

# Public Document Pack



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30 August 2023

Dear Councillor

Please find enclosed, for consideration at the meeting of the **CABINET** on Monday 4 September 2023 at 6.00 pm, an additional report that will be considered as an urgent item of business under Agenda Item 6a.

In accordance with the provisions of Section 100(B)(4)(b) of the Local Government Act 1972, the Leader of the Council (as chairman of the meeting) has agreed that this item, which was not detailed on the agenda, should be considered at the meeting as a matter of urgency rather than waiting until the October Cabinet meeting. The reason for this is that the additional month will provide more time for the manufacture and delivery of the wheeled bins, the fabrication of bin-lifting equipment to be fitted to the vehicles and the development of communication/promotional materials.

**6a Garden Waste Containerisation Project (Pages 2-12)**

To consider the attached report of the Head of Waste Services.

Responsibility: Portfolio Holder for Planning and Built Environment

Yours sincerely

A handwritten signature in black ink, appearing to read "Nicky", written over a horizontal line.

Chief Executive

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<b>Subject:</b>	<b>GARDEN WASTE CONTAINERISATION PROJECT</b>
<b>Meeting and Date:</b>	<b>Cabinet – 4 September 2023</b>
<b>Report of:</b>	<b>Ian Dudding, Head of Waste Services</b>
<b>Portfolio Holder:</b>	<b>Councillor Edward Biggs, Portfolio Holder for Planning and Built Environment</b>
<b>Decision Type:</b>	<b>Key Decision</b>
<b>Classification:</b>	<b>Unrestricted</b>

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**Purpose of the report:** To seek approval to progress a project to containerise garden waste collections (in wheeled bins).

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- Recommendation:**
- i) To agree to withdraw the use of garden waste sacks, and replace them with a 240-litre wheeled bin, in the interests of the Health & Safety of the refuse collection contractor’s workforce.
  - ii) To agree to provide a single wheeled bin at no cost to subscribers in Year 1 of the revised service, and to offer a £25 voucher for a free home composter to residents that cannot access the service.
  - iii) To authorise the Head of Waste Services to work with the Head of Legal Services to finalise and approve the attached draft Garden Waste Service Terms & Conditions.
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## 1. Summary

1.1 The Council’s existing garden waste collection service is based on the presentation of reusable sacks for the containment of the garden waste. The collection crews are exposed to increased risk of musculo-skeletal injuries when these sacks exceed the maximum permitted weight of 20kg. This report recommends the replacement of these sacks with a wheeled bin instead, together with recommendations for fees, and related minor amendments to the Terms & Conditions for the service. It is proposed to utilise the Green Redeem funding, currently held in earmarked reserves, to purchase the initial supply of 240L plastic wheeled bins, for free supply to eligible subscribers of the 2024/25 service year, in order to facilitate this transition. For eligible properties that are unable to accommodate a wheeled bin, or where on inspection it is deemed that a wheeled bin cannot be safely accessed and moved from the property by the collection operatives, it is proposed to offer a voucher for a free 220L plastic home garden waste composter.

## 2. Introduction and Background

2.1 Garden waste is categorised by environmental legislation as household waste for which a Waste Collection Authority (WCA) may levy a collection charge. DDC, in common with many other WCAs, provides a chargeable garden waste collection service to residents. Recognising the Climate Emergency, the emissions from operating the large diesel-powered vehicles required to collect garden waste would be better avoided by residents home-composting, however, the garden waste collection service currently provides a valuable service to over 9,000 householders in the district,

and the material collected makes a significant contribution to the Council's recycling achievements.

- 2.2 The service is currently predicated on residents using reusable sacks (that subscribers have the option to purchase from the Council if they choose), to present their garden waste - up to 6 bags per collection, each to be a maximum weight of 20kg. This latter, however, is difficult to monitor and enforce (without a member of staff checking every sack presented), and when not complied with, leads to the risk that collection crews regularly have to lift sacks well beyond the safe weight, increasing the likelihood of musculo-skeletal injuries. Therefore, to address this, it is necessary to convert the garden waste collection service to utilise wheeled bins, in common with other WCAs in Kent, and widely across England.
- 2.3 There are currently approximately 9,300 subscribers to the garden waste collection service. Assuming all existing subscribers continue with the new service, the project would require the purchase of at least 10,000 wheeled bins, together with a reserve of say 2,500–5,000 further bins, to allow for a possible increase in subscriptions. It is proposed to fund the purchase of these bins using the historic "Green Redeem" funding secured from central government in 2014/15.

### 3. **Containerisation Proposal**

- 3.1 It is proposed to make the conversion from collecting sacks to collecting from wheeled bins at the start of the 2024/25 service year (i.e. with effect from Monday 1<sup>st</sup> April 2024), with (re)subscriptions open during January and February 2024. It is intended for a dedicated bin delivery operation (with specialist delivery contractor) to take place during March 2024. The amended Garden Waste Terms & Conditions would apply to new subscriptions.
- 3.2 A parallel workstream is also focussing on establishing suitable integrations between Veolia's management software and the Council's payment software so that telephone payments can be reinstated. This is to complement the current and commonplace preference by the Council for residents to use the (more cost-effective) online/self-service payment procedure.
- 3.3 Veolia will also need to affix the necessary bin-lifting equipment to the current garden waste collection vehicles. This equipment was purchased as part of the contract vehicle procurement, but it is to be fabricated on demand. Fabrication is expected to take approximately 8 weeks. Fitting the equipment to the vehicles takes a matter of days, but it will be necessary to coordinate this to happen over a weekend (when there are no garden waste collections), and with the container replacement operation, both to ensure continuity of service.
- 3.4 It should be noted that it is possible that not all households will be able to receive the new garden waste collection service, as some properties will be unable to store wheeled bins off the highway. It is also not possible for the crews to move wheeled bins down steps, up/down extreme slopes and generally pull them no further than 15m between property and collection vehicle. (These limitations are stated in the updated 2024/25 Garden Waste Service Terms & Conditions.) Where such situations occur, the Council will not be able to offer an alternative service, however, it is proposed that a voucher for a free 220L home compost bin be offered instead as outlined below.
- 3.5 In 2014/15 the DDC/FHDC partnership was awarded discretionary funding by central government to promote recycling. With the onset of the COVID pandemic this money was not spent and has been retained. To simplify the transition from the current service

arrangements to the containerised service it is proposed to utilise DDC's share of that funding, c.£360k, to purchase the Year 1 garden waste bins, and provide one free bin to each eligible property subscribing to the service in Year 1; or alternatively a £25 voucher for a free 220L home composter to those residents who, for the reasons outlined above, will be unable to access the revised service.

- 3.6 A review of the garden waste service costs in other Kent districts and boroughs reveals that there is no common approach to bin charging: some authorities charging for all bins; others providing bins as part of the subscription (but in some cases then charging for the bins for second or further subscriptions at the same address). As a result, for those bins that require purchasing to participate in the DDC garden waste service, it is proposed that a cost of £40 per bin (similar to that currently charged by our contract partners FHDC for a 180L bin) be set, and that this sum is to be inflated in accordance with 2024/25 projections.
- 3.7 Once the revised service has been launched as described, arrangements need to be established for future subscribers to the service. It is proposed that from Year 2 (i.e. 2025/26), all subscribers requiring bins will be charged, at a rate of £40 per bin, plus 2024/25 - and subsequent annual inflationary adjustments - as determined as part of the annual review of Fees and Charges.
- 3.8 The current DDC annual subscription fee is £58 for a 25-alternate week service utilising reusable sacks. It is proposed that the 2024/25 subscription, utilising 240L wheeled-bins, retains this charge as a basis, and will be reviewed as part of forthcoming annual review of Fees and Charges .

#### 4. **Identification of Options (for Free Bin Supply)**

- a) All households are treated as new subscribers for the 2024/25 GW service year, and communications will invite any/all households to subscribe to the Service. If a property is deemed compatible with the bin service, one free 240L wheeled bin per household will be supplied; if the property is deemed incompatible, one voucher per household for the purchase of a 220L home composter will be offered instead. Second or further bins will be charged at £40 each (plus inflation for 2024/25).
- b) Existing GW subscribers only are contacted and invited to resubscribe to the new bin service for 2024/25. If a property is deemed compatible with the bin service, one free 240L wheeled bin per household will be supplied; if the property is deemed incompatible, one voucher per household for the purchase of a 220L home composter will be offered instead. Second or further bins will be charged at £40 each (plus inflation for 2024/25).
- c) As in a), but supplying a free garden waste bin with every subscription purchased by the household. (Home composter vouchers will remain limited to one per household.)
- d) As in b), but supplying a free garden waste bin with every subscription purchased by existing subscribers. (Home composter vouchers will remain limited to one per household.)

#### 5. **Evaluation of Options**

- 5.1 Options a), c) and d) introduce the risk that the demand for free wheeled bins and home composters will exceed the funding available to support the project, making it unviable.

5.2 Option b) allows the aforementioned risk to be controlled, allowing better asset and financial forecasting. This, therefore, is the recommended option.

## 6. Resource Implications

6.1 DDC staff time to:

- manage project
- procure bins, delivery service, and voucher provider
- produce and issue communications material
- manage subscriptions
- Oversee distribution of bins/vouchers

6.2 It is forecast that the cost of implementing the wheeled bin service will be:

<b>Predicted Project Costs</b>	<b>£</b>
Purchase of 10,000 x 240L bins (average unit cost from ESPO framework = £22.50 for a green bin)	225,000
Purchase of a 2,500 reserve of 240L bins (cost recoverable)	56,250
Distribution of 10,000 x 240L bins	30,000
Home Composter Vouchers	25,000
Communications	10,000
Fitting of bin-lifting gear to 2x GW RCVs	5,000
<b>Total cost</b>	<b>351,250</b>

6.3 It is proposed to utilise the Green Redeem funding, currently held within the Periodic Operations earmarked reserve, to finance the set-up costs of the containerisation service.

6.4 The current service cost is c.£360k for the year and is forecast to increase in line with inflation from April 2024, to potentially c.£400k for 2024/25. If current subscription charges are also inflated by the same figure as the Contract indexation then there is no adverse impact from the project on the revenue budget, providing the number of subscribers remains at the current level.

6.5 With the exception of the Year 1 introductory supply of a free wheeled bin per existing 2023/24 subscriber household, all other bins supplied in Year 1 - and all bins from Year 2 onwards - would be supplied at the recommended minimum cost of £40, with this sum being inflated for 2024/25 and subsequent years. As the use of DDC-supplied garden waste sacks is optional under the current service, and the use of a supplied bin will be obligatory with the renewed service, there is potential additional revenue from the supply of bins to subscribers.

## 7. Climate Change and Environmental Implications

- 7.1 The best environmental option for managing garden waste is for it to be home composted, this saves having to transport this natural material anywhere, and also allows the compost to be used as a nutrient in the garden that it came from. However, some residents may be practically unable or unwilling to choose this approach. Nevertheless, through the provision of vouchers, this project aims to also encourage the purchase and use of home composters where appropriate.
- 7.2 An alternative option is for residents to take their garden waste to a KCC Household Waste Recycling Centre (HWRC), of which there are currently three in the DDC area - meaning most residents have access to one in under 10 miles from their home. In addition, as private car users are increasingly purchasing electric vehicles, this choice offers an opportunity for householders to help reduce local vehicle emissions (from the diesel-powered Refuse Collection Vehicles operating this service). Garden waste collected at the HWRCs is bulk-hauled by HGV lorry to the composting facility in Capel-le-Ferne.
- 7.3 The Refuse Collection Vehicles operating on the garden waste collection service are rated at 26 Tonnes, and are Euro-6 emissions standard compliant. These vehicles visit the subscribers' properties across the Council's area once per fortnight, and then several times per day, direct-deliver the collected garden waste to the composting facility located in Capel-le-Ferne. (This means that sometimes the vehicles are collecting from the north of the district, and then driving to the disposal point in the south of the district.)
- 7.4 The garden waste material received by the local councils, either from the doorstep or via the HWRCs, is processed at an industrial-scale facility located on a farm in Capel-le-Ferne. The garden waste is "windrow composted" (a natural process, taking approximately 16 weeks), and the resulting compost is supplied to local agricultural properties.

## 8. Corporate Implications

- 8.1 Comment from the Head of Finance & Investment (linked to the MTFP): Members are reminded that the Council's revenue and capital resources are under pressure and so they will wish to assure themselves that all proposals progress the Council's priorities, are the best option available and will deliver value for money (AC).
- 8.2 Comment from the Solicitor to the Council: The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make (HR).
- 8.3 Comment from the Equalities Officer: This report regarding the containerisation of garden waste does not specifically highlight any equality implications, however in discharging their duties members are required to comply with the public sector equality duty as set out in Section 149 of the Equality Act 2010:  
<http://www.legislation.gov.uk/ukpga/2010/15/section/149> .
- 8.4 Other Officers (as appropriate):

## 9. Appendices

- Appendix 1 – Proposed 2024-25 Garden Waste Service Terms & Conditions  
Appendix 2 - EqIA

10. **Background Papers**

[GetComposting | Council Compost Bins & Food Waste Composting Solutions](#)

ESPO Procurement Framework

BS5906:2005 – Code of Practice: Waste Management in Buildings

Contact Officer: Ian Dudding, Head of Waste Services



## Garden Waste Collection Service

### Terms and Conditions

1. The Garden Waste Collection Service is available to domestic properties only, across all wards in the Dover District, on payment to Dover District Council (hereafter “the Council”) of the applicable agreement fee. Business and commercial properties/activities are excluded from the service.
2. The agreement fee is for a 12-month period 1st April to 31st March and will expire at the end of that period. The full agreement fee is payable regardless of when a property signs up to the service and the agreement will still expire on 31st March. There will be the opportunity to renew the agreement for the forthcoming year before the current agreement is due to expire.
3. The Council is unable to accept instalment payments for the agreement. The full agreement fee should be paid in full before the collection service can begin.
4. The Council is unable to provide any concessions for residents who are in receipt of a state benefit/pension credit.
5. The Council reserves the right to carry out an annual review of the agreement fee, effective from the 1st of April each year and residents will be notified of any price increase at least 14-days prior to the payment being due.
6. Each agreement is registered to the property of the resident who purchases it. Residents who move to another property within the district can have the agreement(s) transferred to the new property. Residents who move out of the district will not be eligible for a refund of the agreement fee and the agreement will still remain registered to the property. The service is non-transferable from one resident to another resident at a different property.
7. A resident may share an agreement with a neighbour, but the agreement will only be registered to the property of the resident who purchases it. An agreement of this kind between two residents is deemed as a private agreement and the Council cannot be held responsible for any disputes or issues that should occur over this type of agreement.
8. The agreement continues to be in force for the full 12-month period of 1st April to 31st March and if cancelled by the resident at any stage within this period, no refund will be issued.
9. Garden waste collections will take place on a Monday to Friday once a fortnight, with the exception of two weeks over the Christmas and New Year period. Confirmation of your collection day, and which dates are affected over the Christmas period, are available from the Council’s service website: [www.dover.gov.uk/recycling](http://www.dover.gov.uk/recycling)
10. Garden waste and bins must be stored on your property between collections and placed on the boundary of your property before 7.00am on the day of collection.
11. Garden waste placed out for collection must be from an accessible and clearly visible location at the boundary of the property. All agreement fee payments will be taken in good faith, however, should it subsequently be determined that the garden waste collection vehicle cannot gain adequate or safe access to any specific property we reserve the right to decline





## Garden Waste Collection Service

### Terms and Conditions

to provide the service to that property. In this case - providing no service has been delivered - the agreement fee paid will be refunded in full.

12. Each agreement fee entitles the resident to a fortnightly collection of garden waste from a 240L green wheeled-bin with a brown lid. Additional agreements and bins can be purchased by a resident should they require a larger collection. Agreements can be purchased online by visiting: [www.dover.gov.uk/recycling](http://www.dover.gov.uk/recycling) , or via the council's telephone payment system.
13. Only items specified on our website and collection service leaflet will be collected. Any items placed out for the collection which are not suitable will be considered as contamination and may result in the collection not being made.
14. For your safety and the safety of the crews please ensure you do not overload the wheeled-bin. Our collection vehicles will not lift bins that are too heavy in which case the collection will not be made. The resident must remove the excess weight and present the bin(s) on the next scheduled collection date.
15. There will be no return visit for aborted collections arising due to contamination, or bins that have not been placed out at the agreed time and place by the resident.
16. Missed collections must be reported to the Council within 24-hours, in order for us to instruct the contractor to return to make the collection. A missed collection not reported within this period will not be deemed as missed, and the property will have to wait until the next scheduled collection.
17. The council reserves the right to change your scheduled collection day subject to providing you with prior notice and written notification.
18. During periods of extreme/adverse weather the Council reserves the right to suspend collections. No refunds will be made should this be necessary and we will endeavour to make the collection as soon as possible.
19. The Council will not be liable for any failure or delay in the performance of its obligations if such delay or failure results from events, circumstances or causes beyond its reasonable control. In this case the time for performance of such obligations shall be extended accordingly.
20. The Council retains the right to unilaterally change the scheduled collection date or frequency of the collections with or without notice if, due to unforeseen circumstances, the need arises, provided that any alteration does not result in a fewer number of collections occurring. Should the continuation of such circumstances prevent the requisite number of collections being completed a pro-rated refund for those collections not fulfilled may be provided.
21. An assisted collection service is available for those residents who are eligible. Please contact 01304 872428 for further information or:  
<https://www.dover.gov.uk/Recycling--Waste/Collection-Service/Assisted-Collections.aspx>

## **Appendix 2 - Equality Impact Assessment**

The Public Sector Equality Duty placed a duty on all public bodies to have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not.
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The duty has the following three aims:

- To remove or minimise disadvantages suffered by people due to their protected characteristics.
- To take steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people.
- To encourage people with certain protected characteristics to participate in public life or in other activities where their participation is disproportionately low.

The protected Characteristics are:

- Age
- Disability
- Gender
- Gender reassignment
- Pregnancy and maternity
- Race
- Religion, belief or lack of belief
- Sexual orientation
- Marriage and Civil partnership. (For this characteristic the duty only applies to the first aim to eliminate discrimination)

<b>Lead Officer:</b>	Ian Dudding
<b>Decision Maker(s):</b>	Councillor Biggs (Portfolio Holder) Roger Walton (Strategic Director – Place & Environment) Ian Dudding (Head of Waste Services)
<b>Name and Type of decision:</b>  e.g. Policy, contract, service delivery change.	Equality considerations related to the garden waste containerisation project.
<b>Date of decision</b>  When will the final decision be taken?	Cabinet – September 2023
<b>Aims of the decision</b>  <ul style="list-style-type: none"> <li>• Objectives</li> <li>• Intended outcomes</li> <li>• Key actions</li> <li>• Who and how many will be affected</li> </ul>	Garden waste collections need to be moved from a sack-based service to a wheeled-bin service. This is to mitigate health and safety concerns for the collection crews and to comply with good industry practice.
<b>Information and Research</b>  <ul style="list-style-type: none"> <li>• Summarise research and information that you used to prepare your proposals / preferred options</li> <li>• What data did you use to research your proposals</li> <li>• List anything you found that will affect people with protected characteristics.</li> </ul>	All other Kent Waste Collection Authorities utilise bins for the collection of garden waste, and this is a picture reflected across England.  Bins may be more difficult for some residents to move than individual sacks, however, this is likely to be the same situation with their normal household bins, and should they already be on an assisted collection this will extend to their garden waste collections also. We continue to offer the assisted collection service for new applicants that are eligible.
<b>Consultation</b>  <ul style="list-style-type: none"> <li>• Has there been any specific consultation done</li> <li>• What were the consultation results</li> <li>• Did the consultation analysis show any difference for people with protected characteristics.</li> <li>• What conclusions did you draw from the consultation</li> </ul>	No – the transition from garden waste sacks to bins was envisaged as part of the new contract delivery, and is necessary for collection crew-related H&S reasons.

<b>Assessing if the decision is likely to be relevant to the three aims of the Equality Duty.</b>	
<b>Aim</b>	<b>Relevance Yes / No</b>
Eliminate discrimination, harassment, victimisation	Yes
Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not.	Yes
Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.	Yes

<b>If you have decided that this decision is relevant to the three aims of the Equality Duty, use the section below to show how it is relevant and what the impact will be.</b>		
<b>Protected Characteristic</b>	<b>Relevance High/Medium/Low</b>	<b>Impact of the decision Positive / Negative</b>
Age	Medium	Negative - Difficulties may be experienced with bin presentation requirements.
Disability	Medium	Negative - Difficulties may be experienced with bin presentation requirements.
Gender reassignment	Low	
Gender	Low	
Marriage and Civil Partnership	Low	
Pregnancy and Maternity	Low	
Race	Low	
Religion, Belief or Lack of Belief	Low	
Sexual Orientation	Low	

If you have found negative impact, outline the measures you intend to take to mitigate it.	Where residents are struggling to move / present their bins they will be eligible to apply for "Assisted Collections". This can mostly easily be done via the council's website, however, residents may apply via the Contact Centre if they prefer.
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This Equality Impact Assessment must attach to any report throughout the decision-making process, to allow the final decision-makers to have Due Regard.