

Executive

DEFINITION OF WASTE AND COLLECTION FROM SCHOOLS AND CHARITIES

6 July 2009

Report of Head of Environmental Services

PURPOSE OF REPORT

To agree the approach and the charges for collecting chargeable household waste from charities and schools

This report is public

Recommendations

The Executive is recommended:

- (1) To approve the approach to dealing with chargeable household waste
- (2) To agree the proposed fees for the collection of waste from schools and charities
- (3) To work with other authorities in Oxfordshire through the Oxfordshire Waste Partnership to ensure a consistent approach to the different waste categories to minimise any additional cost to the taxpayer

Executive Summary

Introduction

- 1.1 In November 2008 a report was brought before the Executive to highlight a letter issued by Defra to local authorities relating to Defra's interpretation of the definition of Household Waste in the Controlled Waste Regulations 1992.
- 1.2 The Controlled Waste Regulations sets out waste to be treated as household waste, waste to be treated as industrial waste and waste to be treated as commercial waste.
- 1.3 In schedule 2 of these regulations, a number of wastes are identified as being household waste for which a charge may be made for collection but no charge for disposal can be made.

- 1.4 This list of wastes includes educational establishments, wastes from domestic properties or caravans used for self catering holidays, wastes from charities, waste from hospitals, military establishments and even prisons.
- 1.5 These wastes have largely never been collected by Waste Collection Authorities in Oxfordshire. There are many other authorities across the country in a similar position
- 1.6 With disposal costs rapidly rising some authorities are being approached regarding the free disposal of such wastes. Disposal costs used to represent only a small proportion of the overall waste collection and disposal cost. However as disposal costs have soared this situation has changed.
- 1.7 With Oxfordshire County Council having tough Landfill Allowance Targets (LATS) collecting these wastes could have an impact on achieving landfill targets
- 1.8 Following representations from the LGA Defra have indicated they will review the waste categories on Schedule 2 and have commenced a consultation. The LGA have advised that no change be made for collecting from hospitals, military establishments and prisons until the review is complete. However, discussions should take place locally regarding schools and charities.
- 1.9 Oxfordshire County Council took legal advice in early 2009 and Oxfordshire County Council has acknowledged that the current position leaves the County Council open to legal challenge. Consequently there is a need to move towards offering free disposal to charities and schools.
- 1.10 In conjunction with the Oxfordshire Waste Partnership a consistent approach is being developed.
- 1.11 Cherwell District Council has been approached in the last few weeks by two organisations, one a private school and one charity to have chargeable collections and free disposal.
- 1.12 The Oxfordshire Waste Partnership is monitoring the situation. OWP are due to agree in July the implementation of a joint approach to collection charges to charities by October 2009 with schools to follow quickly after.

Conclusion

- 1.13 Cherwell District Council needs to offer collections to charities and schools with a reasonable charge structure which recovers all costs as well as encourages waste reduction and recycling.

Background Information

- 2.1 The Council has been collecting household waste from all domestic properties. In addition to domestic properties, places of religious worship and village halls have been largely treated in a similar manner to domestic properties.
- 2.2 Waste from other establishments has been treated as commercial waste. Currently commercial refuse and recycling is collected only via pre-paid sacks or labels, these are largely used by very small businesses, typically located in the centre of Banbury, Bicester & Kidlington. Consequently waste from most non domestic establishments are currently collected by commercial contractors.
- 2.3 Schools waste has been an area of debate with the County Council. The County Council has considered it to be commercial waste and have a contract which schools can access for both refuse and recycling using Grundons. Since school waste budgets are devolved to individual schools, schools do not have to use this contract and many choose not to utilise it.
- 2.4 A few years ago Cherwell District Council commenced a recycling trial for a small number of schools. This still continues and has not been expanded to cover all schools in the district due to the County Council's view regarding it to be commercial waste.
- 2.5 There are a number of potential advantages offering recycling collections to schools since school children will then receive the same service they receive at home. In addition collections costs are relatively low since our vehicles pass virtually all schools in the process of standard domestic collections.
- 2.6 Cherwell District Council makes no charge for any household waste except for bulky waste collections. The only other chargeable collections are for around 150-180 tonnes/year of commercial refuse and recycling.
- 2.7 Introducing chargeable household waste collections could present issues regarding administration and the charging mechanism. However it is proposed that for charity shops the existing pre-paid commercial refuse & recycling sacks (orange – for refuse, blue for recycling) are offered with the disposal and treatment charges removed. This is the easiest way of administering charges to small charities.
- 2.9 For larger charities and schools to encourage these institutions to recycle as much of their waste as possible it is proposed that they are treated as households receiving an alternate week collection service only. Consequently each school or charity would be issued with containers that have at least 50% capacity for recycling. The proposed charges are set out in Appendix 1 are annual charges. The larger the residual waste bin required then the greater the charges made. Brown bins will be made available once food waste collections commence across the district.

Key Issues for Consideration/Reasons for Decision and Options

- 3.1 Currently the Waste Collection service does not comply in all areas with Defra's guidance on Schedule 2 of The Controlled Waste Regulations 1992 .
- 3.2 Changing the service to collect chargeable household waste will increase the amount of waste collected but the amount of refuse collected can be minimised by encouraging schools and charities to recycle as much waste as possible by only offering an alternate week collection service.

The following options have been identified. The approach in the recommendations is believed to be the best way forward

Option One	Collect waste from schools and charities but make no charge. This will increase Cherwell's Waste Collection costs
Option Two	Implement a chargeable Household Waste scheme to schools and charities which covers all the costs of the Waste Collection service and ensures the service complies with Defra's interpretation of The Controlled Waste Regulations

Consultations

Oxfordshire Waste Partnership	This paper has been discussed and agreed with the OWP Co-ordinator. The overall principal has been discussed with other OWP partner councils.
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Implications

Financial:	<p>The financial effects of collecting additional wastes from additional types of premises will be covered if reasonable charges are made. Collecting increased refuse tonnages could effect bonus payments made for outperforming landfill targets, hence it is important that recycling is encouraged and refuse tonnages minimised.</p> <p>Comments checked by Karen Muir 01295 221545</p>
Legal:	<p>The Controlled Waste Regulations 1992 do set out the waste to be treated as Household Waste and the types of Household Wastes for which a charge for collection may be made. Defra has given their interpretation of these regulations.</p> <p>If central government do not review these regulations Cherwell and other Oxfordshire authorities maybe in breach of them if approached for collections</p> <p>Comments checked by Liz Howlett 01295 221686</p>
Risk Management:	<p>There is a risk of increasing the overall amount of waste collected if all types of premises approach Cherwell for collections. However by launching a system which</p>

encourages recycling and makes charges for the overall service any rise will be minimised.

Comments checked by Rosemary Watts 01295 221566

Wards Affected

All

Corporate Plan Themes

Cleaner Greener Cherwell

Executive Portfolio

Councillor George Reynolds
Portfolio Holder for Community, Health & Environment

Document Information

Appendix No	Title
1	<i>Chargeable Household Waste Charges</i>
Background Papers	
None	
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