Environment & ICT

April 2026

REPORT OF THE Assistant Director of Housing and Environment

A.1 Waste and Recycling Team] - Proposed Fees and Charges for 2026/27
(Report prepared by Jonathan Hamlet)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT
To seek the Portfolio Holder's concurrence to the proposed schedule of fees and charges 2026/27 for Waste and Recycling.

EXECUTIVE SUMMARY
• This report sets out the proposed fees and charges for 2026/27 for Waste and Recycling. They continue to be considered against a number of key principles that form part of the long term financial forecast approach which are summarised later on in this report. • Any amendments to income budgets that are required to reflect changes to fees and charges will be considered as part of the regular financial performance reports during the year as necessary.

RECOMMENDATION(S)
That the Schedule of Fees and Charges 2026/27 for Waste and Recycling set out in Appendix A be agreed.

REASON(S) FOR THE RECOMMENDATION(S)
To enable the implementation of a revised fees and charges schedule for 2026/27.

ALTERNATIVE OPTIONS CONSIDERED
Please see the considerations / reasons behind the proposed fees and charges later on in this report.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES
The forecasting and budget setting process, including fees and charges, will have direct implications for the Council's ability to deliver on its objectives and priorities. At its heart, the 10 year approach to the forecast seeks to establish a sound and sustainable budget year on year where maximising income, including income raised from fees and charges, will continue to be an important element of this approach.

OUTCOME OF CONSULTATION AND ENGAGEMENT

The Portfolio Holder for Environment and ICT is in agreement with the increase in fees which are all related to inflationary increase in manufacturing, supply and delivery costs for services and products.

LEGAL REQUIREMENTS (including legislation & constitutional powers)

<table>
<tr><td rowspan="2">Is the recommendation a Key Decision (see the criteria stated here)</td><td rowspan="2">No</td><td>If Yes, indicate which by which criteria it is a Key Decision</td><td>☐ Significant effect on two or more wards
☐ Involves £100,000 expenditure/income
☐ Is otherwise significant for the service budget</td></tr>
<tr><td>And when was the proposed decision published in the Notice of forthcoming decisions for the Council (must be 28 days at the latest prior to the meeting date)</td><td></td></tr>
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These decisions are to record the Schedule of Fees and Charges for Executive functions only.

The arrangements for setting and agreeing a budget and for the setting and collection of council tax are defined in the Local Government Finance Act 1992. The previous legislation defining the arrangements for charging, collecting and pooling of Business Rates was contained within the Local Government Finance Act 1988. These have both been amended as appropriate to reflect the introduction of the Local Government Finance Act 2012.

Fees for abandoned vehicle removal and some elements of the Dog Warden service are set by statute. Kennelling charges and admin/transport charges are calculated based on officer time. service are set by statute. Kennelling charges and admin/transport charges are calculated based on officer time.

Relevant statutes are:

Section 149(5) of the Environment Protection Act 1990 provides a person claiming to be the owner of a dog seized under this section shall not be entitled to have the dog returned to him unless he pays all the expenses incurred by reason of its detention and such further amount as is for the time being prescribed. The Environmental Protection (Stray Dogs) Regulations 1992, paragraph 2 for the purposes of section 149(5) of the Act, £25 is prescribed as the further amount (additional to all expenses) to be paid by a person claiming to be the owner of a seized dog before he is entitled to have the dog returned to him.

The Removal, Storage and Disposal of Vehicles (Prescribed Sums and Charges) Regulations 2008 (as amended):

Paragraph 4 - The prescribed sums in respect of removal, for the purposes of sections

101A(3), 101A(4) and 102(2)(a) of the Road Traffic Regulation Act 1984 and sections 4(5), 4(6) and 5(1)(a) of the 1978 Act. The table within the original Regulations was substituted by Removal, Storage and Disposal of Motor Vehicles (Amendment) Regulations 2023/331

Paragraph 6 (1) — The prescribed sum for determining the charges recoverable for the disposal of vehicles for the purpose of section 4(6) of the 1978 Act in respect of vehicles set out in row 1 of Table 3 shall be the sum specified in relation to those vehicles in row 2 of that Table.

Section 68 of The Anti Social Behaviour Crime and Policing Act 2014 makes provision for the setting of fees of not more than £100 in respect of offences under a public spaces protection order.

S34 of the Environmental Protection Act 1990 makes provision for the issuing of a fixed penalty for an offence under the waste carrier duty of care provisions:
The fixed penalty payable to an enforcement authority under this section is—
(a)the amount specified by the authority in respect of the offence; or
(b)if no amount is specified by the authority, £200.
(8)The amount specified by an authority in respect of the offence under subsection (7)(a) must not be less than £150 or more than £600.

S88 of the Environmental Protection Act 1990 makes provision of the issuing of a fixed penalty in respect of littering:
The amount of a fixed penalty payable in pursuance of a notice under this section—
(a)is the amount specified by a principal litter authority in relation to its area (whether the penalty is payable to that or another authority), or
(b)if no amount is so specified, is—
(i)in England, £100, or
(ii)in Wales, £75.

S33 of the Environmental Protection Act 1990 makes provision of the issuing of a fixed penalty in respect of fly tipping:
A person guilty of an offence under subsection (7) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
(9)The fixed penalty payable in pursuance of a notice under this section—
(a)is an amount not less than £150 and not more than £1000, as specified by the English waste collection authority whose authorised officer gave the notice, or
(b)if no amount is specified by that authority, is £200.

Under Para 4.4.1 (8) Part 3.45 of the Council's Constitution, all Assistant Directors, in consultation with the relevant Portfolio Holder, Management Team Member and the Assistant Director (Finance & IT), are authorised to decide the level of the annual discretionary fees and charges for their service (including any in-year changes that may be required) for inclusion within the Council's corporate schedule of fees and charges. Following the above consultation, an Officer decision must be published.

Under Schedule 3 of the Council's Constitution - Responsibility For Executive Functions - Para 4.4: Delegation of Executive Functions to Officers - General Responsibilities Delegated To Officers 4.4.1 (8) Part 3.45 of the Council's Constitution, all Assistant Directors, in consultation with the relevant Portfolio Holder, Management Team Member and the Director (Finance & IT), are authorised to decide the level of the annual discretionary fees and charges for their service (including any in-year changes that may be required) for inclusion within the Council's corporate schedule of fees and charges. Following the above consultation, an Officer decision must be published.

Fee and Charge	Legislative Power Being Relied Upon
Black Refuse Sacks (per roll of 26)	Environmental Protection Act 1990 The Waste (England and Wales) Regulations 2011
Small Food caddy	Environmental Protection Act 1990 The Waste (England and Wales) Regulations 2011
Large Food Caddy	Environmental Protection Act 1990 The Waste (England and Wales) Regulations 2011
Stray dog kennel fees	As calculated based on contractor fees and Officer time.
Seagull proof bags	As calculated based on supplier and manufacturing costs.
Garden waste collection service	Simpler recycling stipulates that waste collection authorities only have a duty to collect garden waste if the household has requested the service and paid any related charges. But does not make provision to the charges that collection authorities can apply.
Delivery and provision of garden waste receptacle	As calculated based upon both supplier and manufacturing costs for the wheeled bin, combined with delivery costs to households within the Tendring district.

X☐	**The Monitoring Officer confirms they have been made aware of the above and any additional comments from them are below:**

No further comments in addition to the content of the report, with reliance on the service area ensuring the legislation quoted is still up to date.

FINANCE AND OTHER RESOURCE IMPLICATIONS

Finance and other resources

Fees and Charges have been reviewed against the key principles that underpin the long term forecast, which includes the generation of income whilst balancing strategic and external market conditions.

Given the significant on-going financial challenges faced by the Council from 2026/27, a key underlying principle is to consider inflationary increases wherever possible to support corresponding increases in the Council's own costs in delivering the associated service(s). Although set against the current inflationary environment, any proposed increases in fees and charges must be balanced against other considerations / market conditions, whilst also recognising the restrictions placed on local authorities in terms of setting fees and charges as set out within the legal section above. Further details relating to any proposed increases to fees and charges is set out below.

Any changes to income budgets resulting from any changes in the level of fees and charges agreed, will be considered as part of future financial performance reports as necessary during

2026/27.	
Yes	**The Section 151 Officer confirms they have been made aware of the above and any additional comments from them are below:**
There are no further comments over and above those set out elsewhere in the report. The volumes / demand for activities, including the financial impact is based on the information held by the Service.	

USE OF RESOURCES AND VALUE FOR MONEY	
The following are submitted in respect of the indicated use of resources and value for money indicators:	
A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services.	Please see relevant comments elsewhere in this report.
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks.	
C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.	

MILESTONES AND DELIVERY
Fees and Charges for 2026/27 form part of the wider budget setting process, which culminates in the detailed estimates being presented to Full Council in February 2026. Fees and Charges must therefore be approved in advance of this date where possible, or ahead of the financial year they relate to / as early as possible during the year.
ASSOCIATED RISKS AND MITIGATION
There is a risk that an increase in recycling containers and garden waste recycling service fees and charges could act as a barrier preventing residents from using the service, reducing demand where service specific objectives would aim to maximise recycling rates in Tendring. The proposed increases are linked with increases with manufacturing and contractor costs and increases in costs associated with the 2026 integrated waste, recycling and cleansing service.
EQUALITY IMPLICATIONS
Residents do have the option to present their residual waste and recycling in any suitable container, and this does not need to be purchased through the authority. Residents claiming to be the owner of a dog seized by the Authority shall not be entitled to have the dog returned to him unless he pays all the expenses incurred by reason of its detention and such further amount as is for the time being prescribed. Garden waste recycling service is a subscription based service, and as such is a non-statutory service and consequently residents continue to have the option to dispose of their garden waste in any suitable and legal manner.

SOCIAL VALUE CONSIDERATIONS
No direct implications identified.
IMPLICATIONS RELATED TO DEVOLUTION AND / OR LOCAL GOVERNMENT REORGANISATION
As set out within earlier reports, the Council's financial position will need to be considered within an interim period before new / successor Unitary Councils are established from the current expected date of 1 April 2028. The development of fees and charges proposals therefore need to be undertaken within this context whilst acknowledging the future consideration / harmonisation of financial forecasting and planning across partners as part of the various stages and activities associated with the implementation of a new unitary council from as early as 1 April 2028. Although there are no direct implications for 2026/27, this underlying approach will remain under consideration during 2026/27, as timely opportunities to further review fees and charges may emerge from on-going LGR activities.
IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2050
N/A
OTHER RELEVANT CONSIDERATIONS OR IMPLICATIONS
Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder	Not relevant
Health Inequalities	
Area or Ward affected	Not relevant

PART 3 – SUPPORTING INFORMATION

BACKGROUND

Income from fees and charges form an important element of the budget and the financial sustainability of the Council as highlighted earlier.

Similarly to previous years, Departments have been asked to review their fees and charges on an individual basis as changes may need to be made to meet specific aims or strategic objectives or in some cases in response to external factors such as market forces.

The review of fees and charges has been set against the following key principles:

- general inflationary increases where possible or lower where appropriate / justified
- amounts rounded for ease of application, which may result in a slightly above inflation increase.
- on a cost recovery basis as necessary
- reflect statutory requirements.
- increases where market conditions allow
- to meet specific priorities or service delivery aims / objectives

As highlighted earlier in this report, the Council continues to face a number of significant financial challenges in 2026/27 and beyond. It is therefore important that fees and charges are considered against this context and to maximise income opportunities where possible, albeit whilst balancing the various issues highlighted above.

Income budgets included in the detailed estimates will reflect any required changes from the proposed fees and charges set out in this report or considered as part of the regular financial reports during the year.

WASTE AND RECYCLING - PROPOSED FEES AND CHARGES 2026/27

Set against the current fees and charges for 2025/26, **Appendix A** includes the schedule of fees and charges proposed for 2026/27, which have been developed by applying the key principles highlighted above.

In finalising the proposed fees and charges for 2026/27, the table below sets out a summary of the associated review:

Recycling and Waste Collection Fees and Charges for 2026/27

Element of This Year's Review	Comments
1. Background to the annual review process and reasoning behind the fees and charges proposed.	
Sale of black refuse sacks, provision of the garden waste service are both directly linked to the Waste and Recycling contract, which is associated with the uplift costs in conjunction with a basket of indices including CPI, labour and diesel costs. Sale of recycling containers is linked to manufacturing costs. Costs of containers are directly linked to manufacturing costs, which incorporate inflation, labour and delivery costs and sit outside of the waste contract. Stray dog kennelling charges is linked to the fee imposed by the current boarding kennel contractor. The boarding kennels are a commercial operation and charge the Council a set daily fee.	
2. Is the Associated Service Subsidised in 2025/26. (i.e. is there a budgeted deficit for the service the fee and charge relates to)	
Yes	
3. Expected impact of the proposed fees and charges on the budgeted income position.	
Increase is minimal with no significant impact on budget position	
4. Is it proposed to use of any additional income raised?	
Any additional income will be used to offset any budget deficit.	

5.
Impact on the Net Budget -the proposed is relatively minor – no effect on overall budget

Dog warden Kennel fees

Budget Line	2025/26	2026/27
Expenditure	£1,591	£1591
Income	£550	£688
Indirect Income/Expenditure	£0	£0
Net Position	**£1,041**	**£903**

Kennelling of stray dogs- The review proposes to increase the fees associated with the kennelling costs for boarding stray dogs. This increase is due to increase in contractor costs, passed on to the authority.

Garden waste – The review proposes to not increase the garden waste subscription fee for 26/27 however under the review, the initial one off joining fee is proposed to increase. This increase is due to both the increasing costs associated with bin manufacturer costs combined with increased delivery costs associated with the contracted obligations to deliver these bins in a more timely manner.

Budget Line	2025/26	2026/27*
Expenditure	£773,120	N/A
Income	(£944,380)	
Indirect Income/Expenditure	£148,410	
Net Position	**(£22,850)**	

From 2026/27, these costs now form part of the Integrated Recycling, Waste Collection and Street Cleansing Contract which presents an overall subsidised position.

Sale of refuse and recycling sacks and containers

Budget Line	2025/26	2026/27
Expenditure	£51,789	£52,400
Income	£17,330	£18,000
Indirect Income/Expenditure	£0	£0
Net Position	**£34,459**	**£34,000**

Sale of waste and recycling containers and bags- The review process proposes to increase the fees which is due to the increasing costs associated with container and bag manufacturing costs.

6. Other important issues to highlight.

Residents do have the option to present their waste and recycling in any suitable container, and these do not need to be purchased through the authority.

PREVIOUS RELEVANT DECISIONS
Proposal to introduce charges associated with the sale of recycling containers, lids, small and large food caddies published on 9th March 2023. Proposal to increase the charges associated with the sale of refuse sacks, food caddy bags and dog warden fees published on 1st April 2025
BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL

APPENDICES
Attached – Detailed fees and charges 2026/27 for Waste and Recycling,

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