuse and recycling collection service and with appropriate education and support, enforcement action should not be required.

Environmental Services Waste and Recycling Policies

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Policy 1: Frequency of Collection

The Council will collect domestic refuse and recycling on an alternate weekly basis in most areas of the city. Garden waste is also collected on a fortnightly basis during the collection season of early March to early December.

Where possible the alternate weekly collection day will be the same day of the week for refuse and for recycling. This is not guaranteed however and is subject to operational constraints. The time of the day for collection may vary due to outside forces such as road works, vehicle breakdowns or other situations outside of our control. Therefore, residents are asked to present their bin(s) by 7am on their designated collection day. Bins should be presented no earlier than 7pm in the evening prior to collection.

During Bank Holiday weeks, collections will usually be as per your regular collection day. However, there may be occasions when collection days are altered. This is normally over the Christmas and New Year period.

Information about alterations will be advertised through several methods such as local newspapers, social media and the Council's website www.york.gov.uk/waste

Occasionally collection days can change, and this is necessary to ensure that our collection rounds take account of new developments and are routed efficiently. In such cases the affected residents will be notified of the change by post in the first instance. However in the case of a wholesale city change to service a different means of communication may be deemed more appropriate. We no longer provide printed paper calendars to all residents on an annual basis. Details of collection arrangements will always be made available on our website at <https://myaccount.york.gov.uk/bin-collections> or residents can contact request a paper copy be sent to them via our contact centre by calling 01905 551551 or emailing ycc@york.gov.uk

Policy 2: Refuse Collections

All refuse bins are liable to inspection before collection. The refuse bin should only contain 'non-recyclable' household waste:

It must not contain:

- Batteries of any kind
- Soil
- Clinical waste, including sharps
- Tyres
- Hazardous waste
- Waste Electrical Equipment
- Large 'bulky' items
- Construction/DIY waste such as bricks, plasterboard; cement, aggregates, and timber
- Paint tins
- Commercial waste
- Waste from Holiday lets

Should the refuse bin contain waste of the type detailed above, the refuse operator will not collect the waste and will log the issue using their Incab device. The disposal of the waste will then become the responsibility of the resident, who will be required to dispose of the waste in an appropriate manner.

Residents can visit www.york.gov.uk/HazelCourtHWRC or www.recyclenow.com to find out the best way to dispose of item that cannot be placed in their bin.

If the resident removes the incorrect waste item(s). The bin can then be presented at the next refuse collection. We will not return to empty the bin before the next collection day, nor will we collect any additional waste arising from this non collection. The resident must make arrangements to get rid of any excess waste themselves ideally by visiting a [Household Waste Recycling Centre](#)

Policy 3: Presentation of Refuse

Standard collections

The standard collection point for bins is the front edge of the residents property. Receptacles must be presented at the front boundary of the property, at the point nearest the highway by 7am on the appointed day of collection. It is helpful if residents place their bins at the kerbside with the handles facing outwards to assist crews with swift collection of the containers. Crews will return emptied containers back to the point of collection.

The Council will not empty any wheeled bin not supplied by City of York Council. Where householders share a driveway, they will be required to present their waste receptacles for collection at the end of the shared drive, at a point nearest to the highway. Where an individual property is located down a 'long-driveway', the householder is required to present their waste receptacle for collection at the point nearest the highway.

Central collection Points

Central collection points are used where access may present an issue for waste collection.

Central collection points are used for bagged Household waste collections and wheeled bin collections only, they are not used the collection of kerbside boxes.

For example a resident may present bags at a central collection point for refuse but have their recycling collected from the front of their property. In these cases it will be made clear to the resident where the correct presentation points are located for each waste stream. Details can be found by visiting the CYC waste calendar [look up tool](#)

Where a street / area uses central collection points the following rules apply:

- Waste must not be presented before 7pm the night before collection
- Waste must be at the central collection point by 7am the morning of collection

- Waste must be in either a wheeled bin or securely tied black plastic refuse bags – waste should not be placed out for collection in kitchen bin liners, carrier bags or storage bins.
- Bulky or large household items should not be placed at the collection point. This waste will not be removed from the CCP and will be classed as fly tipping
- Waste should be placed with care in a neat and tidy manor with care taken not to block access to properties, streets, or driveways.
- Where security gates (Alley Gates) are in place in back lanes, all waste should be placed outside of the gates – waste operatives will not go behind the security gates.
- Where wheeled bins are presented for collection, they should be retrieved and brought back on to the homeowner's property by 7pm the night of collection.
- If a CCP becomes a problem, then the issue will be investigated by the neighbourhood enforcement team under section 46 of the environmental protection act

Where the 'long-driveway' serves several properties, CYC may introduce a central collection point for all bins/ boxes at a designated point nearest the kerbside. Any variation to this policy will be at the discretion of the City of York Council Environmental Services Officers. Their decision will be deemed to be final.

Residents are also asked to be mindful of others who may struggle to navigate around bins left on the highway/ pavement without care and to bear in mind that this may affect those with sight loss or mobility issues. Residents are asked to return their bins to their own properties by 7pm the day of collection.

Wheeled bins that are not returned will be (if regularly left out) classed as an 'abandoned bin' and removed. If a bin has been removed the resident would be subject to a charge to replace the bin.

Excess Waste

The presentation of 'additional' refuse does not support waste minimisation principles or encourage residents to maximise recycling. Therefore, excess refuse left beside the wheeled bin will not be collected unless it has been authorised. Residents should use the Household Waste Recycling Centres to dispose of this waste ([see policy 29](#))

The Council provides advice to residents on how to reduce their waste, upon request. Should a resident continue to present unauthorised 'additional waste', the Council will take appropriate enforcement action under Section 46(4) of the Environmental Protection Act 1990 ([see policy 10](#))

Policy 4: Recycling Collections

All recycling receptacles will be subject to inspection prior to collection, to establish that they contain only the correct recyclable materials, as detailed on the [CYC website](#).

Contamination can have a major impact on our recycling and composting schemes by reducing the quality of the material and the risk that it will be rejected by the re-processors. The rejection of loads increases disposal charges and loses income.

Recycling and garden waste receptacles considered 'contaminated' by operatives will not be collected. At the discretion of the Waste Operative, they may remove contaminating materials from receptacles and empty the bin or box. If contamination is not considered severe enough to warrant a bin rejection.

If the contamination is severe enough to reject the receptacle, this will be logged on the crews Incab device.

The Council will not make an unscheduled return visit to collect recycling receptacles rejected for collection, even if the contaminated material has been removed by the householder. In this circumstance, the disposal of the rejected waste will be the responsibility of the householder, who will be required to dispose of the materials using the most appropriate facilities ([HWRC](#) or [recycling bank](#))

Should a resident continue to present recycling receptacles containing contaminated waste material, The Council will provide a reasonable level of advice and assistance to householders regarding how to recycle their waste effectively, prior to taking [enforcement measures](#).

Policy 5: Presentation of Recycling

55L Kerbside boxes are used for recycling. Historically 3 boxes were issued as a standard set when residents were required to split their recycling into three different streams. Residents are now only required to split their recycling into two different streams.

- Paper and card
- Plastic, tins, glass, foil

Boxes are free of charge and residents are encouraged to only use CYC provided containers as they have been proven fit for purpose and are of a standard shape, size and weight for manual handling purposes. We reserve the right to not collect any container we deem unsafe for collection.

A standard amount to present for collection is 3 kerbside boxes. Small amounts of additional recycling, for example one equivalent box full, can be presented in addition to your recycling boxes of plastic, glass and foil. Additional recycling should be clearly identifiable (please do not present in black bags). Whilst we will make every effort to collect all additional recycling presented, we may not always have space in our vehicles.

Additional cardboard should be broken down to fit into the equivalent size of a recycling box and placed into a sturdy container to prevent it being blown around before collection. Residents are asked not to present cardboard in plastic bags as this would contaminate the load, and not to present cardboard tightly packed inside another box as this takes up more space in the wagon and will not be compressed the same way as loose cardboard.

Large amounts of brown outside packaging cardboard should be taken to your nearest Household Waste Recycling centre or recycling bank. The location of which can be found by visiting our [website](#) or www.recyclenow.com/recycling-locator We will not collect this material at the kerbside.

Policy 6: Garden Waste Collections

City of York Council provides a garden waste service to approximately 66,000 properties. Collections are made over the 'season' which is currently early March to early December.

Residents should only place garden and plant waste into their green bin. Some items which are suitable for home composting are not suitable for disposal within your garden waste collection and we may refuse to empty your bin if it contains items which we do not collect.

Acceptable waste

- Grass and hedge cuttings
- Leaves and bark
- Garden plants and flowers
- Non invasive garden weeds
- Twigs and small branches
- Windfall fruit
- Cut flowers, house plants, dried flowers
- Real Christmas trees and natural wreaths (chopped up so the fit inside the bin with the lid closed)
- Straw bedding from small vegetarian animals

Unacceptable waste

- Soil, turf, rubble, coal, BBQ charcoal
- Large whole branches/trees (these should be taken to the HWRC and placed in the wood container)
- Artificial plants and trees
- Invasive weeds such as Japanese knotweed
- Food or other kitchen waste
- Plastic, paper, cardboard and other packaging such as those labelled 'compostable'
- Pet and animal waste from cats and dogs
- nappies

All garden waste must fit inside the bin with the lid closed. We may refuse to empty your bin if it is too heavy from materials such as soil as this can be a dangerous hazard when moving and loading the bin on to the wagon.

There is currently no capacity to add any more properties to the garden waste service.

Policy 7: Garden waste subscription scheme

Any household that currently has an existing garden waste collection can subscribe to the additional garden waste scheme. Our collection vehicles use In-cab technology to identify properties that have subscribed to the scheme.

There is no collection charge for the collection of one garden waste bin, additional bins are then charged at a one off cost, per bin, per season.

Payment for the scheme is taken by direct debit only and residents should contact the CYC contact centre on 01904 551551 to subscribe.

All subscriptions are valid until the end of the current 'season' so residents are encouraged to subscribe at the start of the season to make full use of the service.

If a subscription scheme garden waste bin is missed, we will return to collect it (we do not usually return for missed garden waste bins). We will not refund any subscription charges if a bin is missed.

Subscribers to the scheme should identify all garden waste bins with their house number or name, particularly if they are presented for collection alongside neighbouring bins.

Households that do not currently receive a garden waste service cannot subscribe to the additional garden waste subscription scheme.

Subscribers can cancel their subscription at any time by contacting their bank. We do not offer refunds or money back once payment has taken and collections have begun. Once we have had it confirmed that payment has been cancelled, we will remove the additional bins from our Incab devices and crews will no longer collect them. The resident can keep the physical container

Policy 8: Missed Collections

Residents can check www.york.gov.uk/wastecollectionupdates where we update our 'known collection issues' and 'known missed streets' Monday to Friday by 5pm

If an issue occurs that affects our ability to collect a street or area, we will update this page with the affected properties/ streets advising when we will recollect this waste. Properties listed do not need to log their waste as individual missed bins.

For individual missed bins, we only return to collect refuse. If the bin to a property is marked as 'bin not out' by the crew then we will not return for this bin. We only return for missed collections of Garden waste or Recycling where a customer receives an assisted collection (i.e. we have failed to collect and return the bin as agreed)

Household Waste can be considered as 'missed' if:

- The waste was presented by 7am on collection day
- The waste was presented in the correct location
- The crew have not reported an issue with the waste on their Incab device (not presented/ improper materials/ excess waste for example)

Waste and recycling receptacles not presented for collection, at the time of collection, will be recorded as 'bin not out' on Incab devices. This information will be visible to contact centre and back-office staff immediately. In such cases the resident will then become responsible for the disposal of this waste, and we will not return to collect.

If a bin has genuinely been missed this can be logged by contacting the CYC contact centre after 4pm on the day of collection and we aim to recollect on the next working day. At busy times this may take up to 5 days.

Policy 9: Rejection of Receptacles for Collection

The Council will reject for collection, refuse and recycling receptacles for the following reasons:

- Bin lid not fully closed (Crocodile bins)

- Wrong receptacle presented, e.g. recycling boxes presented on refuse week
- Materials not suitable for recycling placed into the recycling box
- Refuse bin contains unacceptable waste as detailed in [Policy 2](#)
- Waste receptacle is too heavy to lift, due to it containing heavy waste such as construction/DIY/soil/garden waste.
- Waste container damaged (spilt side/ missing wheel)

Policy 10: Education and Enforcement procedures

We aim to educate residents in the first instance of an issue arising, whether this be improper presentation of containers, wrong materials or containers left on the highway. We will seek to resolve the matter directly with the resident.

In areas of high turnover (such as student areas) we will continue to run 'end of' and 'start of' term communications alongside other institutions advising the occupants of how to be a good neighbour and how to find their waste information easily to prevent issues arising in the first place.

Any enforcement is carried out in staged approach by the 'Community Safety and Neighbourhood Enforcement' team who will act on the following issues relating to waste.

- Domestic waste permits (fraudulent use of).
- Duty of care – Commercial/ trade/ domestic responsibilities regarding rubbish.
- Fly tipping – public or private land.
- Scrap metal dealers – illegal transportation and/ or disposal.
- Unsightly properties – overgrown/ waste on premises.
- Waste presentation – incorrect presentation of domestic waste – bins and bags.
- Waste carriers and waste transfer documentation.

Persistent incidents may result in a notice being served to the resident, under Section 46 of the Environmental Protection Act 1990 and will allow a Fixed Penalty Notice (FPN) to be issued on the next occasion.

Policy 11: Spillages

Where spillages occur, crews are equipped with a brush/ shovel to clean up as much of the spillage as possible and they should make every attempt to do this where we are at fault for the spillage.

This does not apply to days affected by windy weather where residents have not appropriately enclosed their recycling before collection (box lids are provided free of charge). Whilst operatives will make all attempts to collect recycling in a neat and tidy manner, they cannot litter pick items that have been blown about prior to collection.

Crews are instructed to report large scale spillages that they are unable to clean up to their supervisors. In these cases, the Public Realm/ street cleaning team will be tasked with this clean up.

Water may sometimes leak from wagons collecting garden waste, this is harmless condensation from green bins it is not a contaminant of any kind and is harmless if left on the road.

Mess that occurs in areas that have bags collected from a central collection point (from ripped bags / animals prior to collection) should be cleared by the public realm street cleaning teams after collection takes place

Policy 12: Provision of Wheeled Bins

Each household is provided with one grey coloured, 180L, wheeled bin for residual (non-recyclable) household waste. This bin is chargeable, current costs can be found by visiting www.york.gov.uk/OrderWasteContainers (where provision of container is available - see below)

Provision of more than one refuse bin is not permitted.

8,500 properties currently have residual waste collected in black sacks. Of this number approx. 5,500 properties could accommodate a wheeled bin but are currently not permitted to order one. No changes are permitted to how waste is collected from a property (i.e. Bags to a bin or vice versa) Only when City of York Council has carried out an assessment of all areas currently presenting bags can a whole street/ area have their collection method changed based on operational needs and improved health and

safety standards. Requests from individual properties based on preference will not be approved.

All households are required to present their Household waste or garden waste (where service is available) in wheeled bins issued by the council. Where wheeled bins are not in use for collection, residents must present their waste in black bags (not issued by the council) waste in bag areas should not be presented in storage bins or in kitchen bin liners that are not durable enough for collection and prone to breaking or leaking before collection.

In most locations, Presentation must be made at the front boundary of the property where it meets the kerbside. We refer to this point as the curtilage. The exception to this policy is where a [central collection point](#) is in place.

An example of this would be terraced properties without forecourts and no viable access for wheeled bins from the rear of the property to the curtilage. In these or similar circumstances, alternative waste collection arrangements are made and generally a central collection point is in use. Residents can find out where their presentation point is by using the collection calendar 'look it up' tool myaccount.york.gov.uk/bin-collections

In the interests of sustainability, waste minimisation, and therefore reducing costs to the council taxpayer, the Council issues black (refuse) wheeled bin capacity to households based upon occupancy.

Household occupancy is defined as number of permanent, full-time occupants. Please be aware that a charge also now applies for supplying all wheeled bins (if provision of wheeled bin is permitted).

A standard family wheeled bin (180L) is the default bin provided to most residents. Separate policies are applicable for flats and premises of multiple-occupancy, see [\(Policy No 24: communal bin stores\)](#) [\(Policy 19: House of Multiple Occupancy\)](#)

Larger Family wheeled bins

Only households that have 5 or more occupants or have a specific verified need (such as [medical waste](#)) can apply for additional refuse bin capacity. This request will only be approved subject to residents also fully using the

existing recycling facilities. Once provided, the standard size 180L wheeled bin may be taken away and replaced with a larger 240L or 360L capacity bin. Please be aware that a charge also applies for 'upgrading' wheeled bins.

Policy 13: Charges for Wheeled Bins

Charges for supplying wheeled bins were introduced by City of York Council in 2013. The Council is under increased pressure to save money and the charges for bin provision solely cover the cost of the bins and their delivery.

We encourage residents to take care of their bins by asking them to label their bin with their house number and to bring the bin back into their property as soon as possible after collection to prevent loss or theft.

Charges apply to both new properties and for replacement bins. Payment will be taken prior to any replacement being delivered. The exception is where bins are damaged by our crews. If this occurs crews will report this damage via their Incab technology, a postcard will be left for the resident and a replacement container charge will be waived. Please visit www.york.gov.uk/OrderWasteContainers for details of current charges.

Any requests to provide new wheeled bins (refuse or recycling) for a new build property or due to loss of an existing bin must be made to the Council; either by contacting the Customer Service Centre on 01904 551 551 or by emailing ycc@york.gov.uk

Replacement wheeled bins will be delivered as soon as practicable after the payment has been received, but in most cases within 10 working days.

If your bin has been damaged, please continue to place waste in the bin as normal and we will remove the damaged bin and its contents after we have delivered the replacement bin.

If your bin has gone into the wagon and you do not have a bin to use while you wait for a replacement. Please use securely tied black refuse bags to store your waste until collection day (this applies to refuse only) We cannot collect garden waste in plastic bags. In the temporary absence of a green bin, residents can use the Household Waste Recycling Centres to get rid of this waste until their new bin arrives.

Householders are responsible for the storage, safe keeping and cleaning of refuse and recycling receptacles.

Policy 14: Wheeled Bin Lost in Collection Vehicle

There may be some circumstances where a bin is lost or damaged in the back of the collection vehicle. Should this occur, our crews will place a postcard through the residents door advising of the incident. They will also report this through their Incab devices where an order will be generated for a like-for-like bin. In these cases, the Council will replace the wheeled bin free of charge. We aim to deliver replacement bins within 10 working days, at busy times this may take longer

Policy 15: Lost or Stolen Wheeled Bin

If we have lost or damaged a bin during the course of collection, we will put a postcard through the door to replace it free of charge. However, if the resident has not received a postcard they will need to pay for a replacement if their bin:

- Has signs of wear and tear
- Has been lost or stolen
- Was missing when you moved in
- Was not bought from us

Policy 16: Assisted waste collections

Residents, who are unable to transport their wheeled bins/bags to the required collection point because of ill health, infirmity, or disability are eligible for an 'assisted collection'. This is where a loader will collect and return the waste receptacle to the residents' address. An assisted collection is only offered to residents who do not have other occupants in the household that are able to assist them (16 years and over)

Residents are required to provide information so that a simple assessment may be completed. Applications are considered on a case-by-case basis. Home visits are carried out only where necessary.

Assisted collections are subject to the Council being satisfied that service provision is warranted. Residents on the assisted collection scheme will

have their wheeled bins/bags collected by a collection operative from an agreed location and emptied into the collection vehicle. Wheeled bins and boxes will be returned to the same location.

It is the resident's responsibility to ensure the unobstructed availability of the receptacles i.e. garden gates are unlocked by 7.00am on the date of collection. If the collection operative is unable to gain access to the wheeled bin/bags they will not be emptied/collected until the next scheduled collection.

In terraced areas where waste is normally presented at central collection points, the following rules apply:

- In there is an alley gate in the location, the resident will need to present their residual waste in black bags at their front door for collection. Waste operatives will collect the waste as usual from the central collection point and also visit the front door of those residents that are unable to get to the CCP. We will also collect recycling from the front door on the alternate week (as is usual)
- If there is no alley gate in the location, the crew will collect both residual waste and recycling waste from the rear of the property. Crews will collect waste from the rear yard of the property and will return any containers to the same location. Residents must make sure their rear access/ gate is clearly marked with their house number and ensure that the gate is unlocked for a successful collection to take place.

If the residents circumstances change, they must inform the Council. The assisted waste service is valid for 3 years from the date of request. The Council will constantly monitor the service and all residents will be written to after a period of three years to confirm they still require the service.

Policy 17: Medical waste Collections

Some residents have certain medical conditions, which mean they place personal care items such as nappies and incontinence pads, in their wheeled bin. This may take up more space in their bin and can be offensive in smell and appearance meaning they need collecting more frequently (this waste is *not* known to be infectious). This service is not for the disposal of clinical waste such as sharps or yellow/ orange bag waste that is likely to

contain infectious waste (see separate policy section for guidance on clinical waste [\(Policy 18\)](#))

Residents producing this type of waste are offered a weekly collection as standard. If the resident continues to struggle with their waste despite receiving a weekly collection, they will then be offered a larger bin to help them cope.

This arrangement will then be updated onto the crews Incab device and set for a period of three years. Any residents who's assisted collection is due to expire will be written to. Every effort will be made to contact the resident. However, if no response is received within 12 weeks then the service will be removed.

'Assisted collections' are also available to those receiving a medical waste service see [\(policy 16\)](#) if they qualify.

Policy 18: Clinical waste Collection service

Free clinical waste collections are provided for residents who need to self-medicate at home. Please note this is different to medical waste collections detailed above in Medical collection [Policy 17](#)

Before requesting a collection, residents should note that:

- It is your **nurse's or medical professional's** responsibility to dispose of your clinical waste if you are being treated at home
- we **don't** provide replacement yellow sharps (needles) boxes - you need to request these from your healthcare provider
- we **don't** collect medical waste from businesses, charities or doctors' surgeries
- we **won't** collect loose needles or needles presented in any container other than a sealed sharps box

Sharp boxes

To arrange a sharps (needles) collection, residents need to call us and tell us how many and what type of boxes they have for collection and arrange a time and date for collection to take place. If, the information supplied is incorrect we may not be able to collect the boxes as waste on the collection vehicle must tally with the disposal paperwork.

Single boxes of sharps are not normally collected. We ask residents to wait until they have at least 2 boxes to make collections more efficient. however, If a resident has one box from a one off course of treatment please let us know and we can arrange a collection.

Bagged clinical waste (infectious or potentially infectious waste)

We can also collect orange bagged clinical waste. We normally only collect this kind of waste following a referral from York District Hospital

Policy 19: Houses in Multiple-Occupancy

Landlords who manage Houses in Multiple Occupancy need to ensure that they manage their properties in accordance with current legislation. HMO licence changes which came into force on the 1st October 2018, mean that landlords now have to provide facilities for storing and disposing of household waste, recycling and garden waste. If they do not, they are committing an offence and it may affect their ability to operate as a HMO licence holder. www.york.gov.uk/hmowaste

The landlord of the property should engage with the Council at the earliest opportunity when considering waste management arrangements for their property.

Landlords are expected to:

- Plan for waste storage at their properties when applying for a HMO licence
- Make arrangements for the proper storage of bins and recycling boxes within the boundary of their property
- Ensure bins and recycling boxes are stored in a neat and tidy manner
- Provide waste collection information to tenants

Any loose waste stacked next to full bins or bags piled in forecourts, will be taken as evidence that landlords haven't provided sufficient waste storage at their properties.

For multiple occupancy households/properties, the Council may supply an appropriately sized larger wheeled bin(s) for refuse (Where provision of service is available) This container is chargeable.

The landlord of the property should engage with the Council at the earliest opportunity when considering waste management arrangements for their property. If the property is within a bagged collection area, it may be that the landlord needs to supply storage bins for the property so residents can keep their waste in a neat and tidy manner until collection day.

Landlords can apply for a permit to use the HWRC 3 times in a year (per property) to dispose of additional waste from their properties.

Managing a HMO is regarded as a business so any waste removed by landlords (excluding the use of [landlord permits](#) as above) is treated as commercial waste. Landlords must therefore register and pay to dispose of any waste brought to the HWRC and will need to provide evidence of an [upper tier waste carriers licence](#) to [apply for these permits](#).

When disposing of 'bulky waste' landlords must not leave furniture or other bulky items left by tenants outside the boundaries of their properties or in forecourts for extended periods of time. Landlords must take this waste to [Hazel Court HWRC](#)

Policy 20: New Build Properties

For newly built properties, either the developer or the builder (for smaller estates or individual properties) will be responsible for the purchase of wheeled bins for the properties they have constructed. No collections will be made until such time as:

- Wheeled bins, of an approved design and colour, have been purchased and delivered.
- All access roads are complete.
- The point of collection has been agreed.
- The day/frequency of collection has been agreed.

It is recommended that all developers contact the City of York Council's Environmental Services Department for advice at the planning stage and again before construction begins. Please contact us as soon as possible in the planning stages to discuss requirements.

Currently a Garden Waste service is not being supplied to new build properties due to round capacity. Garden waste is not a statutory service and the council is not obliged to provide this service as standard (correct as of July 2023) Developers are encouraged to install compost bins in all private gardens to encourage their use by residents

Policy 21: Bulky waste Collection service

City of York Council in partnership with Yorwaste offer a Bulky Waste collection service. For a one off fee we collect up to 10 bulky items.

Some special terms apply:

- Each small item counts as 1 item; for example, removing a bed which includes a base, a mattress and a headboard would count as 3 items
- Any items which are particularly **large or heavy**, such as cast iron baths and pianos, are assessed on an individual basis
- Collections of **more than 10** separate items also require an assessment
- If the resident wishes to add, amend, or cancel their collection, we must hear from them before 12:00pm the **day before the collection date**.

Residents need to contact our Waste, Highways and Environmental Services team on telephone: 01904 551551 to arrange an assessment or a collection.

If bulky items require an assessment, it will be booked to coincide with the ward based bulky collection schedule. The resident will be advised of when this is taking place. If the resident wishes to proceed with the quote they are provided with, they must telephone and book the collection for a suitable date.

The service operates three days per week and is based on a ward system

- **Tuesday:** Clifton, Haxby & Wigginton, Huntington & New Earswick, Rawcliffe & Clifton Without, Strensall
- **Wednesday:** Acomb, Bishopthorpe, Copmanthorpe, Dringhouses & Woodthorpe, Holgate, Rural West

- **Thursday:** Fishergate, Fulford & Heslington, Guildhall, Heworth, Heworth Without, Hull Road, Micklegate, Osbaldwick & Derwent, Wheldrake

Residents must not place any items for collection on highways, verges or in any public spaces. We do not enter properties to remove items under any circumstances.

Residents should make sure items are not exposed to bad weather and should only place items out for collection by 7am on the date of collection to prevent the items deteriorating. We reserve the right to not collect items if they are not in the condition we expect to find them or as described at the time of booking.

We do not collect

- Items from traders (commercial waste)
- Builders waste such as plasterboard or bathroom suites
- Chemicals such as oil or paint
- Bags of domestic refuse or garden waste
- Glass such as loose panes or broken windows
- Soiled mattresses sofas or soft furnishings
- Fluorescent tubes and gas bottles
- Tyres

This list is illustrative but not exhaustive – residents should clearly describe and discuss their requirements at the time of booking. We reserve the right not to collect items that are not in the condition we expect to find them or as described at the time of booking. Some of these items may be brought to a [Household Waste Recycling Centre](#) as an alternative.

Refunds

We can refund a bulky waste payment if the collection is in the future, or we have been unable to collect for operational reasons and the recollection date is not suitable for you.

We cannot offer a refund if we attended and attempted to collect but access was blocked, loose dogs were present, or the items listed did not match those presented (were soiled for example)

Policy 22: Commercial waste

Any waste produced from commercial activity is 'business' 'trade' or 'commercial waste' and you have a legal responsibility to make sure it is disposed of safely so that it does not cause harm to health, and it does not pollute the environment.

Business owners have a 'duty of care' when disposing of business waste and must only transfer the waste to someone who is legally allowed to accept it accompanied by a waste transfer note. Business waste can be brought to Hazel Court HWRC see ([policy 29](#)) or alternatively City of York Council offers a refuse and 'recycling dry waste' collection service to most business in York.

Businesses wishing to use CYC's commercial waste collection Service will need to complete the relevant paperwork. A member of the commercial waste team will provide this and may wish to visit the premises to assess suitability for containers and an appropriate location to cite the bins. Alternatively, if your business is based within the city centre and you do not have space for a physical container, we offer a commercial waste bag service.

If you use our pre-paid bags, we will aim to deliver these to you within 5 working days of ordering. The cost of the bag includes delivery, collection, disposal, and operational costs. The minimum order is 50 bags.

There is a one-off annual charge to issue your waste transfer note which will cover you for one calendar year, this is payable on delivery.

If you require a bin for collections, you will not be charged for this bin, the bin remains the property of City of York Council who will recover the bin if / when the contract is cancelled.

CYC Commercial Waste currently offers Monday to Saturday Collections as well as evening collections.

Responsibilities for business waste are set out in [Section 34 of the Environmental Protection act 1990](#)

Our commercial waste team can be contacted by emailing commwaste@york.gov.uk or calling 01904 553283

Policy 23: Severe weather

In the event of severe weather, when snow, ice, floods, heatwave or other conditions disrupt waste and recycling collection services, the following general principles will apply:

The Council will try to maintain services if they can be performed safely but may adjust the service as required. Key factors that apply are road conditions, access past parked cars, risks to public or crews.

The condition of the roads in terms of the city will be assessed by the Operational Services Manager.

If we are unable to collect your waste due to severe weather, we will:

- Publish updates on the situation on our webpages www.york.gov.uk/wastecollectionupdates
- Collect your waste on your next scheduled waste or recycling day
- Make allowances for extra waste at your next collection

Policy 24: Communal bin stores

It is the Council's preference to supply individual wheeled bins wherever possible, but for flats the Council may supply an appropriately sized larger wheeled bin(s) for refuse and recyclables.

The developer/builder/management agent should engage with the Council at the earliest opportunity when considering waste management arrangements for their complexes.

Larger bins will only be serviced by prior arrangement and a fee must be paid to the Council for their provision. Only city of York Council approved bins will be emptied.

Where residents of multiple occupancy properties do not segregate their waste for recycling in an effective manner, the Council will endeavour to work with residents to encourage recycling. If appropriate the Council will use its enforcement powers to achieve improvement in recycling performance from multiple-occupancy properties.

Where the reasonable efforts of the Council fail to improve the quality of recyclables presented for collection, the Council may remove the recycling receptacle. The refuse receptacle will still be collected fortnightly on refuse collection week.

The combined capacity of the refuse receptacles (in litres) should not exceed 180 multiplied by the number of occupied properties. The Council will assess the servicing of flats/ mixed properties on an individual basis and cases will be considered on their merits. Property visits and discussions with the relevant management agencies will be carried out where appropriate.

Where there is contamination within the waste on a regular basis the Council will require the management agency/ housing association/ landlord to, at their own expense, ensure that all non-recyclable material is removed in readiness for the next collection. It is the property management company and/ or residents' responsibility to present the bins in the agreed manner that allows for a collection to take place. Where access is not possible due to locked gates etc the waste will not be collected. Only where damage is caused as a direct result of the collection process will the Council pay for the repair or replacement of the receptacles.

Where bin stores have excess waste blocking access (bags, loose waste, furniture etc), the collection crew will not clear the area. If it is not possible for the collection crew to collect the wheeled bins/bags, they will be left, and it will be the responsibility of the management company and / or residents to dispose of the waste.

Policy 25: Container delivery service

We aim to deliver new and replacement waste containers within 10 working days of being ordered.

Where a container has been damaged, we will remove the damaged container, with its contents when we deliver new. We will not remove containers that have not been supplied by CYC (i.e. own recycling boxes being replaced by CYC standard boxes. Residents will need to visit a [HWRC](#) to dispose of these items themselves

Policy 26: Provision of recycling banks

Recycling banks are sited across York providing additional opportunities for residents to recycle outside of their kerbside service without having to travel to a Household Waste Recycling Centre.

We provide banks for:

- Glass
- Paper and card
- Packaging cardboard
- Cartons
- Plastics
- Textiles

Residents can locate their nearest recycle banks by visiting www.recyclenow.com/recycling-locator

If a recycling bank is full, please do not leave materials in front of the banks, doing so can prevent successful collection of the bank.

Leaving waste in front of an already full bank is classed as fly tipping and can be investigated as such

Policy 27: 'St Nicks' Recycling service

York is a historic city and as such, areas within the city walls can be difficult to service because of their narrow/ cobbled streets or restricted access due to the city walls and bars.

On behalf of the City of York Council, St Nicks provide an eco-friendly recycling service to approx. 2,600 properties over 149 different streets

within the city centre. This is a weekly service and is collected by small electric powered 'tuc tuc' style vehicles and bicycles with trailers.

This is a different/ more bespoke service and collections take place Monday to Friday between 8am and 4pm

St Nicks provide recycling boxes to these properties and residents usually present one box per week of mixed materials which are sorted at the kerbside.

Materials collected:

- Food and drink cans
- Glass
- Paper/ cardboard
- Plastics (PET, HDPE 2 & Polypropylene 5)
- Garden waste (residents must leave in a bag next to their box)
- Cables, chargers, and wires (from small household appliances)
- Toothpaste tubes and plastic toothbrushes
- Plastic writing implements (pens/ markers highlighters)

Materials not collected:

- Plastics other than those stated above
- Broken glass
- Electronic appliances (only the cabling accepted)
- Food or windfall fruit (in garden waste)
- Soil/ tree stumps branches

This is an 'opt in' service and residents must contact St Nicks to register for the service. Any service issues should be reported directly to St Nicks

- 01904 411821
- recycling@stnicks.org.uk

The list of streets serviced by St Nicks are available online at www.stnicks.org.uk/waste-and-sustainability/recycling/residential-recycling

An assisted collection service can also be provided

Policy 28: Household waste recycling centres

Residents can dispose of additional waste and materials which cannot be recycled at the kerbside at one of our Household Waste Recycling Centres.

Hazel Court HWRC – Hazel Court, James Street, YO10 3DS

Hazel Court accepts trade/ commercial waste (at a charge) and is open 7 days a week. This site is located close to the city centre.

Opening times Between March and October

- Monday to Saturdays 8.30am – 5.00pm
- Sundays 08.30am – 4.00pm

Opening times between April and September:

- Monday to Saturdays 08.30am to 7.00pm
- Sundays 08:30am – 4.00pm

Key points:

- Open on bank holidays except Christmas day, boxing day and New Year
- Last entry to site is 15 minutes before closing
- There is pedestrian/ cycle access at this site
- Businesses using a hire vehicle must [register as a trader](#) with the site prior to using the site and will be charged for [commercial waste disposal](#)
- Residents planning to use a larger vehicle to bring domestic waste to site need to apply for a free book of permits and allow 10 working days for them to arrive prior to using the site
- Residents can bring a hire vehicle (van) to site without needing the usual permit that a larger vehicle would require by using your hire paperwork and proof of residency (utility bill for example)

- Business must apply for permits to use the site and allow 10 working days for the [permits](#) to arrive prior to using the site
- Registered vehicles must display the sticker provided to them in their vehicle window and stop at the weighbridge on their way into site so their waste can be weighed and a waste transfer note can be provided
- Landlords can apply for Landlord [permits](#) to dispose of tenants waste at this site up to three times a year per property.
- Maximum trailer size allowed on site is 3m x 1.8m
- Commercial waste cannot be brought to site at weekends

Towthorpe HWRC – Towthorpe Moor Lane, YO32 9ST

Towthorpe does not accept trade/ commercial waste and is open 6 days a week. This site is Rural and has opening times based on seasons and daylight savings. This site is closed on Wednesdays

Opening times for March

- 08.30am – 5pm

Opening times April to September:

- 08.30am to 7pm

Opening times for October

- 08.30am – 5pm

Opening times November to February:

- 08.30am to 4pm

Key points:

- Closed on Wednesday's year round
- Open on bank holidays except Christmas day, boxing day and New Year
- Last entry to site is 15 minutes before closing
- There is **no** pedestrian/ cycle access at this site
- The height barrier for this site is 1.9 meters
- [Chargeable waste](#) is not accepted at this site (rubble, gas bottles, plasterboard or asbestos)

- This site is rural and located on a fast road. In peak times traffic can queue to turn right to get into the site
- Residents can bring a hire vehicle (van) to site by using their hire paperwork and proof of residency (utility bill for example) Please keep in mind the height barrier restriction of this site if using a hired vehicle. Please check this measurement before attending site

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City of York Council
Equalities Impact Assessment

Who is submitting the proposal?

Directorate:	Place		
Service Area:	Environmental Services – Waste Services		
Name of the proposal :	Subscription scheme for garden waste		
Lead officer:	Ben Grabham; Head of Environmental Services		
Date assessment completed:	28 th December 2023		
Names of those who contributed to the assessment :			
Name	Job title	Organisation	Area of expertise
Ian Hoult	Head of Fleet and Operations	City of York Council	Fleet/Operations
Rebecca Copley	Business Manager; Environmental Services	City of York Council	Business Management, Communications
Suzanne Middleton	Strategy and Development Manager	City of York Council	Strategy and Development, Business Processes

Step 1 – Aims and intended outcomes

1.1	<p>What is the purpose of the proposal? Please explain your proposal in Plain English avoiding acronyms and jargon.</p>
	<p>The Council is considering adopting a subscription scheme for garden waste collections in York. This could see an annual charge introduced for kerbside garden waste collection in York.</p>
1.2	<p>Are there any external considerations? (Legislation/government directive/codes of practice etc.)</p>
	<p>The collection of garden waste is not a statutory service and under the Controlled Waste Regulations 2012, the Council has the discretion to charge for this service. It is also important to point out that the Government consulted on its Waste and Resources Strategy in 2021 and a recent Government response in November 2023, outlined that “local authorities will be required to provide a garden waste service where it is requested but as is currently the case, they can continue to choose to charge for the service”.</p>
1.3	<p>Who are the stakeholders and what are their interests?</p>
	<p>All residents of York are considered to be stakeholders. If a subscription service for garden waste collections is adopted then residents will have options to decide how they dispose of their garden waste; this could be subscribing to the kerbside garden waste service (for an annual charge), home composting and/or disposing of garden waste at a household waste recycling centre (for free). In addition, residents can also share a garden waste subscription with a neighbour.</p>
1.4	<p>What results/outcomes do we want to achieve and for whom? This section should explain what outcomes you want to achieve for service users, staff and/or the wider community. Demonstrate how the proposal links to the Council Plan (2019- 2023) and other corporate strategies and plans.</p>

	<p>As part of the Council’s four core commitments and in line with the Council Plan:-</p> <ul style="list-style-type: none"> • Equalities and Human Rights - Equality of opportunity – At this current time the garden waste service is not available to all households and the fact that some properties remain on a bagged waste service means we cannot provide garden waste collections to these properties. • Affordability – Whilst imposing a charge for garden waste collections may have some negative impacts for those on a low income there are environmentally friendly, cost effective and free alternatives to subscribing to a garden waste collection service such as home composting and/or disposal at a household waste recycling centre. There is an option for members to approve a 50% discount on the subscription rate for the garden waste service where affordability may be an issue e.g. for residents in receipt of Council Tax Support. • Climate - Environment and the climate emergency – Reducing the mileage and making the service more efficient through optimising collection routes and rounds will have benefits for the environment and carbon and other emissions will be reduced. By focussing collections in an area of the city will enable a review of the way public realm management and service delivery is undertaken. Reducing the number of properties on a bagged collection is expected to increase levels of recycling in those areas
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Step 2 – Gathering the information and feedback

2.1	What sources of data, evidence and consultation feedback do we have to help us understand the impact of the proposal on equality rights and human rights? Please consider a range of sources, including: consultation exercises, surveys, feedback from staff, stakeholders, participants, research reports, the views of equality groups, as well your own experience of working in this area etc.	
	Source of data/supporting evidence	Reason for using
	Comparison to other local authorities	Over 70% of local authorities in England charge for garden waste collections at the kerbside. More local authorities, like York are considering introducing a charge for garden waste collections as it is not a statutory service. In terms of a local context, all other authorities in North Yorkshire charge for garden waste collections.

Step 3 – Gaps in data and knowledge

3.1	What are the main gaps in information and understanding of the impact of your proposal? Please indicate how any gaps will be dealt with.		
Gaps in data or knowledge		Action to deal with this	
<ul style="list-style-type: none"> The Council knows which households currently receive garden waste collections from the kerbside (circa 66,000 households). The Council does not know which households compost garden waste at home as this is individual choice. 		<p>The Council can monitor how much garden waste is collected at the kerbside and can also monitor garden waste collected at household waste recycling centres.</p> <p>The Council can also monitor how many home composters are purchased (through the Council).</p> <p>It will be important for this monitoring to continue so that the impact of any scheme can be effectively assessed.</p>	

Step 4 – Analysing the impacts or effects.

4.1	Please consider what the evidence tells you about the likely impact (positive or negative) on people sharing a protected characteristic, i.e. how significant could the impacts be if we did not make any adjustments? Remember the duty is also positive – so please identify where the proposal offers opportunities to promote equality and/or foster good relations.		
Equality Groups and Human Rights.	Key Findings/Impacts	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
Age	Any residents who receive an assisted collection for their bins will continue to receive this if they subscribe to the service.	(0)	

ANNEX B

Disability	Any residents who receive an assisted collection for their bins will continue to receive this if they subscribe to the service	(0)	
Gender	n/a	(0)	
Gender Reassignment	n/a	(0)	
Marriage and civil partnership	n/a	(0)	
Pregnancy and maternity	Any residents who receive an assisted collection for their bins will continue to receive this if they subscribe to the service	(0)	
Race	n/a	(0)	
Religion and belief	n/a	(0)	
Sexual orientation	n/a	(0)	
Other Socio-economic groups including :	Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?		
Carer		(0)	
Low income groups	<p style="color: red;">There could be a 50% discount available on the subscription rate for the garden waste service for residents . Residents could also share a garden waste subscription with their neighbours if they so wish as a means to reduce cost.</p> <p>If residents do not wish or cannot afford to subscribe to the garden waste subscription service, then there are other alternatives which are available for the free disposal of garden waste (e.g. home composting and/or disposal at a household waste recycling centre).</p>	(-)	(L)

Veterans, Armed Forces Community		(0)	
Other	Residents who do not have a vehicle and cannot access the household waste recycling centre can either compost garden waste at home or share a garden waste subscription with a neighbour.	(-)	(L)
Impact on human rights:			
List any human rights impacted.	n/a		

Use the following guidance to inform your responses:

Indicate:

- Where you think that the proposal could have a POSITIVE impact on any of the equality groups like promoting equality and equal opportunities or improving relations within equality groups
- Where you think that the proposal could have a NEGATIVE impact on any of the equality groups, i.e. it could disadvantage them
- Where you think that this proposal has a NEUTRAL effect on any of the equality groups listed below i.e. it has no effect currently on equality groups.

It is important to remember that a proposal may be highly relevant to one aspect of equality and not relevant to another.

<p>High impact (The proposal or process is very equality relevant)</p>	<p>There is significant potential for or evidence of adverse impact The proposal is institution wide or public facing The proposal has consequences for or affects significant numbers of people The proposal has the potential to make a significant contribution to promoting equality and the exercise of human rights.</p>
<p>Medium impact (The proposal or process is somewhat equality relevant)</p>	<p>There is some evidence to suggest potential for or evidence of adverse impact The proposal is institution wide or across services, but mainly internal The proposal has consequences for or affects some people The proposal has the potential to make a contribution to promoting equality and the exercise of human rights</p>
<p>Low impact (The proposal or process might be equality relevant)</p>	<p>There is little evidence to suggest that the proposal could result in adverse impact The proposal operates in a limited way The proposal has consequences for or affects few people The proposal may have the potential to contribute to promoting equality and the exercise of human rights</p>

Step 5 - Mitigating adverse impacts and maximising positive impacts

5.1	Based on your findings, explain ways you plan to mitigate any unlawful prohibited conduct or unwanted adverse impact. Where positive impacts have been identified, what is been done to optimise opportunities to advance equality or foster good relations?
<p>The options for alternatives to subscribing to the garden waste subscription service have been identified throughout the document. By moving to a subscription service, the Council will be able to extend the offer of a garden waste service to more properties across the city (as the current service is at capacity). In addition, moving to a subscription service will allow the Council to generate an income to cover the cost of providing the garden waste service (which is much valued by householders) and help to protect other services delivered by the Council.</p>	

Step 6 – Recommendations and conclusions of the assessment

6.1	Having considered the potential or actual impacts you should be in a position to make an informed judgement on what should be done. In all cases, document your reasoning that justifies your decision. There are four main options you can take:
<p>- No major change to the proposal – the EIA demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impact and you have taken all opportunities to advance equality and foster good relations, subject to continuing monitor and review.</p>	

- **Adjust the proposal** – the EIA identifies potential problems or missed opportunities. This involves taking steps to remove any barriers, to better advance quality or to foster good relations.
- **Continue with the proposal** (despite the potential for adverse impact) – you should clearly set out the justifications for doing this and how you believe the decision is compatible with our obligations under the duty
- **Stop and remove the proposal** – if there are adverse effects that are not justified and cannot be mitigated, you should consider stopping the proposal altogether. If a proposal leads to unlawful discrimination it should be removed or changed.

Important: If there are any adverse impacts you cannot mitigate, please provide a compelling reason in the justification column.

Option selected	Conclusions/justification
<p>No major change to the proposal – the EIA demonstrates the proposal is robust.</p>	<p>Introducing a subscription charge for the garden waste service is a relatively low charge, as it is an annual charge for service. Residents have a choice as to whether they subscribe to the garden waste subscription scheme or not.</p> <p>There could be a 50% discount available on the subscription rate for the garden waste service for residents where affordability may be an issue e.g. for those in receipt of Council Tax Support. If residents do not wish or cannot afford to subscribe to the garden waste subscription service, then there are other alternatives which are available for the free disposal of garden waste (e.g. home composting and/or disposal at a household waste recycling centre). Residents could share a garden waste subscription with their neighbours if they so wish as a means to reduce cost.</p>

Step 7 – Summary of agreed actions resulting from the assessment

7.1 What action, by whom, will be undertaken as a result of the impact assessment.			
Impact/issue	Action to be taken	Person responsible	Timescale
n/a			

8.1	How will the impact of your proposal be monitored and improved upon going forward? Consider how will you identify the impact of activities on protected characteristics and other marginalised groups going forward? How will any learning and enhancements be capitalised on and embedded?
	<ul style="list-style-type: none"> • The Council will review the number of households that subscribe to the garden waste subscription service and any discounts if approved by Executive. • The Council will also continue to monitor the amount of garden waste that is collected at the kerbside alongside the amount of garden waste that is taken to the household waste recycling centres in the city. • The Council will keep a record of home composters that are purchased through the Council. • The Council will monitor if there is an increase of incidence of fly tipping of garden materials.

Step 8 - Monitor, review and improve

Annex 2 - Call-in Request Form

This form must be completed and signed by THREE City of York Councillors and MUST be returned to Democratic Services within 5 working days of the decision being published (*not including the day of publication*).

Decision taker:	Executive
Date of publication of decision:	25 January 2024
Title of Decision Called in:	6. Waste Services – Service developments i. Noted the report and agreed to introduce a garden waste subscription service at a fee of £46.50 per bin, and instruct officers to begin work so that the Council can introduce an annual fee for kerbside garden waste collections in York;
Date Decision Called in:	29 January 2024

	REASONS FOR CALL-IN	Tick which reason applies
1.	Decision contrary to the policy framework?	
2.	Decision contrary to or not wholly consistent with the budget?	
3.	Decision is Key but it has not been dealt with in accordance with the Council's Constitution.	
4.	Decision does not follow principles of good decision-making set out in Article 7 of the Council's Constitution.	X
	If reason 4, please tick which specific element of Article 7 the decision maker has not followed, did he or she not:	
(a)	Meaningfully consider all alternatives and, where reasonably possible, consider the views of the public.	X
(b)	Understand and keep to the legal requirements regulating their power to make decisions.	
(c)	Take account of all relevant matters, both in general and specific, and ignore any irrelevant matters.	X
(d)	Act wholly for proper purpose and/or in the	

	interests of the public.	
(e)	Keep to the rules relating to local government finance.	
(f)	Follow procedures correctly and be fair.	
(g)	Make sure they are properly authorised to make the decisions.	
(i)	Take appropriate professional advice from Officers.	

Detailed Reason(s) for Call-in.

The reasons in 4 above differs from those in the constitution, but we have chosen to tick the one which most closely matches those in the constitution.

We believe the decision breaches Principles of Decision Making: c) clarity of aims and desired outcomes, d) decisions will be proportionate to the intended objective, f) due consultation and taking professional advice from Officers, g) explaining options considered and giving reasons and j) consideration of relevant implications.

c) and d) - The Council paper claims that the charge will go towards offsetting the cost of delivering the service, however no rationale is given for the level of the charge being set at £46.50, other than this happening to be the amount charged in neighbouring North Yorkshire Council - a council with a very different profile to York. It would seem that the charge was set at the maximum level it was felt possible politically. This is no basis for making policy, if a charge is deemed necessary then it should be set at a level appropriate to York, with an explanation for the level.

In addition, the stated aim of the policy is to cover the cost of collecting green waste, however the level of the charge is potentially higher than needed to cover the costs of the service - in opposition to the supposed aims of the policy.

f) - No consultation with the public has been properly undertaken, the report seems to think that a reference to the charge made last year in a council report is sufficient consultation with the public. Clearly this is wholly insufficient and the lack of consultation is reflected in the inadequate EIA, which glosses over, for example, the impacts on elderly and disabled residents that might rely on the service as it is.

g) - The options appraisal, in paras 33-38 makes no mention of the impacts of introducing a charge on the Council's equalities and environmental objectives - and only focuses on the financial issue.

In addition, no consideration appears to have been given to the likely increase in costs of carrying the, potentially large amount of, extra green waste dumped in the grey bins to Allerton Park and then processing it.

j) - Insufficient consideration is given to the impact of the charge on the Council's equalities (e.g. impact on elderly and disabled residents for example) and environmental objectives (e.g. reduced recycling, increased air quality, increased fly-tipping, increased car trips, increased paving of gardens) - and no referenced evidence for assertions that these are not concerns has been provided.

	Name (please print)	Signature (<i>please note that signatures will not be published with the agenda. Electronic signature will be accepted</i>)	Date
1.	Andrew Hollyer	Andrew Hollyer	29/01/24
2.	Tony Fisher	Tony Fisher	29/01/24
3.	Ashley Mason	Ashley Mason	29/01/24

For office use only:

Received on behalf of the Monitoring Officer by: (signature)

Name: Dawn Steel

Date: 29/01/24

Time: 15:40

Validation Check (if necessary):

Monitoring Officer / Chief Operating Officer

Valid: YES / ~~NO~~

Reason: The reasons submitted could form the basis of a valid challenge to the report.

Completed by: (signature)



Date: 29/1/2024

Time: 16:02

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