

Members are reminded that they must declare all relevant pecuniary and non-pecuniary interests relating to any items of business to be discussed at this meeting

BIRMINGHAM CITY COUNCIL

CORPORATE RESOURCES AND GOVERNANCE OVERVIEW AND SCRUTINY COMMITTEE

MONDAY, 05 DECEMBER 2016 AT 14:00 HOURS
IN COMMITTEE ROOM 1, COUNCIL HOUSE, VICTORIA SQUARE,
BIRMINGHAM, B1 1BB

A G E N D A

1 NOTICE OF RECORDING

Chairman to advise meeting to note that members of the press/public may record and take photographs except where there are confidential or exempt items.

2 APOLOGIES

To receive any apologies.

3 REQUEST FOR CALL IN: INCREASE IN CHARGES FOR GARDEN WASTE 2017

3 - 20

This request for call-in needs to be considered as a matter of urgency in view of the expectation that the launch of the service for 2017 will commence early in December 2016 to enable prior planning and implementation.

To consider the "Request for Call-In". (The portfolio holder and the Lead Officer identified in the report have been summoned to attend the meeting).

The following documents are attached:-

(A) The Executive decision record.

(B) The relevant form for the "Request for Call-In" lodged by Councillors Randal Brew and Ewan Mackey.

(C) The report considered by the Cabinet Member, Deputy Leader and Chief Officer in reaching their decision.

4 OTHER URGENT BUSINESS

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chairman are matters of urgency.

5 **AUTHORITY TO CHAIRMAN AND OFFICERS**

Chairman to move:-

'In an urgent situation between meetings, the Chair jointly with the relevant Chief Officer has authority to act on behalf of the Committee'.

Details

Status:	Decision Proposed
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Title:	Increase in Charges for Garden Waste 2017
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Reference:	002893/2016
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Details:	Report of Interim Assistant Director - Waste Management
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Implementation Date (not before Meeting Date):	Thu 24 Nov 2016
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Purpose:	To set out the proposals for the Garden Waste Service Charges that will be implemented with effect from December 2016 for the new collection season that starts in March 2017.
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Key Portfolio:	Clean Streets, Recycling and the Environment
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Include Item on Forward Plan / Key Decision:	No
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Reason for Key Decision:	
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Decision

Urgent Decision - Not in Forward Plan:	No
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Is Private: No

Decision Outcome:

On 24 November 2016 the Cabinet Member for Clean Streets, Recycling and the Deputy Leader jointly with the Acting Strategic Director of Place approved the charges for the garden waste refuse collection service for the collection season that commences March 2017 as set out in Section 4.2.1 in the report. NOTE: CALL IN ENDS TUESDAY 29 NOVEMBER 2016 AT 1600 HOURS.

Miscellaneous

Reg 10

Reg 11

Decision Criteria

This Decision does not contain any decision criteria records.

Wards

Acocks Green; Aston; Bartley Green; Billesley; Bordesley Green; Bournville; Brandwood; Edgbaston; Erdington; Hall Green; Handsworth Wood; Harborne; Hodge Hill; Kings Norton; Kingstanding; Ladywood; Longbridge; Lozells and East Handsworth; Moseley and Kings Heath; Nechells; Northfield; Oscott; Perry Barr; Quinton; Selly Oak; Shard End; Sheldon; Soho; South Yardley; Sparkbrook; Springfield; Stechford and Yardley North; Stockland Green; Sutton Four Oaks; Sutton New Hall; Sutton Trinity; Sutton Vesey; Tyburn; Washwood Heath; Weoley

Topics

This Decision does not contain any Topic records

Overview and Scrutiny

Corporate Resources and Governance Overview and Scrutiny Committee



Appendix 2: Request for Call In – Pro-forma

To: David Smith

Committee Services, Room 315, Council House.

E-Mail: LESCommitteeServicesAll@birmingham.gov.uk (marked "For the attention of Dave Smith")

Date: 25th November 2016

Please arrange for a meeting of the Corporate Resources and Governance O&S Committee

to be called to discuss the following executive decision:

Title: Increase in Charges for Garden Waste 2017

Taken By: Joint Cabinet Member and Chief Officer

On: 24th November 2016

Reason for request:

- | | | |
|--|--|--------------------------|
| (a) Is the Executive decision within existing policy? | 1. the decision appears to be contrary to the Budget or one of the 'policy framework' plans or strategies; | <input type="checkbox"/> |
| | 2. the decision appears to be inconsistent with any other form of policy approved by the full Council, the Executive or the Regulatory Committees; | <input type="checkbox"/> |
| | 3. the decision appears to be inconsistent with recommendations previously made by an Overview and Scrutiny body (and accepted by the full Council or the Executive); | <input type="checkbox"/> |
| (b) Is the Executive decision well-founded? | 4. the Executive appears to have failed to consult relevant stakeholders or other interested persons before arriving at its decision; | <input type="checkbox"/> |
| | 5. the Executive appears to have overlooked some relevant consideration in arriving at its decision; | <input type="checkbox"/> |
| | 6. the decision has already generated particular controversy amongst those likely to be affected by it or, in the opinion of the Overview and Scrutiny Committee, it is likely so to do; | ✓ |
| | 7. the decision appears to be particularly "novel" and therefore likely to set an important precedent; | <input type="checkbox"/> |
| | 8. there is a substantial lack of clarity, material inaccuracy or insufficient information provided in the report to allow the Overview and Scrutiny Committee to hold the Executive to account and/or add value to the work of the Council. | ✓ |



(c) Has the Executive decision been properly taken?

9. the decision appears to give rise to significant legal, financial or propriety issues; ☐

10. the notification of the decision does not appear to have been in accordance with council procedures; ☐

(d) Does the Executive decision particularly affect a District?

11. the decision appears to give rise to significant issues in relation to a particular District. ☐

Councillor

(Signed)

Cllr Randal Brew

(Print Name)

Councillor

(Signed)

Cllr Ewan Mackey

(Print Name)



Appendix 3: Criteria For 'Call In'

These are the criteria against which the Council expects an O&S Committee to judge any "request for call in". The Council does NOT expect an Overview and Scrutiny Committee to call in an Executive decision UNLESS one or more of the following circumstances applies –

	(a) Is the Executive decision within existing policy?
1	the decision appears to be contrary to the Budget or one of the 'policy framework' plans or strategies;
2	the decision appears to be inconsistent with any other form of policy approved by the full Council, the Executive or the Regulatory Committees;
3	the decision appears to be inconsistent with recommendations previously made by an Overview and Scrutiny body (and accepted by the full Council or the Executive);
	(b) Is the Executive Decision well-founded?
4	the Executive appears to have failed to consult relevant stakeholders or other interested persons before arriving at its decision;
5	the Executive appears to have overlooked some relevant consideration in arriving at its decision;
6	the decision has already generated particular controversy amongst those likely to be affected by it or, in the opinion of the Overview and Scrutiny Committee, it is likely so to do;
7	the decision appears to be particularly "novel" and therefore likely to set an important precedent;
8	there is a substantial lack of clarity, material inaccuracy or insufficient information provided in the report to allow the Overview and Scrutiny Committee to hold the Executive to account and/or add value to the work of the Council.
	(c) Has the Executive decision been properly taken?
9	the decision appears to give rise to significant legal, financial or propriety issues;
10	the notification of the decision does not appear to have been in accordance with council procedures;
	(d) Does the Executive decision particularly affect a District?
11	the decision appears to give rise to significant issues in relation to a particular District.

Report to:	CABINET MEMBER FOR CLEAN STREETS, RECYCLING AND ENVIRONMENT AND DEPUTY LEADER JOINTLY WITH THE ACTING STRATEGIC DIRECTOR OF PLACE
Report of:	INTERIM ASSISTANT DIRECTOR OF WASTE MANAGEMENT
Date of Decision:	18 November 2016
SUBJECT:	INCREASE IN CHARGES FOR GARDEN WASTE 2017
Key Decision: No	Relevant Forward Plan Ref: n/a
If not in the Forward Plan: (please "X" box)	Chief Executive approved <input type="checkbox"/> O&S Chairman approved <input type="checkbox"/>
Relevant Cabinet Member(s) or Relevant Executive Member	CLLR LISA TRICKETT, CABINET MEMBER FOR CLEAN STREETS, RECYCLING AND ENVIRONMENT CLLR IAN WARD, DEPUTY LEADER
Relevant O&S Chairman:	CLLR MOHAMMED AIKHLAQ, CORPORATE RESOURCES AND GOVERNANCE
Wards affected:	ALL WARDS

1. Purpose of report:
<p>1.1 A public report to set out the proposals for the Garden Waste Service Charges that will be implemented with effect from December 2016 for the new collection season that starts in March 2017.</p> <p>1.2 This report explains the considerations taken into account to determine the proposals and outlines the financial implications.</p>

2. Decision(s) recommended:
<p>That the Cabinet Member for Clean Streets, Recycling and Environment and the Deputy Leader jointly with the Acting Strategic Director of Place:</p> <p>2.1 Approve the charges for the garden waste refuse collection service for the collection season that commences March 2017 as set out in section 4.2.1.</p>

Lead Contact Officer(s):	Darren Share, Interim Assistant Director, Waste Management
Telephone No:	0121 675 0746
E-mail address:	darren.share@birmingham.gov.uk

3. Consultation
<p>3.1 <u>Internal</u> Service and Finance Officers have been consulted on the proposed fees and charges.</p> <p>3.2 <u>External</u> Consultation with external stakeholders has been undertaken through the 2015/16 Budget process, specifically by the inclusion of the proposal to increase fees in the Responding to Challenge, looking to the future” Budget Consultation 2015+ White Paper. An increase in the charge for the domestic garden waste collection service of £5 from £35 to £40 per season was proposed as a Case for Change.</p>
4. Compliance Issues:
<p>4.1 <u>Are the recommended decisions consistent with the Council’s policies, plans and strategies?</u> The Council’s garden waste collection services contribute to the strategic priorities in the Council Business Plan 2016+ – contributing to Birmingham having a strong economy. Fees and charges are determined in accordance with the Corporate Charging Policy and these revised prices will come into effect on 1st December 2016 for the season that starts in March 2017.</p> <p>4.2 <u>Financial Implications</u> <u>(Will decisions be carried out within existing finance and Resources?)</u></p> <p>4.2.1 It is proposed to increase the garden waste service charge from £35 per year to £40 per year for the season March 2017 in line with the City Council Business Plan and Budget 2016+ that was approved on the 1 March 2016. This is the first increase in the charges since the new chargeable service was introduced in March 2014 and will ensure that the service continues to be provided on a full cost recovery basis.</p> <p>4.2.2 The additional income that will be generated is estimated at £0.31m on the basis of the existing customer base of approximately 63,000 users is maintained in 2017 (in line with the budget assumptions).</p> <p>4.2.3 The existing practice of offering discounts will be maintained i.e. the early bird charge will be £35 (after a £5 discount) and the online discount of £2 will also continue to be available to residents who choose to pay for the service in this manner following the end of the early bird discount.</p> <p>4.3 <u>Legal Implications</u> The Environmental Protection Act 1990 gives Local Authorities the duty to provide a garden waste collection and disposal service where requested to do so.</p> <p>4.4 <u>Public Sector Equality Duty</u> A copy of the Equality Act 2010 – Public Sector Duty statement is appended – Appendix 1, together with the initial equality assessment screening – Appendix 2. A full Equalities assessment was not required.</p>

5.	Relevant background/chronology of key events:
5.1	The chargeable garden waste service was introduced in 2014 and take up of the service has gradually increased. For the 2015 season 57,000 units were sold. Taking account of discounts available to customers against the standard price of £35 income of £1.9m was achieved in 2015/16.
5.2	A case for change was approved as part of the Business Plan and Budget 2016+ process which set a target for an increase in sales to 62,000 in the 2016 season and a consequential increase in income of £0.16m in 2016/17. The target sales were achieved by June 2016 and the additional income is projected to be achieved. Also approved as part of this case for change was a price increase for the 2017 season of £5 per bin.
6.	Evaluation of alternative option(s):
6.1	When setting the fees and charges, consideration is taken of value for money around the current service offering, achieving full cost recovery of the service and the level of increase required to achieve the budget.
7.	Reasons for Decision(s):
7.1	Full consideration was given to increasing this charge as part of the case for change approved in the business Plan and Budget 2016+.

Signatures		<u>Date</u>
Cabinet Member	<p>.....</p> <p>Cllr Lisa Trickett, Cabinet Member for Clean Streets, Recycling and Environment</p>
Deputy Leader	<p>.....</p> <p>Cllr Ian Ward, Deputy Leader</p>
Chief Officer	<p>.....</p> <p>Jacqui Kennedy, Acting Strategic Director of Place</p>

List of Background Documents used to compile this Report:
SN11, Case for Change Business Case: Garden Waste

List of Appendices accompanying this Report (if any):
1. Appendix 1, Equality Act 2010, Public Sector Equality Duty
2. Appendix 2, Initial Impact Assessment for Garden Waste

Report Version		Dated	

Equality Act 2010

The Executive must have due regard to the public sector equality duty when considering Council reports for decision.

The public sector equality duty is as follows:

1	<p>The Council must, in the exercise of its functions, have due regard to the need to:</p> <ul style="list-style-type: none"> (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
2	<p>Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:</p> <ul style="list-style-type: none"> (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
3	<p>The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.</p>
4	<p>Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:</p> <ul style="list-style-type: none"> (a) tackle prejudice, and (b) promote understanding.
5	<p>The relevant protected characteristics are:</p> <ul style="list-style-type: none"> (a) age (b) disability (c) gender reassignment (d) pregnancy and maternity (e) race (f) religion or belief (g) sex (h) sexual orientation

Equality Analysis

Birmingham City Council Analysis Report

EA Name	Garden Waste - FW7/SN11
Directorate	Place
Service Area	Fleet & Waste Management
Type	New/Proposed Function
EA Summary	<p>The efficiency of the service is being reviewed with the aim of increasing the current round sizes. It is estimated that rounds can be reduced from 13 to 9 by increasing collection volumes.</p> <p>Sales are targeted to be increased to 62,000 during 16/17 and a price increase in 17/18 to £40</p>
Reference Number	EA000956
Task Group Manager	bethany.hughes@birmingham.gov.uk
Task Group Member	
Date Approved	2016-11-18 00:00:00 +0000
Senior Officer	darren.share@birmingham.gov.uk
Quality Control Officer	placeequalitycontrol@birmingham.gov.uk

Introduction

The report records the information that has been submitted for this equality analysis in the following format.

Initial Assessment

This section identifies the purpose of the Policy and which types of individual it affects. It also identifies which equality strands are affected by either a positive or negative differential impact.

Relevant Protected Characteristics

For each of the identified relevant protected characteristics there are three sections which will have been completed.

- Impact
- Consultation
- Additional Work

If the assessment has raised any issues to be addressed there will also be an action planning section.

The following pages record the answers to the assessment questions with optional comments included by the assessor to clarify or explain any of the answers given or relevant issues.

1 Activity Type

The activity has been identified as a New/Proposed Function.

2 Initial Assessment

2.1 Purpose and Link to Strategic Themes

What is the purpose of this Function and expected outcomes?

The efficiency of the service is being reviewed with the aim of increasing the current round sizes. It is estimated that rounds can be reduced from 13 to 9 by increasing collection volumes.

Sales are targeted to be increased to 62,000 during 16/17 and a price increase in 17/18 to £40

For each strategy, please decide whether it is going to be significantly aided by the Function.

A Strong Economy	Yes
Safety And Opportunity For All Children	No
A Great Future For Young People	No
Thriving Local Communities	No
A Healthy, Happy City	No
A Modern Council	Yes

2.2 Individuals affected by the policy

Will the policy have an impact on service users/stakeholders?	Yes
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Comment:

This decision is about giving the option for households to have their waste collected from their doorstep rather than disposal by other means, such as the inconvenience of taking to a Household Recycling Centre.

It is currently a charged for service and although this in an increase that is necessary to ensure all costs are covered, we still feel it represents good value for money.

Will the policy have an impact on employees?	No
Will the policy have an impact on wider community?	No

2.3 Relevance Test

Protected Characteristics	Relevant	Full Assessment Required
Age	Not Relevant	No
Disability	Not Relevant	No
Gender	Not Relevant	No
Gender Reassignment	Not Relevant	No
Marriage Civil Partnership	Not Relevant	No
Pregnancy And Maternity	Not Relevant	No
Race	Not Relevant	No
Religion or Belief	Not Relevant	No
Sexual Orientation	Not Relevant	No

2.4 Analysis on Initial Assessment

Minimal cutstomer impact however there may be some loss in sales due to price increase.This would be subject to fees and charges report and an associated EA.

Any potential staffing impacts by reducing round sizes from 13 to 9 in order to bring costs into line with the existing budget to mitigate pressures. Any impact will be managed in accordance to HR policies and procedures.

A corporate consultation excercise is due to take place in relation to this proposal.

3 Full Assessment

The assessment questions below are completed for all characteristics identified for full assessment in the initial assessment phase.

3 Concluding Statement on Full Assessment

Minimal cutstomer impact however there may be some loss in sales due to price increase.This would be subject to fees and charges report and an associated EA.

Any potential staffing impacts by reducing round sizes from 13 to 9 in order to bring costs into line with the existing budget to mitigate pressures. Any impact will be managed in accordance to HR policies and procedures.

A corporate consultation excercise is due to take place in relation to this proposal.

4 Review Date

31/01/16

5 Action Plan

There are no relevant issues, so no action plans are currently required.