

Cheshire East Council

Portfolio Holder Service Commissioning

Date of Meeting:	26 January 2015
Report of:	Andrew Dunstone, Contract and QA Manager (Acting) – Waste and Environmental Services
Subject/Title:	Charging housing developers for the delivery and administration costs of new bins
Portfolio Holder:	Cllr David Topping

1.0 Report Summary

- 1.1 It is the Council's policy to provide for a significant number of new dwellings in all parts of the Borough to 2030 to support economic growth and development and to ensure that there is an appropriate mix of house types, sizes and tenures.
- 1.2 With an increase in the number of new dwellings there is a corresponding increase in the number of waste bins required. To sensibly manage this budget pressure there is a proposal to charge developers for delivery and administration costs of new waste bins.

2.0 Recommendations

- 2.1 To approve the principle that all developers of new properties will be requested to cover the delivery and administration costs of new bins
- 2.2 To give delegated authority to the Council's officers to fully implement this policy.

3.0 Reasons for Recommendations

- 3.1 To offset budget pressure in supplying household bins to new housing within Cheshire East in the context of increased house building.

4.0 Wards Affected

- 4.1 All wards

5.0 Local Ward Members

- 5.1 All members

6.0 Policy Implications

- 6.1 It is the Council's policy to allow for a significant number of new dwellings, this proposed measure seeks to ease the increased budget pressure of new bins by placing the cost of delivery and administration on the developers.
- 6.2 Outcome 4 of the Council's three year plan concerns Cheshire East being a green and sustainable place which needs to be protected and enhanced through sensitive

development, environmental management, transport and waste disposal policies. This proposal supports this outcome.

7.0 Financial Implications

- 7.1 The charging of developers will relieve some of the extra-ordinary pressures on the waste and environmental budget. It is estimated that by year end the Council will have spent £52k in supplying new properties with bins.
- 7.2 The exact fee will be agreed and reviewed as part of the Council's fees and charging review for 2015-16. It is anticipated that in line with other authorities the charge will be of the order of £75 per new house (this is for delivery and administration of 3 standard 240 litre wheeled bins, not including VAT).

8.0 Legal Implications

- 8.1 Under the Community Infrastructure Levy Regulations 2010 you can only request payments from developers if they are required to make developments acceptable in planning terms. Charging developers for the supply of bins to new houses does not satisfy this test and therefore collection of the monies from developers cannot be made through planning obligations. If developers refuse to pay there will be no enforcement mechanism that the Council can rely on to insist on payment.
- 8.2 As an alternative, the Council could rely on s.46 of the Environmental Protection Act 1990 to request that residents contribute towards the cost of the bins or provide the bins themselves.

9.0 Risk Management

- 9.1 The Council is providing guidance and as such does not have an enforcement mechanism. There is a risk that individual developers will refuse to pay for the delivery and administration costs of new bins. If this were the case the Council would have to continue to fund this increasing demand on a case by case basis.

10.0 Background and Options

- 10.1 In the first 6 months of this year there has been an unprecedented increase in requests for new bins (over 30% higher than the previous year), a budget pressure that could not have been anticipated.
- 10.2 In line with many other surrounding authorities the Council is therefore looking at ways to manage this increase without passing on additional costs to the general public through charging developers of new housing schemes for bin supply.

11.0 Access to Information

The background papers are available by contacting the report author.

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