

North Yorkshire County Council
Business and Environmental Services

Executive Members

18 February 2022

Review of Waste and Countryside Services Charges

Report of the Assistant Director – Travel, Environment 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 2022/23.

2.0 Background

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

- In Countryside Access there are five 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

- 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 2021/22 Waste and Countryside Service charges in consultation with Executive Members on the 29 January 2021.

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 charges are currently subject to review.

3.0 Current Charges and Income

3.1 Full details of current and proposed charges are included in Annex A.

3.2 The income from the Waste and Countryside Services fees and charges for 2020/21 and 2021/22 estimates are set out in Table one below.

Table 1 – Waste and Countryside Services Income 2020/21 and 2021/22	2020/21	2021/22 Est.
Countryside Access Service charges <ul style="list-style-type: none"> Public Path Orders Statement or Declaration under Section 31(6) of the Highways Act 1980 and section 15A(1) of the Commons Act 2006 	£109,337	£117,000
Highways based charges used by Countryside Access Service <ul style="list-style-type: none"> Temporary Closure orders Stopping Up Orders Local Searches charges 	£82,376	£96,000
Household Waste Recycling Centre - Commercial and Non-Household Waste	£371,401	£500,000
Disposal charges for Waste Collection Authority Commercial Waste	£1,746,226	£2,184,312
TOTAL	£2,309,340	£2,897,312

3.3 The estimated income for waste from the Household Waste Recycling Centres (HWRCs) has increased in 2021/22 compared to 2020/21 by 25%. In 2020/21, commercial waste was not accepted at the HWRCs from 23 March 2020 until 4 July 2021 due to site closures and restricted waste acceptance because of COVID. The Waste Collection Authorities income has increased by 20% in 2021/22, following reductions in collections due to businesses being closed because of COVID restrictions in 2020/21.

3.4 The number of statement of declarations application remains strong linked to ongoing high demand on the PROW network and local searches continue at a sustained high rate.

4.0 Proposed Charges and Income

4.1 Contractual inflationary increases have been applied to Waste Collection Authority charges and an inflationary increase has been added to other TECS charges. No increase has been applied to Highways based charges which are subject to review.

4.2 Proposed charges for 2022/23 are included in Annex A.

4.3 2021/22 and 2022/23 Income estimates are shown in Table 2 below:

Table 2 - Estimated income	2021/22 Est	2022/23 Est
Countryside Access Service charges <ul style="list-style-type: none"> Public Path Orders Statement or Declaration under Section 31(6) of the Highways Act 1980 and section 15A(1) of the Commons Act 2006 	£117,000	£146,100
Highways based charges used by Countryside Access Service <ul style="list-style-type: none"> Temporary Closure orders Stopping Up Orders Local Searches charges 	£96,000	£87,000
Household Waste Recycling Centre - Commercial and Non-Household Waste	£500,000	£536,000
Disposal charges for Waste Collection Authority Commercial Waste	£2,184,312	£2,329,660
TOTAL	£2,897,312	£3,098,760

- 4.4 Income from Waste Collection Authority commercial waste and HWRC commercial and non-household wastes is expected to increase on 2021/22 levels due to the inflationary increase in charges. There is no expected increase in tonnages accepted either by the Waste Collection Authority or at the HWRCs.
- 4.5 The markets for the HWRC waste materials have recovered in 2021/22 with income for materials increasing on average by more than 50% between December 2020 and December 2021.

5.0 Equalities Implications

- 5.1 Consideration has been given to the potential for any adverse equality impacts arising from the recommendations (See. Annex B - 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 Financial Implications

The financial impact is set out in detail in paragraph 4.3 above. In summary, this report proposes that waste and countryside services estimated income will increase to £3,098,760 for the 22/23 financial year – increasing from an estimated £2,897,312 in 2021/22. In the main, these are inflationary increases.

7.0 Legal Implications

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

Table 3—Power to charge for services	Power to charge
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 and section 15A(1) of the Commons Act 2006	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)

8.0 Climate change Implications

- 8.1 Consideration has been given to the potential for any adverse climate change impacts arising from the recommendation. If people chose to dispose of Commercial and Non-Household waste using other options, due to the increase in charges, emissions and pollution may increase. A Climate Change Implication is included as Annex C of this report.

9.0 Recommendation

- 9.1 It is recommended that the Corporate Director BES acting in consultation with BES Executive Member for Open for Business approves proposals for fees and charges for 2022/23 as detailed in Annex A of this report.

MICHAEL LEAH

Assistant Director, Travel, Environment and Countryside Services

Authors of Report: Joanne Kearney and Ian Kelly

Background Papers: None

Current and Proposed Waste and Countryside Services Charges

1) Countryside Access Service

Public Path Order Charges

	Current 2021/22 Charges	Proposed 2022/23 Charges
1. Initial advice and site visit	£500	£510
2. Registration	£60	£70
3. Informal consultation	£770	£790
4. Initial liaison with objectors (only charged where a proposal is opposed)	£790	£810
5. Making of a Public Path Order	£1,930 Further £190 for each additional path	£1,960 Further £190 for each additional path
6. Liaison with objectors (only charged where an Order is opposed)	£1,430	£1,460
7. Forwarding opposed Order to the Secretary of State	No Charge	No Charge
8. Confirming an unopposed Public Path Order	£420	£430
Based on the charges above an unopposed PPO will cost an applicant (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).	£3,680	£3,760

Making a Statement or Declaration under Section 31(6) of the Highways Act 1980 Charges

	Current 2021/22 Charges	Proposed 2022/23 Charges	What is included:
New S31(6) submission Registration fee	£360	£380	Includes the processing and registration of the Highway Statement and Highway Declaration for up to two blocks of land
New S31(6) submission Registration of extra blocks of land	£30 per block (up to a max of £150)	£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
Renewal of a current submission with no changes to be made Renewal fee	£60	£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

Renewal of a current submission where changes are being made Renewal update fee	£240	£260	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> <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.</p>			

CHARGES DETERMINED BY HIGHWAYS - Local Searches charges (2021/22 charge)
£9.30 *

CHARGES DETERMINED BY HIGHWAYS - Temporary Closure Orders (2021/22 charges) *

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

CHARGES DETERMINED BY HIGHWAYS - Stopping up Orders (2021/22 charges) *

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>
-------------------	---

*Please note the above charges determined by Highways are subject to review.

2) Waste Charges

HWRC Commercial Waste Charges (all VAT free)

Type	Volume	Current 2021/22 Charges	Proposed 2022/23 Charges
Active waste	Standard waste bags	£3.90	£4.20
	Up to 0.5 standard transit sized van load	£50.30	£53.90
	0.5 to 1 standard transit sized van load	£100.60	£107.80
	1 to 1.5 standard transit sized van loads	£150.90	£161.80
	1.5 to 2 standard transit sized van loads	£201.30	£215.80
Green waste	Standard waste bags	£2.10	£2.30
	Up to 0.5 standard transit sized van load	£36.40	£39.00
	0.5 to 1 standard transit sized van load	£72.70	£77.90
	1 to 1.5 standard transit sized van loads	£109.10	£117.00
	1.5 to 2 standard transit sized van loads	£145.40	£155.90
Wood waste	Standard waste bags	£1.40	£1.50
	Up to 0.5 standard transit sized van load	£44.80	£48.00
	0.5 to 1 standard transit sized van load	£89.50	£95.90
	1 to 1.5 standard transit sized van loads	£134.30	£144.00
	1.5 to 2 standard transit sized van loads	£178.90	£191.80
Cardboard waste	Standard waste bags	£0.60	£0.60
	Up to 0.5 standard transit sized van load	£11.00	£11.80
	0.5 to 1 standard transit sized van load	£22.00	£23.60
	1 to 1.5 standard transit sized van loads	£33.10	£35.50
	1.5 to 2 standard transit sized van loads	£44.10	£47.30
Glass waste	Standard waste bags	£1.10	£1.20
	Up to 0.5 standard transit sized van load	£35.00	£37.50
	0.5 to 1 standard transit sized van load	£70.00	£75.00
	1 to 1.5 standard transit sized van loads	£104.90	£112.50
	1.5 to 2 standard transit sized van loads	£139.80	£149.90

Paper waste	Standard waste bags	£1.30	£1.40
	Up to 0.5 standard transit sized van load	£43.00	£46.10
	0.5 to 1 standard transit sized van load	£86.00	£92.20
	1 to 1.5 standard transit sized van loads	£129.00	£138.30
	1.5 to 2 standard transit sized van loads	£172.10	£184.50
Hardcore/ rubble	Standard hardcore and rubble bag	£2.90	£3.10
Plasterboard	Standard hardcore and rubble bag	£2.80	£3.00
Cooking Oil	Up to 5 litres	£0.60	£0.60
	Up to 25 litres	£2.80	£3.00
LPG bottles (repatriable)	Less than 15kg	£0.60	£0.60
	15kg and above	£2.80	£3.00
Tyres	Standard tyre (car/motorcycle/4x4) (off rim)	£2.70	£2.90
	Standard tyre (car/motorcycle/4x4) (on rim)	£2.70	£2.90
	Truck (off rim)	£10.10	£10.80
	Truck (on rim)	£12.30	£13.20
	Agricultural (off rim)	£16.80	£18.00
	Agricultural (on rim)	£22.30	£23.90
	Solid	£12.30	£13.20

Commercial Waste – Disposal charges for Waste Collection Authorities

Council	Current 2021/22 rate per tonne	Proposed 2022/23 rate per tonne
Craven DC	£ 130.76	£140.21
Harrogate BC	£ 125.23	£134.28
Richmondshire DC	£ 141.31	£151.52
Ryedale DC	£ 128.49	£137.78
Scarborough BC	£ 146.11	£156.67
Selby DC	£ 128.04	£137.29

Initial equality impact assessment screening form			
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.			
Directorate	BES		
Service area	TECS		
Proposal being screened	Inflationary increase to Waste and Countryside Services charges		
Officer(s) carrying out screening	Joanne Kearney and Ian Kelly		
What are you proposing to do?	To obtain approval for 2022/23 charges in order to ensure that the authority can cover legitimate costs and to authorise the Corp Dir BES to apply annual inflationary increases.		
Why are you proposing this? What are the desired outcomes?	Inflationary increases can be applied annually to ensure that the authority can cover legitimate costs for undertaking a range of functions		
Does the proposal involve a significant commitment or removal of resources? Please give details.	No		
<p>Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC's additional agreed characteristics</p> <p>As part of this assessment, please consider the following questions:</p> <ul style="list-style-type: none"> To what extent is this service used by particular groups of people with protected characteristics? Does the proposal relate to functions that previous consultation has identified as important? Do different groups have different needs or experiences in the area the proposal relates to? <p>If for any characteristic it is considered that there is likely to be an 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 Equality rep for advice if you are in any doubt.</p>			
Protected characteristic	Potential for adverse impact		Don't know/No info available
	Yes	No	
Age		X	
Disability		X	
Sex		X	
Race		X	
Sexual orientation		X	
Gender reassignment		X	
Religion or belief		X	
Pregnancy or maternity		X	
Marriage or civil partnership		X	
NYCC additional characteristics			

People in rural areas		X	
People on a low income		X	
Carer (unpaid family or friend)		X	
Does the proposal relate to an area where there are known inequalities/probable impacts (e.g. disabled people's access to public transport)? Please give details.	No		
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? Please explain why you have reached this conclusion.	No		
Decision (Please tick one option)	EIA not relevant or proportionate:	X	Continue to full EIA:
Reason for decision	<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>		
Signed (Assistant Director or equivalent)	<i>Michael Leah</i>		
Date	31 01 2022		



Climate change impact assessment

The purpose of this assessment is to help us understand the likely impacts of our decisions on the environment of North Yorkshire and on our aspiration to achieve net carbon neutrality by 2030, or as close to that date as possible. The intention is to mitigate negative effects and identify projects which will have positive effects.

This document should be completed in consultation with the supporting guidance. The final document will be published as part of the decision making process and should be written in Plain English.

If you have any additional queries which are not covered by the guidance please email climatechange@northyorks.gov.uk

Please note: You may not need to undertake this assessment if your proposal will be subject to any of the following:

Planning Permission
Environmental Impact Assessment
Strategic Environmental Assessment

However, you will still need to summarise your findings in in the summary section of the form below.

Please contact climatechange@northyorks.gov.uk for advice.

Title of proposal	Review of Waste and Countryside Services Charges
Brief description of proposal	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 2022/23.
Directorate	Business and Environmental Services
Service area	Transport, Environment and Countryside Services
Lead officer(s)	Joanne Kearney and Ian Kelly
Names and roles of other people involved in carrying out the impact assessment	Joanne Kearney, Waste Contracts Manager Ian Kelly, Countryside Access Manager
Date impact assessment started	January 2022

Options appraisal

Were any other options considered in trying to achieve the aim of this project? If so, please give brief details and explain why alternative options were not progressed.

The authority has three options in reviewing the charges made by Waste and Countryside services

Option 1 - No change to the existing charges.

Option 2 - An inflationary increase should be applied to one or more of the charges.

Option 3 - An above inflation increase should be applied to one or more of the charges.

Option 2 provides the most desirable outcome as he increases ensure the authority can cover its legitimate costs.

What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?

Please explain briefly why this will be the result, detailing estimated savings or costs where this is possible.

If demand for the services are maintained the proposed recommendation has no additional costs and the impact will be income neutral

How will this proposal impact on the environment?		Positive impact (Place a X in the box below where	No impact (Place a X in the box below where	Negative impact (Place a X in the box below where	Explain why will it have this effect and over what timescale? Where possible/relevant please include: <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	Explain how you plan to mitigate any negative impacts.	Explain how you plan to improve any positive outcomes as far as possible.
Minimise greenhouse gas emissions e.g. reducing emissions from travel, increasing energy efficiencies etc.	Emissions from travel			x	As charges are being increased, there is a risk that some existing users who dispose of Commercial and Non-household wastes at the Household Waste Recycling centres (HWRC) or Commercial waste through their collection authorities, may choose other options for disposal of their waste, these may be more or less convenient for them but the impact should be minimal. There will be no impact from increase in Countryside Access charges.	Ensure service data is captures to assess Commercial and Non-Household waste quantities to make informed decisions	N/A
	Emissions from construction		x				
	Emissions from running of buildings		x				

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p>Positive impact (Place a X in the box below where</p>	<p>No impact (Place a X in the box below where</p>	<p>Negative impact (Place a X in the box below where</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>
Other		x				
<p>Minimise waste: Reduce, reuse, recycle and compost e.g. reducing use of single use plastic</p>		x		<p>Recycling/ reuse options are available for most types of Commercial and Non-Household wastes and there are no charges for some of these wastes.</p>	<p>Continue to encourage separation of wastes and recycling /reuse</p>	
<p>Reduce water consumption</p>		x				
<p>Minimise pollution (including air, land, water, light and noise)</p>			x	<p>As charges are being increased, there is a risk that some existing users who dispose of Commercial and Non-Household wastes at the Household Waste Recycling Centres (HWRC), or Commercial waste through their collection authorities, may choose other less environmentally beneficial options for disposal of their waste, but the impact should be minimal.</p> <p>There will be no impact from increase in Countryside Access charges.</p>	<p>Ensure service data is captures to assess Commercial and Non-Household waste quantities to make informed decisions. Continue to benchmark prices against other local authorities where comparable data exists.</p>	

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p>Positive impact (Place a X in the box below where</p>	<p>No impact (Place a X in the box below where</p>	<p>Negative impact (Place a X in the box below where</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>
<p>Ensure resilience to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers</p>		x				
<p>Enhance conservation and wildlife</p>		x				
<p>Safeguard the distinctive characteristics, features and special qualities of North Yorkshire's landscape</p>		x				
<p>Other (please state below)</p>		x				

Are there any recognised good practice environmental standards in relation to this proposal? If so, please detail how this proposal meets those standards.

Not currently aware of any good practice relating to this.

Summary Summarise the findings of your impact assessment, including impacts, the recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

If people chose to dispose of Commercial and Non-Household waste using other options, due to the increase in charges, emissions may increase. The same is applicable to pollution.

Recycling/ reuse options are available for most types of Commercial and Non-Household wastes and there are no charges for some of these wastes.

It is anticipated that there will be minimal, if any, impact on water consumption, resilience, conservation and distinctive features and special qualities of North Yorkshire's landscape.

Sign off section

This climate change impact assessment was completed by:

Name	Joanne Kearney	Ian Kelly
Job title	Waste Contracts Manager	Countryside Access Manager
Service area	Travel, Environment and Countryside Services	
Directorate	BES	
Signature	Joanne Kearney	Ian Kelly
Completion date	January 2022	

Authorised by relevant Assistant Director (signature):

Date: