

Report To:	EXTRAORDINARY OVERVIEW AND SCRUTINY COMMITTEE	Date:	26 JULY 2017
Heading:	CALL-IN OF DECISION TAKEN BY PORTFOLIO HOLDER FOR ENVIRONMENT - GARDEN WASTE SUBSCRIPTION CHARGE 2018		
Portfolio Holder:	ENVIRONMENT		
Ward/s:	ALL		
Key Decision:	NO		
Subject To Call-In:	N/A		

Purpose Of Report

In accordance with the provisions of part 4 of the Council's Constitution, Overview and Scrutiny Rules No. 13 (Call-in), to consider a decision taken by the Portfolio Holder for Environment regarding the "Garden Waste Subscription Charge 2018".

Recommendation(s)

Members are requested to;

- Consider the attached call-in form (Appendix A) submitted on the 17 July 2017 in relation to the decision taken regarding the Garden Waste Subscription Charge 2018, taking into account the reason(s) specified in the call-in, namely, 1. "Contrary to Policy", 2. "Contrary to Budget" and 4. "Inadequate or Inaccurate information".
- Consider whether the committee wish to recommend that the decision be altered, amended or adhered to.

Reasons For Recommendation(s)

To comply with the provisions of part 4 of the Council's Constitution, Overview and Scrutiny Procedure Rules No.13 (Call-in)

Alternative Options Considered (With Reasons Why Not Adopted)

Members of the Overview and Scrutiny Committee and the Cabinet must consider/reconsider the matter in accordance with the provisions of part 4 of the Council's Constitution, Overview and Scrutiny Procedure Rules No.13 (Call-in).

Detailed Information

A valid call-in has been received in respect of a decision taken by the Portfolio Holder for Environment regarding the "Garden Waste Subscription Charge 2018".

The Decision taken was as follows;

- To introduce a charge for the 2018 garden waste service of £28 for customers paying by direct debit and £34 for single payment customers.
- To introduce a charge of £14 for any additional bins when direct debit is the chosen method of payment and £17 for single payment customers.
- That these prices should be frozen for two years (i.e. 2018 and 2019)

The following reasons were provided in the call-in documentation to support reviewing the decision. This is attached as Appendix A;

1. 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 burdens 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 collections for garden waste. This will impact on the Authority's policies to keep streets clean by increasing dumping and fly-tipping yet again.

2. 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. 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 over spend, under spend, 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 – neither is at the level expected by elected members and members of the public.

The charges raise from £22 (DD) or £26 to £28 (DD) or £34. These are not forecast in the MTFS and the DD incentives penalise heavily poorer families who wish to pay by conventional methods.

4. 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, further 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 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. 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.

Implications

Corporate Plan:

Commitment to Councillors – Good governance in our democratic processes. The Call-in topic supports the Council's Corporate Place and Communities theme and purpose of helping residents dispose of their waste responsibly and in a sustainable way.

Legal:

In accordance with the provisions of part 4 of the Council's Constitution, Overview and Scrutiny Rules No. 13 (Call-in)

Finance:

There are no direct financial implications arising from this Call-in report. Specific financial implications will be provided as part of the response to the Call-in.

Budget Area	Implication
General Fund – Revenue Budget	To be determined as part of the response to the Call-in
General Fund – Capital Programme	None
Housing Revenue Account – Revenue Budget	None
Housing Revenue Account – Capital Programme	None

Human Resources / Equality and Diversity:

None

Other Implications:

None

Reason(s) for Urgency (if applicable):

None

Exempt Report:

None

Background Papers

[Decision taken by the Portfolio Holder for Environment on the 20th June 2017](#)

Report Author and Contact Officer

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**Appendix A – Call-in Relating to Portfolio Holder Decision on Garden Waste
Subscription Charge 2018”**



OVERVIEW & SCRUTINY PROCEDURE
CALL-IN OF DECISION (RULE 13)

To: Robert Mitchell, Chief Executive
c. c. Leader of the Council
Chairman of the Overview and Scrutiny Committee

Date of Cabinet Meeting: Delegated Decision (20th June 2017 – Notified to Members 10th July 2017)

Item Number: N/A Delegated Decision

Decision to be Called-In: Garden Waste Service Subscription Charge 2018

Overview and Scrutiny Procedure Rule No. 13 identifies the normal rules for the call-in of a decision. Please set out the full reasons for your call-in below

1. Contrary to Policy

(please state what the policy is)

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 burdens 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 collections for garden waste. This will impact on the Authority's policies to keep streets clean by increasing dumping and fly-tipping yet again.

2. Contrary to budget

(please give full details)

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. 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 over spend, under spend, 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 – neither is at the level expected by elected members and members of the public.

The charges raise from £22 (DD) or £26 to £28 (DD) or £34. These are not forecast in the MTFS and the DD incentives penalise heavily poorer families who wish to pay by conventional methods.

3. Incorrect information

(please give full details)

4. Inadequate or Inaccurate information

(please give full details)

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, further 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 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. 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.

Councillors who Signed Call-in

Councillor Jason Zadrozny
Councillor Tom Hollis
Councillor Rachel Madden
Councillor Helen-Ann Smith
Councillor Tony Brewer

Submitted by Councillor: Councillor Jason Zadrozny

Date: 17 July 2017

Please return the completed form to Democratic Services: alan.maher@ashfield.gov.uk
In accordance with Rule 13 the Chief Executive will rule on whether this procedure has been properly followed.