

EXTRAORDINARY OVERVIEW AND SCRUTINY COMMITTEE

Meeting held in the Council Chamber, Council Offices, Urban Road, Kirkby-in-Ashfield,

on Wednesday, 26th July, 2017 at 6.30 pm

Present: Councillor Lee Anderson in the Chair;

Councillors Christian Chapman, Helen Hollis, Tom Hollis (substitute for Christine Quinn-Wilcox), John Knight, Cathy Mason, Lauren Mitchell, Paul Roberts and Kevin Rostance.

Apology for Absence: Councillor Christine Quinn-Wilcox.

Officers Present: Edd deCoverly, Ruth Dennis, Mike Joy and Julie Robinson.

In Attendance: Councillors Tim Brown, Cheryl Butler, Rachel Madden and Jason Zadrozny.

OS.5 Declarations of Disclosable Pecuniary or Personal Interests and Non Disclosable Pecuniary/Other Interest

There were no declarations of interest.

OS.6 Call-in of Decision taken by the Portfolio Holder for Environment Garden Waste Subscription Charge 2018

The Chairman informed the Committee that the decision taken by the Portfolio Holder for Environment on 20th June, 2017, relating to the Garden Waste Subscription Charge 2018, was called-in and accepted in accordance with the provisions of Part 4 of the Council's Constitution, Overview and Scrutiny Rules No. 13.

The proposer of the call-in, Councillor Jason Zadrozny was asked to address the Committee and outline the reasons for initiating the call-in process.

Councillor Zadrozny proceeded to outline his reasons for the call-in of the decision as follows:-

Contrary to Policy

The implementation of charges will dramatically reduce the number of subscribers to only 22,000 (less than 50% of households within the Ashfield District) on projections and we fear even less than that. This will have a negative impact on the Council's policy to increase recycling against the 50% target outlined in the Waste Framework Directive.

It is also apparent that the introduction on charges higher than those previously forecast amount to a stealth tax and would be in direct contravention of the Council's policies to enable strong and thriving communities by imposing significant financial burden on local residents.

In addition to this, Ashfield still has many areas which are high in the indices of deprivation and many families cannot afford these charges meaning they will send back their garden waste bins and again use the residual waste collection for their garden waste. This will impact on the Authority's policies to keep streets clean by increasing dumping and fly-tipping yet again.

Contrary to Budget

The MTFS does not present the budget options for this level of charging. This is being seen as a windfall to prop up changing budgets and has not been done sympathetically on that basis. It is incredible that the Council now wishes to charge Ashfield residents for a service that they are now forced to have because of the reduced capacity in the residual waste to make a profit in the region of £150,000 per annum. There is no option presented to simply make the service run at no cost to the Council and there is no information to suggest that the increase in revenue would be ring-fenced to further improve this or other waste services. Ashfield residents pay for waste collection through their Council Tax, making profit from them by making them pay in excess for the same service twice has never been present in any forward plans or budgets.

Budgeting incorrectly either way is still incorrect, irrespective if it is an overspend, underspend or draws in less or more revenue than forecasts predict. The Council could have opted to be transparent in the first instance and highlight these changes in the MTFS. They have either deliberately chosen to hide this plan or made the financial forecasts incorrectly as neither is at the level expected by elected Members and members of the public. The charges raise from £22 (Direct Debit) or £26 to £28 (Direct Debit) or £34. These are not forecast in the MTFS and the Direct Debit incentives penalise heavily poorer families who wish to pay by conventional methods.

Inadequate or Inaccurate Information

Statistics presented to Members about increases in fly-tipping have not been presented in this report or been available with comparable periods in Scrutiny meetings. Furthermore, the way data has been collected does not include bags of rubbish that are left by street litter bins, which have shown a marked increase.

The report omits any information about the projections for a reduction in recycling figures as a result of implementing these measures. Comparables are based on Mansfield with hugely differing demographics and talk about the service in isolation, not the impact it would have on the Districts recycling rates as a whole.

The report states that reintroducing the original charges would have a negative impact on the MTFS of approximately £10,000 per annum. The alternative option not chosen shows a surplus with risks of not meeting projections.

Those risks are not outlined and further are not outlined for the decision opted for. The preferred option chosen by the Cabinet Member also does not outline the projected impact positive or not on the MTFS.

There is also a major omission of alternative charging options, support for those in receipt of benefits and the option of not charging at all and the impact of those options on the MTFS. Moreover, the option of single payments just for the season are only modelled in the higher charging option and not in all options considered.

No background papers were provided in this key decision outlining any concerns raised in this call-in.

To conclude, Councillor Zadrozny asked the Committee to consider referring the decision back to the Executive for reconsideration, in accordance with the provisions of Part 13 of the Council's Overview and Scrutiny Rules (Call-in of Executive Decisions). Thus enabling the Executive to review the pricing structure, look at the impact on projected recycling rates and explore the introduction of a concessionary charging scheme for low income households.

Councillor Tim Brown, the Portfolio Holder for Environment took the opportunity to respond to the concerns raised by Councillor Zadrozny.

Councillor Brown reminded the Committee that in November, 2015 the Cabinet approved the introduction of a free garden waste service for 2 years in order to increase recycling and reduce the amount of general waste sent for disposal.

Funded by Nottinghamshire County Council the project saw a reduction in general waste capacity which drove the residents of Ashfield to recycle 9% more waste. This has increased Ashfield's recycling to 41% against a target of 50% as set out by the Waste Framework Directive, by 2020.

Councillor Brown confirmed that in accordance with legislation the Council can charge for the collection of domestic garden waste however, any charge must be reasonable. The report circulated outlines the pricing structure required to maintain a garden waste recycling service in Ashfield. The recommended model for pricing based on a mid-range option remains the best value in Nottinghamshire in comparison to neighbouring authorities and will have a positive impact on the Council's MTFS.

Councillor Brown advised the Committee that in order to set a realistic and reasonable charge modelling and benchmarking exercises had been carried out to inform the price determination. In doing so he referred to the charges applied by neighbouring authorities highlighted within the report.

He reported that the Cross Party Working Group had previously met to discuss in depth this issue and all comments had consequently been taken into consideration as part of the process to reintroduce the subscription charge.

Members were advised that whilst great strides had been made to increase recycling there was still a requirement to do more and therefore, the garden waste service needs to continue to be offered to residents.

In order to effectively communicate with residents and maximise subscriptions, waste and recycling events would be held across the District and officers would be on hand to deal with any enquiries

Councillor Brown referred to the ongoing problems with fly-tipping and assured Members that the Council continues to address this problem. The Scrutiny Manager informed the Committee that fly-tipping had been added to the Workplan as a stand alone topic.

To conclude, Councillor Brown asked the Committee to support the original decision to introduce a charge for the 2018 garden waste service of £28 for customers paying by direct debit and £34 for single payment customers.

Members of the Committee then discussed the decision and in doing so took the opportunity to put forward comments and ask questions of the Cabinet Portfolio Holder, the proposer of the call-in and the Director of Place and Communities.

A motion was proposed by Councillor Cathy Mason that no further action be taken in relation to the called-in decision. Furthermore, the Overview and Scrutiny Committee be requested to review the pricing structure for the collection of garden waste and explore the introduction of a concessionary charging scheme for low income households.

Councillor Tom Hollis subsequently proposed an amendment to the motion namely that the decision be referred back to the Executive to review the pricing structure and explore the introduction of a concessionary charging scheme for the most vulnerable. The motion was duly seconded by Councillor Christian Chapman and a vote was taken which subsequently fell.

Upon a motion proposed by Councillor Cathy Mason and seconded by Councillor Lauren Mitchell it was:

RESOLVED that

- a) that in accordance with the provisions of Overview and Scrutiny Procedure Rule 13, as contained in Part 4 of the Council's Constitution, no further action be taken in relation to the called-in decision;
- b) the Overview and Scrutiny Committee be requested to explore future options relating to concessionary charging for the garden waste scheme.

The meeting closed at 7.38 p.m.

Chairman.