

**Report to:** Lead Member for Transport and Environment

**Date of meeting:** 11 December 2023

**By:** Director of Communities, Economy and Transport

**Title:** Changes to the Chargeable Waste Service at East Sussex County Council Household Waste Recycling Sites

**Purpose:** To consider introduction of a free allowance to the chargeable waste scheme.

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***RECOMMENDATIONS: The Lead Member is recommended to:***

- (1) Note the requirement to change the Chargeable Waste Scheme at Household Waste Recycling Sites;**
  - (2) Delegate authority to the Director of Communities, Economy and Transport to amend the current scheme, as outlined in paragraph 2.5 and Appendix 1 of this report, from 31 December 2023;**
  - (3) Agree to the recommended price increase for paid for non-household waste (beyond the expected free allowance) from 1 April 2024, as set out in paragraph 3.5 of this report; and**
  - (4) Delegate authority to the Director of Communities, Economy and Transport to make future changes, as required, to the amended scheme and policy and charges.**
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## **1 Background Information**

1.1. East Sussex County Council (ESCC) introduced the chargeable waste scheme at household waste recycling sites (HWRS) in October 2018. Charges apply to rubble, soil, plasterboard, tyres and asbestos. The Controlled Waste (England and Wales) Regulations 2012 (the 2012 Regulations) defines waste from “construction, improvement, repair, alteration or demolition works, including preparatory works” as industrial waste, irrespective of where it is produced. There is no requirement for ESCC to accept industrial waste free of charge.

1.2. Around half of councils charge for non-household waste. The charges partially cover the costs, and no profit is made by the scheme.

1.3. The network of 10 HWRS across East Sussex is an important service and is popular with residents. The sites receive around 1.6 million visits per year and handle approximately a quarter of the total waste that East Sussex residents produce. The sites recycle, compost, or reuse almost 60% of the materials that are delivered by residents. During the last financial year, the chargeable waste scheme took 18,000 transactions and saved over £520,000 on chargeable materials.

1.4. Without any form of chargeable waste scheme in place, the effect to the Authority would be up to £1.3m per year in additional costs. When the scheme was introduced, it had an impact on other waste types and additional savings were made as a result. Officers believe the scheme has reduced trade waste abuse at the sites. Removing the charging scheme would risk a return of this additional waste and a significant increase in costs to the service over and above the direct costs associated with chargeable waste.

## 2 Supporting Information

2.1. From 11 April to 4 July 2022, the Department for Environment, Food & Rural Affairs (Defra) consulted on charges for “do it yourself” (DIY) type waste at household waste recycling centres and issued a call for evidence on booking systems at household waste recycling centres.

2.2 Defra takes the view that small amounts of DIY waste generated by householders should be classified as household waste, allowing limited quantities to be disposed of free of charge.

2.3 In June 2023, Defra published a summary of responses and government response to the consultation, reiterating its position that small amounts of DIY waste generated by householders should be classified as household waste, allowing it to be disposed of free of charge. In order to implement its policy position, the government will amend the 2012 Regulations and this change will take effect from 31 December 2023. The 2012 Regulations enable ESCC to operate its chargeable waste scheme.

### Change to legislation

2.4 The Statutory Instrument laid before Parliament on the 22 November 2023 will amend the 2012 Regulations from 31 December 2023 to restrict charging.

2.5 [Defra’s consultation response](#) states the following:

*“...that construction waste be classified as DIY waste when four criteria are met:”*

- a) the waste is produced by householders whilst carrying out small-scale construction or demolition works at their home.
- b) the waste does not arise from activities that generate an income for the person who carried them out.

The third and fourth criteria below (from the Statutory Instrument) allude to government’s stipulation for a ‘free allowance’:

- c) the amount of waste delivered to any waste disposal site in a single visit is either less than 100 litres and capable of being fitted into two 50 litre bags, or a single article of waste no larger than 2000mm x 750mm x 700mm in size (the approximate size of a bathtub or shower screen).
- d) the waste delivered to waste deposit sites does not exceed four single visits per household in any four-week period (to be administered in East Sussex as one visit per week).

2.6 These rules will allow local authorities to charge for ‘DIY’ material above and beyond the volumes as outlined in the third and fourth criteria (‘c’ and ‘d’ above). Monitoring and enforcing these limits present difficulties in terms of on-site administration of the scheme. Tonnage volumes and transactions will be monitored, and it is possible that further measures may need to be introduced in the future to effectively manage the amended charging scheme.

2.7 The government has provided a draft list of materials that can be charged for but only after the four criteria above are met and the free allowance applied. Whilst it includes rubble, soil, and plasterboard, it also includes additional materials that could be charged for which, currently, are free to dispose of at HWRS in East Sussex. Asbestos and tyres are still non-household waste and can be charged for in full under the existing scheme. At this point, ESCC is not intending to expand the list of materials it charges for within the current scheme.

## Implementation of required changes and financial impact

2.8 Officers are currently preparing the required changes to ESCC's scheme.

2.9 The existing scheme works well with a very low level of resident complaints. As ESCC is operating a tried and tested service, Officers intend to adapt in a way that complies with the new regulations, but which keeps the scheme format as close to the existing scheme as possible.

2.10 ESCC will do this by adopting the framework as above in 2.5 which will allow for a two free 50 litre bag limit of rubble, soil, and plasterboard. Deposits that exceed the free allowance will continue to be charged for. ESCC will monitor the amended scheme to assess the impact on tonnage levels and disposal savings. Appendix 1 contains the draft updated Chargeable Waste Policy which will be finalised, subject to the new legislation coming into force, and approval by the Director of Communities, Economy and Transport.

2.11 The financial impact of adopting the required charging model, and the impact of charges being totally removed with no restrictions on deposits, were assessed. Both options have a significant impact on the annual waste disposal revenue budget of up to £0.829m and £1.336m respectively. It is strongly recommended that the current scheme is adapted in line with government requirements only, to minimise the annual impact up to the estimated £0.829m. The potential impact has been accounted for in future budget requirements.

### Reviewing charges for non-household waste

2.12 On 26 June 2018 Cabinet resolved to delegate authority to the Director of Communities, Economy and Transport, in consultation with the Chief Finance Officer, to set appropriate charges to cover the disposal costs incurred by ESCC for non-household waste. These charges have remained unchanged since 2018. The current charges partially cover the cost of disposal of soil, hardcore, plasterboard, asbestos, and tyres. The table below illustrates current charges, the prices that would need to be charged to recover 100% of disposal costs and a recommended revised charging schedule that could be applied. These charges will only apply once the 'free allowance' has been used and are set at a level comparable to neighbouring authorities and in recognition of other financial pressures faced by residents.

	Current Charges	Charging Unit	Price required to recover estimated disposal costs	Proposed Charges
Plasterboard	£ 4.00	Bag / Sheet	£ 7.80	£ 6.00
Soil	£ 4.00	Bag	£ 7.80	£ 6.00
Hardcore	£ 4.00	Bag	£ 7.80	£ 6.00
Tyres	£ 2.00	Tyre	£ 2.50	£ 2.50
Asbestos	£ 6.00	Bag / Sheet	£ 7.40	£ 7.40

## 3 Conclusion and Reasons for Recommendations

3.1. The scheme has delivered significant savings for ESCC since it's commencement in 2018.

3.2. When Government's revised regulations come into force on 31 December 2023, ESCC's Chargeable Waste scheme will need to be amended for it to remain legally compliant.

3.3. The Lead Member is recommended to delegate authority to the Director of Communities, Economy and Transport to amend the current scheme, as outlined in section 2.5 and Appendix 1 from 31 December 2023.

3.4. The Lead Member is also recommended to delegate authority to the Director of Communities, Economy and Transport to make future changes, as required, to the amended scheme and policy and charges.

3.5. The Lead Member is recommended to agree to the recommended price increase for paid for non-household waste (beyond the expected free allowance), as set out below:

- £6 per bag of soil, hardcore,
- £6 per bag or sheet of plasterboard,
- £7.40 per sheet of asbestos (no free allowance for this waste type)
- £2.50 per tyre (no free allowance for this waste type)

The recommended price increase will be implemented 1 April 2024.

**RUPERT CLUBB**

Director of Communities, Economy and Transport

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LOCAL MEMBERS

All

BACKGROUND DOCUMENTS

None