

**North Yorkshire County Council**  
**Business and Environmental Services**

**Executive Members**

**27 March 2020**

**Review of Waste and Countryside Services Charges**

**Report of the Assistant Director – Transport, Waste and Countryside Services**

**1.0 Purpose of report**

- 1.1 To inform the Corporate Director Business and Environmental Services (BES) and the BES Executive Members of charges made for services provided by Waste and Countryside Services, and to obtain approval to set charges for 2020/21.

**2.0 Background**

2.1 Waste and Countryside Services make charges in respect of the following services:

2.1.1 In Countryside Access there are 5 areas of charging

- i) Public Path Orders (PPOs)
- ii) Making a Statement or Declaration under Section 31(6) of the Highways Act 1980
- iii) Temporary Closure Orders
- iv) Stopping up Orders
- v) Local Searches

2.1.2 In Waste charges are made for

- i) Household Waste Recycling Centre (HWRC) commercial and non-household waste and for waste from customers that are not North Yorkshire residents
- ii) Waste Collection Authority (WCA) commercial waste disposal

2.2 The Corporate Director (BES) approved 2019/20 Waste and Countryside Service charges in consultation with Executive Members 15 March 2019.

2.3 Charges used by Waste and Countryside Services for Local Searches, Temporary Closures and Stopping up Orders are based on Highways and Transportation fees. These are included in the ongoing corporate review of charges. 2020/21 charges are included within this report at existing (2019/20) rates for budget estimating and completeness.

**3.0 Current Charges and Income**

3.1 Full details of charges are included as Annex A.

3.2 The income from the Waste and Countryside Services fees and charges for 2018/19 and 2019/20 estimates are set out in Table 1 below.

<b>Table 1–WACS Income 2018/19 and 2019/20</b>	<b>2018/19</b>	<b>2019/20 Est.</b>
Public Path Orders		
Statement or Declaration under Section 31(6) of the Highways Act 1980	£134,000	£138,000
Temporary Closure orders		
Stopping Up Orders		
Local Searches charges	£78,700	£63,000
Household Waste Recycling Centre - Commercial and Non-Household Waste	£289,000	£325,000
Disposal charges for Waste Collection Authority Commercial Waste	£2,098,400	£2,189,900
<b>TOTAL</b>	<b>£2,600,100</b>	<b>£2,715,900</b>

3.3 Estimated income for 2019/20 compared to 2018/19 has changed due to the increases in charges and:

- i) an increase in waste charged for at the household waste recycling centres,
- ii) a reduced number of local searches.

3.4 Overall the impact of the increased income is broadly neutral matching the increased cost of provision of these services. Income is reflective of demand but is variable.

#### **4.0 Proposed Charges and Income**

4.1 Contractual inflationary increases have been applied to waste charges and an inflationary increase has been added to other WACS charges. No increase has been applied to Highways based charges.

4.2 A proposed new charge for commercial waste disposal is included for Richmondshire district council who have recommenced collection of a relatively small amount of commercial waste from isolated commercial premises.

4.3 Proposed charges for 2020/21 are included in Annex B.

4.4 2020/21 Income estimates are shown in Table 2 below:

<b>Table 2 - Estimated income</b>	<b>2019/20 Est</b>	<b>2020/21 Est</b>
Public Path Orders	£138,000	£145,300
Statement or Declaration under Section 31(6) of the Highways Act 1980		
Temporary Closure Orders		
Stopping Up Orders		
Local Searches	£63,000	£63,000
Household Waste Recycling Centre - Commercial and Non-Household Waste	£325,000	£335,000
Disposal charges for Waste Collection Authority Commercial Waste	£2,189,900	£2,239,800
<b>TOTAL</b>	<b>£2,715,900</b>	<b>£2,783,100</b>

4.5 2020/21 Income is expected to increase this is matched by increased costs.

4.6 The markets for waste materials have declined with merchants/re-processors now charging for collecting and re-processing cardboard and glass and the income from merchants/re-processors for paper has significantly dropped over the last 12 months. This means that we can no longer offer a service at the HWRCs for these types of commercial wastes without making a charge. The proposed charges for 2020/21 now include these wastes.

4.7 With markets for waste materials being unstable it is proposed that the 2020/21 commercial waste charges are reviewed in six months and amended if there is a change of more than 20% increase/reduction in costs.

## **5.0 Equalities Implications**

5.1 Consideration has been given to the potential for any adverse equality impacts arising from the recommendations (See. Annex C - EIA Screening Form). It is the view that the recommendations do not have an adverse impact on any of the protected characteristics identified in the Equalities Act 2010.

## **6.0 Legal Implications**

6.1 The power to charge for these services is included in Table 3 below:

<b>Table 3–Power to charge for services</b>	<b>Power to charge</b>
Public Path Order	Local Authorities (recovery of costs for Public Path orders) Regulations 1993 amended by regulation 3 of the Local authorities (charges for overseas Assistance and Public Path orders) Regulations 1996
Making a Statement or Declaration under Section 31(6) of the Highways Act 1980	The Commons (Registration of Town or Village Greens) and Dedicated Highways (Landowner Statements and Declarations) (England) Regulations 2013 -Regulation 2
Temporary closure orders	The Local Authorities (Transport Charges) Regulations 1998
Stopping up Orders	Section 117 of the Highways Act 1980
Con 29(Local Searches) Q5 charges	The Local Authorities (England) (Charges for Property Searches) Regulations 2008  The Environmental Information Regulations 2004
HWRC commercial and non-household waste charges	Environmental Protection Act 1990 section 51 (3) and Local Government Act 2003 section 93
WCA commercial waste disposal charges	Environmental Protection Act 1990 section 52 (9)

<b>7.0 Recommendation</b>
<p>7.1 It is recommended that the Corporate Director BES acting in consultation with BES Executive Members approves</p> <ul style="list-style-type: none"> <li>i) proposals for fees and charges for 2020/21 as detailed in Annex B of this report.</li> <li>ii) the proposal to review commercial waste charges in 6 months and for the Assistant Director, Transport Waste and Countryside Services to amend those charges if there is a change of more than 20% increase/reduction in costs.</li> </ul>

IAN FIELDING  
Assistant Director, Transport Waste and Countryside Services

Author of Report: Andy Holmes

Background Papers: None

## CURRENT Waste and Countryside Services Charges 2019/20

## 1) Countryside Access

## Public Path Order Proposed Charges 2019/20

	Proposed 2019/20 Charges
1. Initial advice and site visit	£460
2. Registration	£60
3. Informal consultation	£710
4. Initial liaison with objectors (only charged where a proposal is opposed)	£730
5. Making of a Public Path Order	£1780 Further £170 for each additional path
6. Liaison with objectors (only charged where an Order is opposed)	£1320
7. Forwarding opposed Order to the Secretary of State	No Charge
8. Confirming an unopposed Public Path Order	£390
<b>Based on the charges above an unopposed PPO will cost an applicant</b> (plus the actual cost of the 2 statutory newspaper adverts, one at the end of Stage 5 AND one at the end of Stage 8. Each advert costs in the region of £400 - £700 depending on the local newspaper's fee).	£3,400

**Making a Statement or Declaration under Section 31(6) of the Highways Act 1980  
Proposed Charges 2019/20**

<b>New S31(6) submission</b>		What is included:
Registration fee	£330	Includes the processing and registration of the Highway Statement and Highway Declaration for up to two blocks of land
Registration of extra blocks of land	£30 per block (up to a max of £150)	Additional fee for the processing and registration of land holdings made up of multiple blocks of land
<b>Renewal of a current submission with no changes to be made</b>		What is included:
Renewal fee	£60	Processing of a Highways Declaration to renew a previous submission which has not yet expired and where there have been no changes to the land holding or other details
<b>Renewal of a current submission where changes are being made</b>		What is included:
Renewal update fee	£220	Processing of a Highways Statement and/or Highways Declaration to renew a previous submission which has not yet expired, to include minor modifications to the land holding (e.g. to include additional land purchased adjoining the current land holding, or to delete blocks of land which have been sold)
<p>Please note: where additional land has been purchased which is separate from (i.e. not adjoining) the current land holding or where large areas of new land are being added, the fee for a new registration will be charged.</p> <p>For all renewals where land is being added to the land holding, both a Highways Statement and Highways Declaration must be submitted, to ensure all land is protected.</p>		

### Definition of "Block of land"

A block of land is a single, contiguous area of land not broken in multiple parts by land in another person's possession or by a public road. For example, two fields separated by a boundary fence or hedge would constitute one block of land; the same two fields separated by a public road would constitute two blocks of land.

Please note no registration will be processed until the appropriate fee is received.

### Local Searches charges 2019/20

£9.30

### Temporary Closure Orders (Highways and Transportation charges applied) Charges 2019/20

Period	Adverts	Notice Required	Cost (VAT Exempt)	Estimated Total Cost *
Emergency (21 Days)	Not required	Next day	£331.00	£331.00
5 days	Not required	2 weeks	£331.00	£331.00
6 months	2 Chargeable Adverts	6 weeks	£442.00	£442 + cost of adverts at cost*
6 month extension	1 Chargeable Advert	3-4 weeks	£442.00	£442 + cost of adverts at cost*

Advertising rates vary according to the local newspaper used but are typically £250 per advert

### Stopping up Orders (Highways and Transportation charges applied) Charges 2019/20

Stopping up order	<p>Officer time spent dealing with an application will be charged at an hourly rate of £44.00 per hour.</p> <p>Other external costs incurred by the County Council will be recharged to the applicant.</p> <p>The applicant must pay a fee of £828.00 with the initial request and the balance must be settled prior to the application to the Magistrates Court.</p>
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## 1) Waste Charges

## HWRC Commercial Waste Charges 2019/20 (all VAT free)

<b>Active, Green and Wood waste</b>			
<b>Volume</b>	<b>Active waste</b>	<b>Green waste</b>	<b>Wood waste</b>
Standard waste bags	£3.80	£2.00	£1.40
Up to 0.5 standard transit sized van load	£48.70	£35.20	£43.30
0.5 to 1 standard transit sized van load	£97.30	£70.30	£86.50
1 to 1.5 standard transit sized van loads	£146.00	£105.50	£129.80
1.5 to 2 standard transit sized van loads	£194.70	£140.60	£173.10

<b>Hardcore/rubble and Plasterboard</b>		
<b>Volume</b>	<b>Hardcore/rubble</b>	<b>Plasterboard</b>
Standard hardcore and rubble bag	£2.80	£2.70

<b>Charges for Cooking Oil</b>		<b>Charges for repatriable LPG bottles</b>	
<b>Volume</b>	<b>Charge</b>	<b>Size</b>	<b>Charge</b>
Up to 5 litres	£0.50	Less than 15kg	£0.50
Up to 25 litres	£2.70	15kg and above	£2.70

<b>Charges for tyres (waste charged at 0% VAT)</b>		
<b>Band</b>	<b>Description</b>	<b>Price (each)</b>
A	Standard tyre (car/motorcycle/4x4) (off rim)	£1.90
B	Standard tyre (car/motorcycle/4x4) (on rim)	£1.90
C	Truck (off rim)	£9.80
D	Truck (on rim)	£11.90
E	Agricultural (off rim)	£16.20
F	Agricultural (on rim)	£21.60
G	Solid	£11.90

## Commercial Waste – Disposal charges for Waste Collection Authorities 2019/20

<b>Council</b>	<b>2019/20 rate per tonne</b>
Craven DC	£126.46
Harrogate BC	£121.11
Ryedale DC	£124.26
Scarborough BC	£141.30
Selby DC	£123.83

## PROPOSED Waste and Countryside Services Charges 2020/21

### 1) Countryside Access

#### Public Path Order Proposed Charges 2020/21

	Proposed 2020/21 Charges
1. Initial advice and site visit	£480
2. Registration	£60
3. Informal consultation	£750
4. Initial liaison with objectors (only charged where a proposal is opposed)	£770
5. Making of a Public Path Order	£1880 Further £180 for each additional path
6. Liaison with objectors (only charged where an Order is opposed)	£1390
7. Forwarding opposed Order to the Secretary of State	No Charge
8. Confirming an unopposed Public Path Order	£410
<b>Based on the charges above an unopposed PPO will cost an applicant</b> (plus the actual cost of the 2 statutory newspaper adverts, one at the end of Stage 5 AND one at the end of Stage 8. Each advert costs in the region of £400 - £700 depending on the local newspaper's fee).	£3,580

#### Making a Statement or Declaration under Section 31(6) of the Highways Act 1980 Proposed Charges 2019/20

<b>New S31(6) submission</b>		What is included:
Registration fee	£350	Includes the processing and registration of the Highway Statement and Highway Declaration for up to two blocks of land
Registration of extra blocks of land	£30 per block (up to a max of £150)	Additional fee for the processing and registration of land holdings made up of multiple blocks of land
<b>Renewal of a current submission with no changes to be made</b>		What is included:
Renewal fee	£60	Processing of a Highways Declaration to renew a previous submission which has not yet expired and where there have been no changes to the land holding or other details
<b>Renewal of a current submission where changes are being made</b>		What is included:
Renewal update fee	£230	Processing of a Highways Statement and/or Highways Declaration to renew a previous submission which has not yet expired, to include minor modifications to the land holding (e.g. to include additional land purchased adjoining the current land holding, or to delete blocks of land which have been sold)
<p>Please note: where additional land has been purchased which is separate from (i.e. not adjoining) the current land holding or where large areas of new land are being added, the fee for a new registration will be charged.</p> <p>For all renewals where land is being added to the land holding, both a Highways Statement and Highways Declaration must be submitted, to ensure all land is protected.</p>		



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Please note no registration will be processed until the appropriate fee is received.

**Local Searches charges 2020/21**

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**2) Waste Charges****HWRC Commercial Waste Proposed Charges 2020/21 (all VAT free)**

Active, Green and Wood waste			
Volume	Active waste	Green waste	Wood waste
Standard waste bags	£3.90	£2.10	£1.40
Up to 0.5 standard transit sized van load	£49.80	£36.00	£44.30
0.5 to 1 standard transit sized van load	£99.50	£71.90	£88.50
1 to 1.5 standard transit sized van loads	£149.30	£107.90	£132.80
1.5 to 2 standard transit sized van loads	£199.10	£143.80	£177.00

<b>Cardboard, Glass and Paper waste</b>			
<b>Volume</b>	<b>Cardboard waste</b>	<b>Glass waste</b>	<b>Paper waste</b>
Standard waste bags	£0.60	£1.10	£1.30
Up to 0.5 standard transit sized van load	£10.90	£34.60	£42.50
0.5 to 1 standard transit sized van load	£21.80	£69.20	£85.10
1 to 1.5 standard transit sized van loads	£32.70	£103.80	£127.60
1.5 to 2 standard transit sized van loads	£43.60	£138.30	£170.20

<b>Hardcore/rubble and Plasterboard</b>		
<b>Volume</b>	<b>Hardcore/rubble</b>	<b>Plasterboard</b>
Standard hardcore and rubble bag	£2.90	£2.80

<b>Charges for Cooking Oil</b>		<b>Charges for repatriable LPG bottles</b>	
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<b>Band</b>	<b>Description</b>	<b>Price (each)</b>
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C	Truck (off rim)	£10.00
D	Truck (on rim)	£12.20
E	Agricultural (off rim)	£16.60
F	Agricultural (on rim)	£22.10
G	Solid	£12.20

### **Commercial Waste – Proposed Disposal charges for Waste Collection Authorities 2020/21**

<b>Council</b>	<b>2020/21 rate per tonne</b>
Craven DC	£129.34
Harrogate BC	£123.87
Richmondshire DC	£139.78
Ryedale DC	£127.09
Scarborough BC	£144.52
Selby DC	£126.65

## EIA Screening Form

<b>Initial equality impact assessment screening form</b>			
This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.			
<b>Directorate</b>	BES		
<b>Service area</b>	TWACS		
<b>Proposal being screened</b>	Inflationary increase to WACs charges		
<b>Officer(s) carrying out screening</b>	<b>Andy Holmes</b>		
<b>What are you proposing to do?</b>	To obtain approval for 2020/21 charges in order to ensure that the authority can cover legitimate costs and to authorise the Corp Dir BES to apply annual inflationary increases.		
<b>Why are you proposing this? What are the desired outcomes?</b>	Inflationary increases can be applied annually to ensure that the authority can cover legitimate costs for undertaking a range of functions		
<b>Does the proposal involve a significant commitment or removal of resources?</b> Please give details.	<b>No</b>		
<p><b>Is there likely to be an adverse impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC's additional agreed characteristics?</b> As part of this assessment, please consider the following questions:</p> <ul style="list-style-type: none"> <li>• To what extent is this service used by particular groups of people with protected characteristics?</li> <li>• Does the proposal relate to functions that previous consultation has identified as important?</li> <li>• Do different groups have different needs or experiences in the area the proposal relates to?</li> </ul> <p><b>If for any characteristic it is considered that there is likely to be a significant adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your <a href="#">Equality rep</a> for advice if you are in any doubt.</b></p>			
<b>Protected characteristic</b>	<b>Yes</b>	<b>No</b>	<b>Don't know/No info available</b>
Age		X	
Disability		X	
Sex (Gender)		X	
Race		X	
Sexual orientation		X	
Gender reassignment		X	
Religion or belief		X	
Pregnancy or maternity		X	
Marriage or civil partnership		X	
<b>NYCC additional characteristic</b>			
People in rural areas		X	
People on a low income		X	
Carer (unpaid family or friend)		X	
<b>Does the proposal relate to an area where there are known inequalities/probable</b>	<b>No</b>		

**ANNEX C**

<b>impacts</b> (e.g. disabled people's access to public transport)? Please give details.				
<b>Will the proposal have a significant effect on how other organisations operate? (e.g. partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics?</b> Please explain why you have reached this conclusion.	No			
<b>Decision (Please tick one option)</b>	EIA not relevant or proportionate:	x	Continue to full EIA:	
<b>Reason for decision</b>	<p>The charges will be levied on a range of customers who choose to pay for the services in question.</p> <p>Some of those customers will fall within the group of protected characteristics within the equality act. However, there is no evidence that the charges will disproportionately impact on customers within any of the protected characteristic groups.</p>			
<b>Signed (Assistant Director or equivalent)</b>	<i>Ian Fielding</i>			
<b>Date</b>	<i>17 03 2020</i>			