



**Prosperous Communities
Committee**

Tuesday 9th July 2024

Subject: Green Waste Consultation 2024

Report by:	Director of Operational and Commercial Services
Contact Officer:	Lisa Langdon Lisa.langdon@west-lindsey.gov.uk
Purpose / Summary:	To present the proposed Green Waste Consultation process for 2024, including the suggested survey questions, and to seek approval for the consultation process to start in accordance with the timescale outlined in this Report.

RECOMMENDATION(S):

1. To approve the Green Waste Consultation process in accordance with the proposed timescale outlined at Appendix A.
2. To approve the contents of the questionnaire as detailed in Appendix B.

IMPLICATIONS

Legal: The Consultation process will be conducted in accordance with established case law principles.

Financial: There are no financial implications in respect of the Consultation stage, this can be carried out within existing resources.

Staffing : The Consultation exercise can be accommodated within existing staffing resources.

Equality and Diversity including Human Rights:

An optional equality questionnaire will be available to complete at the end of the survey and an EIA is being progressed during this process and will be available once the final report is produced.

Data Protection Implications:

All respondents of direct invitations to take part in the survey have previously agreed to be contacted in this way.

Climate Related Risks and Opportunities:

None arising from this report

Section 17 Crime and Disorder Considerations:

None arising from this report

Health Implications:

None arising from this report

Title and Location of any Background Papers used in the preparation of this report :

[Agenda for Prosperous Communities Committee on Tuesday, 5th December, 2017, 6.30 pm | West Lindsey District Council \(west-lindsey.gov.uk\)](#)

Risk Assessment :

We will undertake risk assessments for all events held in the usual way.

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

No

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

No

1. Background

- 1.1 In December 2017, Prosperous Communities Committee resolved to introduce a subscription-based garden waste service from 1 April 2018, prior to this happening the service had been free for residents who could receive it.
- 1.2 The decision to introduce a charge was taken on the basis that a “user-pays” ethos was implemented and that the function should seek to fully recover its costs. Failure to do this would mean that residents who didn’t subscribe to the service would be indirectly funding it through their council tax payments.
- 1.3 The service has continued to grow year on year, with high levels of satisfaction. Each year our Citizen Panel are asked how satisfied they are with the garden waste collection and this satisfaction level has increased since 2020 from 67.7% to 79% in 2023.

2 Consultations at West Lindsey District Council

- 2.1 West Lindsey District Council (WLDC) are members of the Consultation Institute and in accordance with best practice, we ensure that all consultations are legal and appropriate processes are in place to lower the risk of a judicial review. Consultation according to the Consultation Institute is the dynamic process of dialogue between individuals or groups, based upon a genuine exchange of views, with the objective of influencing decisions, policies or programmes of action.
- 2.2 Before 1985 there was little consideration given to consultations until a case (R v London Borough of Brent ex parte Gunning). This case sparked the need for change in the process of consultations when Stephen Sedley QC proposed a set of principles that were then adopted by the presiding judge. These principles, known as the Gunning principles, were later confirmed by the Court of Appeal in 2001 (Coughlan case) and are now applicable to all public consultations that take place in the UK. These outline the principles which all consultations must abide by and are:
 - **When proposals are still at a formative stage**
Public bodies need to have an open mind during a consultation and not already made the decision, but have some ideas about the proposals.
 - **Sufficient reasons for proposals to permit ‘intelligent consideration’**
People involved in the consultation need to have enough information to make an intelligent choice and input in the process.
 - **Adequate time for consideration and response**

Timing is crucial – is it an appropriate time and environment, was enough time given for people to make an informed decision and then provide that feedback, and is there enough time to analyse those results and make the final decision?

- **Must be conscientiously taken into account**

Think about how to prove decision-makers have taken consultation responses into account.

The risk of not following these principles could result in a Judicial Review being brought against the Council.

2. Proposal

2.1. To undertake this work it is proposed that multiple routes are taken to consult with our stakeholders. This will include holding face to face events, producing an online and paper survey and accepting any written submissions. The responsible officer for this work is the Director of Operational and Commercial Services (or in his absence the Assistant Director People and Democracy) with consultation support from the Corporate Governance Officer.

2.2. The objectives of the consultation are to:

- Discover what views our residents hold in relation to payment methods for this service
- Discover what views our residents hold in relation to collection schedules for this service
- Propose updates and or changes to Members which meets the needs of our residents as informed by the consultation.

3. Who to involve and how

3.1. It is important within this consultation that the range of residents consulted is as inclusive as possible to ensure that all views are taken into consideration irrespective of whether they are currently using the service or not. To ensure this is undertaken the following are being consulted:

- Residents who currently use the service
- Residents who have previously used the service but no longer do
- Residents who have never used the service

3.2. To ensure we are as inclusive as possible and allow as many residents as possible to take part we will run this consultation through a number of different routes. These routes include events, online and paper questionnaires and written submissions.

- Online and paper questionnaire –To ensure there are as many views on the consultation as possible we would provide an online questionnaire and a matching paper questionnaire.

- Events – Officers would attend at Market Stalls within Gainsborough, Market Rasen and Caistor to gain additional responses and answer any relevant questions that residents may have about the consultation.
- Written Submissions – Although written submissions are not advertised as being accepted we would accept them. They are not advertised due to the amount of time the analysis of these submissions would take compared to other routes.

3.3. The communications strategy will include;

- A dedicated consultation page on the WLDC website
- Social Media – we would advertise the consultation on both Twitter and Facebook to try to spread the chance for residents to take part as wide as possible
- Citizens' Panel members will be contacted and asked to participate
- Subscribed Residents Newsletter – an e-brief will be provided
- Public Events -Officers will attend to provide face to face engagement at market stalls
- A press release will be issued
- Minerva – we will use this platform to raise awareness amongst our own staff.

3.4. Data from this consultation will be provided in a Report to Prosperous Communities Committee in October 2024. This report will make suggested recommendations and seek the Committee's decision on how this service should be delivered in 2025/26.

4. Timescales

4.1. The timescale for the consultation and future reporting is included as Appendix A.

5. Questionnaire contents

5.1. The proposed questionnaire is included as Appendix B.

6. Recommendation

6.1 Members are recommended to approve the Green Waste Consultation process in accordance with the proposed timescale outlined at Appendix A, and to approve the contents of the questionnaire as detailed in Appendix B

