COMMUNITY IMPACT ASSESSMENT

The following template has been put together to record the results of your impact assessment.

For each of these questions, take account of the following equality strands:

- Age
- Sex
- Gender reassignment
- Marriage and civil partnership
- Disability
- Ethnicity, race and culture
- Sexual orientation
- Religion or belief
- Pregnancy and Maternity

You may also want to consider these characteristics, which can be significant in areas of Cambridgeshire:

- Rural isolation
- Deprivation

	Key Sections	Your Answer
1.	What is the existing service, document or action being impact assessed? What are the aims and objectives of the service, document or action?	The service being assessed is the County Council's function as Waste Disposal Authority. The proposed change is for the County Council to raise charges with the District Councils for the disposal of waste from certain organisations where permitted to do so by the Controlled Waste (England and Wales) Regulations 2012 ("the Regulations") as amended by the Controlled Waste (England and Wales) (Amendment) Regulations 2012 which came into force on 6 th April 2012.
		Background on change in Regulation
		The District Councils, as Waste Collection Authorities, have a duty to arrange for the collection of commercial waste if requested to do so. The Waste Collection Authority can then raise a reasonable charge with certain organisations for the collection and disposal of that commercial waste. The County Council has a duty to make arrangements for the disposal of waste collected by the District Councils and is entitled to reimbursement for the disposal charges from the District Councils for the disposal of commercial and industrial waste.
		The District Councils currently provide some organisations across the County with a residual waste collection service whereby the County Council has a duty to provide the requisite disposal service. The Controlled Waste Regulations 1992 ("the CWR") defined the types of household waste for which a collection (but not disposal charge) could be made. The Government carried out a review of the CWR from 2008 because they recognised times have changed and the cost of

waste disposal has increased significantly. The review looked:

- To encourage more sustainable waste management by not insulating certain organisations from the full cost of handling their waste.
- To tackle the distortion in the market for waste services, with the District fees undercutting those of the private sector
- To remove public subsidy on disposal costs
- To apply the polluter pays principle so that the cost of disposing certain waste streams is not borne by local government rather than by the particular premises.
- To allow Local Authorities to fully recover (subject to the exemptions referred to below) the costs of disposal which now accounts for over 50% of total waste management costs and this continues to rise with landfill tax.
- To remove the burden to pay for non-domestic waste from taxpayers.
- To promote localism by giving decision-making powers and responsibility of levying a disposal charge to local authorities.

Revised Regulation

The Regulations were laid in Parliament and came into force 6 April 2012 which now give power to local authorities to charge for the disposal of waste from certain organisations classed as household waste. Table 1 summarises the Regulations and identifies the exemptions from disposal charges that can be applied to eligible organisations. These exemptions include: -

- Some organisations will be exempt if they currently receive a District Council collection with free disposal and receive small business rate relief.
- Publically funded schools and Further Education Colleges or other education establishment who have benefitted from a District Council collection with free disposal prior to 6 April 2012.

Local implementation of the Regulations

The District Councils have the arrangement with the organisations and the power to pass a disposal charge to these organisations rests with the District Councils. However, it is the County Council that will have the financial benefit of the use of this power. There is currently no consistency across the District Councils on how charging is applied. The County Council and the District Councils have been working together to develop a common charging policy for implementation of the Regulations for the application of both collection and disposal charges.

The Regulations give councils the power to charge for

 What is the proposed change?
 What will be different? disposal of waste classified as household waste from certain organisations. The Regulations enable authorities to classify waste from these organisations as commercial waste for purposes of charging. Table 1 summarises the Regulations and identifies where exemptions can be applied.

There will be no change to organisations currently on a private sector contractor collection since they already pay the full cost of waste collection and disposal. In addition, there will be no change to organisations that are exempt within the Regulations.

Based on estimated tonnage, the County Council currently spends approximately £290K to £406K (based on the current rate of landfill tax) to dispose of waste collected from organisations listed in the Regulations. Some of these organisations are currently already charged waste disposal charges, for example GP surgeries and private schools, which accounts for between £30K to £60K of this total.

The District Councils will notify affected customers to advise them that a disposal charge will be levied. Until this time, it is difficult to estimate how much of the current spending on waste disposal for this waste stream will be recovered. The majority of the waste eligible for a disposal charge, and most likely will not be exempt, is Cambridge City Councils collection arrangements with the University and Colleges. The estimated cost to dispose of this waste, based on current levels of landfill tax, is approximately £260K to £316K for this year.

Waste from the third sector, which includes community, voluntary and social enterprise, can fall into six different premise types within the Regulations:

No collection or disposal charge

Place of worship

Collection charge but no disposal

- Premises wholly or mainly used for public meetings
- Charity shops selling donated goods originating from a domestic property.
- A community interest company or charity or other not-for -profit company which collects goods for re-use or waste to prepare for re-use from domestic property.

Commercial waste - collection and disposal charge applied

- Premises occupied by a charity and wholly or mainly used for charitable purposes
- Premises occupied by a club, society or any association of persons in which activities are conducted for the benefit of the members.

		These organisations will be considered by the District Councils on a case by case basis with the waste and premises type being considered when deciding if a collection or disposal charge may or may not be applied.
2.	Who should be involved:Who is involved in this impact assessment?	 Cambridgeshire County Council officers in: Adult Social Care Children Services Community And Adult Services Community And Adult Services (including Community Engagement and Libraries, Learning and Culture)
	e.g. Council officers, stakeholders from partner organisations, service users and community experts	Partnership Organisations including: Cambridge City Council East Cambridgeshire District Council Fenland District Council Huntingdonshire District Council South Cambridgeshire District Council
		The District Councils, who have the arrangement with organisations to collect their waste, did not want the County Council to carry out a direct consultation with their customers. The District Councils agreed that they would use the local policy to make decisions on how to apply these charges. The District Councils also agreed they would take the responsibility for applying the charges and would carry out their own impact assessment which could be in the form of a desktop analysis. This can be evidence based where the District Councils will review their contracts with various organisations to determine impact and cost. The District Council will give notice to premises when new charges will apply.
		The Department for the Environment, Food and Rural Affairs ("Defra") has consulted extensively on these proposals and have provided the results in the 'Consultation on the Revocation and Replacement of the Controlled Waste Regulations (1992), Government Response to the Consultation, March 2012'. An informal consultation took place which included four stakeholder workshops held around the country, involving over 150 representatives from local authorities, industry and affected customer groups. A formal public consultation was held between November 2010 and January 2011. This received responses from 270 organisations and individuals, including local authorities, community groups, small businesses, and institutions. Responses were overwhelmingly supportive with over 90% of respondents agreeing with the majority of proposals. The results of this consultation have been included in this Community Impact Assessment.
3 a)	What will the impact	Impact to groups

be?

- What groups will be affected by this?
- What will the impacts on these groups be?
- What evidence has been used to inform this view?
- What plans are in place to mitigate any negative impacts identified?

Organisations that currently have a collection service with a District Council and do not qualify for an exemption or are classified as commercial waste would be affected if a disposal charge was levied, these are listed in Table 1 attached.

Some groups may see a positive impact and have their disposal charges removed from their waste service costs.

Organisations currently on a private sector contractor collection would not be affected by the power to charge since they already pay the full cost of waste collection and disposal services. If organisations on a private sector collection requested a District Council collection, the Regulations and local policy would result in a collection and disposal charge in most cases. There would be no impact to these organisations since they already paid the full cost of collection and disposal with the private sector.

The overall effect of the local policy and Regulations is positive as many will continue to be exempt from disposal charging. The Cambridge University and Colleges will be the most impacted. When the University contract was let it was built into their contract that when the Regulations were laid it may affect the cost of their service. The Colleges are on a three month rolling contract and would also be affected by the increase in cost.

The proprietors of premises can choose who collects their waste whether it be a Local Authority or private sector contractor. The District Councils can provide a competitive service that are VAT exempt while the private sector already must apply a collection and disposal cost to their collection contracts.

Where disposal charges do apply it is difficult to determine the impact because each District Council has a different methodology to set their charges. Based on Defra's impact assessment, disposal now accounts for 50% of the total waste management costs. The District Councils would need to squeeze services to include the disposal charge so that they remain competitive in the marketplace, but inevitably, the cost of their waste collection service would increase where the disposal charges levied.

Evidence used to inform local policy

National Defra consultation impact assessment

The Defra impact assessment reported that the current split of public to private waste collected from these premises is 32% and 57% respectively (with an additional 10% being categorised as either public or private), however some 75%

of the waste, by weight, arises in the public sector. With the rising cost of landfill tax means that many of the private sector contracts are becoming a more expensive option than Local Authority collection. Some organisations have already switched to Local Authority services to take advantage of the cheaper fees, and there is a significant risk that large amounts of waste, which Local Authorities have not budgeted for, will come into the public sector for disposal. An **Enviros** report calculated in 2007/08 this would amount to an additional 600,000 tonnes of waste transferring into the public sector. They assumed that if recycling rates of 30% could be achieved for this waste, then around 400,000 tonnes would be landfilled, placing an additional cost of £24-£32 million pounds, based on charges of £60-£80 per tonne of waste and also assuming that the recycling services cover their own costs. This represented an increase of between 2.2% and 2.9% in disposal costs for local authorities; these costs are offset by a reduction in disposal costs from organisations currently paying private waste contractors for the full cost of disposal.

Some of the results from the Defra consultation¹, which informed the Regulations and local policy, are highlighted below: -

- The community and charity sector were opposed to disposal charging. However, Defra were not persuaded that local taxpayers should be required to support all charities operating in their area and that free disposal is a means of supporting charities. Local discretion can be exercised on applying disposal charging to these organisations.
- The community sector was also opposed to charging premises used for public meetings.
- Majority of respondents supported that residential homes should be charged for disposal, however all representatives from residential homes disagreed. Defra suggest that contribution towards waste collection and disposal should be considered when setting fees.
- Charity shops felt that it would be impractical to restrict free waste disposal for charity shops and re-use organisations to goods originating from a domestic property, but disposal authorities were not minded to accept all waste.

Local consultation

The District Councils have been consulted to determine which organisation they currently provide a waste collection service and the impact a disposal charge could have on their

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¹ Consultation on the revocation and replacement of the Controlled Waste Regulations 1992, Summary of Responses, March 2012

customers and customer base.

In absence of a Cambridgeshire agreed volumetrics, a national benchmark using minimum to maximum weights was used to calculate the estimated tonnages from the quantitative survey. It is estimated that in Cambridgeshire the amount of waste collected from these premises, for which a charge may be made, is approximately between 4,500 and 6,000 tonnes. Based solely on landfill tax, this costs the County Council between £290K and £400K in this financial year.

The majority of this waste is collected by Cambridge City Council, which accounts from approximately 94% of the total proportion. In addition, the majority of the waste collected is from Cambridge University and Colleges which accounts for 80% of the total proportion. Assuming they do not qualify for an exemption then the Council could be reimbursed for the disposal of this waste which would be approximately £260K to £316K based on the cost of landfill tax next year.

The District Councils have raised concern that they may lose customers where disposal charges are levied. This will affect the City Council most as they have the contract with the University and arrangements with the Colleges. They have requested consideration of a phased introduction of charges to minimise the impact and provide the opportunity to adjust their pricing mechanism over a period to ease the burden of price rises rather than a sharp increase which could result in customers moving to the private sector.

In addition, internal Social Services have identified that any additional charging to residential, nursing and care homes could have a negative impact on the customers that are funded through the Council. Additional disposal charges to an organisation would most likely be passed onto the individuals.

The concerns were raised by internal County Council departments on how charges would be applied to those organisations providing services to the community, similar to those raised in the national review outlined above.

Mitigation

The exemptions within the Regulations and local policy provide mitigation of impact to organisations currently on a District collection, see Table 1.

To reduce the impact to the District Councils and their customers, the County Council are considering a reduced rate to charges in the first year, this has yet to be agreed by Partners. After the first year, the charges will be in line with

the commercial rate charged for general commercial waste. This will reduce the initial impact of the charge and that in subsequent years there is less risk of challenge that Councils in Cambridgeshire are undercutting private sector waste contractors.

The risk of flytipping is low since the Regulations provide exemptions for certain organisations and the District Councils do not expect this to increase.

Five core principles were developed using the Defra and District Council consultation results along with guidance from Cambridgeshire County Council members. These principles helped inform the local policy for the implementation of the Regulations. In applying these principles there is mitigation in place to reduce the impact to the following groups:

Residential, care and nursing homes:

Since this is regarded as household waste, the Regulations provide flexibility on how charging may be applied. It has been highlighted by internal Social Services that any additional charging would have an impact on this type of organisation. Since there are a variety of possible permutations of occupancy use it had been further defined in the local policy that when more than 50% of their residents are non-council tax payers a disposal charge will be applied to new contracts. This will take into account any contribution towards waste collection and disposal which is already being made by residents and owners when setting fees.

To reduce the impact on these organisations the local policy provides an exemption to those currently receiving a District Council collection with free disposal. This may present a level of inequality to new customers who would pay both collection and disposal costs if more than 50% of their residents were non-council tax payers.

Premises used wholly or mainly for public meetings
Many premises, including village halls, are being used
commercially, for example, for parties, selling trade products,
fitness clubs etc. To reduce the burden on taxpayers and
avoiding paying for commercial waste there is a test in the
policy for 'wholly and mainly' in the local policy. Those
premises that hire the site commercially for more than 50% of
the time will *not* be classed as 'a premises wholly or mainly
used for pubic meetings' and will be classed as commercial
waste.

Third Sector

The Waste from the third sector, which includes community, voluntary and social enterprise, can fall into six different premise types within the Regulations as described above. These organisations will be considered by the District

		Councils on a case by case basis with the waste and premises type being considered when deciding if a collection or disposal charge may or may not be applied. However, there could be inequality for community organisations that do not challenge a decision to charge and those that do. However, there is no guarantee that such a challenge would lead to a change of heart by the county council and therefore such inequality of treatment is by no means certain, particularly as the council may have already taken arguments into account before deciding to charge. The District Councils will notify the premises where there will be change in the application of charges				
4.	Making a judgement:	Equality	Judgem	ent based	Issues o)r
	 Your final judgement will your service, document or action have a positive, negative or neutral equality impact? 	strand	on evide above (p	nce cited		nities that be
	If it will have a	Age	Neutral			
	positive impact on	Sex	Neutral			
	some groups and a	Disability	Neutral			
	neutral impact on others, is this justified?	Ethnicity, race and culture	Neutral			
	Are there any	Sexual orientation	Neutral			
	existing or potential equality issues with your service,	Religion or belief	Neutral			
	document or action that need to be	Pregnancy & Maternity	Neutral			
	addressed?	Marriage and Civil Partnership	Neutral			
		Gender reassignment	Neutral			
			-	nt to make	a judgement	on:
		Rural isolation	Neutral			
		Deprivation	Neutral			
5.	Action planning:					
	 Are there any actions that you have identified to address 	Issue/ opportunity	Action	Lead officer	Timescale	Action plan recorded in
	any potentially	Change in	Monitor	M Pratt	On-going	Service

	unjustifiable differences in impact on different equality groups • Are there any actions you have identified to take advantage of an	customers which could increase or decrease waste disposal. Loss of customer	waste levels and customer base. Monitor customer	M Pratt	Ongoing	Plan RECAP Ops
	opportunity you have identified to promote equality and diversity	base for Districts.	base.			Panel
	Where will these actions be recorded (i.e. which service plan, strategy action plan etc.)?	A local policy of into account si However, this Council collect service as opp Regulations er impact on certal Districts will be shops, particul domestic good applied.	nce it providues mean ion may har osed to tho hable this exain organisate encourage arly from ch	thes the ap that those we a lower se with the cemption a ations.	oplication of e currently we cost for the e private sec and helps re tor waste from	exemptions. ith a District ir waste ctor. The duce the om charity elling non-
6.	Monitoring and Review: If the actions identified in stage 5 are not incorporated into an existing action plan, how will you monitor them? When will you review this impact assessment? Who will be responsible?	The District Co Council of cha monitored aga The policies fo as required or	nges to thei inst increas r applying tl	r custome es in wast hese Regi	er base. This te tonnages. ulations will	will be

If it is relevant to your area, you may also need to consider the impact on community cohesion:

Community Cohesion	N/A
Answer the above with yes, no, or not applicable	
a. Will this service,	

document or action help community groups to develop a vision of a shared future?

- Will this service, document or action help community groups to improve their understanding and respect for each other?
- c. Does this service, document or action promote engagement of children and young people in the locality?
- d. Have local stakeholders and community leaders been engaged in the planning of this service, document or action?

If you have answered **NO** to any of these questions please outline the reasons and consider if and how this work needs doing

Table 1

Summary of the Controlled Waste (England and Wales) Regulations 2012 as amended by the Controlled Waste (England and Wales) (Amendment) Regulations 2012 which came into affect 6 April 2012 and local policy for Cambridgeshire. The Regulations apply the following exemptions:

- The exemption will be for those premises which are (a) currently i.e. immediately before the Regulations came into force received free disposal and (b) eligible for Small Business Rate Relief as defined in section 43(1) of the Local Government Finance Act 1998, calculated in accordance with section 43 (4A)(a).
- (ii) Publically funded schools and Further Educational colleges who currently benefit from free disposal immediately prior to Regulations coming into force will continue to be exempt from waste disposal charges.

Description	Classification	Charging Policy	Exceptions applied
Domestic caravan	Household waste	No collection or disposal charges to be applied.	
Places of worship	Household waste	No collection or disposal charges to be applied.	
Moored vessel for living accommodation	Household waste	No collection or disposal charges to be applied.	If used as business then to be treated as commercial waste.
Residential hostel ² provides accommodation only to persons with no other permanent address.	Household waste	Only a collection charge can be applied.	
Garden Waste from domestic property	Household waste	Only a collection charge can be applied.	Chargeable if chargeable in the Regulations Schedule 1 paragraph 4 row 11 to 17.
Clinical Waste from domestic property	Household waste	Only a collection charge can be applied.	
Gypsies and travelers caravan site	Household waste	No collection or disposal charge if domestic waste.	May apply reasonable terms to the collection of waste from caravan sites, by issuing a notice under section 46 of the Environmental Protection Act 1990.
Asbestos from domestic property	Household waste	No charge if from small-scale DIY.	
Hall used for public meetings	Household waste	Only a collection charge can be applied.	For lettings of more than 50% for commercial use will be classed as commercial waste and a disposal charge can be applied.
Military Single Living Accommodation	Household waste	No collection or disposal charges to be applied if premise is a domestic accommodation and is self contained living accommodation.	
University and colleges	Household waste	Chargeable for collection and disposal.	Exempt if the establishment receives

² Provision of accommodation only to persons with no other permanent address or who are unable to live at their permanent address.

Description	Classification	Charging Policy	Exceptions applied
			financial support from the Council or the Higher Education Authority or is an institution conducted by a higher education corporation and received a local authority collection with free disposal before 6 April 2012.
Schools and further education establishment	Household waste	Chargeable for collection and disposal. Disposal will not be charged to those that are public funded and receiving local authority collection with free disposal before 6 April 2012.	A disposal charge will not be applied if the qualify for the exemption in paragraph (ii) above. Non-publically funded schools and those on commercial collection are chargeable.
Hospital	Household waste	Chargeable for collection and disposal.	Exemption applies to those premises occupied by council tax payers or accommodation is provided for persons with no other permanent address and the waste is collected separately from other waste collected on site, for example, multi-occupancy residential buildings.
Residential home, care home and care home with nursing and nursing homes	Household waste	These premises will be charged for waste collection and disposal when more than 50% of their residents are noncouncil tax payers.	Exempt if receiving a District Council Collection with free disposal prior to 6 April 2012 providing there is no break in contract.
Prison or penal institution	Household waste	Chargeable for collection and disposal.	
Waste from premises occupied by— (a) a community interest company (a company registered with the registrar of companies), or (b) a charity or other not for profit body, which collects goods for re-use or waste to prepare for re-use from domestic property	Household waste	Only a charge for collection can be applied, unless waste originates from non-domestic premise then collection and disposal charges can be applied.	Non-domestic waste may be exempt if the principles in section 3 of the local policy can be applied and agreed by RECAP Operations Panel.
Charity Shops	Household waste	Only a charge for collection can be applied, unless waste originates from non-domestic premise then	Non-domestic waste may be exempt if the principles in section 3 of the local policy can be applied and agreed by

Description	Classification	Charging Policy	Exceptions applied
		collection and disposal charges can be applied.	RECAP Operations Panel.
Premises occupied by a charity used for charitable purposes	Commercial waste	Chargeable for collection and disposal.	A disposal charge will not be applied if the qualify for the exemption in (i) above. May be exempt if the principles in Section 3 of the local policy can be applied and agreed by RECAP Operations Panel.
Camp and caravan site	Commercial waste	Chargeable for collection and disposal.	A disposal charge will not be applied if qualify for the exemption in (i) above. Waste from domestic premises is to be treated as household waste with no collection or disposal charges.
Royal Palace	Commercial waste	Chargeable for collection and disposal.	
Club, society or association	Commercial waste	Chargeable for collection and disposal.	A disposal charge will not be applied if the qualify for the exemption in (i) above. May be exempt if the principles in Section 3 of the local policy can be applied and agreed by RECAP Operations Panel.
Self Catering accommodation	Commercial waste	Chargeable for collection and disposal.	A disposal charge will not be applied if they qualify for the exemption in (i) above.
Medical Practitioners	Commercial waste	Chargeable for collection and disposal.	A disposal charge will not be applied if they qualify for the exemption in (i) above.
Waste arising from works of construction or demolition, including waste arising from preparatory work by occupier of a domestic property.	Industrial Waste	Only a collection charge can be applied.	