

**CLIMATE TRANSITION,
CORPORATE AND
ENVIRONMENTAL SERVICES
POLICY ADVISORY COMMITTEE**

1 October 2024

Annualised Garden Waste Subscriptions

Timetable	
Meeting	Date
Policy Advisory Committee	Tuesday 1 October 2024
Cabinet	Wednesday 23 October 2024

Will this be a Key Decision?	Yes
Urgency	Not Applicable
Final Decision-Maker	Cabinet
Lead Head of Service	Director of Regeneration and Place
Lead Officer and Report Author	Head of Environment and Public Realm
Classification	Public
Wards affected	All

Executive Summary

The report outlines the proposal to move to a fixed annual subscription period from 1 July each year for the garden waste service to enable more effective management of the resources required and to maximise income generated. Changing this will enable the service to introduce permits on garden bins, making it easier to identify bins which are not paid for and manage the resource needed to empty them. The changes will require a 12-month transition period for all accounts to transfer onto the fixed period.

This report seeks the views of the Climate Transition, Corporate and Environmental Services Policy Advisory Committee before the final proposal is submitted to Cabinet for approval.

Purpose of Report

Recommendation to Cabinet

This report asks the Committee to consider the following recommendation to the Cabinet: That

1. A fixed annual subscription period from 1 July every year is introduced.
2. Annual permits are provided to all households subscribing to the service.
3. All existing and new subscriptions are transitioned onto the new arrangements as set out in Appendix 1 at the point of renewal or new subscription.
4. The design of the sticker is agreed in consultation with the Cabinet Member for Environmental Services and Enforcement.

Annualised Garden Waste Subscriptions

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place <p>The proposals contained within the report support the delivery of <i>Safe, Clean and Green</i> by providing improvements to the garden waste service.</p>	Head of Environment and Public Realm
Cross Cutting Objectives	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>The report supports <i>Environmental Sustainability</i> by ensuring the garden waste service can be delivered efficiently and effectively and enable Maidstone to minimise any future cost increases in the future.</p>	Head of Environment and Public Realm
Risk Management	<p>The main risk to the Council is by not implementing a permit system the service is susceptible to misuse, which drives up the cost and affects its reliability by putting additional strain on the resources.</p> <p>The introduction of the permit and a fixed annual subscription period enables greater monitoring of subscriptions and will mitigate the risk of misuse. Whilst there are already measures in place, it is accepted that reliance solely on the on-board PDA whilst</p>	Head of Environment and Public Realm

	the operative work at the rear of the vehicle is not overly effective.	
Financial	The proposals set out in the recommendation are all within already approved budgetary headings and so need no new funding for implementation.	Head of Environment and Public Realm
Staffing	We will deliver the recommendations with our current staffing.	Head of Environment and Public Realm
Legal	The Council has the power to charge for the collection of garden waste under the Environmental Protection Act 1990 and full discretion as to its collection. The proposal is compliant with the legislation.	Team Leader, Contracts and Commissioning, MKLS
Information Governance	The recommendations do not impact personal information (as defined in UK GDPR and Data Protection Act 2018) the Council Processes.	Information Governance Team
Equalities	The recommendations do not propose a change in service, simply the administration of the service and therefore will not require an equalities impact assessment.	Policy & Information Manager
Public Health	We recognise that the recommendations will not negatively impact on population health or that of individuals.	Head of Environment and Public Realm
Crime and Disorder	It is not anticipated that the proposed changes will have any impact on crime and disorder. Reports of stolen permits will be monitored; however, they will be designed to ensure that they can only be used at the registered address and not easily replicated.	Head of Environment and Public Realm
Procurement	There are no procurement implications.	Head of Environment and Public Realm
Biodiversity and Climate Change	The implications of this report on biodiversity and climate change have been considered and are; <ul style="list-style-type: none"> • There are no implications on biodiversity and climate change. 	Head of Environment and Public Realm

2. INTRODUCTION AND BACKGROUND

- 2.1 The Council has operated a chargeable garden waste service for over 20 years. The annual subscription covers the provision of a wheeled bin, the collection and transportation costs of the waste. The current charge for a standard 240 litre bin is £48 per year and is reviewed annually. Under the terms and conditions of the service, the number of collections per year is not guaranteed.
- 2.2 The annual subscription period currently runs from the first day of the following month from when the garden bin is ordered. This means that there are 12 possible renewal dates per year, the first of each month.
- 2.3 There are just over 30,000 households subscribing to the garden waste service, meaning on average 2,500 renewals are processed every month. The renewal process involves an email being sent to the resident with a link to the online payment portal. Two subsequent reminders are emailed to the resident and if payment is not received by the renewal date, the account is cancelled and automatically removed from the contractor's system.
- 2.4 The garden waste collection crews are provided with a list of addresses from which to pick up each day, based on the active accounts on the contractor's system. The crew are required to check the address before emptying the bin, however with around 600 bins to collect every day, it is likely that they regularly collect all garden bins presented regardless of whether there is an active account. It is also very difficult for the crew to check named properties, as residents don't generally put house names on bins.
- 2.5 When a resident decides to cancel their subscription, often if they are moving out of the borough, arrangements will be made to remove the garden bin from the address. Unfortunately, when subscriptions simply lapse due to non-payment, the garden bin is not removed. Previously 3 attempts would be made to recover the bin, however this was labour intensive and costly, usually resulting in failure. The reason for this is that the resident will not leave their bin out for collection and garden bins are often stored in rear gardens or behind fences, making recovery difficult.
- 2.6 Therefore, this poses a significant risk to the service that there are bins being presented and collected that are not being paid for. This also puts a strain on the collection as the resource provided by the contractor is based on the number of registered accounts.
- 2.7 Over the past few years, the garden waste service has struggled to meet the seasonal demand despite sufficient resource based on the number of active subscriptions. This suggests that the number of bins being presented is significantly greater than those being paid for.
- 2.8 Since SUEZ Recycling and Recovery UK started operating the waste and recycling contract in March 2024, the completion rate for the garden waste service has fluctuated substantially from 100% to under 50%.

- 2.9 During the first 4 months of the new contract, it is acknowledged that there were significant issues experienced with all services. For the refuse, recycling and food waste collections, these issues, whilst prolonged and frustrating to residents and the Council, were a risk as there were substantial collection day and week changes, new vehicles with different specifications, new technology and changes to collection crews.
- 2.10 However, for garden waste, the vehicle specifications were the same, the crews remained unchanged and whilst there were some changes to collections these were minimal. In addition, unlike under the previous contractor where garden crews have been used to support the refuse and recycling collections, there have been no suspensions to the garden waste service since March 2024. Therefore, the demand on the garden waste service is the primary factor that is affecting performance.
- 2.11 Those customers who have experienced a loss of garden waste service over the past 4 months will continue to be offered extensions on a case-by-case basis. Whilst the garden waste service has been impacted over the past 4 months, many collections were unaffected and of those that were, most were delayed rather than not completed. There is no accurate picture of who lost collections, and of the 30,000 customers, only 2,000 reported missed collections. As a result of these missed collections over 400 customers resubscribed to the service as they were found not to have an active account.
- 2.12 To ensure the service can meet demand going forward and that only those who pay for a subscription receive collections, it is proposed to introduce a fixed annual subscription period which will enable a permit to be attached to the bin. This visual identification will ensure that both residents and collection crews will be aware that there is an active account at the address and that the bin is due to be emptied.
- 2.13 The stickers will be designed to be tamper-proof and will be different colour each year, so they are easily recognisable for the collection crews. They will show the end date of the subscription period and an individual identifier to link to the address. There are several options for the design of the sticker which will be further developed once the proposal is approved. These include parking style permits attached to the lid or tamper-proof luggage style tags attached to the handles. The final design will be approved in consultation with the Cabinet Member for Environmental Services and Enforcement.
- 2.14 Although it is anticipated that the provision of the permits will cost around £40,000 per year, it is also projected that a significant number of bins are not paid for and that this additional cost will be recovered through increased income. It is anticipated that the introduction of the permits will eliminate the presentation of non-paid for bins within the first year and therefore it is proposed that the ongoing use of the permits is reviewed every year to determine whether they are still required or whether the changes have been effective at removing unpaid bins from the service.

- 2.15 The transition onto a fixed annual subscription period will take until November 2025, with full implementation by July 2026 and the full details are included in Appendix 1.
- 2.16 Over the first 12 months of implementation, residents with a renewal date between December and March will be required to renew their subscription until July 2025 at a reduced pro-rata rate i.e. December renewals will be charged for 7 months subscription. Residents with a renewal date between April and July will be required to renew their subscription until July 2026.
- 2.17 The same approach will be taken for all new residents subscribing to the scheme.
- 2.18 By moving to the fixed annual period, it will no longer be possible to offer extensions to the subscription when issues arise due to the contractor's repeated failure. However, where this is investigated and an unacceptable loss of service is identified, a credit will be provided on the following years subscription.
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3. AVAILABLE OPTIONS

- 3.1 **Option 1:** The Council could decide to introduce the fixed annual subscription period, whereby all garden bin renewals occur on 1 July each year. This would include the introduction of a permit on the bins to clearly indicate active accounts.
- 3.2 This will enable more accurate monitoring and emptying of garden bins and reduce the risk to the service of higher demand than the resource paid for. This will require an additional annual cost to fund tamper-proof stickers or tags, however it is anticipated that this will be funded from the garden waste income. The use of the permit system will be reviewed annually to identify their impact on subscription levels and non-paid for bins. If successful at removing these bins from the system, the use of the permit could be withdrawn, however the remaining administrative benefits of a single renewal date will still be retained. This is the recommended option.
- 3.3 **Option 2:** The Council could decide to administer the service as is, with residents able to sign up for a rolling 12 months based on their date of subscription. This spreads the renewals across the year and means it would not be possible to provide an accurate permit system. The Council could decide to accept the risk of unpaid subscriptions and rely on the PDA system which advises the collection crews of active accounts.
- 3.4 **Option 3:** The Council could decide to introduce the fixed annual subscription but at a different date in the year. The 1 July has been proposed as it is a peak month for garden waste meaning there is less opportunity for the service to be exploited and for 'part year' subscriptions to be made. The 1 July is also the annual review within the Contract for garden subscriptions and therefore linking this date with ensure the Council only pays for active accounts for the whole year.

- 3.5 **Option 4:** The Council could also decide to introduce the fixed annual subscription but without the use of a permit. This is not recommended in the first instance as it would not identify the bins for which there is no active subscription. However, if Option 1 is introduced, the permit will identify non-paid for bins and result in subscriptions being taken out or requests for bins to be removed. Therefore, after several years of running successfully, the Council could consider withdrawing the need for a permit and revert to sole use of the PDAs to manage the service.
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4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 It is recommended that the Council agree to implementing Option 1, the introduction of a fixed annual subscription period running from 1 July every year and the provision of permits to identify active accounts.
- 4.2 This proposal is designed to assist the collection crews with the identification of subscribed bins, reducing misuse of the service and ensuring the resource provided is sufficient to deliver the service effectively.
- 4.3 The subscription-based garden waste service is at risk of misuse as bins are rarely removed once the subscription expires. Residents moving into a property with a garden bin do not know whether a count exists or when it expires. As a new resident, unless they contact the council, they will not be registered for the email notification that payment is due.
- 4.4 Whilst the collection crews should only collect garden bins from addresses on their PDA, the reality is the loaders at the rear of the vehicle are likely to collect bins that do not have a subscription due to the quantity of bins they are emptying and the number of properties that have house names rather than numbers.
- 4.5 The cost of the permits will be covered through the garden waste income, and it is expected that the income will increase as residents subscribe to the service.
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5. RISK

- 5.1 The proposals contained within this report are designed to reduce the risk to the service of loss of income and increased demand on resources. However, the implementation of the changes will also pose risks which need to be considered and mitigated where possible.
- 5.2 The garden waste service has already experienced significant challenges over the past few years with the impact of COVID, the national HGV driver shortage and the change in contractor. These have resulted in negative publicity regarding the service and therefore there is a risk that any further changes to this service could result in further complaints and have a wider reputational risk. However, if misuse of the service is not addressed it is likely that this will also have a negative impact on the Council's reputation

and residents' trust in the service. Complaints are currently received from residents reporting bins that they believe are not being paid for and there have also been social media posts reflecting the same concerns. Therefore, the recommendation is that the risks of not implementing the permit system are greater than the risks of allowing the current misuse to continue and erode the service's performance.

- 5.3 The proposed changes will concentrate all renewals into a single month which is likely to have an impact on the customer services team dealing with any queries about the service or payment. The customer services team have been consulted and the implementation date of 1 July ensures that this peak in demand will not coincide with other peaks such as council tax or elections in future years. A single renewal will also then remove the demand across the year.
- 5.4 The introduction of permits will also introduce new risks of theft, fraud, or vandalism. The design of the permits will take this into consideration and reports of such instances will be monitored. Many local authorities use permits including Thanet, Bromley, Rother, Horsham, North Northants, North Somerset, Buckinghamshire, Sandwell, Brent and Coventry to name just a few examples. Others such as Canterbury have introduced them and then progressed to relying on the PDAs as cases of non-paid bins reduced. The team will use the experience of these authorities to help design out these risks where possible.
- 5.5 Delays to the delivery of permits or them being lost in transit will be mitigated through the ongoing use of PDAs and the requirement of drivers to check non-permitted bins on their system, and a short grace period during the transitional month to allow for permit issues to be reported and rectified.
- 5.6 An alternative approach, installing microchips in garden bins has been considered, however requires substantial upfront investment, including on the collection vehicles. This approach has also generated significant negative publicity in the past with the national media linking it to an invasion of privacy. Whilst further improvements to technology may result in a viable digital solution in the future, this approach is currently not recommended due to the associated risks and cost.
- 5.7 Whilst it is recognised that there are risks associated with the proposed changes, doing nothing to address the known misuse of the service will not be acceptable to most customers who pay to use it. The risks can be mitigated through the transition period and will use best practice from the many local authorities who already take this approach to managing the garden service. The implementation of the changes will involve a wide range of council departments including the digital team, communications and customer service, all of whom will be included in the details of the service design.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

6.1 Previous concerns have been raised about the delivery of the garden waste service and the primary impact is fluctuating demand. The use of permits to ensure that only subscribed bins are emptied will help manage this demand and ensure the contractor provides sufficient resource for the active subscriptions.

7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

7.1 Full implementation of this proposal will take until July 2026 as shown in Appendix 1.

8. REPORT APPENDICES

Appendix 1: Garden Transition Arrangements

9. BACKGROUND PAPERS

None