



James Ellis
Head of Legal and Democratic Services

MEETING : OVERVIEW AND SCRUTINY COMMITTEE
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : TUESDAY 20 JUNE 2023
TIME : 7.00 PM

PLEASE NOTE TIME AND VENUE

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MEMBERS OF THE COMMITTEE

Councillor David Andrews (Chairman)

Councillors P Boylan, E Buckmaster, R Carter, T Clements, N Cox,
C Horner, G McAndrew, S Nicholls, C Redfern, M Swainston, J Thomas,
G Williams and D Woollcombe

Substitutes

Conservative Group:	Councillors A Holt and G Williamson
Green Group:	Councillors V Burt, C Hart, V Smith and S Watson
Labour:	D Jacobs
Liberal Democrat Group:	Councillor S Marlow and R Townsend

*(Note: Substitution arrangements must be notified by the absent Member
to Democratic Services 24 hours before the meeting)*

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AGENDA

1. Appointment of Vice-Chairman

2. Apologies

To receive apologies for absence.

3. Minutes - 21 March 2023 (Pages 5 - 14)

To approve as a correct record the Minutes of the meeting held on 21 March 2023.

4. Chairman's Announcements

5. Declarations of Interest

To receive any Members' Declarations of Interest.

6. Waste Shared Service: Client Team and Corporate Support service arrangements (Pages 15 - 64)

7. Council Tax Support 2024/25 (Pages 65 - 87)

8. Overview and Scrutiny Committee - Draft Work Programme
(Pages 88 - 97)

9. Urgent Items

To consider such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration and is not likely to involve the disclosure of exempt information.

MINUTES OF A MEETING OF THE
OVERVIEW AND SCRUTINY COMMITTEE
HELD IN THE COUNCIL CHAMBER,
WALLFIELDS, HERTFORD ON TUESDAY 21
MARCH 2023, AT 7.00 PM

PRESENT: Councillor J Wyllie (Chairman)
Councillors M Brady, I Devonshire,
H Drake, J Frecknall, M Goldspink,
D Hollebon, I Kemp, S Rutland-Barsby,
D Snowdon and C Wilson

ALSO PRESENT:

Councillors J Goodeve, G McAndrew and
P Ruffles

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Scrutiny Officer
Jonathan Geall	- Head of Housing and Health
Peter Mannings	- Democratic Services Officer
Katie Mogan	- Democratic Services Manager
Claire Spendley	- Environmental Health Practitioner (Environment Team Manager)
Paul Thomas-Jones	- Service Manager – Environmental Health

ALSO IN ATTENDANCE:

Councillor Eric Buckmaster	- Hertfordshire County Council
Councillor Bob Deering	- Hertfordshire County Council
Councillor Calvin Horner	- Hertfordshire County Councillor

403 APOLOGIES

Apologies for absence were submitted from Councillors Curtis and Symonds.

404 MINUTES - 8 NOVEMBER 2022

Councillor Rutland-Barsby proposed and Councillor Wilson seconded, a motion that the Minutes of the meeting held on 8 November 2022 be confirmed as a correct record and signed by the Chairman.

After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the Minutes of the meeting held on 8 November 2022, be confirmed as a correct record and signed by the Chairman.

405 CHAIRMAN'S ANNOUNCEMENTS

The Chairman apologised for the cancellation of the 17 January 2023 meeting which had been necessary

because some reports were not available as anticipated.

With the consent of Members, the Chairman asked that the order of the agenda items be changed and that the report on the Regulation of Investigatory Powers Act (RIPA) Policy Review be brought forward as this was an update report. He explained that the report on Air Quality Management Plan would take up most of the time on the agenda.

He welcomed Hertfordshire County Councillors E Buckmaster, C Horner and B Deering to the meeting as well as East Herts Executive Members Councillor G McAndrew (Executive Member for Environmental Sustainability) and Councillor J Goodeve (Executive Member for Planning and Growth).

On behalf of Members, Councillor Hollebon thanked the Chairman for his Chairmanship skills for the past year. He thanked Members of Overview and Scrutiny Committee in response.

406 DECLARATIONS OF INTEREST

There were no declarations of interest.

407 INFORMATION GOVERNANCE AND DATA PROTECTION POLICIES

A report was submitted on behalf of the Executive Member for Corporate Services which provided an update on the Access to Information, Data Breach and

Data Retention Policies as part of the annual policy review.

In summary, the Access to Information Policy had had minor amendments made to reflect new council policies and to clarify that exemptions would be considered rather than directly applied.

The Data Breach Policy had had minor amendments made to reflect new council policies and learning from data breaches.

The Data Retention Policy had had some minor amendments made to reflect new council policies and had been updated to reflect storage locations of data, particularly in backup, following the council's migration to Microsoft 365. The changes to the reports were set out in the Appendices to the report.

Councillor Rutland-Barsby explained that following the May 2023 elections, new Members should be provided with training as early as possible to protect both themselves and the council. Members supported this view.

Councillor Goldspink proposed and Councillor Rutland-Barsby seconded, a motion that the content of the report and amendments made to the policies be noted and the Information Governance and Data Protection Manager be advised that early training should be provided to new Members following the May 2023 elections.

After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that (A) the content of the report and amendments made to the policies be noted and

(B) the Information Governance and Data Protection Manager be advised that early training be provided to new Members following the May 2023 elections.

408 AIR QUALITY MANAGEMENT PLAN

The Executive Member for Environmental Sustainability submitted a report which aims to address questions raised by members of the Overview and Scrutiny Committee at an earlier meeting around the council's air quality management areas and air quality action plan.

The Executive Member for Environmental Sustainability said that he would like to give Members a presentation which highlighted some of the work the council had been doing in respect of air quality. The slides provided an update on reducing pollution levels since 2014 in the three air quality management areas in Bishop's Stortford, Hertford and Sawbridgeworth. The first slide indicated that the three areas were nearly falling below the air quality management designation status. He explained that from the evidence presented, the recent growth in housing development had not stopped the downward trend of

air pollution levels despite increases in car usage and additional schools' admissions.

The Executive Member provided a summary of achievements since 2020 these included the purchase of electric cars for officers use, revised taxi policies, the sustainability policies, new pollution monitors and a new Climate Change Strategy. He explained the timetabling proposed for the introduction of a new Air Quality Action Plan which would go out for consultation, to Overview and Scrutiny Committee (21 September 2023), the Executive (January 2024) and to DEFA for approval. It was noted that a Government Grant had been received to delivery Air Quality projects in the sum of £126,408.

The Overview and Scrutiny Committee Members asked some pre submitted and supplementary questions. The Executive Member for Environmental Sustainability and the Executive Member for Planning and Growth responded to these questions. Hertfordshire County Councillors E Buckmaster, B Deering and Calvin Horner also responded to some of the questions and the answers that were given.

Having scrutinised the report and its contents, Councillor Devonshire proposed and Councillor Drake seconded, a motion that the council's work in relation to air quality and more specifically in the three air quality management areas be received including the extent to which the council was using available resources to have a positive impact on public health. Secondly Members acknowledged the extent to which the council was fulfilling its statutory obligations with

regard to the three air quality management areas with comments being referred to the Executive Member for Environmental Sustainability.

After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that (A) council’s work in relation to air quality and more specifically in the three air quality management areas be received including the extent to which the council was using available resources to have a positive impact on public health; and

(B) Secondly that Members acknowledged the extent to which the council was fulfilling its statutory obligations with regard to the three air quality management areas with comments being referred to the Executive Member for Environmental Sustainability.

409 REGULATION OF INVESTIGATORY POWERS ACT (RIPA) POLICY REVIEW

A report was submitted on behalf of the Executive Member for Corporate Services which provided an update following the Council’s recent IPCO inspection and which sought support to implement recommended changes to the RIPA policy. It was noted that the council was last inspected in 2019.

The changes were detailed in the Appendices to the report.

Councillor Goldspink proposed and Councillor Snowdon seconded, a motion that the content of the report be received and the Regulation and Investigatory Powers Act (RIPA) Policy be recommended to the Executive for adoption.

After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the content of the report be received and the Regulation and Investigatory Powers Act (RIPA) Policy be recommended to the Executive for adoption.

410 OVERVIEW AND SCRUTINY COMMITTEE - DRAFT WORK PROGRAMME - 21 MARCH 2023

The Scrutiny Officer presented the draft work programme which was attached to the report as an appendix. She reminded Members that the appendix set out what was currently in the work programme. She said that the Head of Operations would be reporting on the Waste Shared Service Client Team and Corporate Service arrangements at the Overview and Scrutiny Committee on 20 June 2023 meeting.

Members were reminded that the Overview and Scrutiny Committee had asked at an earlier meeting, for an update on support from the Herts Growth Board and the suggestion of presenting a case for additional infrastructure funding in Hertfordshire. This item had been on the work programme but was deferred at the request of HGB who wanted to

revaluate their priorities. Officers at HCC would be asked for an update on when this report could be included on the work programme for the Overview and Scrutiny Committee.

The Scrutiny Officer advised that post the district council elections, Democratic Services would be establishing two workshops, one with Overview and Scrutiny Members and one with Heads of Service to brainstorm topics for scrutiny and inclusion in their Work Programme. Additionally, in terms of training and as part of the Induction Process, a Workshop on the Essentials of Effective Strategic Scrutiny has been booked with the Centre for Governance and scrutiny for Overview and Scrutiny Members.

Members noted that following the report on the Air Quality Management Plan this evening and the timetabling of a proposed Action Plan, it was noted that Members would be presented with an update report on its progress to the Overview and Scrutiny Committee on 21 September 2023.

It was proposed by Councillor Snowdon and seconded by Councillor Wilson that the Committee Work Programme, as amended, be approved. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that (A) the main agenda items for the next meeting be agreed; and

(B) the proposed Overview and Scrutiny Committee Work Programme, as amended, be approved.

411 URGENT ITEMS

There was no urgent business.

The meeting closed at 9.05 pm

Chairman
Date

East Herts Council Report

Overview and Scrutiny Committee

Date of meeting: 20 June 2022

Report by: Councillor Tim Hoskin –Executive Member for Environmental Sustainability

Report title: Waste Shared Service: Client team and Corporate Support Arrangements

Ward(s) affected: All

Summary

- The report is based on outcomes from the Member lead joint working group between East Herts Council (EHC) and North Herts Council (NHDC) and workshops held for senior managers. It identifies the approach considered necessary to corporate support arrangements affecting the waste contract administration and management. The key drivers for the changes are to enhance the customer experience in line with transformation programmes by improving the efficiency and effectiveness of processes to support this. The report follows on from previous reports provided to overview and scrutiny and the Executive regarding the future management of waste.

RECOMMENDATIONS FOR OVERVIEW AND SCRUTINY

- (A)** To receive the report and provide feedback on the proposal identified in Section 1; for consideration by the Executive

1.0 Proposal(s)

- 1.1 To recommend to Executive agree the updated waste service policy statements to come into force from May 2025.
- 1.2 To recommend to Executive that each council leads on their own customer service provision with one set of processes for customer interactions being developed and agreed with a focus on resolution at the first point of contact.
- 1.3 To recommend to Executive to agree to further work to identify resources and costs to integrate the customer relationship management system with the waste management IT system.
- 1.4 To recommend to Executive to agree to the proposed updates and changes to financial management and governance arrangements and subsequent necessary changes to the Inter Authority Agreement outlined in Section 3.

2.0 Background

- 2.1 East Herts Council (EHC) and North Herts Council (NHDC) entered into a Shared Service arrangement in 2017 and a joint contract was let beginning in May 2018.
- 2.2 A Councillor led Joint Partnership Board for waste meets twice per year and monitors the performance of the contract.
- 2.3 The service comprises a 'client' management structure located at the Buntingford Depot and two operational hubs comprising separate management teams and separate workforces for East and North Herts Councils.
- 2.4 The current contract covers the requirements for the collection of waste and recycling from approximately 124,000

households and over 1920 commercial customers as well as street cleansing services across East and North Hertfordshire.

- 2.5 In 2014 the Councils agreed to progress from a Strategic Outline Case to an Outline Business Case for the shared service specifically exploring potential additional savings in joint contracts, savings in client overheads including depot costs, governance and management proposals and jointly agreed policies to form the basis of a joint specification.
- 2.6 The shared service has been in operation since 2018 and has successfully rolled out service changes for both authorities. The client team have worked to align processes and systems to ensure that the customer experience is broadly similar regardless of in which district a resident lives. The new contract which will mobilise for May 2025 will ensure further consistency between the authorities.
- 2.7 The shared service client team and corporate support arrangement operate under an Inter Authority Agreement (IAA) which sets out the partnership arrangements which exist for and between the two authorities. In addition for the current contract procurement a Collaboration Agreement has been put in place to provide clarity on the roles and responsibilities in relation to the procurement and demonstrate the commitment to the procurement partnership.
- 2.8 At the respective East Herts Executive and North Herts Cabinet meetings on 19th April 2022 and 22nd March 2022 a new aim and principles for the shared service were agreed focusing on efficient services which are environmentally and financially sustainable. The aim and principles are attached in **Appendix 1**.

- 2.9 A report to the respective Executive/Cabinet meetings on 25th October 2022 also identified a need to provide additional detail regarding corporate support arrangements in a supplementary report.
- 2.10 The vision for the Transforming East Herts programme approved by the Executive on 6th July 2022 is 'By 2025 East Herts Council will be a customer focused, financially sustainable, effective organisation with flexible, empowered employees'.
- 2.11 The Transforming East Herts programme is split into 3 strands: Be digital, focusing on improving our processes and encouraging more self-service, Be agile, which is about our people and culture, aiming to maximise benefits from modern ways of working and Be Commercial, which is about being more financially sustainable and generating income. This report identifies elements spanning the be digital and be commercial stands.
- 2.12 To improve the services opportunity for operational efficiencies a number of options have been considered. If the service is aligned across both authorities the client team administration and management of the contract could be more efficient providing capacity to improve the customer experience and engagement.
- 2.13 It has been necessary to review the working practice of the client team and support services to ensure the shared service can operate as efficiently as possible and meet the principles agreed by Executive and Cabinet.

Resources and Waste Strategy

- 2.14 In December 2018 the government released its Resources and Waste Strategy. There have subsequently been a number of

government consultations linked to this strategy. The industry is currently waiting for guidance to support the outcomes of these consultations and the full details of subsequent policy and legislative updates.

- 2.15 The Resources and Waste Strategy is expected to significantly change the way council's waste collection services are managed and funded. The final strategy launch has been delayed following the pandemic and specific details and timescales for some elements of the implementation are yet to be determined. However it is expected that additional administrative burdens will be placed on councils to demonstrate 'efficient and effective' services in order to receive funding.
- 2.16 The drafted policy documents in **Appendix 2** aim to support the principles of waste reduction and provide clarity to residents using the services. Should the outcomes and finalised guidance differ from our service design it may be necessary to further refine the policy statements.

3.0 Reason(s)

Customer Services

- 3.1 Customer service at each Council is currently delivered under different models, with differing administrative responsibilities, processes and key performance indicators (KPIs). EHC manage contacts related to waste and street cleansing services in-house as part of a corporate customer service team. At NHDC contacts are managed by the current collection contractor with a small proportion of contacts also being handled by the corporate team.
- 3.2 At the joint cross party member workshops, members explored options regarding the provision of customer services.

Advantages and disadvantages were identified for both a council led customer service solution and an out-sourced customer service solution. In addition, indicative costs were provided for these. The preference from the working group was for a joint council led customer service solution as it was felt this would fit better with aspirations around an improved customer journey. At the Executive on 25th October 2022 it was agreed to have customer services delivered in house.

- 3.3 The customer services and call handling functions have consequently not been included in the specification of the next waste contract and it is therefore necessary to develop the structure for this support service from 2025.
- 3.4 Subsequent work has been undertaken with senior managers at both authorities to consider the viability of a joint customer service provision and this has resulted in a recommendation to Executive to keep the customer service functions separate, but delivered in-house by both councils.
- 3.5 Some potential benefits of separate customer service provision are identified below:
- Knowledge of all council related processes and can therefore advise on other queries as a single point of contact
 - Greater resilience from a larger staff pool for each council.
 - Monthly quality monitoring in line with other in-house customer service provision at each council.
 - Training in line and consistent with each councils core values and objectives
 - Increased transparency for each authority over contact types and complaint logging
 - Increased transparency for each council on reasons for call handling performance e.g. staff resources, large contact volumes from other services.

- Direct control for each council over phone lines, Interactive Voice Response (IVR) and email auto replies.
- Direct control and monitoring of online self-serve contacts (see section 3.7)
- Able to make effective use of council Customer Relationship Management (CRM) systems.
- Service efficiencies (cost savings) can be realised more easily from individual council transformation programmes.
- Direct control over payments to the councils and therefore no additional VAT auditing implications.

3.6 The waste client team will lead on a review of all processes to ensure consistency of services between each authority and to its residents, these processes will be aligned to support the application of the policy statements attached in **Appendix 2**.

Digital Services

3.7 The proposals in this report are aligned to the EHC transformation programme.

3.8 A number of services are already available online with full integration with back office systems including:

- Reporting missed bin collections (approximately 55% recorded online)
- Subscribing to garden waste services (over 80% online)
- New and replacement bin requests
- Collection day look up

This means that there is almost no human intervention necessary from either customer service agents nor the client team in order for the service to be delivered.

- 3.9 There are a number of other services which can be reported online, however these webforms result in an email being sent either to customer service teams or the client team and therefore are not currently fully integrated, requiring additional administration to enter into back office systems and no immediate feedback is available to residents.
- 3.10 All current fully integrated online services are provided as part of the current waste contract. These online facilities will cease to function at the end of April 2025 and a new alternative solution is required to provide a seamless transition for residents.
- 3.11 Work has been undertaken to scope the requirements for digital service integration prior to the contract start in May 2025 and details can be found in **Appendix 3**. The majority of this work will take place in 2024 and early 2025 to ensure sufficient time to test systems prior to contract start.
- 3.12 Until a preferred bidder is chosen, which, based on the current timeline will be in early 2025 it is not possible to fully estimate the time and staff resource required to undertake the necessary integration.
- 3.13 Colleagues from IT departments will be involved in the dialogue with bidders to gauge the extent of the work required.
- 3.14 Once processes have been fully mapped time and resource estimates will be developed to determine the extent of any digital transformation work required in order to provide automated self-serve options for residents for all high contact waste and street cleansing services.
- 3.15 It is expected that estimated costs will be available for budget workshops in October.

Financial Management

- 3.16 Financial management of the waste contract is delivered separately for and by each authority creating a level of duplication, differing burdens and requirements for the client team. There is also a level of inconsistency in functionality for example NHDC can provide direct debits whilst currently EHC cannot, NHDC debtors processes are automated, while the EHC process is not.
- 3.17 Much of the financial management for the shared service is unaffected by the contractual provisions, however the incumbent contractor currently takes payment on behalf of both East Herts and North Herts for garden waste subscriptions and bulky waste collections on behalf of North Herts. This financial management service will not be provided in the next contract as it is directly linked to the decision to provide customer services in house and therefore alternative provision needs to be made for direct debits, online payments and telephone payments in advance of 2025.
- 3.18 Each Council will independently manage income from chargeable services and although this does not reduce the duplication of work by the shared client team in this area it does provide a reduced auditing burden for each authority.
- 3.19 For NHDC this functionality broadly already exists, but it is not yet possible to transition these services due to the council procuring a new payment system and financial management system (FMS) and needing to align with this timeline. New setups and testing would still be necessary, as well as online integration for self-serve by residents. It is anticipated that this can begin after April 2024.
- 3.20 Subject to successful procurements it is anticipated that NHDC will transition garden waste direct debits (circa 21000) and

payments (circa 8000) during 2024 in advance of the next subscription year in April 2025.

- 3.21 For EHC the delivery of direct debits and automated debt management processes are anticipated to be delivered by November 2023 and with necessary user testing it is anticipated that direct debits for garden waste (circa 25,000 for EHC) could be migrated to in-house systems by February 2024 in time for the next subscription year.
- 3.22 The move to in-house income management for garden waste is also dependent on successful integration with the existing garden waste portals and any subsequent re-procurement of these systems for each authority.
- 3.23 It is expected that a new contract will mean that both Councils will have the same contract costs for the servicing of garden waste collections. During the joint cross-party Member working groups options for aligning the garden waste service were explored. Members recommended that we should seek to therefore have an aligned price for garden waste as we currently do for bulky waste and commercial waste collections which have the same contract costs.
- 3.24 At the Executive/Cabinet on 25th October 2022 the principle of aligning the charge for the two authorities was therefore approved.
- 3.25 NHDC has recently agreed to bring the NHDC charge for garden waste to £49 to match EHC and align the start date of the service to 1st April. The price increase will cover an extended subscription year for residents which will provide a cost saving to them in the first year. Each Council wishes to retain income receipts and therefore at this stage the use of one portal for both authorities is not proposed, but will be explored as an option when the portal provision is reprocured.

- 3.26 As a consequence of this alignment it is proposed that a mechanism for agreeing the garden waste charges be written into the Inter Authority Agreement (IAA). This will be based on the principle of cost recovery which is aligned to the agreed shared service principle of financial sustainability for the services.
- 3.27 As NHDC are the current lead authority for the shared service it is proposed that this arrangement continues to prevent the need for staff to TUPE. It is therefore also proposed that NHDC lead on the financial management of expenditure for the shared service as this would reduce the client teams need to duplicate financial management work and detail will be written into the IAA to identify auditing and governance of financial management. This will ensure some reduced administration and duplication of work for the shared service yet still provide EHC with all necessary information for audit purposes.
- 3.28 In addition, NHDC will commit to providing a summary of contract spend, on behalf of both authorities, to the Partnership Board.

Communications and Marketing

- 3.29 Communications and marketing is delivered separately by each authority creating some inconsistencies in relation to corporate prioritisation of waste messages. The NHDC corporate service in terms of officer resource, is larger than at EHC, therefore there is potential benefit in aligning some aspects of comms.
- 3.30 The service changes will require a significant focus on comms with a need for additional resource to deliver more targeted campaign work. A new dedicated Waste Communications

Officer post was identified and agreed at Executive and Cabinet on 25th October 2022 and this role will focus on non-corporate communications, such as targeted communications in relation to specific campaigns, targeted local communications in relation to low performing areas and the capture of certain materials in the recycling streams. This will also include working with local schools and community groups for face-to-face communications.

- 3.31 It is proposed to keep customer facing generic service related comms separate but NHDC to lead on design in consultation with EHC. There will be a continued regular liaison between the two communications teams to ensure messages are aligned and a protocol will be developed with regards press releases and media enquiries and cemented in the IAA.

Legal Services

- 3.32 Both authorities have ongoing recruitment challenges in relation to contract and procurement lawyers. The current procurement is therefore being delivered via an external provider. As a temporary solution this has been beneficial, but it is not sustainable in the long term due to the significant financial costs of external legal support. A decision is needed on how to proceed with legal advice moving forward in relation to the client relationship with the contractor. Each Council would continue to be expected to seek their own advice on any matters relating to the Inter Authority Agreement (IAA) or working relationship between the two authorities.
- 3.33 At this stage it is not possible to determine if either council will be able to recruit a permanent contract lawyer to support the services. It is therefore proposed that support for the shared service and waste contract will be considered at the point of need by the Head of Legal and Democratic Services /Service

Director Legal and Community, who will agree a lead authority for each project based on available resource. Where no resource is available at either authority, external support shall be sought and procured by legal services on behalf of both authorities.

- 3.34 In relation to property matters each council will lead on their own properties in relation to the drafting and execution of any lease. It is however expected that property services/ estates teams will align the leases for Buntingford and Letchworth Depot (subject to the successful assignment for the current lease from Urbaser) as far as is reasonably practicable.
- 3.35 Work is ongoing to complete the heads of terms for the leases but it is anticipated that more facilities management responsibilities will pass to the waste contractor. This is to ensure that the responsibilities for health and safety on site (which sit with the waste contractor) can be controlled more effectively and consistently across both depot sites. It is proposed that any remaining depot facilities management functions will be provided by EHC on behalf of both authorities.

Governance

- 3.36 Historically, some decisions have been taken independently by each authority such as the implementation of a chargeable garden waste service. Given the commitment from both authorities to align services and create effective and efficient administrative processes as a result, it is necessary to review the governance arrangements. The options for governance are:
- Retain model of partnership board and update the IAA
 - Delete the partnership board and introduce a formal Joint waste committee

- Amendments to constitution and delegated decision making for officers to facilitate partnership arrangements with oversight by Partnership Board

3.37 It is proposed to retain the partnership board in its current format with some minor changes to the IAA to ensure decision making between the two authorities are aligned. The IAA will be strengthened to provide clarity on decision making processes and the consequences of unaligned decision making which has a financial burden on either authority.

3.38 The key aims and principles of the IAA will include:

- a) working in harmony to ensure decisions are aligned for effective and efficient running of the service to residents and customers
- b) achieving consensus between both authorities on recommendations for the Executive/Cabinet/Council or other delegated authority to officers
- c) sharing of information in a way that supports effective collaboration between the two authorities
- d) resolving any difficulties openly, quickly and honestly, before any such issues have a negative impact on the operation of the service or collaborative working
- e) providing information to each other that will (or could) impact each authority negatively

3.39 An invitation will be extended to attend partnership board (as and when required) to the Executive/Cabinet members for finance in each authority when there is a recommendation relating to financial implications.

3.40 Ensure there is a dispute resolution process in place with both Heads of Paid services should consensus or agreement not be achieved.

Policy Statements

- 3.41 Policy statements for the current waste and street cleansing services were agreed by both Councils at the meetings of Cabinet and Executive on 25th October 2022 and are considered fit for purpose. However minor updates will be required to support the transition to extended frequency residual waste collections by supporting increased recycling. The new proposed policy statements are included in **Appendix 2.**

4.0 Alternative Options

- 4.1 For customer services a joint customer service centre for waste was considered with one of the two authorities administering this on behalf of the other. This was discounted due to complications with income management and to ensure that residents in EHC can experience a seamless customer journey through the Granicus CRM system. Details of the advantages and disadvantages of differing approaches are identified in **Appendix 4.**
- 4.2 For digital services a lead authority approach was considered but this was discounted due to the recommendation to keep customer services separate and as a consequence integration with both councils' CRM systems will be required.
- 4.3 For financial management the management of both income and expenditure by NHDC was considered but this was discounted due to additional auditing requirements for VAT.
- 4.4 For legal services procuring external support on an ongoing basis was considered but this was discounted as cost prohibitive.

- 4.5 A joint waste committee was considered however was discounted as unnecessary at this stage as service alignment has already been agreed.

5.0 Risks

- 5.1 There is a risk that each Council may progress with digital online self-serve at different speeds and that full integration may not be ready by 2025. This is being mitigated by early communication between all stakeholders.
- 5.2 There is a risk that integrated online self-serve will be cost prohibitive which would put additional pressure on the customer service teams.
- 5.3 There is a risk that the councils will have insufficient resources in corporate support services such as IT and finance to support the changes necessary for 2025. This is being mitigated by early communication between all stakeholders. Additional consultancy support is being consider for IT.
- 5.4 There is a risk that the two garden waste portals will not be integrated into the financial management systems at each authority in time for the next subscription year and that income will not come direct to the councils. This risk is mitigated by the option to use a direct debit bureau in a similar way to how Urbaser do currently.

6.0 Implications/Consultations

- 6.1. A joint cross-party working group was established to consider the future service design. The terms of reference for the working group can be found in **Appendix 1**. Elected Members attended a series of workshops over two months looking at all aspects of the service design and consideration of corporate support arrangements.

- 6.2. With the recommendations contained in this report being internally focused (and not public facing) to ensure an effective management solution for the shared waste service; it is not anticipated that residents will be negatively affected and therefore a public consultation is not considered necessary.
- 6.3. A report outlining the options appraisals which had been completed when considering solutions for the future was presented to the Waste Partnership Board on 26 April 2023 where the recommendations were considered. These details are provided in **Appendix 4**.

Community Safety

No

Data Protection

Yes, data sharing agreements are in place and will require updating once a new IAA has been developed.

Equalities

Yes, with an increased push towards digital services there is a risk of digital exclusion for some residents. However, one of the primary focuses of the digitisation project is to ensure that phone lines are available for customers who are not able or confident enough to use online services.

Environmental Sustainability

No

Financial

Yes – the development of IT infrastructure and integration with back office systems is likely to require support from consultants in order to meet the necessary timeframes. The costs for this are anticipated to be available by the budget setting workshops.

The use of a direct debit bureau means that transaction and set up costs are paid to a third party it is expected that any additional administration resource required in-house to set up and process direct debits in the financial management system will be offset by the costs currently paid to the bureau.

Health and Safety

No

Human Resources

Yes – additional pressure will be put on existing staff to develop new processes and systems. At this stage no additional resource is proposed and this is linked to the risk identified in 5.3.

Human Rights

No

Legal

Yes – A new Inter Authority Agreement (IAA) is being drafted by external lawyers on behalf of both Councils.

Specific Wards

No

7.0 Background papers, appendices and other relevant material

- 7.1 [Agenda for Executive on Tuesday 19th April, 2022, 7.00 pm - East Herts District Council](#)
[Agenda for Executive on Tuesday 25th October, 2022, 7.00 pm - East Herts District Council](#)

Appendix 1 – Terms of Reference for Joint Working Group and Aims and Principles of the Shared Waste Service

Appendix 2 – Proposed Waste Policy Documents for 2025

Appendix 3 – Scoping work for Digital IT integration work

Appendix 4 – Details of options appraisals presented to Partnership Board

Contact Member	Councillor Tim Hoskin, Executive Member for Environmental Sustainability.
Contact Officer	Jess Khanom-Metaman, Head of Operations, Tel: 01992 531693. Jess.Khanom-Metaman@eastherts.gov.uk
Report Author	Chloe Hipwood, Shared Service Manager – Waste Management. chloe.hipwood@north-herts.gov.uk

Terms of Reference – Waste Cross Party Joint Working Group

1. Identify the core aims and priorities in terms of service performance, identifying our current performance levels and how these are benchmarked, considering the long-term objectives of both Councils.
2. Consider the impending changes to legislation, including environmental and financial pressures. Reviewing the current service design in relation to these factors.
3. Identify best practice and where opportunities may exist to transition towards best practice where this is both financially and environmentally sustainable.
4. Seek to achieve consensus and greater consistency of services endeavouring to benefit from greater stability and efficiencies from a common contract.
5. Identify opportunities for financial efficiencies and cost reduction in service design and delivery.
6. Consider and identify the optimal long term service design options for the Councils and how these will deliver the Councils objectives and aims and principles of the shared service.
7. Specifically, the working group will focus on:
 - a. Customer Services
 - b. Street Cleansing Non-Core Services
 - c. Street Cleansing Core Services
 - d. Waste & Recycling Non-Core Services e.g. textiles collections
 - e. Waste and Recycling Core Services
 - f. Chargeable Garden Waste Collections
 - g. Chargeable Waste & Recycling Services

East Herts Council Priorities

- **Sustainability at the heart of everything we do**
 - We will make changes to how the council manages its own premises, people and services
 - We will use our regulatory powers to promote action by others
 - We will influence and encourage others to be more environmentally sustainable
- **Enabling our communities**
 - We will invest in our places
 - We will ensure all voices in the community are heard
 - We will support our vulnerable residents
- **Encouraging economic growth**
 - We will develop new sources of income
 - We will support business growth
 - We will create viable places
- **Digital by Design**
 - We will improve the customer experience for those who use council services
 - We will work with partners to ensure our communities are digitally enabled

North Herts Council Priorities

- **People First** - People make North Herts work. We value all our residents, businesses, staff, contractors, councillors, and other partners, and place them at the heart of everything we do.
- **Sustainability** - We recognise the challenges our towns and district face and are committed to delivering services which are relevant and sustainable. In doing so we will place our environmental responsibilities, as well as sound financial planning, at the centre of our policy making.
- **A brighter future together** - We are far-sighted and plan for the long term to secure the best outcomes for our people, towns and villages, and the local economy, ensuring North Herts continues to thrive.

Waste Shared Service Aim

Delivering high quality and well performing services which are both financially and environmentally sustainable.

Waste Shared Service Principles

- a. Maintain and/or improve service standards through efficient working.
- b. Achieve service improvements, greater resilience, efficiencies, cost reductions or better performance through service alignment
- c. Deliver service changes aligned with the government's Resources and Waste Strategy which demonstrate a net environmental benefit
- d. Work in partnership with contractors to develop and evolve a carbon management plan identifying how operations can deliver year on year carbon savings and move towards services with net zero carbon emissions.
- e. Improve efficiencies and enhance the offering for chargeable waste and recycling services and explore commercial opportunities
- f. Work in partnership with contractors to explore new opportunities to reduce costs and ensure the delivery of financially sustainable services
- g. Providing residents and customers with improved and enhanced online self-serve opportunities delivering any service changes with this in mind
- h. Work in partnership with contractors to improve and modernise working practices and make our services an attractive place to work
- i. Work with the Herts Waste Partnership and other partners to share knowledge, best practice, reduce waste and embed circular economy principles in service delivery.

WASTE & RECYCLING COLLECTION & STREET CLEANSING POLICY STATEMENTS

POLICY DESCRIPTION

PAGE

Domestic Waste Collection Service Policy Statements

1. [Standard service for individual houses](#)
2. [Variations from the standard service](#)
3. [Multi-occupancy properties \(flats blocks etc.\)](#)
4. [Mixed Domestic / Commercial properties \(Mixed hereditament properties\)](#)
5. [Number of sacks provided](#)
6. [Extra bin capacity](#)
7. [Items prohibited from domestic wheeled bins / sacks](#)
8. [Excess waste/ side waste](#)
9. [Bin lids](#)
10. [Rejected/ contaminated wheeled bins and sacks](#)
11. [Collection day and time](#)
12. [Collection point for wheeled bins/ sacks](#)
13. [Return of bins](#)
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Trade Waste Collection Service Policy Statements

27. [Trade refuse and recycling collection material streams](#)
28. [Trade refuse and recycling collection bin sizes](#)

Street Cleansing Policy Statements

29. [Standard of Service](#)
30. [Response times](#)
31. [Leaf clearance](#)
32. [High speed roads](#)
33. [Street Cleansing Town centres](#)
34. [Litter Bins](#)
35. [Winter snow clearance](#)

[36. Events and street parties](#)

[37. Graffiti and fly-poster removal](#)

DOMESTIC WASTE COLLECTION SERVICE POLICY STATEMENTS

Policy 1 - Standard service for individual houses

The standard service for the collection of residual domestic waste is a three weekly service. Mixed dry recycling and paper will be collected fortnightly, in separate containers. Food waste is collected separately, weekly. Each property on the standard service will receive only one bin of each type.

Residents also have the option of paying for a fortnightly collection of garden waste. This collection will occur during the same week as the recycling is collected. Each household can pay a subscription charge for a maximum of two additional bins for garden waste.

Each Council has historical bin colours; the list below represents the standard service for new houses and the colour of any replacement bins.

The bins provided are as follows:

Container	Material	Frequency
180L purple lidded with grey body bin (replacements purple lidded)	Residual waste (waste which cannot be recycled)	Three Weekly
240L blue lidded with grey body bin	Mixed dry recycling*	Fortnightly
55 L blue box	Paper	Fortnightly
23L brown caddy	Food waste *	Weekly
240L brown lidded bin (chargeable opt in service)	Garden waste*	Fortnightly

*As defined by our current acceptance criteria stated on our website

The correct bin must be used for the different types of waste. Exemptions to the standard service may be made subject to certain criteria (see [Policy 2](#)). Where a property is provided with the standard service, only waste presented in wheeled bins provided by the Council will be collected with the exceptions under [Policy 8](#).

Policy 2 – Variations from the standard service

To qualify for an exemption from the standard service you must meet one or more of the following criteria:

1. There is no reasonable rear or side access to the property and the useable off street frontage is too small to accommodate the bins (see [Policy 5](#))
2. The property is accessed via steep inclines or steps, so making it impractical to use wheeled bins (see [Policy 5](#))
3. The property is a flat (see [Policy 3](#))
4. The household is a House in Multiple Occupation or has a large number of residents eg. Student house. (see [Policy 6](#))

5. The household/s are disabled or elderly and cannot manoeuvre wheeled bins. (see [Policy 15](#))
6. The household produces clinical waste (see [Policy 25](#))
7. The household produces large quantities of hygiene waste, e.g. nappies or incontinence pads (see [Policy 6](#) and [Policy 25](#))
8. Any other exceptional circumstance as agreed by the council

Policy 3 - Multi-occupancy properties (Communal/ flat blocks etc.)

Properties such as flats or accommodation blocks will normally be collected using communal wheeled bins wherever possible. The number of bins provided will depend on the size and number of properties.

Where bins cannot be provided, for example flats above shops, sacks for residual waste will be provided for use and boxes will be provided for dry recycling. Residents will be provided with the quantities of sacks as detailed in [Policy 5](#).

Bins will be collected from the bin storage or other area as agreed by the Council and returned to the collection location. The standard collection cycle is fortnightly, however weekly collections for residual waste will be facilitated for some existing flat blocks where bin storage space is insufficient.

Only waste which is presented in the correct containers with the correct items in will be collected. For multi-occupancy properties, where the bin is found to contain incorrect items, it will be rejected and not emptied.

It will be the responsibility of the residents / managing agents to arrange for the incorrect materials to be removed before the bin will be emptied on the next scheduled collection day. The Council may offer to empty the bins at its discretion alongside the scheduled residual waste collection. Repeated incidents will result in charging for the emptying of contaminated bins. Only items detailed as acceptable items on our website will be collected.

No loose rubbish or sacks around the bins will be collected nor any other items; and it is the responsibility of the residents / managing agents to remove or clear any such items.

Where access to a bin is blocked with loose rubbish / sacks / flytipping it will not be emptied until this has been removed. The bin will then be collected on the next scheduled collection day.

Policy 4 – Mixed Domestic / Commercial Properties (Mixed hereditament properties)

Mixed hereditament properties are generally business properties with living accommodation attached e.g. a flat above a shop. Such properties will be provided with the standard service ([Policy 1](#)) unless an exemption/variation applies. The bins provided must not be used to dispose of business waste. Household bins containing commercial shall not be emptied.

Policy 5 - Number of sacks provided

If the property meets either Criteria 1 or 2 from [Policy 2](#) the property will be provided with sacks for the collection of residual waste and a box for the collection of mixed dry recycling, a box for the collection of paper and a 23l caddy for food waste NHDC.

Sacks are delivered annually. Sacks are predominantly collected fortnightly and a maximum of 4 sacks will be collected unless an exemption within [Policy 6](#) applies.

In some circumstances flats will receive weekly residual waste collections. Properties must demonstrate they are adequately using recycling services to be considered for weekly residual waste collections.

Policy 6 – Extra bin capacity

All households will be provided with bins in accordance with the standard service. Residents can apply for additional capacity for residual waste under the following circumstances.

1. There are six or more permanent residents in the household
2. There are two or more children in nappies
3. A household where a large quantity of non-clinical healthcare (hygiene) waste is being produced

All households that request additional capacity will need to meet one or more of the set criteria. If the application is under Criterion 1 or 2 above, a five-week diary shall be completed by the household, to ensure items are correctly being separated for recycling and a waste audit may then be carried out to determine whether additional capacity is necessary. This is to ensure that households are recycling all that they can.

Capacity requirements are reviewed periodically (usually annually) and additional bins are provided on a conditional basis. Households will revert back to the standard service when the criteria no longer applies.

If additional capacity is authorised due to Criteria 2 above then there must be two or more children in nappies under the age of 36 months

Under Criteria 1: If a household is placing out a significant amount of extra recycling each collection, they may be considered for a larger recycling bin or second recycling bin at the Councils discretion.

Extra capacity provision under Criteria 3 is subject to a referral from a healthcare provider.

Policy 7 - Items prohibited from domestic wheeled bins / sacks

The following items are prohibited from all bins, this list is not exhaustive:-

- Any hazardous waste or chemicals
- Any clinical waste
- Paint/ Pesticides or chemicals
- DIY waste
- Plasterboard
- Electrical and electronic equipment
- Commercial waste
- Industrial waste
- Large or bulky waste which does not normally fit into a bin.(see [Policy 26](#))
- Hot ashes
- Car parts
- Rubble / soil

- Corrosive materials and liquids
- Oil
- Fluorescent tubes / low energy light bulbs

An A-Z of recycling is provided on our website for information on what can be recycled at the kerbside and items which can be recycled at Household Waste Recycling Centres.

Policy 8 – Excess waste / Side waste

Excess residual waste beside or piled on top of the residual domestic wheeled bin will not be taken. Where possible excess waste will be placed back inside the bin after it has been emptied, a sticker informing the resident may also be left. Persistent excess residual waste may result in a letter being sent or an officer visit to advise on the management of waste. Excess waste can be taken to the nearest Household Waste Recycling Centre alternatively the resident can pay for a bulky waste collection see [Policy 26](#).

Where bins have been forcibly compacted or are frozen and the contents is stuck in the bin, residents are required to loosen the contents. The bin will then be collected on the next scheduled collection day. No return will be made under [Policy 14](#).

Excess waste will not be collected with brown bins with the exception of real Christmas trees, which should be left next to the brown bin in January following the Christmas service suspension. This is for residents who have signed up to the chargeable garden waste service only.

Additional dry recycling materials for the mixed dry recycling bin will be collected as long as these are contained in a paper bag, cardboard box or reusable plastic box. Non-recyclable containers will be left after collection. Large item such as cardboard from large electrical goods must be broken down to facilitate collection. Excess recyclable material will not be collected if presented in a black or other type of plastic sack.

Excess paper can be placed next to the box in a paper bag or reusable plastic box.

Policy 9 – Bin Lids

Wheeled bins will only be collected if the bin lid is closed otherwise it will not be emptied. This is due to Health and Safety considerations and to limit the potential for waste to fall or blow out of the bin. See [Policy 8](#) for the management of additional waste.

Policy 10 - Rejected / contaminated wheeled bins, boxes and sacks

Where wheeled bins are found to be contaminated, residents may be notified by means of a sticker or hanger placed on the relevant bin requiring them to remove the incorrect material and dispose of it in a responsible manner. Boxes and sacks will have a sticker placed on them if possible. Once the incorrect material has been removed from the bin or box they will be collected on the next scheduled collection date for that material. We will not return to empty the bin, box or collect the sack before the next scheduled collection date.

For communal properties it is the responsibility of managing agents to resolve issues of contamination in bins. The Council may, at its discretion, offer a chargeable service for this.

Policy 11 - Collection day & time

The bins/sacks/boxes must be available at the collection point by 6.30am on the day of collection for all residents.

During periods of high temperatures in the summer months, collections may begin at 6am following notification via social media.

Policy 12 - Collection point for wheeled bins / sacks

Receptacles should be presented at the kerbside. Where this is not possible due to wheeled bins blocking footpaths they should be presented at the edge of the property, where the property meets the public highway. If properties are located down a private driveway/road then the bins must be presented where the private access road / driveway meets the public highway.

In a small number of cases e.g farms, due to the access or location of a property it may not be possible for residents to place bins near the public highway for collection. Each case will be looked at on an individual basis to agree a suitable collection point as close as possible to a vehicle access point on the highway.

Where the collection vehicle has to travel over a private / road drive we will not be liable for any damage due to wear and tear to the road surface from normal collection operations as the roadway is unlikely to have been built to sufficient highway standards.

Policy 13 - Return of bins

Bins will be returned to the collection point where possible or another safe place within a reasonable distance to the property and should be removed by the householder as soon as reasonably/practicable after the collection has been made. Bins should not be left obstructing driveways or the public footpath.

Where a bin store has been provided the bins will be returned to the bin store.

Policy 14 - Missed collections

We will only return for a reported missed collection in the following circumstances

- The bin, box or sack was placed out before 6.30am
- The correct collection point was used, and;
- It has not been reported as contaminated or containing prohibited waste by collection crew;
- A crew report has not been received regarding the bin e.g. heavy, excessive waste
- In the case of assisted collections (see [Policy 15](#)) there were no access issues e.g. gate unlocked

A missed collection must be reported within 48 hours of your normal scheduled day of collection. Any missed collections reported after this time will not be collected until the next scheduled collection day.

In –cab crew reports will be used to determine whether a return will be made and vehicle CCTV may be used where reports are of a recurring nature.

Policy 15 - Assisted collections

Assisted collections are available to anyone with a mobility problem where no-one in the household is able to take the bins to the normal collection point (see [Policy 12](#)).

The collection team will collect the waste or recycling from its agreed 'normal storage point', empty the container and return it back to the householder's storage point.

Where bins/boxes/sacks are placed out for collection at a location not designated as the agreed 'normal storage point' receptacles may be returned to the location that they were found.

The bins/boxes/sacks must be easily accessible for the crews, and collection vehicle. Gates must be left unlocked where necessary and the crew should be easily able to manoeuvre the bins from the property. Please ensure there are no overhanging branches or shrubs as we may be collecting in the dark. Wherever possible the bins should be stored at the front of the property to enable easy collection and collection should avoid steps and gravel drives.

Where a property on an assisted collection is located a long way from the public highway on a private driveway / road the vehicle may need to access the property where it is not suitable for our crews to walk to collect the waste. In these circumstances we will not be responsible for damage cause to road surfaces through normal collection operations.

Checks may be carried out by the Council from time to time on resident's suitability for the collection and evidence requested from the householder. Any change in circumstance must be notified to the council as soon as possible.

Policy 16 – Frozen waste bins

During winter months organic waste can become frozen in the bin, if the waste does not empty when lifted by the vehicle mechanism; the bin will be left with the contents still in it. A sticker or hanger may be left to indicate the reason for non-collection. The resident should ensure that the waste is loosened within the bin when presenting it for collection on their next scheduled collection day. We will not return to empty frozen bins before the next scheduled collection.

Policy 17 - Overweight wheeled bins and sacks

Where a crew member cannot safely manoeuvre and position a wheeled bin, sack or box onto the vehicle, or where the vehicle cannot lift the bin due to its weight, then it will be left un-emptied and reported by the collection crew. By law all the vehicle bin lifts have a safe working weight limit which crews cannot override. Bins containing the correct items (see website and [Policy 7](#)) will rarely be overweight.

Sacks should be liftable with one hand. When collecting sacks the employee will assess the weight of the bag. If this is too heavy to carry safely to the vehicle, the bag is likely to split or if the employee cannot safely lift it into the vehicle it will not be collected.

Where any bin, box or sack is found to be too heavy the householder will be required to remove sufficient material from the bin/sack and dispose of it in a responsible manner. Once sufficient weight has been removed, the bin or sack should be presented on the next scheduled collection date. We will not return to empty the bin or collect the sack before the next scheduled collection date.

Policy 18 - Ownership of wheeled bins / sacks

All wheeled bins and sacks provided remain the property of the Council and should be left at the property when moving out, with the exception of additional purchased garden

waste bins where the subscription is being moved to another property in East or North Hertfordshire.

For households with a larger bin (see [Policy 6](#)) for residual domestic waste it is necessary to notify the waste department at the Council when the property is vacated.

Wheeled bins and sacks provided must only be used for the collection of waste and recycling.

The householder is responsible for keeping the bins / sacks safe whilst they are on their property and to protect them from misuse. The Council will not clean or wash bins.

Policy 19 - Provision of new/replacement wheeled bins

Bins will not usually be put on our delivery schedule until the property is occupied and registered with Council Tax.

At a property where the previous occupier has not left the bins, the Council must be contacted to arrange delivery of a set of bins. There is a charge for residual waste (purple lidded) and garden waste (brown lidded) bins.

The delivery of bins will usually be within two weeks but can take up to six weeks.

Policy 20 – Lost and stolen wheeled bins

If you suspect your bin has been lost please check the surrounding area before requesting a new bin. You must contact us to request a replacement bin. Waste not contained within the specified receptacles will not be collected.

For residual waste bins and garden waste bins there is a charge for replacements. Therefore if the bin has been stolen a crime reference number should be provided.

Policy 21 - Damaged wheeled bins

If the bin has been damaged or 'eaten' by the collection vehicle the collection crew will report it on their in-cab reporting system and a new bin will automatically be delivered, and a notification will be left.

In some instances damage through general wear and tear such as broken lids or wheels can be repaired and the Council endeavours to reduce waste by repairing rather than replacing bins where possible. Replacement bins may be provided when they are damaged, any damage should be reported to the Council and details provided to facilitate a repair or replacement bin. Replacement mixed dry recycling bins are provided free of charge. Replacement garden waste bins and residual waste bins are provided at a charge to cover the cost of delivery. Replacement bins or boxes can be ordered online.

A replacement may be a refurbished bin.

Policy 22 - Sharing wheeled bins

If residents request to do so, then they may share bins with their neighbour if both are in agreement. One resident must claim overall responsibility for the bin as a bin can only be allocated to one address; this is usually the property where the bins are stored. It is the responsibility of the householder if a bin is contaminated, misused or needs replacing.

Policy 23 - Severe weather

During severe weather we will

- Continue to undertake the regular scheduled collection of waste wherever it is deemed safe to do so. The decision on whether it is safe for a refuse collection vehicle to access a specific location/street has to be determined locally by the driver of that vehicle. Among key factors that apply are: road conditions, weather conditions, access past parked cars, risks to the safety of public and the crew, risks of damage to parked cars or property.
- Services may be either delayed, suspended or cancelled depending on the severity of the disruption.
- We will attempt to return and collect bins as soon as possible after the scheduled collection date. If this is not possible due to continuing bad weather conditions or compacted ice and snow it may be necessary to cancel services for that collection.
- Collections during or following weather disruption often take more time leading to further delays and therefore some services may be prioritised over others, for example high volume waste streams like recycling or putrescible waste streams like food waste.

All service disruption details and any alternative arrangements will be communicated via our website and on social media, this may change and be updated daily.

No council tax refunds or refunds for garden waste services will be issued as a result of adverse weather disruption to services.

Policy 24 - Access Issues

If access to a road is blocked by parked cars or road works collections will be attempted on two consecutive days following the scheduled day of collection.

Parked cars blocking access will have a letter, card or sticker attached to the windscreen.

Where access has, on a number of occasions, been attempted to collect waste but vehicles were unable to do so for reasons such as parked cars. We may notify the Police. Collections will resume on the next scheduled day.

If we are notified of road works in advance alternative arrangements may be arranged and communicated to residents.

Policy 25 – Healthcare and clinical waste

Offensive / hygiene waste

The Council does not offer a separate collection for low grade non-clinical healthcare (offensive / hygiene) waste such as incontinence pads, nappies, feminine hygiene products etc, from a person with a non-infectious condition. This waste should ideally be double wrapped and placed in the non-recyclable (residual waste) wheeled bin. Where a large quantity is being produced then the household may be eligible for a larger residual waste wheeled bin under [Policy 6](#).

Clinical waste - Infectious or hazardous waste including Sharps

Sharps such as needles must never be placed in wheeled bins or sacks but disposed of in special sharps boxes and can be returned to the doctors surgery/ hospital or

residents can have a special collection. Clinical waste collections of sharps are made in yellow sharps boxes on a call and collect basis.

Clinical waste collections for infectious waste in most cases are considered temporary and are periodically reviewed.

Patients producing infectious or hazardous waste must have a referral form from their healthcare provider.

Which of the services above are provided will be based on the information provided by the resident and their healthcare professional.

Policy 26 – Bulky waste collections

Where a household has bulky household waste e.g. a sofa or large Waste Electronic or Electrical Equipment e.g. a fridge for disposal these can be taken to the nearest Household Waste Recycling Centre.

It is advised that for bulky household waste in good condition charities or reuse organisations should be contacted initially.

Bulky household waste collections made by the Council are charged and will be collected only upon receipt of the relevant payment. These collections will be made at a different time to normal waste collections and the items should be placed outside for collection on the notified day.

The Council is required to collect soft furnishings separately from other bulky waste items and therefore where residents require a collection of mixed items two separate collections will need to be booked and paid for.

Items should be stored in a clean and dry location prior to collection, and placed at the kerbside by 7am, as the Council may reuse or recycle the items where possible.

We do not make collections from inside the property.

TRADE WASTE POLICIES

Policy 27 – Trade refuse and recycling collection material streams

The Council can provide chargeable collections upon request for residual trade waste, mixed dry recycling, separate paper, garden waste and/or food waste. Waste must be contained within the receptacles provided and payment must be made in advance.

Bins which are contaminated or contain prohibited items will not be collected.

Contaminated bins can be emptied as residual waste for an additional charge.

Policy 28 – Trade refuse and recycling collection bin sizes

Collections can be arranged for the following bin sizes provided they are in stock.

- 140L
- 240L
- 360L^
- 660L**^
- 1100L**^

**Not suitable for paper only collections.

^Not suitable for food waste collections.

All bins and sacks remain the property of the Council and will be collected at the end of a contract or on non payment of outstanding invoices.

Terms and conditions and further service information is available on our website.

STREET CLEANSING POLICIES

Policy 29 – Standard of Service

The majority of street cleansing operations are undertaken on a needs basis and in accordance with zoning outlined in the Code of Practice for Litter and Refuse. Some cleansing occurs on a regular cleansing cycle and where standards of cleanliness have been identified to have fallen to a Grade C between the scheduled cleanse or litter pick, they will be returned to Grade A in accordance with the response times outlined on our website or in accordance with [Policy 30](#).

Policy 30 – Response times

Any highway cleansing schedules have been devised on needs-based cleansing frequencies according to their intensity of use and using guidelines in the Code of Practice on Litter and Refuse. Further details are available on our website.

Fly-tipping will be removed within 2 working days of the report and following any investigation by enforcement teams. Where hazardous waste is identified in the fly tip a specialist contractor is required to remove waste and therefore removal may be up to 10 working days.

Heavily littered and 'hotspot' areas which are categorised as Grade C or D will be cleaned of litter on receipt of reports or as a result of inspections by Council staff in accordance with the response times.

In town centres which are cleansed in accordance with [Policy 33](#), response times are usually within 3 working hours.

In other areas with very high footfall this is usually within 1 working day.

For the majority of other urban areas this is usually within 3 working days.

For rural area this is between 3 and 14 days.

Overflowing litterbins will be responded to within 24 hours.

Reported needles will be collected the same working day.

Policy 31 – Leaf clearance

In some areas, separate leaf clearance work will be undertaken as required in high leaf fall streets across the districts to maintain the safe use of highway footpaths. All other leaf clearance will be undertaken alongside the scheduled cleanse, typically a minimum of every six weeks.

Leaf clearance work will only be prioritised when there is a potential problem for drainage in roads identified as liable to flooding.

Policy 32 – High speed roads

High speed roads requiring traffic management and road or lane closures to cleanse and litter pick safely will be mechanically swept at least once a year. The majority of litter picking is done during the spring and summer months alongside grass cutting as this collaborative working reduces the costs to the tax payer.

Laybys and safely accessible areas will be litter picked as required, this is often done at the same time as litter bin emptying. Any requests for additional cleansing where standards have fallen to a grade C in safely accessible areas will usually be rectified within 7 working days.

Policy 33 – Street cleansing Town centres

Town centres will receive a daily litter pick service. The areas of the town centres experiencing the highest intensity of traffic will be maintained to a Grade A standard between 8am and 6pm Monday to Saturday and 8am and 12noon on Sundays, with the exception of Christmas Day and New Year's Day.

Policy 34 - Litter / on street recycling bins

Litter bins are to be used for small items of rubbish derived from passers by only.

Bagged dog faeces can be placed into street litter bins. Household and commercial waste should not be placed into on street bins. Waste should be placed inside the bin, not next to or on top of it.

If a stub plate is present, the extinguished cigarette should then be disposed in the bin.

Where recycling bins are present, only the correct materials as stated on the bins should be placed within them.

Where litter bins are not present or are full; litter should be taken home.

Policy 35 – Winter snow clearance

Winter snow clearance and gritting frozen or icy roads or footpaths is the responsibility of the landowner. For roads and footpaths which form part of the highway this is the responsibility of Hertfordshire County Council (HCC).

Gritting will be undertaken when necessary on Council owned land such as car parks.

Policy 36 – Events and street parties

Additional cleansing support can be provided where necessary for events and street parties. It is the responsibility of the event organisers to liaise with the cleansing team about these requirements and the cost of additional services will be recovered from the organisers.

Policy 37 – Graffiti and fly-poster removal

Response times for the removal of reported offensive graffiti and reported offensive fly-posting, on Council property, will be in accordance with the recommendations in the Code of Practice for Litter and Refuse.

In addition officers will work with private property owners to encourage the removal of graffiti.

Further details are provided on our website

Scope for IT integration Project Work

Aim

To allow residents to log all standard service requests online, automating processes, with full integration with the back-office waste management IT system, wherever possible.

Overview

The waste collection and street cleansing contract is being repocured and a new contract will go live at the beginning of May 2025. As part of this procurement the successful contractor will be required to provide a waste management IT system capable of managing the day-to-day logistics of services with open APIs to allow for integration with Council CRM systems. Although we do not yet know which waste management IT system will be in use from 2025, each operate in a similar way and all will be able to manage the simple day to day processes utilising key information captured at point of contact.

This project is essentially two projects, one on behalf of East Herts Council and one on behalf of North Herts Council. It will be necessary for the set up for each Council to be the same in terms of information captured and fed into the waste management IT system. Where processes are currently different it is expected that the most efficient, best practice process will be taken forwards.

Each of the projects should operate in phases these phases will be based on the highest contacts ad existing online functionality.

At this stage it is proposed that the bespoke garden waste portals are out of scope of this project, due to the quantity of work necessary prior to the contract start. This is subject to the successful novation of the existing contracts. Separate projects exist to integrate the payment portal with the Councils financial management and payment systems to ensure that income generated from garden waste can come directly to the Councils rather than via Urbaser (or any future contractor). However, this will be kept under review and subject to comment by IT teams.

Client Team Timeline

It is necessary for integrated online reporting to be functioning for the waste contract start in May 2025. This is to prevent unnecessary impacts and delays managing resident contacts during mobilisation, should the services experience disruption during mobilisation.

It is anticipated that we will know which waste management IT system will be used as part of the contract in early in 2024.

We do not yet know when we will have access to API data, but this is unlikely to be earlier than 3 months prior to contract start.

It will be necessary to undertake user testing in April 2024.

It is necessary to determine whether IT teams and transformation teams will have sufficient resource at the critical time to fully develop the necessary integrations.

Risks

Failure to complete this project on time will have significant resource impacts on the customer service teams and waste shared service client team. No additional resources are planned to manage contacts which have not been adequately integrated with the waste management IT system.

Data

The shared client team have access to analytical information on contacts by type and requirements around SLAs this can be provided on request.

As a guide: -

During the first 3 months of the current contract the service logged 26,200 contacts, with many additional reports going unlogged as people could not get through on phones and reports of multiple contacts where emails were sent, and residents were unsure if action was being taken. It is vital that we ensure we are better able to manage contacts for the 2025 contract change and well established and robust online reporting tools is the primary means of doing this. Additional staff resource may also be necessary but will never be able to manage the volume of contacts that online reporting could. The waste client team is keen to reduce the burden of emails coming into customer services as this lengthens the response time to contacts.

The average number of contacts logged each month in 2022/23 was 5200, excluding garden waste subscriptions.

The month with the highest contacts is April.

The top 10 contacts in 22/23 (excluding garden waste subscriptions) are: _

1. Replacement bin/box – 19,677
2. Adhoc clinical sharps collection – 5,151
3. Missed - NORTH - Recycling Collection – 2,722
4. Missed - EAST – Recycling Collection – 2,555
5. Missed - EAST - Refuse Collection – 2,428
6. EAST – Standard Property Bin Delivery – 1,973
7. EAST - Bulky Waste Collection – 1,796
8. NORTH – Bulky Waste Collection – 1,569
9. Missed - NORTH –Food Waste Collection – 1,497
10. Missed – North - Refuse Collection – 1,416

One off payment integration is required for the following: -

1. Bulky waste collections
2. Request a new or replacement bin – (residual waste bins only)
3. Request commercial sacks

Proposed Online Form Development

Phase 1 of each project should consist of integrating the following; which are existing: -

1. Bin collection day look up
2. Report missed collection
3. Request a new or replacement bin/sacks

Phase 2 of each project should consist of integrating the following: -

1. Report overflowing litter bin
2. Report need for street cleansing (lots of categories here)
3. Report fly tipping
4. Request bulky waste collection

5. Apply for assisted bin collection
6. Apply for additional capacity
7. Report graffiti
8. Register community litter picking event
9. Request clearance of community litter picked waste
10. Request clinical waste collections
11. Request adhoc collection of sharps
12. Report abandoned bin
13. Report staff behaviour
14. Report damage to litter bin

Phase 3 of each project should consist of integrating the following (commercial waste elements are dependent on IT solution and it may be possible to develop alongside similar household services): -

1. Commercial waste missed collections
2. Commercial waste bin replacements
3. Commercial waste contract amendments
4. Request adhoc or event commercial collection
5. Request review of collection arrangements
6. Request commercial sacks
7. Report damage to property
8. Litter bin request

Customer Services

Contacts for waste and street cleansing services makes up a significant proportion of contacts via customer service teams for each local authority (either directly or indirectly), with around 36,000 contacts being handled by the call centres and approximately a further 19,000 contacts being managed by self-service online forms which directly integrate into the waste management IT system. The sheer volume of work completed (14.4 million bin collections annually) means that even in high performing services, service requests regarding service problems like missed collections are inevitable. Contacts can range from general basic interactions and questions (not recorded in the waste management IT system), service requests such as requests for new bins, through to complex complaints. The current provision for the service is split with NHDC waste customer service handled by the contractor and EHC handled by the corporate customer service centre (CSC). Following member workshops, the Executive/Cabinet agreed to keep services in-house for EHC and bring services in house from NHDC. The decision now needs to be whether this is:

1. Two separate CSCs one for each authority
2. NHDC leading on CSC on behalf of EHC
3. EHC leading on CSC on behalf of NHDC

Customer Services Options Appraisal

Option	1 (separate)	2 (NHDC)	3 (EHC)
Reputational	<input checked="" type="checkbox"/> Retain control of messaging to residents <input checked="" type="checkbox"/> Consistency with corporate CSC 'look and feel' <input checked="" type="checkbox"/> That standards and performance is different for each authority.	<input checked="" type="checkbox"/> Potential loss of control over messaging to staff and residents <input checked="" type="checkbox"/> Consistency of messaging across shared service <input checked="" type="checkbox"/> Residents unable to understand the relationship with other council and deferring to own council.	<input checked="" type="checkbox"/> Potential loss of control over messaging to staff and residents <input checked="" type="checkbox"/> Consistency of messaging across shared service <input checked="" type="checkbox"/> Residents unable to understand the relationship with other council and deferring to own council.
Financial	<input checked="" type="checkbox"/> No additional financial pressure for EHC <input checked="" type="checkbox"/> Potential financial pressure for NHDC with contractor staff being TUPE'd over, they would be entitled to LGPS	<input checked="" type="checkbox"/> Potential additional pressure following TUPE of staff from contractor <input checked="" type="checkbox"/> Potentially reduced staff costs over 1 due to economies of scale.	<input checked="" type="checkbox"/> Additional cost burden to EHC albeit a recharge to NHDC <input checked="" type="checkbox"/> Potentially reduced staff costs over 1 due to economies of scale.

	<input checked="" type="checkbox"/> IT system integration and set up likely more costly than 2 or 3 due to being required twice. <input checked="" type="checkbox"/> Allows each authority to invest and progress with their transformation programmes as scheduled	<input checked="" type="checkbox"/> No reduction in overheads <input checked="" type="checkbox"/> EHC transformation project becomes less financially viable. <input checked="" type="checkbox"/> Potential VAT issues when taking payments if using one FMS <input checked="" type="checkbox"/> Additional costs for IT integration for existing and new online services <input checked="" type="checkbox"/> Access to two payments systems needed as income is to be managed by separate authorities.	<input checked="" type="checkbox"/> Unlikely reduction in overheads <input checked="" type="checkbox"/> Potential VAT issues when taking payments if using one FMS <input checked="" type="checkbox"/> Additional costs for IT integration for existing and new online services <input checked="" type="checkbox"/> Access to two payments systems needed as income is to be managed by separate authorities.
Legal	<input checked="" type="checkbox"/> No additional GDPR arrangements required	TUPE Would require changes to the Data sharing agreement <input checked="" type="checkbox"/> Potential licencing issues for software	TUPE Would require changes to the Data sharing agreement <input checked="" type="checkbox"/> Potential licencing issues for software
Operational	<input checked="" type="checkbox"/> opportunity to align processes between two CSCs under council control whilst retaining sovereignty <input checked="" type="checkbox"/> potential for Inconsistencies in online offering due to commitments of transformation programme of resources	<input checked="" type="checkbox"/> Customer service staff for contractor will be TUPE'd over from contractor, detail operational knowledge passing from contractor <input checked="" type="checkbox"/> Training required for rest of CSC staff	<input checked="" type="checkbox"/> CSC contractor staff transferring already trained.

On balance the recommendation would be to retain ownership of customer contact handling and customer services, to ensure the delivery of this element of the service is in line with each Authorities priorities. In East Herts, there is also an additional driver due to the investment in a new customer management relationship (CRM) system, the council would achieve a greater return by retaining waste transactions. This allows the benefits of the council's transformation programme to be realised.

As each authority has also identified that it is preferable to manage their own income (see Section 5); it would also present additional challenges for customer services to be provided by one authority, as two payment systems would need to be accessible to a joint customer service team. This also has further additional implications for digital services.

The waste client team and transformation teams will facilitate a cross council business process mapping exercise to align processes.

Digital Services

A number of services are already available online with full integration with back office systems including:

- Reporting missed bin collections (approximately 50% recorded online)
- Subscribing to garden waste services (over 80% online)
- New and replacement bin requests
- Collection day look up

There are a number of other services which can be reported online, however these webforms result in an email being sent either to customer service teams or the client team and therefore are not currently fully integrated.

All current fully integrated online services are provided as part of the waste contract. These online facilities will cease to function at the end of April 2025 and a new alternative solution is required to provide a seamless transition for residents. Subject to the recommendation for customer services being agreed, the following options will be considered:

- Online digital services delivered by each authority
- NHDC lead
- EHC lead
- Hybrid (option only available if both Councils utilise same CRM systems)

The hybrid approach being one where one authority leads on the development of all online integrations necessary (to reduce development costs) but each Councils sets up web forms in their own CRM system.

Options Appraisal Digital Services

Option	1 (separate)	2 (NHDC)	3 (EHC)
Reputational	<input checked="" type="checkbox"/> potential inconsistencies in the delivery timeframes for each authority. <input checked="" type="checkbox"/> Delivery in line with corporate priorities <input checked="" type="checkbox"/> Look and feel consistent with individual Council websites.	<input checked="" type="checkbox"/> no current corporate steer for full integration of web forms	<input checked="" type="checkbox"/> Some delay in implementing new online options already experienced due to IT resource levels
Financial	<input checked="" type="checkbox"/> Cost of integration development would be covered by each authority providing	<input checked="" type="checkbox"/> Cost of development integration could be reduced	<input checked="" type="checkbox"/> Cost of development integration could be reduced

	flexibility to do more or less if needed <input checked="" type="checkbox"/> Duplicated costs for the provision of garden waste portal <input checked="" type="checkbox"/> Integration expensive, particularly if consultants are engaged	<input checked="" type="checkbox"/> Viability of EHC transformation programme reduced <input checked="" type="checkbox"/> Integration expensive, particularly if consultants are engaged	<input checked="" type="checkbox"/> Integration expensive, particularly if consultants are engaged
Legal		<input checked="" type="checkbox"/> Potential software licencing issues	<input checked="" type="checkbox"/> Potential software licencing issues
Operational	<input checked="" type="checkbox"/> ability to prioritise resources and expertise <input checked="" type="checkbox"/> existing services not being delivered in new contract <input checked="" type="checkbox"/> Twice the impact on the client team in terms of business process mapping and testing than option 2 or 3 <input checked="" type="checkbox"/> Delivery timelines for each authority may differ, agreement would need to be sought to align timelines	<input checked="" type="checkbox"/> existing services not being delivered in new contract <input checked="" type="checkbox"/> lack of available technical expertise to implement.	<input checked="" type="checkbox"/> Currently not being delivered <input checked="" type="checkbox"/> existing services not being delivered in new contract <input checked="" type="checkbox"/> lack of available technical expertise to implement.

Neither authority has undertaken back-office integration with a CRM system and there is no permanent staff resource dedicated to this work at either authority. However, NHDC does now have an application development team who may be able to consider undertaking work on integration, subject to more detailed understanding of the work involved and timeframes.

Whilst it is still unknown whether both Councils will be utilising the same CRM systems it is not possible to consider the hybrid solution but this will be considered again should the Councils digital solutions be aligned.

There will be costs associated with the development for both authorities, which may be significant, should it be necessary to employ consultants to undertake the works. It is expected that estimated costs will be available for budget workshops in October.

Financial Management

Financial management is delivered separately for and by each authority creating a level of duplication, differing burdens and requirements for the client team. There is also a level of inconsistency in functionality i.e. NHDC can provide direct debits whilst currently EHC cannot, NHDC debtors processes are automated, while the EHC process is not.

The delivery of direct debits and automated debt management processes are anticipated to be delivered by November 2023 in EHC and with necessary real-world testing it is anticipated that direct debits for garden waste (circa 25,000) could be migrated to in-house systems by February 2024 in time for the next subscription year.

Secure card payment systems are being reprocured by EHC and the preferred supplier will be appointed via the Crown Commercial Services Framework in May and the system is anticipated to be delivered by November 2023. This would enable circa 8000 customers to be managed securely in-house in accordance with the Payment Card Industry Data Security Standard and allow an end-to-end card payment integration on the web site.

NHDC are in the process of reprocuring and/or upgrading both the financial management system and payment system. Transition to in-house management of garden waste income is therefore not possible until this work is complete. For direct debits (circa 21000 customers) this is currently being investigated for an implementation for the next subscription year, however implementation by 2025 is necessary. For card payments (circa 8000 customers this is due by April 2024.

The move to in-house income management for garden waste is also dependent on successful integration with the existing garden waste portals and any subsequent re-procurement of these systems for each authority.

The options moving forward are:

1. Continue to deliver via current method, two separate authorities
2. NHDC lead
3. EHC lead

Options Appraisal Financial Management

Option	1 (separate)	2 (NHDC)	3 (EHC)
Reputational	<input checked="" type="checkbox"/> Clear to residents and businesses who they are transacting with <input checked="" type="checkbox"/> potential administration impacts during aligned garden waste subscription year	<input checked="" type="checkbox"/> systems currently being reprocured	<input checked="" type="checkbox"/> debt recovery not automated creating issues of businesses receiving services that aren't paid for and delays in management of debt <input checked="" type="checkbox"/> currently no direct debit functionality for

			commercial waste nor garden waste
Financial	<input checked="" type="checkbox"/> ability to change GW charge annually without being charged by contractor, therefore reducing cost <input checked="" type="checkbox"/> Inconsistency in debt management	<input checked="" type="checkbox"/> Additional cost burden to NHDC albeit a recharge to EHC, therefore increasing cost to EHC <input checked="" type="checkbox"/> reduced staff costs over 1 due to economies of scale e.g. GW financial admin. <input checked="" type="checkbox"/> Additional income reconciliation necessary between authorities	<input checked="" type="checkbox"/> Additional cost burden to EHC albeit a recharge to NHDC, therefore increasing cost to NHDC <input checked="" type="checkbox"/> reduced staff costs over 1 due to economies of scale. <input checked="" type="checkbox"/> Debt recovery process currently inefficient and resulting in greater debt levels. <input checked="" type="checkbox"/> No user tested DD system presents risks to GW service delivery. <input checked="" type="checkbox"/> Additional income reconciliation necessary between authorities
Legal		<input checked="" type="checkbox"/> Potential VAT implications when operating as an agent on behalf of EHC	<input checked="" type="checkbox"/> Potential VAT implications when operating as an agent on behalf of NHDC
Operational	<input checked="" type="checkbox"/> Duplication of work and separate processes <input checked="" type="checkbox"/> Pinch point of additional admin in two systems in Jan/Feb/Mar for GW and trade waste administration.	<input checked="" type="checkbox"/> reduced administrative burdens <input checked="" type="checkbox"/> Higher levels of auditing from VAT.	<input checked="" type="checkbox"/> Currently not in a position to deliver DD <input checked="" type="checkbox"/> Higher levels of auditing from VAT.

Both Councils have identified and acknowledge the additional administrative burden of some of the existing financial management processes. However, there are significant risks of one council operating on behalf of one another, including an additional auditing pressure related to VAT, as well significant income reconciliation impacts.

Spend on the contract will be presented to partnership board annually.

Communications and Marketing

Communications and marketing is delivered separately by each authority creating some inconsistencies in relation to corporate priorities of waste messages. The NHDC corporate service in terms of officer resource, is over twice the size of EHC, therefore there is potential benefit in aligning some aspects of comms.

The service changes will require a significant focus on comms with a need for additional resource to deliver more targeted campaign work. A new dedicated Waste Communications Officer post was identified and this role will focus on non-corporate communications, such as targeted communications in relation to specific campaigns, targeted local communications in relation to low performing areas and the capture of certain materials in the recycling streams. This will also include working with local schools and community groups for face-to-face communications.

The options moving forward are:

1. Continue to deliver via current method, two separate authorities
2. NHDC lead
3. EHC lead

Options Appraisal Communications and Marketing

Option	1 (separate)	2 (NHDC)	3 (EHC)
Reputational	<input checked="" type="checkbox"/> Inconsistent messaging and design for the shared service <input checked="" type="checkbox"/> differing priorities from each council. <input checked="" type="checkbox"/> Able to provide local focus for comms <input checked="" type="checkbox"/> Able to maintain corporate look and feel	<input checked="" type="checkbox"/> branding and style may not be consistent with corporate style of other authority	<input checked="" type="checkbox"/> branding and style may not be consistent with corporate style of other authority
Financial	<input checked="" type="checkbox"/> Slightly increased costs where design work is duplicated and reduced economy of scale when printing. <input checked="" type="checkbox"/> Differences in budget impacts on time spent and value placed on comms		
Legal			Potential TUPE

Operational	<input checked="" type="checkbox"/> Comms more easily managed by CSC teams in line with corporate priorities <input checked="" type="checkbox"/> Local knowledge	<input checked="" type="checkbox"/> dedicated corporate designer, more capacity within team	<input checked="" type="checkbox"/> Reduced functionality following savings exercises
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Legal Services

Both authorities have over the last year struggled to recruit contract and procurement lawyers. The current procurement is being delivered via an external provider at significant cost to each authority. Though as a temporary solution this has been beneficial it is not sustainable in the long term. A decision is needed on how to proceed with legal advice moving forward in relation to client relationship with the contractor. Each Council would be expected to seek their own advice on any matters relating to the Inter Authority Agreement (IAA) or working relationship between the two authorities. The options as per other items are:

1. Retain external advice
2. NHDC lead
3. EHC lead

Options Appraisal Legal Services

Option	1 (external)	2 (NHDC)	3 (EHC)
Financial	<input checked="" type="checkbox"/> Expensive outside of long term contractual arrangements	At cost recharges to other authority.	At cost recharges to other authority.
Legal	<input checked="" type="checkbox"/> Reliance on external advice with minimal internal expertise to challenge	Each authority would need reassurance that the other authority's interests are well represented	Each authority would need reassurance that the other authority's interests are well represented
Operational	Consistent high quality advice provided in a timely manner	<input checked="" type="checkbox"/> Ongoing recruitment and retention issues	<input checked="" type="checkbox"/> Ongoing recruitment and retention issues

Governance

Historically, some decisions have been taken independently by each authority such as the implementation of a chargeable garden waste service. Given the commitment from both authorities to align services and create effective and efficient administrative processes as a result, it is necessary to review the governance arrangements. The options for governance are:

1. Retain model of partnership board and update the IAA
2. Delete the partnership board and introduce a formal Joint waste committee
3. Amendments to constitution and delegated decision making for officers to facilitate partnership arrangements with oversight by Partnership Board

Options Appraisal Governance

Option	1 (current model)	2 Joint waste committee	3 Constitutional amendments
Reputational	<input checked="" type="checkbox"/> Political priorities maintained for each Council	<input checked="" type="checkbox"/> Unified approach despite any political differences. <input checked="" type="checkbox"/> Leading the way in Herts <input checked="" type="checkbox"/> Potential for reduced political influence	<input checked="" type="checkbox"/> Decision making consistent between authorities
Financial	<input checked="" type="checkbox"/> No financial changes or pressures	<input checked="" type="checkbox"/> Potentially additional costs associated with administration of additional committees.	<input checked="" type="checkbox"/> No financial changes or pressures
Legal	<input checked="" type="checkbox"/> Potential for contractual and procurement complications if differing decisions made <input checked="" type="checkbox"/> Only route for dispute management is utilising the collaboration agreement if differing decisions are made	<input checked="" type="checkbox"/> Complex delegations required <input checked="" type="checkbox"/> Potential complexities around scrutiny	<input checked="" type="checkbox"/> constitution changes required <input checked="" type="checkbox"/> Potential complexities around scrutiny
Operational	<input checked="" type="checkbox"/> Currently no formal joint decision making	<input checked="" type="checkbox"/> no risk of differing decisions being made by either authority	<input checked="" type="checkbox"/> no risk of differing decisions being made by either authority

East Herts Council Report Template

Overview and Scrutiny Committee

Date of Meeting: 20 June 2023

Report by: Councillor Carl Brittain, Executive Member
for Financial Sustainability

Report title: Council Tax Reduction Scheme 2024/25

Ward(s) affected: All

Summary

- To consider the latest available information around the current local Council Tax Support (CTS) scheme at East Herts and whether any changes to the scheme should be considered for 2024/25

RECOMMENDATIONS FOR OVERVIEW AND SCRUTINY:

- (A) Overview and Scrutiny Committee consider whether other options around scheme design should be explored further for East Herts local Council Tax Support scheme for April 2024.

1.0 Proposal(s)

- 1.1 That Overview and Scrutiny committee consider, in accordance with the Governments requirement for an annual approval of the Council Tax support scheme, to propose to the Executive any changes to the scheme for 2024.

2.0 Background

- 2.1 The Government made provision within the Local Government Finance Bill to replace the former national Council Tax Benefit (CTB) scheme from 1st April 2013 with localised schemes for Council Tax Reduction Schemes (CTS) devised by individual local authorities (LA's). The schemes are valid for one year and must be approved by Council before the 11th March immediately preceding the financial year in which it is to take effect.
- 2.2 If the Council were to choose to consider any material revisions to the scheme, this would be the subject of public consultation, which would need to be considered by both those entitled to receive support as well as the general Taxpayers of East Herts.
- 2.3 The Government require that major preceptors (County and Police) are consulted each year, and if there is any change to the scheme a full consultation open to all tax payers in the district is required. There is no specific timescale prescribed but the period must allow for meaningful consultation.
- 2.4 Additionally, consideration must be given to providing transitional protection where the support is to be reduced or removed. The financial impact of any decision on Council Tax Support also needs to be included when setting our budget and Council tax levels at the same time.
- 2.5 Since the introduction of CTS in April 2013 various changes have been considered but the scheme has remained the same. **Appendix A** provides details of the history of the scheme.
- 2.6 Previously Overview and Scrutiny committee received a presentation on a potential new scheme for 2019/20 based on income bands. The aim was to find a scheme which would

simplify the criteria for customers as well as mitigating the impact of changes in circumstances on workload and council tax collection, resulting from universal credit reassessments.

- 2.7 Members were advised that substantial modelling would need to be carried out to avoid any unintended consequences, as well as enabling full consultation with tax payers and major preceptors. Testing was carried out but did not produce the desired outcomes.
- 2.8 This report therefore details the current position on Council Tax, and seeks support to continue the current scheme for 2024/25.

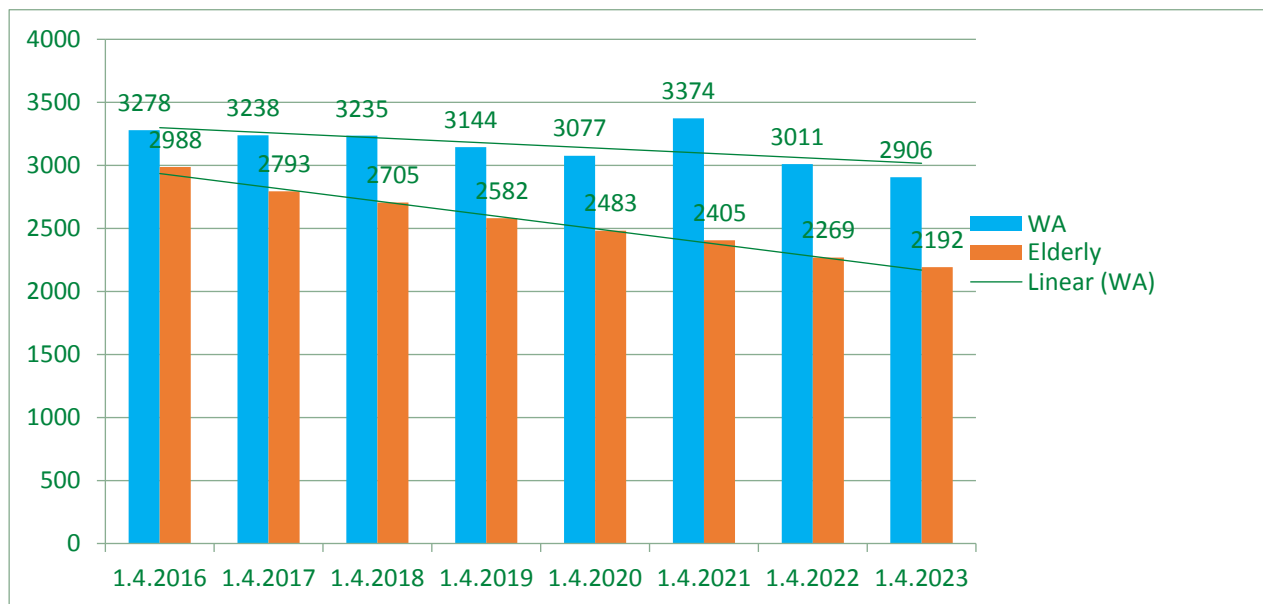
3.0 Reasons

- 3.1 In 2013 the Council initially devised a scheme which replicated the previous Council tax Benefit scheme but limited the Council Tax liability that was used to assess entitlement to 91.5% for working age customers. The Council has maintained this position for the first 11 years of the scheme.
- 3.2 The cost of the scheme is reflected in the tax base, in the same way as other discounts which reduce the collectable debit.
- 3.3 Currently (2023/24) 75.85% of the tax base income is precepted by Herts County and Council and 11.24% by the Police, and accordingly they have a vested interest in the value of the CTS scheme as it directly impacts on their ability to raise funds. The lower the cost of the scheme, the higher the tax base on which they can precept.
- 3.4 Before the introduction of CTS there had been a number of years of constant case load increases, the caseload then stabilised with a small increase in 2020/21, however since then the caseload has been falling, alongside a growing taxbase due

to new developments in the area. The impact on the cost of the scheme is demonstrated below.

Year	Cost of the CTS scheme		
2013/14	£6,448,794	Actual	
2014/15	£6,066,188	Actual	
2015/16	£5,734,780	Actual	
2016/17	£5,670,937	Actual	
2017/18	£5,813,163	Actual	The Band D value of the 2017/18 taxbase increased by 4.39% on 2016/17,
2018/19	£6,066,356	Actual	The Band D value of the 2018/19 taxbase increased by 5.76% on 2017/18
2019/20	£5,999,213	Actual	
2020/21	£6,497,160	Actual	The Band D value of the 2020/21 taxbase increased by 4.16% on 2019/20
2021/22	£6,564,088	Actual	The Band D value of the 2021/22 taxbase increased by 3.88% on 2020/21
2022/23	£6,392,112	Actual	

- 3.5 The level of spend on CTS has reduced in real terms. This has supported previous recommendations to leave the scheme unchanged.
- 3.6 The long term impact of Covid -19, the continued war in Europe and the more recent increases in energy costs on the economy in the short, medium or long term are as yet unknown. The caseload has been reducing but we may experience a change in this trend before the end of the year.
- 3.7 The impact of any change in trend will be built into the taxbase for 2024/25 when it is constructed in October 2023.
- 3.8 The taxbase for 2023/24 was calculated in October 2022 and assumed Council Tax Support would cost the equivalent of 3185.47 band D values, with expected changes built in. At 1 April 2023 the actual band D cost of Council Tax support was 3168.76, which is £35.3k less expensive. In context however the taxbase is set to produce £135.2m and has many variables.
- 3.9 The table below demonstrates the changes in caseload, and with the exception of April 21, has seen a continuous reduction.



3.10 Changes in caseload are monitored monthly so any trends are identified promptly.

3.11 The taxbase is also impacted by other variables, and changes in anyone of them can impact on its ability to generate the expected income levels on which the budget is set. The Covid-19 pandemic, war in Europe and the more recent increases in energy costs may for example have a dampening effect on new builds coming into the taxbase which will further reduce its income raising capacity.

3.12 Consideration of any variations to the existing scheme needs to consider;

- The cost of CTS
- The impact of other welfare benefits reforms on the ability to pay
- The cost of increasing arrears and recovery costs
- The buoyancy of the taxbase generally
- The unknown budget and finance settlements
- The roll out of Universal Credit

3.13 The CTS scheme for 2023/24 can be summarised as follows:

- That the CTS scheme for all working age claimants will be based on 91.5% of their council tax liability.;
- All local discretions currently in place continue e.g. war pension disregards;
- Other aspects of the new Council Tax Support scheme to mirror the previous Council Tax Benefit scheme.

3.14 A large proportion of customers affected by the introduction of the CTS scheme had not previously had to pay anything towards their Council Tax bill. If they had been 'passport'ed under the Council Tax Benefit scheme their liability would have been discharged in full by a credit transfer onto their Council Tax account. Under the CTS arrangements all working age customer have to pay at least 8.5% towards their bill.

3.15 It continues to be a challenge to support and educate these customers into a regular payment arrangement. We have:

- Offered flexible repayment options,
- Given more time to pay,
- Worked on a project with the Citizens advice Bureau to support customers with repeated arrears,
- Promoted other debt and advice agencies.

3.16 The in-year collection rate for working age claimants who had only the minimum 8.5% liability to pay was 67.49% in 2014/15 and 74.98% for 2022/23

3.17 The overall in-year collection rate for all working age CTS customers was 77.43% in 2014/15, and 74.94% in 2022/23. In contrast to the all taxpayers in-year collection rate, which for 2014/15 was 98.2%, and 96.5% in 2022/23.

3.18 In recognition of the fact that the additional Council Tax liability is more difficult to collect, a collection rate of 98.9% has been assumed. The liability not paid in-year becomes arrears on which a bad debt provision has to be established, which is a further cost to the council. Where the outturn taxbase exceeds the estimated performance it generates a surplus on the collection fund, and conversely when the taxbase does not achieve its expected performance because of negative variations in the component elements, the collection fund would be in deficit. The Council is required to make precept payments during the year regardless of any in-year variations.

3.19 Many of these same customers have been affected by other welfare reforms introduced:

- the spare room subsidy scheme
- the Benefit CAP,
- Reviews of disability benefits etc.

Many families find that they have increasing debts with their councils and landlords for bills that were previously paid for them.

4.0 **Options that could be considered in redesigning a scheme**

4.1 There are a number of options that could be considered when redesigning the scheme, although all revisions would affect working age customers only, given that pensioners have to be fully protected by our scheme.

4.2 The Government continues to make changes to the Housing Benefit regulations which are not currently mirrored in the CTS regulations. This means the schemes are no longer aligned. The frequency of changes to Housing Benefit and Universal Credit schemes, make it impossible to mirror these in the CTS scheme, not least of which because of the difference in timing.

The Housing Benefit and Universal Credit schemes are changed when needed during the year, and the CTS scheme can only be revised annually.

- 4.3 Consideration was been given previously to align some of the more significant differences between Housing Benefit and Council Tax support but the financial implications across the caseload have been assessed as small, and the changes would have required a full consultation exercise, to achieve only a temporary alignment, and therefore this was rejected.
- 4.4 The caseload for CTS indicates that the proportion of working age customers compared to pensioners is changing over time very slightly. It demonstrates a reduction in the proportion of the caseload for Elderly customers and this may be attributed to the rising of the national age threshold for becoming a pensioner. (1.4.2016 = 47.69% Pensioners, 1.4.2023 = 43% Elderly), consequently more customers would be affected by any changes.
- 4.5 Previously consideration was given to an income-band scheme which appeared to offer an opportunity to simplify entitlement criteria and the treatment of income and capital. This was driven by the roll out of 'full service' Universal Credit, (impacting in East Herts from October 2018) so there was a need to look to reduce the impact of monthly changes in universal credit on entitlement to CTS and Council tax collection.
- 4.6 Members were supportive of the approach, however subsequent testing has shown that there are unintended consequences for customers with disability premiums, and to correct for these would make the scheme overly complex and thus not achieve the desired outcomes.

4.7 Consideration has previously been given to each of the following changes, but each relies on the basic scheme construction remaining the same.

a) Changing the level of “minimum payment” for all working age customers

- I. The current scheme assumes that all working age customers are asked to pay at least something towards their Council Tax, and as described earlier the minimum payment is 8.5% of liability. The Council could consider making a change to that amount but in doing so, the full impact of that decision needs to be considered.
- II. If the Council chose to increase this minimum payment to say 10%, this does not mean a straight line reduction in the amount that the Council will spend out. For individuals already finding it difficult to pay at the current level, it can be seen that increasing this amount could increase their hardship levels further, especially as these customers are likely to be receiving other benefits, which have been affected by the on-going Welfare reforms.
- III. Given our latest information shows that the collection rate for those working age customers in receipt of CTS is already significantly lower than the overall rate, we would need to consider adding further amounts to our bad debt provision in respect of potential non-collection of our debts. So any savings in expenditure would translate to increased bad debt provisions.
- IV. Conversely, if we were to consider reducing the minimum amount to be paid we would need to consider where we would find the additional amount that we would need to fund Council Tax Support and the impact upon the totality of the funding for the Council and importantly, other

precepting bodies too. These impact on their overall funding levels, and given we represent under 9% of the total cost of the scheme, EHC needs to consider the significant financial impact this could have on others. There would still be costs associated with administering the scheme whatever the level of award, as not everyone gets the full benefit so this would not mitigate the additional cost to the Council.

- b) Introducing a band cap (so limiting the amount that we would pay to a value of a lower property band, for example Band D)

In some Local Authorities, they have introduced a band cap where the scheme will only pay up to the equivalent of say a Band D property, even if you are in a higher banded property.

This could disproportionately affect those with a requirement for a larger property as they have children, other dependents due to caring responsibilities or a disability. These groups could already have been hit by other areas of Welfare reform including the Benefit Cap and the Spare Room subsidy limitation.

- c) Introducing a minimum amount that would be paid out

Some Councils have introduced a minimum level at which they will support residents. An example is that you have to be entitled to at least £5 a week to be supported. This means someone who is currently entitled to a lower amount, would not receive it, despite the fact that we have assessed them as currently requiring support. There are no real savings in terms of administrative costs because we would still have to undertake an assessment to find out that we wouldn't award. In addition, the fact

that they are currently entitled to support indicates that they are financially vulnerable and the likelihood of being able to collect that additional amount from those residents is low. Therefore the potential reduction in costs overall is minimal and outweighed by an increase in bad debt provision and recovery costs.

d) Changes around discretions for Disability, Children and other Dependents

- I. This would change the nature of the scheme overall. East Herts, when setting its original scheme were clear that all would contribute equally as the core scheme already differentiates preferentially to those with disabilities, children etc.
- II. Any complexity that is added to the way in which we calculate entitlement, will make the administration of the scheme both more complex for our officers to manage both in terms of calculation but more importantly, to explain to our residents.
- III. This would also mean that the general working age population may need to pick up an even greater share of the cost if the scheme is to remain affordable and equitable.

e) Other adjustments

There include; income tapers, non-dependent deductions, income disregards etc. but all carry the same risk to bad debt provisions, potential recovery costs and costs of administration. The more complex the scheme, the more difficult it is to comply with and customers' levels of understanding could be compromised.

4.8 The impact, challenges and opportunities of Universal Credit.

- 4.8.1 Customers claiming UC who apply for Council Tax Support do not require the Council to carry out means testing on their circumstances. They need only provide their UC entitlement letters (details of which can be confirmed through LA's access to the DWP systems). These claims are already means tested and have differential applicable amounts applied by the DWP, and the only income element that is needed for an award of CTS is earnings. Consideration has to be taken of any deductions being made for overpayments or recovery of advances, but these lend themselves to a simplified assessment and processing system, and could be incorporated into a discount scheme.
- 4.8.2 Universal credit full service roll out took effect in this area in October 2018. This means that working age customers who would previously have applied for Housing Benefit (HB) and CTS are now applying for UC and CTS. The DWP pilot for moving existing HB claimants on to UC was not successful and therefore they have deferred progressing managed migration until a further pilot or pilots are completed.
- 4.8.3 There is therefore no information available currently to determine when this council's existing working age HB caseload will move to UC.
- 4.8.4 There are certain groups of HB claimant that will not, in the foreseeable future migrate to UC, as they are deemed too complex. This means that in addition to the pensioner caseload there will be a residual working age caseload to manage.
- 4.8.5 It has therefore been appropriate to consider if the current CTS scheme is fit for purpose now that a growing number of customers will be in receipt of UC.

- 4.8.6 The reduction in new claims for HB might seem to reduce the services workload, however as the current scheme requires the same preparation and processing to award a CTS claim as an HB one, there is no saving. Currently claims or changes in circumstances are prepared and input and both awards (HB and CTS) are processed simultaneously. Claims not requiring an HB assessment simply produce one output (CTS award) rather than two.
- 4.8.7 UC claimants have to apply to the council for CTS entitlement. There is a common misunderstanding among claimants that it is all covered by their claim for UC. The Council therefore often only gets to engage with these customers when their Council Tax account is in arrears, and additional recovery action has to be taken. Clearly this is an additional administrative burden for the council, and costly for the customer.
- 4.8.8 Universal Credit is reassessed monthly, and those customers who are working (nationally this is estimated at more than 40%) are likely to experience variations in the UC entitlement each month. This is attributed to salary and wages frequencies affecting their assessments. Each time there is a change in the UC award, their entitlement to CTS has to be reassessed. Every time the CTS is reassessed, it produces a new Council Tax Bill. These constant changes in bills and amounts due are not only confusing to the customer trying to budget, but it also resets any recovery action being taken for non-payment.
- 4.8.9 The service has received a significant increase in workload from these monthly changes. They are received electronically from the DWP. However development of automation routines has mitigated the impact of this increase workload on resources. Further developments in this area are being

pursued.

4.8.10 Identifying and acknowledging these challenges from UC requires any potential change to the CTS scheme to consider:

- I. The potential for further automation of UC notices on live CTS claims, thus reducing the new workflow (88.87% of 36,245 notices were automated in 2022/23).
- II. Mitigations for changes in UC entitlements to revise council tax liability, and thus avoid resetting recovery action.

This could be achieved if the CTS scheme set bands of entitlement, or fixed periods in which changes in income would not result in a change in entitlement, within the scope of a set range.

These options have the potential to be very expensive.

- III. The costs of changing the scheme.

The software supplier is estimating a cost in excess of £25k for each Council moving towards a banded CTS scheme. Herts County Council has already declined to contribute to any costs associated with changing the scheme, despite being the biggest preceptor for Council Tax.

Any changes to the scheme require full and meaningful consultation with all taxpayers in the district and there are significant costs associated with this level of consultation.

4.9 What others are doing:

- Some councils have moved to a banded scheme, but they still require substantial means testing of each claim.

- St Albans moved to a banded scheme in 2019. Their residual caseload is on the 'default' scheme. (essentially the old Council Tax Benefit scheme).
- Unfortunately we cannot replicate a scheme like this currently as we are unable to have two different live working age CTS schemes at the same time.
- Other councils are considering various options but anecdotally are awaiting more information around migration before changing current schemes.

	Current scheme	Any planned changes for 23/24?
North Herts	Banded schemes – 100% if income is below maximum bands. Bands are 10%, 75% 45% 25% and 0%. £50 disregard on earnings and £50 disregard on any disability benefit per household. Limited to 3 children. Cares allowance and ESA support component disregarded. Removed 2AR applications as no longer have a non dep deduction.	Unknown at this point
Dacorum	Non banded schemes – % of liability paid by customer on maximum entitlement? = 25% 75%, and also restricted to band D (ie max is 75% of	Unknown at this point

	band D) however, 100% (with no band restriction) if customer is in a vulnerable group: child under 5; disabled; war pensioner; or disabled child	
Welwyn Hatfield	<i>Non-Banded</i> <i>75% Maximum liability</i>	
Broxbourn	<i>Non-Banded</i> 75% Liability, 25% income taper , band E restriction	Unknown at this point
Hertsmere	Banded for UC not banded for everyone else <i>The non-banded is basically the default scheme with some variations (non dep deductions etc)</i> 80% plus restrict to band D.	Unknown at this point
St Albans	Banded for UC Non-Banded for others Previously on default scheme % of liability paid by customer on maximum entitlement = 0	Unknown at this point
Three Rivers	Not banded	Unknown at this point

	% of liability paid by customer on maximum entitlement = 0	
Watford	Not banded % of liability paid by customer on maximum entitlement = 0	Unknown at this point
Stevenage	Not banded % of liability paid by customer on maximum entitlement 8.5%	TBC

4.10 Current position:

4.10.1 The current CTS scheme works and protects the most vulnerable customers by the use of applicable amounts and income disregards.

4.10.2 Work has been carried out over a period of time on developing a banded scheme for all working age claimants. This has included modelling of current claimants into a banded scheme, to assess the impact and identify any unintended consequences.

4.10.3 As it is not currently possible to have separate schemes for just UC cases, all current working age claimants would have to be included. After testing the data, it is clear that the intended simplicity of a banded scheme would be compromised as the need to differentiate between all the many and varied disability premiums and incomes would require too many bands for each category of household, to ensure sufficient protection for these groups.

4.10.4 In addition there would be all the costs of changing the scheme but no savings in administration, or increased simplicity for the customer.

4.11 Conclusion

4.11.1 The improvement in automation of UC notices is mitigating the increased workflow. It is proposed that we continue with a two-stage approach for the future:

- Firstly, instead of looking to change the current scheme in the short term, that further automation of UC change notices continues.
- Secondly, once actual caseload migration is timetabled, consideration of a banded scheme or a discount scheme is revisited. At this time the majority of cases will convert to UC, and will have the means testing carried out by the DWP, thus offering opportunity for administrative savings.
- This will remove the current challenge around protecting the needs of those with disability incomes as this will be incorporated in the DWP assessment of UC entitlement.
- The impact of Covid-19, the war in Europe and energy costs increasing and their impact on the caseload and taxbase will be monitored closely and if significant, an early consideration of changes to the scheme for 2025/26 be recommended.
- Members will also be able to review the original principles of the scheme, including that all WA customers pay 8.5% of their liability.
- This approach should ensure that costs associated with the change of schemes will be matched by efficiencies achievable in the administration processes.

5.0 Risks

5.1 No

6.0 Implications/Consultations

6.1 Herts County Council and the Police will be consulted on the proposal.

Community Safety

No

Data Protection

No

Equalities

No

Environmental Sustainability

No

Financial

Finance had been consulted and support the proposal.

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

No

Specific Wards

No

7.0 Background papers, appendices and other relevant material

7.1 Appendix A – details the history of the Council tax support scheme.

Contact Member

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Appendix A - The origins of Council Tax Support (CTS)

1. Before April 2013, the service administered Council Tax Benefit on behalf of the Government. This national scheme was specified in legislation and LA's were reimbursed by the Department of Work and Pensions (DWP) through a subsidy claim submitted annually and subject to audit.
2. The level of subsidy reimbursement varied dependant on whether benefit had been awarded, backdated or overpaid, but the point to note is that entitlement and subsidy were based on assessing entitlement on 100% of somebodies council tax liability, net of discounts (like a single person discount).
3. The scheme was means tested and whilst the scheme differentiated between different client groups (providing extra support for disabled groups for example) there was little differential between Elderly and Working Age clients.
4. Clients fell into one of two groups, "passported" and "standard claims." A passported claim was one in which the DWP had already carried out a means test and then notified us that the customers income was at or below the minimum income level for their household composition. They would be automatically entitled to 100% of their Council Tax to be paid by Council Tax Benefit. A deduction would however be made from this entitlement where there were non dependants living in the home.
5. The second group were called 'standard claims'. These customers had their means testing done by the council and awarded Council Tax benefit in accordance with the national scheme criteria. These customers had income above the minimum requirements and would be required to pay something towards their council tax liability. A deduction would also be made from this entitlement where there were non dependants living in the home.
6. In very simple terms entitlement was determined by comparing eligible incomes against relevant applicable amounts. When income equalled or fell below applicable amounts, the maximum entitlement is achieved. If income exceeded applicable amounts, entitlement was reduced by 20% of the excess. The applicable amounts were determined by the DWP in respect of Housing Benefit claims.
7. In more complex terms, every income and capital source had to be assessed in accordance with its type, and then determined if it was

included in the assessment. Child benefit, maintenance paid to a child, PiP and DLA, war pensions etc were fully disregarded, whilst earned income was calculated after tax and NI, and 50% of pension contributions, averaged over the relevant period. Payments to certain child care providers were disregarded, whilst capital (excluding the property occupied) included savings, shares etc and if the total exceeded £16k, the customer was excluded from entitlement.

8. In very general terms the full expenditure on the scheme was reimbursed by the DWP.

The impact of changes from 1st April 2013

9. The national scheme for Council Tax Benefit ceased, and Councils had to devise their own Council Tax Reduction Schemes for working age claimants. The Government continues to specify the scheme for Elderly customers through prescribed regulations.
10. Instead of the scheme being funded through a subsidy claim based on actual expenditure, the Government moved the funding into the Revenue Support Grant (RSG) settlement, fixing it at only 90% of the subsidy paid in a previous year. RSG was the amount of grant that Government gave to Councils to support their wider service delivery, and made up one part of the income of the Council in addition to Council Tax receipts, fees and charges and an element of Business rate collection. However the move away from RSG makes this funding element less obvious.
11. From 14/15 the 90% grant that was included in the RSG was no longer individually identifiable. Therefore calculating the total cost of the scheme i.e. the cost of the CTS scheme versus the CTS grant given by Government is now impossible.
12. Each Council had to consider how to fund 100% of the cost of the Elderly 'national' scheme and provide a Working age scheme, whilst receiving 10% less funding.
13. Pensioner claimants are protected from changes through the provision of a statutory scheme.
14. Schemes must support work incentives.
15. The DCLG Policy Statement of Intent did not give a recommended approach to be taken, but indicated the scheme should not contain

features which create dis-incentives to find employment. The current East Herts scheme complies with this statement.

16. Local authorities must ensure that appropriate consideration has been given to support for other vulnerable groups, including those which may require protection under other statutory provisions including the Child Poverty Act 2010, the Disabled Persons Act 1986 and the Equality Act 2010, amongst others.
17. The DCLG issued Policy Statements that addressed a range of issues including the following:
 - Vulnerable People and Key Local Authority Duties;
 - Taking work incentives into account;
 - Information Sharing and Powers to Tackle Fraud.
18. The Local Government Finance Bill stated that a Billing Authority must have regard to any guidance issued by the Secretary of State. Our current scheme has sought to address these requirements.
19. The Council initially devised a scheme which replicated the previous national scheme but limited the Council Tax liability that was used to assess entitlement to 90% for working age customers. The Government offered a one-off transitional grant to Councils who would restrict the reduction to 91.5%, and accordingly the Council amended the proposal and took the one off transitional grant. The Council has maintained this position for the first 10 years of the scheme

Agenda Item 8

East Herts Council Report

Overview and Scrutiny Committee

Date of meeting: Tuesday 20 June 2023

Report by: Scrutiny Officer

Report title: Overview and Scrutiny – Draft Work Programme – 20 June 2023

Ward(s) affected: (All Wards);

Summary

- This report considers actions for inclusion in the Committee's Draft Work Programme and recommends that a workshop be convened for Members to put forward suggested scrutiny topics to develop the programme for the 2023/24 civic year.

RECOMMENDATIONS FOR OVERVIEW AND SCRUTINY COMMITTEE that:

- A) The main agenda items for the next meeting on 12 September 2023 be agreed.**
- B) Members be invited to a Workshop to develop items for scrutiny for inclusion on the 2023/24 programme.**

1.0 Proposal

- 1.1 Appendix A** sets out the Draft Work Programme which may be reviewed at any time.
- 1.2** A key function of the Overview and Scrutiny Committee is to hold the Executive to account for its decisions, to review existing policies and consider proposals for new policies. In

doing so, it will act as the Executive's critical friend in the process. Scrutiny is not intended to be adversarial or confrontational, but two sides of the same coin, jointly working together to achieve what is best for residents and the council. In deciding what items the committee should consider, Members should have regard to the Executive's Forward Plan which sets out what key decisions are intended to be taken, and council's corporate plan and issues brought forward by interested parties.

2.0 Background

- 2.1 The draft agenda items so far are set out in **Appendix A**. Paragraph 5.21.2 of the Constitution sets out what the Overview and Scrutiny Committee should take into account when setting its own programme. The timing of some items shown may have to change depending on the availability of information and/or data from external sources and Officers.
- 2.2 By holding a Workshop to develop items for scrutiny in 2023/24, Members will be able to forward plan their work for the whole of the coming civic year, maximising the efficacy of the scrutiny process by taking a longer term, strategic view of the issues facing the council.

3.0 Reason(s)

- 3.1 Members are welcome to submit a scrutiny proposal at any time by completing a Scrutiny Proposal Form at **Appendix B**. This form and the scrutiny flowchart provides guidance in relation to suggested items for scrutiny and the process to be followed. This form when completed, will provide Officers with sufficient information to assess if it is appropriate for scrutiny and to ensure that specific questions are addressed. The Scrutiny Officer will then liaise with Officers and the

Chairman to consider the best way forward to address the subject and complete the scoping document.

- 3.2 Essentials of Scrutiny training was provided by the Centre for Governance and Scrutiny on 25 May 2023. If there is other training which Members feel will complement this training or which is relevant to their role, please advise the Scrutiny Officer.

4.0 Options

- 4.1 The work programme will be kept under review by the Committee throughout the coming year.

5.0 Risks

- 5.1 The establishment of an Overview and Scrutiny Committee is enshrined in the Local Government Act 2000 (Section 9). The 2000 Act obliges local authorities to adopt political management systems with a separate Executive. Various sub sections of the 2000 Act set out the powers and duties for Overview and Scrutiny Committee including the right to investigate and make recommendations on anything which is the responsibility of the Executive. Legislative provisions can also be found in the Localism Act 2011 (Schedule 2) with options to retain or re-adopt a “committee system” Section 9B.
- 5.2 Potential risks arise for the council if policies and strategies are developed and / or enacted without sufficient scrutiny. Approval of an updated work programme contributes to the mitigation of risk (and Call-Ins) by ensuring key activities of the council are scrutinised.

6.0 Implications/Consultations

- 6.1 Scrutiny is an important part of the local democratic process and represents the interests of residents. It holds the Executive to account on behalf of residents and helps review and improve the functions run by the Council and its local partners. With proper notification, members of the public can forward items for scrutiny (Section 5.19 of the Constitution) and if accepted by the Chairman are allowed to address Members for a maximum of 15 minutes.

Community Safety

No

Data Protection

No

Equalities

No

Environmental Sustainability

Yes – the proposed Work Programme envisages the Overview and Scrutiny Committee receiving reports on the progress of the council's environmental strategies.

Financial

No

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

Yes – scrutiny is enshrined in statute (the Local Government Act 2000 as amended by the Localism Act 2011)

Specific Wards

No

7.0 Background papers, appendices and other relevant material

7.1 Appendix A – Draft Work Programme

7.2 Appendix B – Scrutiny Proposal Form

7.3 Appendix C – Scrutiny Flowchart

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“SEED” Priorities, Sustainability, Enabling, Encouraging and Digital by Default

Date	Report title/Strategy	SEED Priority	Background information	Officer invitee	Portfolio Holder	Executive Date
20 June 2023	Waste Shared Services – Update	Sustainability	Client Team and Corporate Services Arrangements	Jess Khanom-Metaman, Head of Operations	Cllr Hoskin, Executive Member for Environmental Sustainability	
20 June 2023	Council Tax Support Scheme 2024/25	Sustainability	Council Tax Support 2024/25	Su Tarran, Head of Revenues and Benefits (Shared Services)	Cllr Brittain – Executive Member for Financial Sustainability	
12 September 2023	Air Quality Management plan	Sustainability	Update report following presentation to O&S on 21 March 2023	Jonathan Geall Head of Housing and Health	Cllr Hoskin, Executive Member for Environmental Sustainability	

“SEED” Priorities, Sustainability, Enabling, Encouraging and Digital by Default

7 November 2023	Pre- Planning Advice Process and Service	Sustainability	<p>Updating the pre-app service was identified as an operational improvement when Planning underwent a service review.</p> <p>Report deferred from 8 November a with the consent of the former Chairman. The Head of Planning and Building Control intends to provide a substantive report on this issue.</p>	Head of Planning and Building Control	Cllr Glover-Ward Executive Member for Planning and Growth	
January 2024	RIPA Update		Annual Report	James Ellis Head of Legal and Democratic Services	Cllr Dumont Executive Member for Corporate Services	

Members’ views are sought regarding the timetabling of issues which Members may wish to review.

Wproc\$/Stortford/BSWP/NPS/Overview and Scrutiny/2022-2023/Committee Work Programme Appendix

Scrutiny Proposal form

Name of proposer:

**What would you like to suggest for investigation / review by scrutiny?
(Include the main issues / concerns to be considered)**

Why would you like this to be reviewed? (Include the main issues / concerns to be considered)

What EVIDENCE can you point to in support of your request for scrutiny

Public Interest: To what extent has the issue has been identified as a concern by local people

Impact: What evidence is there that substantiates the concerns identified.

Please continue on a separate sheet if necessary

What would be the likely benefits and outcomes of carrying out this investigation / review?

Estimated resource implications on staff and councillors (e.g. research group, one-off report, dedicated meeting etc) to achieve the likely outcome. The outcome must be proportionate to the cost of carrying out the review.	
Suggested witnesses, documentation and consultation required	
Will this investigation / review contribute to one or more of the Council's Strategic SEED Priorities? If so, which and explain how (please tick)?	
Sustainability	
Enabling	
Encouraging	
Digital by Default	
Relevance: The issue is relevant and does not duplicate existing work being undertaken elsewhere	
If there are links to other work, please indicate:	
Partnership working or external scrutiny: Does the issue involve moving towards collective action and community leadership	

Would you like to be involved in the investigation / review?	
Yes	No
Date of request:	Signed:

Please return this form to the: Scrutiny Officer, East Herts Council, Wallfields, Pegs Lane, Hertford, SG13 8EQ Email: lorraine.blackburn@easthertsgov.uk

**SCRUTINY TOPIC
INITIAL SCOPING to FINAL REPORT**

