



# Public Document Pack

*James Ellis*  
Head of Legal and Democratic Services

**MEETING** : EXECUTIVE  
**VENUE** : COUNCIL CHAMBER, WALLFIELDS, HERTFORD  
**DATE** : TUESDAY 9 JULY 2024  
**TIME** : 7.00 PM

## **MEMBERS OF THE EXECUTIVE**

Councillor Ben Crystall	- Leader of the Council
Councillor Mione H Goldspink	- Executive Member for Neighbourhoods
Councillor Carl Brittain	- Executive Member for Financial Sustainability
Councillor Alex Daar	- Executive Member for Communities
Councillor Joseph Dumont	- Executive Member for Corporate Services
Councillor Vicky Glover-Ward	- Executive Member for Planning and Growth
Councillor Sarah Hopewell	- Executive Member for Wellbeing
Councillor Tim Hoskin	- Executive Member for Environmental Sustainability
Councillor Chris Wilson	- Executive Member for Resident Engagement

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- must not participate in any discussion of the matter at the meeting;
- must not participate in any vote taken on the matter at the meeting;
- must disclose the interest to the meeting, whether registered or not, subject to the provisions of section 32 of the Localism Act 2011;
- if the interest is not registered and is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days;
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## AGENDA

1. Apologies

To receive any apologies for absence.

2. Leader's Announcements

To receive any announcements from the Leader of the Council.

3. Minutes - 4 June 2024 (Pages 6 - 11)

To approve as a correct record the Minutes of the meeting held on 4 June 2024.

4. Declarations of Interest

To receive any Member(s) declaration(s) of interest.

5. Award of the Waste, Recycling and Street Cleansing Contract (Pages 12 - 142)

6. Request for Area Designation for Neighbourhood Planning: Hertford Castle Plus, Hertford Town Council (Pages 143 - 159)

7. A Listening Council Report - Feedback on consultation (Pages 160 - 181)

8. Ward Freman Community Pool Group CIO match funding support for Community Ownership Fund bid (Pages 182 - 193)

9. Exclusion of Press and Public

To move that under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting during the discussion of item 5, Appendix 1 and 8 on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A.



10. Urgent Business

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.

# Agenda Item 3

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MINUTES OF A MEETING OF THE  
EXECUTIVE HELD IN THE COUNCIL  
CHAMBER, WALLFIELDS, HERTFORD ON  
TUESDAY 4 JUNE 2024, AT 7.00 PM

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PRESENT: Councillor (Chairman/Leader)  
Councillors B Crystall, M Goldspink,  
J Dumont, V Glover-Ward, S Hopewell,  
T Hoskin and C Wilson.

ALSO PRESENT:

Councillors S Bull and C Redfern.

OFFICERS IN ATTENDANCE:

Katie Mogan	- Democratic and Electoral Services Manager
Richard Cassidy	- Chief Executive
James Ellis	- Head of Legal and Democratic Services and Monitoring Officer
Jenny Foster	- Principal Sustainability Officer
Laura Guy	- Principal Planning Officer
Steven Linnett	- Head of Strategic Finance and Property
Sara Saunders	- Head of Planning and Building Control

## 33 APOLOGIES

Apologies for absence were received from Councillor Brittain and Councillor Daar.

34 LEADER'S ANNOUNCEMENTS

The Leader welcomed everyone to the meeting and reminded them to use the microphones to be heard on the webcast.

35 MINUTES - 26 MARCH 2024

Councillor Goldspink proposed, and Councillor Hopewell seconded a motion that the Minutes of the meeting held on 26 March 2024 be approved as a correct record and be signed by the Leader. On being put to the meeting and a vote taken, the motion was declared CARRIED.

**RESOLVED** – that the Minutes of the meeting held on 26 March 2024 be approved as a correct record and signed by the Leader.

36 DECLARATIONS OF INTEREST

There were no declarations of interest.

37 HERTFORDSHIRE DEVELOPMENT QUALITY CHARTER

The Executive Member for Planning and Growth presented the Hertfordshire Development Quality Charter which had been launched by the Herts Growth Board in 2023. She said the Charter would raise standards on construction within Hertfordshire with seven pledges on design and sustainability. Seven local authorities and two developers had endorsed or formally agreed the Charter as a material planning consideration.

The Executive Member for Planning and Growth said that the Charter did not seek to replace the current regulations but encouraged developers to be more ambitious to demonstrate excellence in design and sustainability. She said that it was voluntary to sign up and it would encourage joint working and shared views across the district and county neighbours. She said it was important

to ensure the council employed as many tools as possible to secure the highest development standard.

Councillor Glover-Ward proposed that the recommendations in the report be supported. Councillor Hoskin seconded the proposal.

Councillor Wilson said that the Charter would be a material planning consideration, but it was not mandatory to sign up. He asked how that worked.

Councillor Glover-Ward said that the Charter was not compulsory to sign up to and it was entirely voluntary. She said that the council would be looking to update the District Plan soon and alongside that, the council would be producing a district design code that would be mandatory for developers. She said that a timeframe was being discussed and Members would be made aware soon.

The Head of Planning said that by making it a material consideration, it would have to be given weight in the decision-making process. She said that applications had to be made in accordance with the District Plan unless considerations said otherwise. She said that the council were working with other Hertfordshire authorities who were at different stages of their Local Plans to implement the Charter as a benchmark across the county.

Councillor Crystall asked what level of weight the Charter would be given in the decision-making process.

The Head of Planning said that there was not a set weight given. She said that the District Plan had the most weight afforded to it because it had gone through a structured process and had been examined. She said that Supplementary Planning Documents hung off the District Plan policies.

Councillor Goldspink said that she welcomed this Charter and said it was a good step in the right direction. She said

that more sustainable buildings should be encouraged and was pleased to see that measures to achieve this had been mentioned in the document.

Councillor Redfern read a statement out on behalf of the Labour group (this can be found at Appendix A).

Councillor Glover-Ward said that she would take the points raised into consideration but as this had been agreed by Hertfordshire local authorities, she did not think it could be added in at this late stage. She said that the points could be picked up at the District Plan review.

The Head of Planning said that the Charter was not designed to be detailed. Discussions with developers had determined the Charter was a good starting point for the whole of Hertfordshire.

The motion to support the recommendations having been proposed and seconded was put to the meeting and upon a vote being taken, was declared CARRIED.

**RESOLVED** - to recommend to Council that (A) the Hertfordshire Development Quality Charter, as detailed at Appendix A, be agreed as a material consideration for Development Management purposes; and

B) Developers, landowners and housing associations in the district be encouraged to voluntarily sign and commit to the design and sustainability pledges set out in the Quality Charter.

37 APPENDIX A - LABOUR STATEMENT ON  
HERTFORDSHIRE DEVELOPMENT QUALITY CHARTER

38 WALKERN NEIGHBOURHOOD PLAN FIRST REVISION -  
ADOPTION

The Leader of the Council said that the recommendation needed to be amended to say 'To recommend to Council'.

The Executive Member for Planning and Growth presented the report. She said that the existing Neighbourhood Plan was adopted in 2018 and that this was the first revision of the plan. Walkern Parish Council have undertaken the revision to take into account the adoption of the District Plan (2018) and the impact of growth on the east of Stevenage. The revised plan seeks to protect the character of the village and the local environment. It defined a countryside gap, allocates two new local green spaces and sets out a tree charter to protect important trees. The Executive Member said that an Independent Planning Examiner had reviewed the plan and said that the changes proposed were not sufficient to require a referendum.

Councillor Glover-Ward proposed that the recommendations in the report be supported. Councillor Goldspink seconded the proposal.

Councillor Crystall welcomed the plan and said it was a positive step for the community.

The motion to support the recommendations having been proposed and seconded was put to the meeting and upon a vote being taken, was declared CARRIED.

**RESOLVED** – to recommend to Council that (A) the recommendations and modifications made by the Independent Examiner of the Walkern Neighbourhood Plan First Revision, as detailed in Appendix A to this report, be received and considered;

B) the Walkern Neighbourhood Plan First Revision 2021- 2033, as detailed in Appendix B to this report, be formally made.

39 URGENT BUSINESS

There was no urgent business.

The meeting closed at 7.20 pm

Chairman .....
Date .....

# Agenda Item 5

## East Herts Council Report

### Executive

**Date of meeting:** 9 July 2024

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

**Report title:** Waste, Recycling and Street Cleansing Contract Award

**Ward(s) affected:** All

**Summary** – Executive agreed the service design for the new waste, recycling and street cleansing contract on 21 December 2023, the aim and principles of the Shared Service, are based around delivering services which are both financially and environmentally sustainable.

Officers have completed a competitive dialogue procurement and are seeking a decision from Executive on the award of the contract to the preferred bidder.

In addition, officers are seeking agreement to recommendations which affect the service mobilisation and are required for the successful delivery of the new services in 2025.

### RECOMMENDATIONS FOR EXECUTIVE

- a) That the Executive agrees to North Herts District Council awarding the waste, recycling and street cleansing contract to the preferred bidder, on behalf of East Herts Council, as identified in Appendix 1 Part 2 of this report.
- b) That the Executive agrees to approve the formation of a joint mobilisation project board to include the Executive Members responsible for digital transformation as well as the Executive Member covering waste, recycling and street cleansing services for both EHC and North Herts to monitor the progress of the mobilisation of the waste, recycling and street cleansing contract.
- c) That Executive has regard for the draft statutory guidance in Appendix 6 and taking into account the matters set out in this Part 2 report and any Part 2 clarifications, reconfirms the decision on the 3-weekly collection frequency of residual waste collections made by Executive as per 2.5 and provides clear reasons for the decision.



- d) The Executive agrees to the commencement of a procurement exercise for the provision of a Material Recovery Facility (MRF) and haulage.

## **1.0 Proposal(s)**

- 1.1 That the waste, recycling and street cleansing contract is awarded to the preferred bidder as identified in Appendix 1 Part 2 of this report.
- 1.2 That a new project board is formed to oversee the mobilisation of the waste, recycling and street cleansing contract and the membership shall include the Executive Members responsible for waste and the Executive Members responsible for digital transformation.
- 1.3 That powers be delegated to the Head of Operations and Director of Place in consultation with the mobilisation project board in relation to decisions regarding whether it is necessary to implement the anticipated change for the waste contract in relation to the collection methodology for soft plastics so as not to delay the mobilisation of the contract and service changes.
- 1.4 That the draft statutory guidance along with the governments response to their consultation on the draft guidance be considered and given regard alongside the content of this report in particular Appendix 1 Part 2 and Appendix 9.
- 1.5 That officers proceed with the procurement of a new MRF contract for the haulage, processing and sale of recycling.

## **2.0 Background**

- 2.1. East Herts Council (EHC) and North Herts Council (North Herts) entered into a Shared Service arrangement in 2017 and a joint contract was let which commenced in May 2018.
- 2.2. The service comprises a 'client' management structure located at the Buntingford Depot and two operational hubs - one at the Buntingford Depot and one at the Letchworth Depot.
- 2.3. The current service covers the requirements for the collection of waste and recycling from approximately 124,000 households and over 1,920 commercial customers as well as street cleansing services across East and North Hertfordshire.
- 2.4. At their respective Executive/Cabinet meetings on 19 April 2022 and 22 March 2022, 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 2.

- 2.5 At the respective Executive/Cabinet meetings on 25 October 2022 the service design for the new waste, recycling and street cleansing contract was agreed and minor changes to the specification were delegated to the Service Director of Place for North Herts and Head of Operations for EHC, in consultation with Project Board. At this meeting, the following decision was taken to introduce three-weekly residual waste collections:-

*'j) residual waste collections occurring on a three weekly collection cycle from 2025 be approved. The implementation date confirmation to be delegated to the Director of Place/Head of Operations in consultation with the project board.'*

- 2.6 Detailed solutions were received by bidders and in late 2023 it was apparent that the contract would be unaffordable for both Councils based on the original specification.
- 2.7 As a consequence, extensive discussions commenced as part of the competitive dialogue process to find ways to reduce these costs. In December 2023 at Cabinet and Executive meetings it was agreed that the Councils would move to three weekly collections of three material streams, residual waste, dry mixed recycling (DMR) and fibre (paper and cardboard).
- 2.8 Further dialogue meetings were held with bidders and 183 clarification questions were responded to.
- 2.9 The Shared Waste Service alongside consultants Eunomia, external legal advisors Sharpe Pritchard and the Stevenage Borough Council procurement team (who manage procurements for EHC) have completed a comprehensive competitive dialogue procurement exercise and final tenders were called for on 28 February 2024.
- 2.10 All three bidders returned final tenders by the deadline of 25 March 2024 and officers and our consultants have now completed the evaluation of their bids and moderation of the scores.
- 2.11 On 21 October 2023, the Government issued a consultation on the proposed statutory guidance to support their 'Simpler Recycling' proposals which were developed from the Resources and Waste Strategy 2018. The Government's response to the consultation was published on 9 May 2024.

- 2.12 Some elements of the Government's legislative and statutory guidance changes are not aligned with the contract specification and this and Appendix 1 Part 2 and Appendix 8 Part 2 of the report makes recommendations in this regard.
- 2.13 The project board governing the procurement of the waste, recycling and street cleansing contract was set up to provide oversight for the procurement. Its function therefore ends at contract award.
- 2.12 As part of decisions relating to the waste contract specification, North Herts made the decision to bring the customer service function in the current waste contract in-house and both Councils are committed to delivering digital transformation as part of the mobilisation of the new waste contract.
- 2.13 In 2018 a contract was let for the haulage, processing and sale of recycling via a Materials Recovery Facility (MRF). This contract was for 7 years with the possibility of a 7 year extension.
- 2.14 The changes to collection services in 2025 and anticipated changes in legislation as well as contract spend to date, mean that enacting the extension on the current MRF contract would present risks to the Council.

### **3.0 Reason(s)**

#### Contract Award

- 3.1. The initial evaluation of bids took place during May 2024 in accordance with the evaluation methodology contained in Appendix 3. Quality elements accounted for 45% of the score, Financial elements accounted for 45% of the score and the social value elements accounted for 10% of the score.
- 3.2 Moderation of bids including final clarifications took place and concluded on 18 June 2024.
- 3.3 The final moderated scores are contained in Appendix 1 Part 2.
- 3.4 As one of the bidders is our incumbent provider the bidders have been anonymised.
- 3.5 All bidders provided bids which were acceptable to the Councils, with no bidder being excluded from the procurement as a result of any reason identified in the evaluation methodology. See Appendix 3.
- 3.6 The preferred bidder was successful as their cumulative score was the highest, however they also had the highest score for quality, financial and social value.

- 3.7 The remaining bidders all provided sufficient and compliant bids but they did not have the cumulative highest score.
- 3.8 Social value was evaluated as 10% of the evaluation criteria and as a consequence the resulting contract bids included a significant social value offering for the contract from all bidders. Details of the preferred bidder social value offer are included in Appendix 1.1 Part 2.

### Project Board and Governance Arrangements for Mobilisation

- 3.9 The current joint project board governing the procurement of the waste, recycling and street cleansing contract was set up to provide oversight for the procurement. Its function therefore ends at contract award and the conclusion of the Collaboration Agreement.
- 3.10 Officers have considered options for the subsequent governance of the mobilisation of the contract, including the mobilisation of the new services. Given the significance of the risks attached to the mobilisation of the waste contract and new services officers consider that governance via a project board is prudent and the formation of a new joint project board can be written into the new Inter Authority Agreement which will be in place to manage the new contract.
- 3.11 As well as the logistics and delivery of services, the mobilisation of the contract has focussed predominantly digital transformation linked to resident engagement and customer service risks associated with the reputation of the Councils which may be impacted by either the mobilisation of the contract or the mobilisation of new services.
- 3.12 The communications plan and digital transformation of the customer service set up will be major elements of the mobilisation plan, with financial risks diminishing once the contract is awarded. This is due to the amount of communication with residents needed to enact a service change and the potential for high volumes of contacts during that service change.
- 3.13 It is therefore proposed that a new joint Project Board be created and Members include for EHC, Cllr Hoskin the Executive Member for Environmental Sustainability and Cllr Joseph Dumont the Executive Member for Corporate Services. For North Herts Cllr Amy Allen the Executive Member for Recycling and Waste Management and Cllr Val Bryant the Executive Member for Community and Partnerships.
- 3.14 The proposed terms of reference for the joint project board are in Appendix 4.
- 3.15 Details of the current work programme are outlined in Appendix 5, this will be reviewed and updated following contract award to align with and include other work packages identified in the preferred bidder mobilisation plan.

3.16 An indicative timetable for mobilisation is as follows:-

Event/Milestone	Estimated Date
Contract Award	9 July 24
End of Standstill	22 July 24
Press communication	After 19 July 24
First Bidder meetings	W/B 22 July 24
Begin Vehicle Procurement	W/B 22 July 24
Finalisation of Contract	August – December 24
Development of IT specifications	August 24
Condition surveys and demobilisation of depots	March 25
Confirmation of final delivery plans & H&S arrangements	April 25
Mobilisation of new contracts	4 May 25
Finalise new collection rounds	June 25
Bin and caddy deliveries	June-July 25
New Services Commence	4 August 25

- 3.17 A number of anticipated changes were built into the contract to allow for the procurement to continue, but also manage any possible changes which may be required as a result of likely known changes.
- 3.18 The anticipated changes can be enacted at any time, however the costs associated with the anticipated changes are non-binding and consequently will provide a truer reflection of costs if taken up early in the mobilisation period.
- 3.19 The Council has begun pre-engagement with Material Recovery Facility (MRF) providers regarding the collection of soft plastics and the changes to the composition of recyclable material requiring processing; as a result of this service change.
- 3.20 At this stage it is unclear whether we will be able to secure a cost effective MRF contract with soft plastics collected loose in the dry mixed recycling (DMR) bin, or whether we will need our collections to follow the collection methodology we are using in our FlexCollect trial and utilise plastic survival bags in the DMR bin.
- 3.21 The costs associated with the soft plastics anticipated change from the preferred bidder are provided in Appendix 1 Part 2 of this report.
- 3.22 It is key to avoid any further delay to the project during mobilisation. The decision that will need to be taken will be the one that offers the best value for

money to the Councils, considering the costs for both waste collection and waste processing.

### Draft Statutory Guidance

- 3.23 In October 2023 the government issued a consultation on the proposed statutory guidance to support their 'Simpler Recycling' proposals, which were developed from the Resources and Waste Strategy 2018. Some elements of the draft guidance are not aligned with the service changes due to be implemented in 2025. In particular, in relation to the frequency of residual waste collections. Details of the draft guidance are provided in Appendix 6.
- 3.24 The Government's response to the consultation was published on 9 May 2024 and details are provided in Appendix 7.
- 3.25 Despite 80% of respondents disagreeing with the proposals regarding the frequency of residual waste collections in the government's response it stated:- 'Government expects a minimum service frequency for residual waste collections of at least fortnightly in England. Our statutory guidance will state that local authorities therefore should provide a minimum standard of a fortnightly collection for residual waste (alongside a weekly food waste collection), which means they should not provide a residual waste collection service any less frequently than fortnightly. The government actively encourages councils to collect residual waste more frequently than fortnightly; this minimum standard provides a backstop, not a recommendation. This policy will continue to be kept under review.'
- 3.26 It is not clear as to when any statutory guidance will be published and the content and timing of any publication will be dependent on the outcome of the July general election. Given that Councils have been waiting since 2018 for clarity on waste and recycling changes resulting from the Resources and Waste Strategy it would be prudent to not delay decision making further in the hope of publication in 2024. Officers therefore recommend a decision is made now based on the position of the government response received to date.
- 3.27 The Environment Act 2021 S.57 amended the Environmental Protection Act 1990. In particular it added a new section 45AZE. This requires an English Waste Collection Authority to have regard to the guidance issued by the Secretary of State.
- 3.28 The Councils have sought independent legal advice from Sharpe Pritchard regarding our need to give regard to the, as yet unpublished, guidance and this is contained in Appendix 8. This is legally privileged advice and is provided in Part 2.
- 3.29 Taking account of the advice provided, the Executive should consider the following in agreeing to the proposed recommendation which is to have regard for the draft guidance.

- 3.30 The reasoning for the initial three-weekly residual waste service design was discussed at cross party joint member workshops and is detailed in the Executive reports agreed in October 2022.
- 3.31 The reasoning for the current three-weekly service design may include the following:-
- Financial reasons and the need to provide value for money;
  - That the service design is nearly ready to be implemented and having to redesign the provision of services would cause significant disruption and would be a waste of resources;
  - That, under the Council policies, households that produce 'smelly waste' will have the opportunity for more frequent collections;
  - That the Council had considered options for fortnightly collections and decided that its service design represented a better approach e.g increased recycling.
  - That the Council may amend service provision in the future if issues arise.

The reasoning provided as part of the October 2022 and December 2023 Executive meeting is provided again in Appendix 9.

- 3.32 In the draft guidance the government stated the following:- 'The combination of the backstop on residual collections alongside the new weekly food waste collections will ensure frequent collections of smelly waste, and will stop a trend towards three or four weekly bin collections seen in some local authorities across the UK, particularly in Wales.'
- 3.33 Wales has recently announced that it ranks #2 in the world for recycling based on a study by Eunomia. In the study England came in at #11.
- 3.34 Officers have considered the management of smelly waste and the policies attached at Appendix 10 are designed to support those residents which have large quantities of child or adult nappy waste by continuing to provide fortnightly collections of this waste type.
- 3.35 Communal properties will also continue to receive fortnightly residual waste collections to ensure that any quantity of nappy waste which might be present is being managed and to ensure that the risks of misuse of services such as contamination of recycling bins is minimised.
- 3.36 Officers are aware that weekly food waste and home composting solutions will also support the transition for some residents. As well as other campaigns that the Councils promote via WasteAware such as reusable nappies schemes and the plastic free period campaign.
- 3.37 Based on the information from final tenders a short financial summary has been provided below. This demonstrates the additional anticipated changes cost of

not proceeding with the agreed three-weekly collection service. The anticipated cost changes from proceeding with 3-weekly residual waste collection also come from materials processing and are not solely related to waste collection costs.

See Appendix 1 Part 2.

- 3.38 The recommendation at c) is therefore that having regard to the statutory guidance, the information contained in this report and as per the Part 2 advice and to take that and any clarifications in the Part 2 element into account.

#### Letchworth Depot

- 3.39 At this point, the Letchworth Depot assignment has not completed.
- 3.40 Project Board agreed to continue with the procurement in spite of the assignment not being complete. This was in anticipation of the assignment being completed by the time of contract award.
- 3.41 Without a completed assignment, we will be unable to award the contract, as bidders tendered based on having the depot in Letchworth at contract start.
- 3.42 We may need to seek further external legal advice as to our options in relation to a depot as services are unable to operate without one. The time remaining for mobilisation makes it difficult for either the Council or the Preferred Bidder to acquire an alternative depot site and consequently this presents as the biggest risk to the project and continued service delivery.
- 3.43 Should the assignment not be complete by 9 July 2024 it is proposed that a decision to award is still made but the award notice will be delayed until it is clear on our contractual options.
- 3.44 Given the critical need for the depot for the services and a lack of suitable alternative locations within the North Herts property portfolio officers consider it necessary to start considering an alternative solution to mitigate the current risk should the assignment not be complete by 9 July 2024.
- 3.45 Officers wish to reassure Members that it expects the assignment of the Letchworth Lease to complete, final documents are agreed and the signing of documents is expected to be imminent.
- 3.46 This has been an ongoing project for over 18 months and it is necessary to complete the assignment prior to contract award.

#### Digital Transformation

- 3.47 The current waste and street cleansing services currently operate with integrated online forms and functionality for the following service requests:-



- Report a missed collection
  - Order a replacement bin/box
  - Bin collection day look up
- 3.48 This functionality is provided as part of our current collection contract by our incumbent waste contract provider.
- 3.49 Each council also has a bespoke portal for managing garden waste collection services including subscribing to the service, ordering bins and taking payments by card or setting up direct debits.
- 3.50 These bespoke portals are also provided by our incumbent waste contract provider and these contracts will end in May 2025.
- 3.51 The Councils have committed to in-house digital transformation to allow greater control for the authorities when managing customer contacts and income for waste, recycling and street cleansing services. This compliments North Herts decision to bring the customer service function in-house.
- 3.52 Work is underway to establish the workload and costs of integrating the Customer Relationship Management System at both Councils with the Waste Management IT System, payment systems and direct debit systems. This is being managed wholly separately for each authority and is being project managed outside of the waste client team, but with input from the team.
- 3.53 The proposals will allow for seamless reporting online without the need for double handling of contacts and allow for the CRM at each Council to have full reporting capabilities for waste contacts. It is also proposed that the CRM at each Council provides the new platform for the garden waste service and other chargeable services which will require complex integrations to ensure payments for services can be received, managed and reconciled.
- 3.54 The waste team has process mapped current service contacts and these will then be discussed and refined with the preferred bidder, along with further refinement with customer service teams.
- 3.55 The CRM setup and integration work for garden waste must be completed by 1 February 2025 in order to be available for the new garden waste subscription year. All other process integrations are required for contract start at the beginning of May 2025.

#### Proposals for EHC

- 3.56 EHC has limited in-house capacity to build the CRM forms and develop the API links. A draft project proposal has been put together which includes a number of options which can be considered to deliver the required level of transformation resource. Full costs are still unclear however if we intend for Granicus to develop the initial integrations for the three highest contact issues

the cost is estimated to be circa £196k. It would then still be necessary to build the remaining service integrations or resource the customer contact centre sufficiently to call handle all the remaining contacts.

3.57 The breakdown of costs is as follows:-

- £32k GovService – Necessary
- 26K Consultancy – Necessary
- 137K scoping works and initial build – Possible approach
- £TBC Integrating for garden waste direct debits – Necessary

3.58 A swift decision is needed from EHC transformation team on how work can be facilitated and resourced.

### Proposals for North Herts

3.59 North Herts has capacity to build the CRM forms in-house and develop the API links to allow for the necessary integration with the waste management IT system, the payment system Windcave and North Herts's financial system for direct debits provided by Technology One. Additional consultancy support will be required to troubleshoot any integration issues found in development and testing and provide specialist technical support to the project. A one-off budget of £20k is built into the waste budget for this work.

### Draft Communications Plan

3.60 The team have been exploring communication methods for the contract change and new services. Attached in Appendix 11 is a draft communications plan. The final plan will be determined based on the budget allocation which is yet to be agreed. Indicative costs have also been provided at in Appendix 11.

3.61 EHC currently has £30k allocated in the 24/25 budget and £30k allocated in the 25/26 budget for communications. North Herts currently has £30k allocated in the 24/25 budget and £30k allocated in the 25/26 budget for communications. Normal annual spend on basic and necessary communications e.g. stickers, contamination cards and hangers for each council is approximately £8k. This leaves approximately £22k to deliver the service change communication.

3.62 The current communications budget will be insufficient to effectively communicate the service changes and the day changes. A number of approaches are needed to ensure messaging is seen by every household. Although blanket distribution methods will be explored, day changes require targeted communications and therefore at this stage some costs have been based on 2nd class postage by Royal Mail. This is therefore considered to be the worst-case costs.

3.63 In addition, the waste team has spoken with a number of other councils which are operating three-weekly collection services to determine the types and level of contacts which can be expected.

- 3.64 One key element of feedback has focused around those residents who miss their collection day. A missed collection, for example if a resident forgot to put their bins out it would mean residents have to wait six weeks between collections and as a missed collection of this nature is not the fault of the contractor the missed collection cannot be logged online and will not be collected.
- 3.65 To prevent unnecessary contacts to the customer service centres and teams, regarding resident fault missed collections, those councils we have spoken to have chosen to take a proactive approach to collection day comms by investing in a mobile app, with the primary function being targeted waste communications.
- 3.66 Service change comms has focused on encouraging residents to sign up to the app and push notification reminders regarding which bins to put out. Feedback from other councils has been that this has significantly reduced contacts via telephone and email.
- 3.67 The app we have explored is by Cloud 9 Technology and Council apps they have produced have been in the Top 10 for downloaded apps in the Apple App Store in the 'reference' category in the last 2 years.
- 3.68 As an example, East Devon District Council have 65,000 residents signed up to receive push notifications. This equates to roughly 60% of the adult population in the area. In an average 14 day period they receive around 120,000 interactions from around 31,500 residents.
- 3.69 Stratford-upon-Avon District Council and Warwick District Council are a shared service operating there- weekly collections and after around 18 months of use they had 30,000 and 29,000 residents signed up for push notifications respectively and the figures continue to grow.
- 3.70 The push notifications can also be used for other targeted communication with the ability to push messages to residents relating to service disruption and breakdowns or other council services such as reminders relating to elections. Push notifications can be targeted by collection round, collection day, ward, street or service.
- 3.71 The waste team have explored the option of this mobile app and the developer is able to offer the councils a discounted rate of 15% off, if both Councils sign up. Costs are based on the population of the districts, and as each authority is operating separate IT systems there would still be two distinctly separate apps, one for each authority. The standard cost of the app is £20k per year per Council, with a setup fee of £5k per Council. It is anticipated this would be procured via a Framework contract.

- 3.72 As well as push notifications and information on waste services the app has a number of other council functions including 'report it' functions and information on planning applications.
- 3.73 The 'report it' function can be set up to mimic the Councils webpage report it function and will offer integrated reporting functions to compliment the Councils website functionality.
- 3.74 Another key benefit of the app is it can be fully integrated with the CRM ensuring no data loss between systems.
- 3.75 The Councils currently have few alternatives to an app which uses push notifications. North Herts currently has around 17,000 sign ups for the email Newsletter, with an average opening rate of 42%. Emails cannot be sent based on specific collection rounds and therefore this is not considered an effective communication solution for collection day information.
- 3.76 Residents will have access to a collection day look up solution via each Councils website , but this requires residents to be proactive in checking.
- 3.77 Amazon's Alexa has a 'bin calendar' skill which can be set up by individual residents, but this also relies on the resident being proactive in setting it up and 'asking Alexa.'
- 3.78 Text messages via GovNotify cost 2.27p each after the free allowance but text alert sign up numbers are limited with only just under 3000 sign ups (which includes staff and Councillors). Text messages cannot be tailored by collection round/day and therefore are also not a suitable alternative to the mobile app but do provide a more immediate communication route than emails.

### MRF Contract procurement

- 3.79 As identified in 3.20 above, the Council is engaging with the market to develop a suitable specification to support our new collection methodology for the haulage, processing and resale of recyclable material.
- 3.80 A short term contract is not considered favourable as bidders may need to consider investment in their infrastructure to process soft plastics and a longer term contract is therefore likely to provide better value for money.
- 3.81 At this stage the Council is anticipating undertaking a restricted two stage tender process under the existing procurement regime, however as the legislation is changing an alternative procurement approach may be considered if this may present a more favourable approach for the councils.
- 3.82 It is proposed at this stage that this contract be for eight years with the ability for an extension of up to eight years, however we will review this on receipt of the pre-market engagement information.

## **4.0 Alternative Options**

- 4.1 Not awarding the contract is not considered a viable option. Bidders have committed significant resource in bidding for this contract and may pursue a claim against the Council should the contract not be awarded.
- 4.2. The continuation of the existing project board was considered, however this would have required an amendment to the Collaboration Agreement, which is due to cease at the conclusion of the procurement, whereas the formation of a new project board can be included in the new Inter Authority Agreement, and this is a simpler process. Membership of the new mobilisation project board will be broadly similar.
- 4.3 There is currently no alternative option to the granting of leases to the preferred bidder for Buntingford Depot and Letchworth Depot. Should the assignment of the Letchworth lease not be completed by 9 July 2025, further legal advice will be sought on the contracting options.
- 4.4 The use of external consultants continues to be considered as one option to manage the integration of IT systems with the waste management IT system however options in relation to in house resource will also be considered.
- 4.5 The use of the contract 'anticipated change' regarding the provision of fortnightly residual waste collections and fully commingled dry mixed recycling collections was considered, however the reasoning presented in the report identifies that this would be financially disadvantageous for the councils and would limit the council's ability to improve its environmental performance.
- 4.6 The extension of the existing MRF contract was considered but this was deemed to present procurement risks to the authorities due to the existing contract spend and the changes required to fit with the new service design and manage upcoming changes in legislation.

## **5.0 Risks**

- 5.1 Good Risk Management supports and enhances the decision-making process, increasing the likelihood of the Council meeting its objectives and enabling it to respond quickly and effectively to change. When taking decisions, risks and opportunities must be considered.
- 5.2 There are risks associated with not awarding a collection contract, as there is insufficient time to reprocure and mobilise services before the existing contract comes to an end. In addition bidders make seek a claim against the Council as significant resource has been committed to tendering.

- 5.3 There are risks should the Councils not make the same decisions in relation to the waste service design. The contract has been procured on the basis of one service operated on behalf of both authorities. This has allowed for cross boundary operational efficiencies. A contract award may not be viable if the Councils made unilateral decisions.
- 5.4 In the event that there is a risk of the contract not being awarded as a result of unilateral decision making the Councils would be subject to the conditions of the Collaboration Agreement. Any withdrawal from which incurs a £100k cost to the withdrawing Council. The withdrawing Council are also required to indemnify the remaining Council against any damage(s), expenses, liability or costs incurred by the remaining Council in defending any third-party claim made against it, as a direct or indirect result of the other Councils' withdrawal.
- 5.5 There are risks in relation to the assignment of the Letchworth Depots. Without an assignment the contract cannot be awarded. Should the assignment not take place by 9 July 2024, legal opinion on our options will be sought.
- 5.6 There are risks associated with resources and capacity to deliver the mobilisation work programme. This will be the responsibility of the EHC Head of Operations and North Herts Service Director of Place to ensure sufficient consideration of resource needs from across the Councils by the Leadership Teams. In addition the mobilisation project board will review and monitor the progress of the work programme.
- 5.7 There are risks should the Councils not have regard for the draft statutory guidance, without sufficient justification. These risks and legal advice are presented in Appendix 8 Part 2.
- 5.8 There are risks around the resource availability and capability to develop online forms and integrate these with payments systems and the waste management IT system provided by the preferred bidder. This risk differs for each authority and is being managed by digital transformation teams. In addition the progress of this work will be reported to the mobilisation project board.
- 5.9 There are risks around the mobilisation of services and communication with residents being insufficient, this will be mitigated by the ongoing development of a communications plan with the oversight of the mobilisation project board.
- 5.10 There are risks regarding the procurement of the MRF contract and the costs associated with this contract and any necessary anticipated change relating to the collection of soft plastics. A soft market testing exercise is being completed which will inform the procurement specification to ensure that the contract is

attractive to the market and ensure that costs to the authorities will be minimised.

## **6.0 Implications/Consultations**

- 6.1 Prior to and during the procurement exercise there have been workshops with elected members from all political parties and from both Councils. The workshops have shaped the contract design.
- 6.2 Officers from Hertfordshire County Councils (HCC) Waste Department were previously consulted and are supportive of the councils aims to reduce residual waste.
- 6.3 Details contained in this report were presented to the joint waste project board, (which consists of Executive Members and senior officers from both councils) on 21 June 2024.

## **Community Safety**

No

## **Data Protection**

No

## **Equalities**

No

An Equalities Impact Assessment was completed in October 2022 based on the then current proposed service specification for the waste contract from 2025. Households producing large quantities of child or adult nappies will be supported by the provision of policies allowing for these properties to remain on fortnightly residual waste collections.

Those residents who receive an assisted collection as a consequence of a disability will be supported in their collections and will not need to know which bins require putting out for collection.

## **Environmental Sustainability**

Overall, to date there are forecasted to be positive environmental impacts from changes to the waste contract for East and North Herts. These come, amongst other things, as a result of proposals to reduce frequency of general refuse collections from fortnightly to three weekly, and by providing additional recycling capacity. The carbon impacts of collection rounds and routes are dependent on the methodology of the preferred bidder. These will be reviewed against the baseline during mobilisation. There would be negative environmental implications if the Council did not proceed

with the three weekly cycle service design, with more residual waste being sent for disposal via incineration.

The new collection contract will provide enhanced environmental information in the form of an annual environmental impact review and carbon management plan.

## **Financial**

The Council's budget and Medium Term Financial Plan has had a core assumption that the new contract would be in line with the current budget plus £1.3 million for the implementation of food waste and inflationary pressures. That was on the basis that there was no better information to go on, especially with unknown Government proposals in relation to consistent collections (Simpler Recycling), Deposit Return Scheme and Extended Producer Responsibility.

In addition to the core assumption, a risk was highlighted of higher costs with the contract and the competitive dialogue process was used to mitigate these risks. During Competitive Dialogue significant cost increases materialised and so we put in place measures in the new contract specification that should help reduce costs (e.g. three weekly collections), but the exact financial impact would be unknown until final tender submission and we had worked through, in particular, the detail of the options around the councils financing the vehicle purchases and any new burdens funding from Government.

Details of the financial implications of the preferred bid and three-weekly collections are contained in Appendix 1 Part 2.

The Council has received confirmation of an award of circa £1.5 million of new burdens Capital funding to support the purchase of food waste caddies and bins and food waste vehicles. The ongoing new burdens revenue funding is yet to be confirmed but the outgoing Government had committed to providing additional revenue support. We believe this is likely to be honoured by the incoming Government post General Election.

There are decisions that can be made in relation to waste services that affect the budget position, but do not relate to the contract specification (e.g. levels of fees and charges). These will have to be considered in line with the fees and charges policy and will consider concessionary pricing for those on benefits, paid for by those not on benefits through the charge so there is no subsidy provided through Council Tax funds, in accordance with the fees and charges policy. These proposals will be brought forward as part of the budget.

To deliver a sufficiently detailed communications plan for the service change in August 2025, additional funds will be factored in as part of the budget cycle. Funding is in the budget already to provide the necessary investment in digital improvements to allow self-service on the web site and the bringing in house of direct debit and card payment sign up for garden waste.



## **Health and Safety**

No

## **Human Resources**

The staff resources necessary to deliver the digital transformation for the mobilisation of the waste contract are currently insufficient. This presents a risk to the successful mobilisation of the contract and the ongoing customer service provision to residents.

## **Human Rights**

No

## **Legal**

External legal support has been used throughout the procurement to ensure a robust and compliant legal process as well as ensure that the contract terms will be fit for purpose for the life of the contract.

In addition, external legal support has been provided in relation to the draft statutory guidance for 'Simpler Recycling'. Albeit that the draft guidance is not currently in force, Members are advised to nevertheless have regard to the guidance and reach their decision on the frequency of residual waste collection with it in mind, along with any reasons given for possibly deviating from it. Members should consider the legal advice contained in the Part 2 papers.

The Competitive Dialogue procedure for the procurement of the Waste, Recycling and Street Cleansing contract was approved by the Executive at its meeting of 25th October 2022. With that Competitive Dialogue procedure now nearing its end, the award of the contract is due to go back to the Executive for final approval as a key decision.

## **Specific Wards**

No

## **7.0 Background papers, appendices and other relevant material**

Appendix 1 – See Part 2.

Appendix 2 – Aims and Principles of the Shared Service.

Appendix 3 – Evaluation Methodology

Appendix 4 – Terms of Reference – Mobilisation Project Board

Appendix 5 – Mobilisation work programme

Appendix 6 – Draft guidance for 'Simpler Recycling'

Appendix 7 – Government response to the consultation on the draft guidance.

Appendix 8 – See Part 2.

Appendix 9 – Reasoning for three-weekly services

Appendix 10 – Waste, Recycling and Street Cleansing Policies 2025

Appendix 11 – Draft Communications Plan

Executive 25<sup>th</sup> October 2022 –

[Waste Service Design Report.pdf \(eastherts.gov.uk\)](#)

[Decision - Waste Service Contract Design - East Herts District Council](#)

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Shared Service Manager – Waste Management

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

## **Appendix 2 – Aim and Principles of the Shared Waste Service**

### **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.



**NORTH HERTFORDSHIRE  
DISTRICT COUNCIL AND EAST  
HERTFORDSHIRE DISTRICT  
COUNCIL**

**TENDER FOR  
WASTE COLLECTION,  
RECYCLING AND STREET  
CLEANSING SERVICES**

**ISFT Appendix 2  
Evaluation Framework**

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## INTRODUCTION

### 1. OVERVIEW

#### 1.1. This Evaluation Framework sets out:

- 1.1.1. how the Final Tender submitted by Bidders in response to the Council's Invitation to Submit Final Tenders (ISFT) for the Contract will be evaluated;
- 1.1.2. the principles that will be followed in evaluating submissions;
- 1.1.3. the detailed process that the Evaluation Panel (described in section 4 of this Evaluation Framework) will follow during the assessment and scoring of the Final Tenders; and
- 1.1.4. how the total number of points for each Final Tender will be determined.

#### 1.2. **Anticipated Changes**

- 1.2.1. At the detailed solution stage Bidders were required to submit proposals for Anticipated Changes. Bidders are required to provide similar solutions at Final Tender Stage to take into account the Anticipated Changes. The Council may require the Provider to provide any or all of the Anticipated Changes at any time by giving notice to the Provider in writing in accordance with Clause 44 (Changes). There is no guarantee or warranty that the Council will require any of these services and the Final Tenders should not be submitted in the expectation of any of these services being included.
- 1.2.2. Bidders are required to complete and submit Appendix 8 (Anticipated Changes) (including the Anticipated Changes Pricing Schedule) with their Final Tenders submission.
- 1.2.3. For the avoidance of doubt, Appendix 8 (Anticipated Changes) shall not be evaluated but will be executed as part of the Contract.

#### 1.3. **Funding of Assets**

- 1.3.1. Bidders have been informed during Dialogue that the Council will make a decision at Preferred Bidder stage as to whether the Council or the Provider would provide financing for the new Assets required to provide the Services from the Service Commencement Date. Accordingly, for the purposes of submission of Final Tenders there are two 'Asset Financing Options'. Bidders are required to submit two priced bids for each of the following two options:
  - (a) Asset Financing Option 1: Provider to fund all Assets (this was 'Option B' at ISDS)
  - (b) Asset Financing Option 2: Council to fund all **initial** Assets required to commence the Services including those for service changes anticipated to take place in Month 4 following the Service Commencement Date
- 1.3.2. For both options all Assets purchased as replacements or for growth and any Assets required after month 4 (or the relevant month of the services change currently anticipated in month 4) are to be funded by the Provider. The Contract will however include an option for the parties to discuss any additional purchases and agree who is best placed to fund the asset at the time.
- 1.3.3. The Asset Financing Options will be evaluated as part of the Price evaluation and will be weighted 50% for each of Option 1 and Option 2 – see section 15 below for further details.
- 1.3.4. The 50:50 split is being used for evaluation purposes only.
- 1.3.5. Bidders are referred to Schedule 8 of the Contract which sets out the protocol for purchasing Assets (Assets Protocol) under the Contract.

**1.4. Legal/Risk and Payment and Performance**

The following changes have been made to the Evaluation Framework issued at ISDS stage. Bidders have been notified of these changes as part of the dialogue process.

1.4.1. As part of the dialogue process the Council has invited Bidders to submit proposed comments on and amendments to the draft Contract and to the Payment and Performance Mechanisms. These have been discussed during dialogue and the Council has indicated where amendments are acceptable or otherwise. As far as amendments have been accepted the Council has incorporated those amendments into the draft Contract and Payment and Performance Mechanisms and issued them in the same form to all bidders, as part of the ISFT. Bidders are required to submit Final Tenders on the basis of the draft Contract and Payment and Performance Mechanisms as issued with the ISFT.

1.4.2. Accordingly, the Legal/Risk criterion and the Payment and Performance criterion will be evaluated on a pass/fail basis as part of the Compliance checks at this Final Tender stage (see paragraph 7 below). Bidders will be required to confirm their agreement to enter into the draft Contract and Payment and Performance Mechanisms as issued (see Bid Form 8). The weighting allocated to Legal/Risk and Payment and Performance at the ISDS stage will for the Final Tenders stage be allocated to Financial Robustness – see the evaluation model attached at Appendix 1 for further details.

**1.5. Minimum thresholds**

1.6. Bidders should note that Final Tenders must be acceptable overall to the Council, and accordingly, at Final Tender stage the Council will reject any Final Tender submission which is awarded:

- 1.6.1. a moderated score of 0 or 1 in any Tier 3 criteria for Method Statements; and/or
- 1.6.2. a moderated score of 0 or 1 for the Robustness of the Bidder Financial Model criterion; and/or
- 1.6.3. a moderated score of 0 or 1 for the Social Value criterion.

**2. THE FINANCIAL AND QUALITY CRITERIA**

2.1. The Council has adopted a financial, quality and social framework for the evaluation of the submissions and agreed, out of 1,000 points available in total, 450 points will be available for the financial criterion, 450 points will be available for the quality criterion and 100 points will be available for the social criterion, as outlined in

Table 1.

Table 1: Weightings for Financial and Quality Criteria

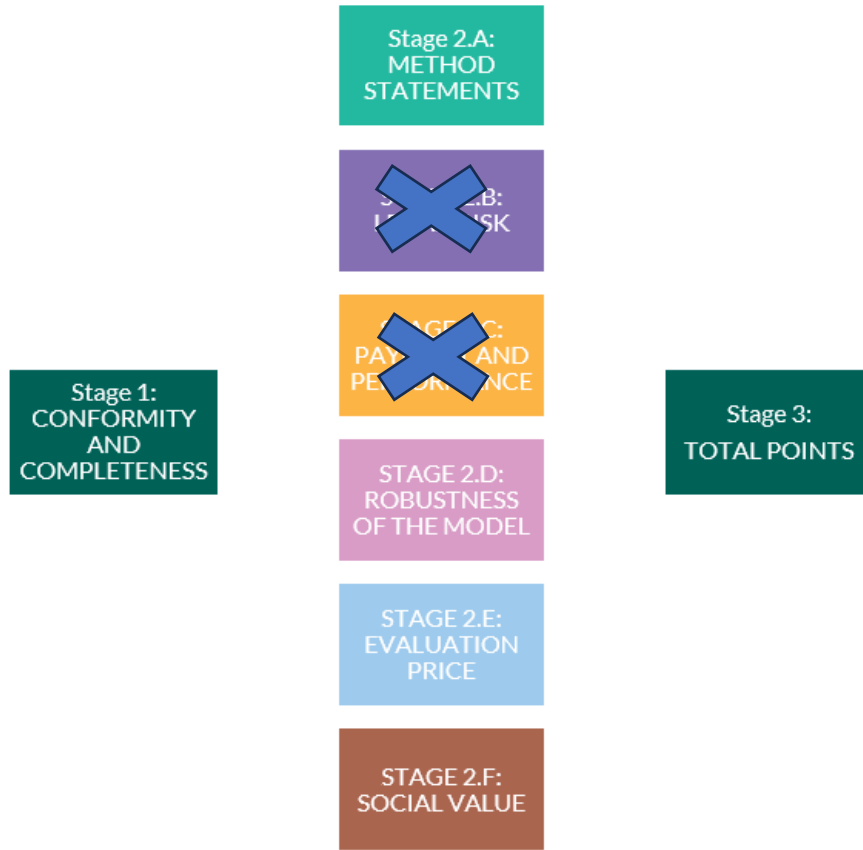
Award Stage	Tier 1 Financial Criterion	Tier 1 Quality Criterion	Tier 1 Social Value	Total
ISDS	45% or 450 points out of 1,000 points	45% or 450 points out of 1,000 points	10% or 100 points out of 1,000 points	100%
ISFT	45% or 450 points out of 1,000 points	45% or 450 points out of 1,000 points	10% or 100 points out of 1,000 points	100%

**3. OVERVIEW OF THE EVALUATION FRAMEWORK**



- 3.1. The Evaluation Framework shall comprise the three evaluation stages as outlined in Figure 1 and described below.
  - 3.1.1. **Stage 1: Conformity and Completeness.** Final Tenders will first be subject to an initial assessment to:
    - (i) determine completeness and compliance with the Mandatory Requirements set out in Table 2 below; and
    - (ii) identify significant points of clarification (section 7 of this Evaluation Framework).
  - 3.1.2. Final Tenders which meet the conformity and completeness requirements will be evaluated pursuant to the evaluation methodology set out in this Evaluation Framework.
  - 3.1.3. **Stage 2.A: Method Statements.** This stage will score each Final Tender against the evaluation scoring guidance described in section 11 of this Evaluation Framework.
  - 3.1.4. Stage 2.B: Legal/Risk. Not used.
  - 3.1.5. Stage 2.C: Payment and Performance. Not used.
  - 3.1.6. **Stage 2.D: Robustness of the Bidder Financial Model.** This stage will score each Final Tenders against the evaluation scoring guidance described in section 14 of this Evaluation Framework.
  - 3.1.7. **Stage 2.E: Evaluation Price.** This stage will score each Final Tender using the methodology described in section 15 of this Evaluation Framework.
  - 3.1.8. **Stage 2.F: Social Value.** This stage will score each Final Tender against the evaluation scoring guidance described in section 16 of this Evaluation Framework.
  - 3.1.9. **Stage 3: Total Score.** This stage will determine and assign the total points to each submission as described in section 17 of this Evaluation Framework.
- 3.2. Each stage of the evaluation will be formally recorded as the key audit trail of decisions reached.

**Figure 1:** Stages of the Evaluation Framework



## THE EVALUATION PANEL

### 4. MEMBERSHIP AND RESPONSIBILITIES OF THE EVALUATION PANEL

- 4.1. The appointed Evaluation Panel will have delegated responsibility to assess, review and score the Final Tender submissions.
- 4.2. Members of the Evaluation Panel have been appointed on the basis of their expertise, experience and competence and shall include the Council's advisor(s).
- 4.3. The Evaluation Panel is structured as follows:
- 4.3.1. **Chair of the Evaluation Panel.** This role will have responsibility for ensuring that:
- (c) each member of the Evaluation Panel understands the requirements of the Public Contracts Regulations 2015 (2015 Regulations) (as amended) and has received adequate training on the use of the Evaluation Model (Annex 1);
  - (d) each member of the Evaluation Panel actively participates in the evaluation of submissions;
  - (e) the Evaluation Panel reaches consensus during moderation meetings.
- 4.3.2. **Evaluation Panel (Method Statements).** Members of this panel will review, assess and score Tier 3 criteria in the Method Statements criterion. The evaluators will score the same questions for all Bidders, but different evaluators may score different questions.
- 4.3.3. **Evaluation Panel (Social Value).** Members of this panel will score the Bidders' social value proposals submitted through the Social Value Portal and in the supporting qualitative descriptions.
- 4.3.4. **Evaluation Panel (Finance).** Members of this panel will
- (f) review, assess and score the Robustness of the Bidder Financial Model as described in section 14; and
  - (g) undertake the assessment of the Evaluation Price criterion using the completed Pricing Schedule, as described in section 15.

### 5. INDEPENDENT SCORING

- 5.1. Each member of each Evaluation Panel will initially review, assess and score each of the relevant aspect of the Final Tender independently. Scores will be awarded out of 5 in line with sections 11 (Method Statements), 14 (Robustness of the Bidder Financial Model) and 16 (Social Value). Scores for Evaluation Price will be awarded in accordance with section 15.
- 5.2. During this stage of the evaluation, individual members of the Evaluation Panel may raise clarification questions to Bidders. These will be directed to the Chair of the Evaluation Panel who will submit any such clarifications to Bidders via the Portal.
- 5.3. At the end of Stage 2 of the evaluation, each member of each Evaluation Panel will submit the results of the scoring to the Chair of the Evaluation Panel.

### 6. MODERATION MEETING(S)

- 6.1. Having received the completed scores from all members of the Evaluation Panel, the Chair of the Evaluation Panel will arrange the moderation meetings to agree and reach consensus on the moderated scores for each criterion for each Final Tender.
- 6.2. Members of the Evaluation Panel may agree, during a moderation meeting, to raise clarification questions to Bidders. The Chair of the Evaluation Panel will, in such an event,

postpone the moderation of the scoring of any part of the submission requiring further clarification and reconvene the Evaluation Panel to a future moderation meeting.

- 6.3. The Council does not envisage the need for clarification meetings with Bidders to address any aspects of the clarification questions raised by the Evaluation Panel, but in exceptional circumstances, Bidders may be invited to one or more clarification meetings. These are to inform the Council and to assist its understanding of a Final Tender submission. A Bidder's performance at such meeting will not form part of the Council's evaluation and will not be scored.
- 6.4. The Evaluation Panel will produce and agree a single scoring sheet for each Final Tender submission and note relevant reasons and commentary for scores awarded.
- 6.5. The Council will then conclude its evaluation of Final Tenders and select as the Preferred Bidder the Bidder which submits the most economically advantageous tender in accordance with the Invitation to Submit Final Tenders and this Appendix 2 (Evaluation Framework).

**STAGE 1 OF THE EVALUATION FRAMEWORK**

**7. CONFORMITY AND COMPLETENESS**

- 7.1. This stage will consist of an initial assessment of the submission to ensure that it is complete and compliant with the Mandatory Requirements set out in Table 2 below.
- 7.2. The Mandatory Requirements shall apply to the Final Tender to ensure that Bidders submit a Final Tender that reflects the dialogue to date and does not step back to renege from the Solution as progressed in dialogue.
- 7.3. Where a Final Tender is not substantially complete and/or is inconsistent or where vague or ambiguous information is presented, one of the following courses of action may be taken at the absolute discretion of the Council:
- 7.3.1. information presented will be analysed and, where necessary, specific clarification sought from the Bidder; and/or
  - 7.3.2. the Council may not consider the Final Tender at this stage of the evaluation; and/or
  - 7.3.3. the Council may reject the Final Tender if the omissions, inconsistencies, vagaries or ambiguities are substantial and material so as to be unacceptable to the Council.
- 7.4. Bidders should note that the Council reserves the right to allow a Bidder to remedy a minor omission or administrative error in a Bid Form or elsewhere in its submission but does not guarantee it will exercise that discretion.

**Table 2:** Mandatory Requirements

Mandatory Requirement	Compliance Criteria Explanation	Evaluation
1. Compliant and bona fide Final Tender	Final Tenders will be checked to ensure that the Final Tenders are bona fide submissions and that there are no: <ul style="list-style-type: none"> <li>• material breaches of the requirements as set out in the ISFT;</li> <li>• collusion or corruption; and</li> <li>• anti-competitive behaviour.</li> </ul>	Pass/fail
2. Completeness of information	Final Tenders must include all information requested and comply with the instructions set out in the ISFT, including without limitation: <ul style="list-style-type: none"> <li>• a fully developed Tender which meets the Council's Requirements as set out in the Draft Specification;</li> <li>• a Tender which demonstrates that the Bidder is able to provide all of the Services (which may include sub-contracting arrangements);</li> <li>• Bid Forms 1 to 7 inclusive completed in all material respects;</li> <li>• Bid Form 8 completed to confirm that the Bidder agrees to enter into the draft Contract and Payment and Performance Mechanism as set out in Appendix 5, 6 and 8</li> <li>• Method Statements prepared and submitted in accordance with Appendix 7;</li> <li>• Completed Appendix 8 (Anticipated Changes);</li> </ul>	Pass/fail

## Evaluation Framework - Final Tender Stage

Mandatory Requirement	Compliance Criteria Explanation	Evaluation
	<ul style="list-style-type: none"> <li>• a Final Tender which is capable of being evaluated as an entire Solution. This means that the Solution must be comprehensive and certain. It must not simply contain a “pick-and-mix” of alternatives or options so that the Council must construct its own Solution from a menu; and</li> <li>• a Final Tender which demonstrates that the Bidder is able to deliver the Services from the Service Commencement Date.</li> </ul>	
3. Legality	Final Tenders must have no legal impediments and the proposed contractual arrangements must be lawful and intra vires the Council and the Bidder.	Pass/fail
4. No material or substantial changes	Final Tenders must reflect the dialogue to date and must not step back or renege from the positions reached during the dialogue process	Pass/Fail

- 7.5. Bidders should note that the Mandatory Requirements are pass / fail and the Council reserves the right not to consider a Final Tender submission which fails to comply with the Mandatory Requirements at any stage (whether identified during the initial assessment or at any other time) regardless of overall score or ranking.
- 7.6. Evaluation of Final Tenders against the Mandatory Requirements involve a detailed assessment of Final Tenders. Accordingly, in the interests of expediency unless it is clearly obvious that the Final Tender does not meet the Mandatory Requirements, it is likely that the Evaluation Panels will commence evaluation of all Final Tenders that meet the Mandatory Requirements. Where, however, the evaluation process demonstrates at any point during the procurement that a Final Tender fails to meet the Mandatory Requirements that Final Tender may (following clarification if necessary) be rejected.
- 7.7. As part of the initial assessment, Bidders must confirm that their circumstances, including economic and financial standing and technical capacity and ability have not materially changed detrimentally since SQ (as detailed at section 17 of the ISFT). Although generally these are matters for SQ and will not be revisited during evaluation of the Final Tenders (since they were satisfied at SQ stage), the Council reserves the right to consider these issues if there are material detrimental changes at any time during the procurement up to award (whether identified during the initial assessment or at any other time). The findings of this assessment stage will be documented.
- 7.8. Submissions that pass this conformity and completeness stage of the evaluation will be taken forward to the subsequent stages of the Evaluation Framework.
- 7.9. For the avoidance of doubt, stages 2A – 2E will be concurrent and not sequential.

**STAGE 2 OF THE EVALUATION FRAMEWORK**

**8. QUALITY CRITERION**

8.1. The quality criterion described in

Table 1 has been further broken down into Tier 2 level criteria, as outlined in Table 3.

**Table 3:** Method Statements criterion (Tier 2 level criteria)

<b>Tier 1</b>	<b>Tier 2</b>	<b>Points Available at ISFT</b>
<b>Quality Criterion - Method Statements</b>	Management and Culture	22.5
	Operations	67.5
	Deliverability	67.5
	Health, Safety & Welfare	45
	Environment	45
	Service delivery method – waste & recycling collection	90
	Service delivery method – street cleansing	67.5
	Business Planning	45
<b>Total</b>		<b>450</b>

8.2. The Tier 2 level criteria have been further broken down into Tier 3 level criteria, as outlined in Annex 1 to this Evaluation Framework.

**9. FINANCIAL CRITERION**

9.1. The financial criterion described in

Table 1 has been further broken down into two Tier 2 level criteria, “Evaluation Price” and “Commercial Risk”, as outlined in Table 4.

**Table 4:** Financial criterion (Tier 1 and Tier 2 level criteria)

<b>Tier 1</b>	<b>Tier 2</b>	<b>Points Available at ISFT</b>
<b>Financial Criterion</b>	Evaluation Price	420
	Commercial Risk	30
<b>Total</b>		<b>450</b>

9.2. The commercial criterion described in Table 4 has been further broken down into Tier 3 level criteria, of which only one remains for Final Tender evaluation - “Robustness of the Bidder Financial Model”, as outlined in Table 5.

**Table 5:** Commercial criterion (Tier 2 and Tier 3 level criteria)

Tier 2	Tier 3	Points Available at ISFT
<b>Commercial</b>	Legal/Risk	0
	Payment and Performance	0
	Robustness of the Bidder Financial Model (Finance Option 1)	15
	Robustness of the Bidder Financial Model (Finance Option 2)	15
<b>Total</b>		<b>30</b>

**10. SOCIAL VALUE CRITERION**

The social value criterion described in

Table 1 has been further broken down into two Tier 2 level criteria, “supporting qualitative descriptions” and “quantitative targets”, as outlined in Table 6.

**Table 6:** Social Value criterion (Tier 1 and Tier 2 level criteria)

Tier 1	Tier 2	Points Available at ISFT
<b>Social Value</b>	Supporting qualitative descriptions	50
	Quantitative targets	50
<b>Total</b>		<b>100</b>



**STAGE 2.A OF THE EVALUATION FRAMEWORK**

**11. METHOD STATEMENTS**

- 11.1. The Evaluation Panel (Method Statements) will score each of the “Method Statements” submitted by Bidders on the basis of the scoring guidance set out in Table 7 as guidance to assign scores to each of the relevant aspects of each Method Statement.
- 11.2. Scores will range from 0 to 5 in whole numbers without decimal or fractional parts.
- 11.3. The Evaluation Panel (Method Statements) will be looking for each response to provide a complete, clear methodology that demonstrates how the service will be delivered with relevant supporting information to demonstrate why the solution provides a high-quality service to meet the Council’s requirements.
- 11.4. In the scoring guidance in Table 7:
  - 11.4.1. references to the “Requirements” are to those requirements stated in the relevant Method Statement question and in the relevant sections of Schedule 2 of the Contract (Service Specification);
  - 11.4.2. to address a Requirement, it must be referred to in the Method Statement as submitted by the Bidder; and
  - 11.4.3. the Evaluation Panel will not infer information that is not expressly stated in the Method Statement response to the question.

**Table 7:** Evaluation Scoring Guidance (Method Statements)

Score Descriptor	Score	Evaluation Scoring Guidance
		In the opinion of the member of the Evaluation Panel, the Bidder’s response provides information which:
Very Good	5	<ul style="list-style-type: none"> <li>• addresses all aspects of the Requirements and in addition the proposals in the response exceed the Requirements in one or more areas and these proposals are acceptable to the Council; and</li> <li>• provides a clear methodology and relevant supporting information and does not contain weaknesses; and</li> <li>• provides complete confidence that the Bidder’s proposals will deliver all aspects of the Requirements to a very high standard.</li> </ul>
Good	4	<ul style="list-style-type: none"> <li>• addresses all aspects of the Requirements; and</li> <li>• provides a clear methodology and relevant supporting information, but may contain minor weaknesses; and</li> <li>• provides confidence that the Bidder’s proposals will deliver all aspects of the Requirements to a high standard.</li> </ul>
Satisfactory	3	<ul style="list-style-type: none"> <li>• addresses all or almost all aspects of the Requirements; and</li> <li>• provides a methodology and relevant supporting information, but may contain moderate weaknesses and/or gives rise to minor cause for concern in some areas; and</li> <li>• provides confidence that the Bidder’s proposals are likely to deliver all or almost all aspects of the Requirements to a largely acceptable standard.</li> </ul>
Reservations	2	<ul style="list-style-type: none"> <li>• addresses aspects of the Requirements partially and/or may contain omissions; and/or</li> </ul>

Score Descriptor	Score	Evaluation Scoring Guidance
		In the opinion of the member of the Evaluation Panel, the Bidder's response provides information which:
		<ul style="list-style-type: none"> <li>provides a methodology and supporting information but contains significant weaknesses and/or gives rise to cause for concern in many areas; and/or</li> <li>does not provide confidence that the Bidder's proposals are likely to deliver some aspects of the Requirements to a largely acceptable standard.</li> </ul>
Major Reservations	1 (Fail)	<ul style="list-style-type: none"> <li>addresses aspects of the Requirements partially and/or may contain significant omissions; and/or</li> <li>provides a methodology and supporting information that is of limited relevance and contains significant weaknesses and/or gives rise to serious cause for concern in many areas; and/or</li> <li>does not provide confidence that the Bidder's proposals are likely to deliver all or almost all aspects of the Requirements.</li> </ul>
Unacceptable	0 (Fail)	<ul style="list-style-type: none"> <li>does not substantively address the Requirements and contains major omissions and/or no response; and/or</li> <li>provides a methodology and supporting information that is fundamentally inappropriate and/or gives rise to serious cause for concern in most areas; and/or</li> <li>does not provide confidence that the Bidder's proposals will meet the Requirements.</li> </ul>

- 11.5. In order to avoid double counting, any proposals included in the Bidder's Method Statements which duplicate the Chosen Measures selected by the Bidder as part of their Social Value submission will not qualify as exceeding Requirements for the purpose of the Evaluation Scoring Guidance (Table 7).
- 11.6. At the relevant moderation meeting, as described in section 6 of this Evaluation Framework, the Evaluation Panel (Method Statements) will determine the total score for the Method Statements criterion for each submission as follows:
- 11.6.1. the moderated score out of 5 for each Method Statement Tier 3 criterion, as outlined in Annex 1 to this Evaluation Framework, will be divided by the maximum available score (5) set out in Table 7;
- 11.6.2. the result will be multiplied by the maximum number of points available for the relevant Method Statement Tier 3 criterion as set out in Annex 1, to arrive at a weighted score for that Method Statement Tier 3 criterion (rounded to the nearest whole number); and
- 11.6.3. the total weighted score for the Method Statements criterion for each submission will be derived by adding up all the weighted scores for all Method Statement Tier 3 criteria.
- 11.7. Total weighted score for the Method Statements
- 11.7.1. The total weighted score for the Method Statements criterion for each Bidder will be taken forward to calculate the Total Points for each Bidder (Stage 3 of the Evaluation Framework).

**STAGE 2.B OF THE EVALUATION FRAMEWORK**

**12. NOT USED AT FINAL TENDER STAGE**

**STAGE 2.C OF THE EVALUATION FRAMEWORK**

13. NOT USED AT FINAL TENDER STAGE

**STAGE 2.D OF THE EVALUATION FRAMEWORK**

**14. ROBUSTNESS OF THE BIDDER FINANCIAL MODEL**

- 14.1. Bidders shall submit two financial models at ISFT stage, one for Asset Finance Option 1 and one for Asset Finance Option 2. The robustness of the Bidder’s financial models will be evaluated for both Asset Finance Options 1 and 2. The Evaluation Panel (Finance) will score each of the financial models submitted by the Bidder using the scoring guidance described in Table 8 to assign individual scores to each submission.
- 14.2. Scores will range from 0 to 5 in whole numbers without decimal or fractional parts.
- 14.3. The Evaluation Panel (Finance) will score the financial model to determine the robustness and completeness of the submission. In making this assessment, the evaluators will apply the following:
- 14.3.1. where there is a reference to “Basic FM Information”, that information will be as stated at the “Notes for completion” tab of the Pricing Schedule;
- 14.3.2. where there is a reference to “Rate Item”, this means the items identified in the Pricing Schedule.

**Table 8:** Evaluation scoring guidance (Bidder Financial Model criterion)

Score Descriptor	Score	Evaluation Scoring Guidance
		In the opinion of the member of the Evaluation Panel, the Bidder’s response provides information which:
Very Good	5	Meets all of the following standards: <ul style="list-style-type: none"> <li>is supported by clear and complete guidance that allows for the navigation and operation of the Bidder’s Financial Model.</li> <li>contains the Basic FM Information and other financial information which is relevant to the submission.</li> <li>clearly demonstrates the cost base for every Rate Item so that all linked data is traceable with ease.</li> <li>does not contain any inconsistencies with other elements of the Bidder’s Final Tender, such as the Method Statements.</li> </ul>
Good	4	Meets all of the following standards: <ul style="list-style-type: none"> <li>is supported by clear and complete guidance that allows for the navigation and operation of the Bidder’s Financial Model.</li> <li>contains the Basic FM Information and other financial information which is relevant to the submission.</li> <li>clearly demonstrates the cost base for every Rate Item so that all linked data is traceable with ease.</li> <li>but</li> <li>contains minor inconsistencies with other elements of the Bidder’s Final Tender, such as the Method Statements, which are unlikely to impact on the robustness of the Bidder’s Financial Model.</li> </ul>
Satisfactory	3	The Bidder’s Financial Model has at least one of the following issues: <ul style="list-style-type: none"> <li>is supported by guidance that allows for some navigation and operation of the Bidder’s Financial</li> </ul>

**Evaluation Framework - Final Tender Stage**

<b>Score Descriptor</b>	<b>Score</b>	<b>Evaluation Scoring Guidance</b>
		In the opinion of the member of the Evaluation Panel, the Bidder's response provides information which:
		<p>Model, but there may be aspects of the model that are not supported by guidance and this limits the ability of the navigation and operation.</p> <ul style="list-style-type: none"> <li>contains most of the Basic FM Information and other financial information which is relevant to the submission.</li> <li>fails to demonstrate the cost base for up to 25% of the Rate Items so that linked data is traceable in most parts but some data may not be linked.</li> <li>contains one or two moderate inconsistencies with other elements of the Bidder's Final Tender, such as the Method Statements, which are unlikely to impact significantly on the robustness of the Bidder's Financial Model.</li> </ul>
Reservations	2	<p>The Bidder's Financial Model has at least one of the following issues:</p> <ul style="list-style-type: none"> <li>is supported by limited guidance that allows for limited navigation and operation of the Bidder's Financial Model.</li> <li>contains limited aspects of the Basic FM Information and other financial information which is relevant to the submission.</li> <li>fails to demonstrate the cost base for more than 25% but less than 50% of the Rate Items so that linked data may not be traceable in many parts and some data may not be linked.</li> <li>contains more than two moderate inconsistencies with other elements of the Bidder's Final Tender, such as the Method Statements, which are likely to impact on the robustness of the Bidder's Financial Model.</li> </ul>
Major Reservations	1 (Fail)	<p>The Bidder's Financial Model has at least one of the following issues:</p> <ul style="list-style-type: none"> <li>is not supported by guidance relating to the Bidder's Financial Model.</li> <li>does not contain any of the Basic FM Information and other financial information which is relevant to the submission.</li> <li>fails to demonstrate the cost base for more than 50% of the Rate Items so that linked data is not traceable in most parts and/or some data is not linked.</li> <li>contains one or two significant inconsistencies with other elements of the Bidder's Final Tender, such as Method Statements, which give the evaluators little confidence in the robustness of the Bidder's Financial Model.</li> </ul>
Unacceptable	0 (Fail)	<p>The Bidder's Financial Model has the following issue:</p> <ul style="list-style-type: none"> <li>contains more than two significant inconsistencies with other elements of the Bidder's Final Tender, such as the Method Statements, and consequently fails to give the evaluators any confidence in the robustness of the Bidder's Financial Model.</li> </ul>

- 14.4. At the relevant moderation meeting, as described in section 6 of this Evaluation Framework, the Evaluation Panel (Finance) will agree the moderated score for the Robustness of the Bidder Financial Model criterion for each Asset Finance Option submission and then determine the weighted score as follows:
  - 14.4.1. the moderated score for each submission will be divided by the maximum available score set out in Table 8; and
  - 14.4.2. the result will be multiplied by the maximum number of points available for the Robustness of the Bidder Financial Model criterion as set out in Table 5 (Commercial criterion) above to arrive at the weighted score.
- 14.5. Total score for the Robustness of the Bidder Financial Model
  - 14.5.1. The weighted score for each Asset Finance Option for the Robustness of the Bidder Financial Model criterion for each Bidder will be taken forward to calculate the Total Points for each Bidder (Stage 3 of the Evaluation Framework).

**STAGE 2.E OF THE EVALUATION FRAMEWORK**

**15. EVALUATION PRICE**

- 15.1. The Evaluation Panel (Finance) will use the Evaluation Model in Annex 1 to this Evaluation Framework and the completed Pricing Schedule (Bid Form 6) submitted by the Bidders to determine the points to be awarded to the Evaluation Price criterion.
- 15.2. The sum to be evaluated (“Tender Sum”) is included in the “Summary – Evaluation” tab of the Pricing Schedule. The Tender Sum comprises:
- 15.2.1. the pricing for Mobilisation (completed in the “Mobilisation” tab of the Pricing Schedule);
  - 15.2.2. the pricing for the delivery of the Services for the 8 year Contract Period such sum made up of the following options:
    - (h) Asset Financing Option 1- 50% of the total estimated cost of delivery of the Services with the Provider funding all Assets as completed in the “Pricing (Provider vehicles)” tab of the Pricing Schedule; and
    - (i) Asset Financing Option 2- 50% of the total estimated cost of the delivery of the Services with the Council funding all initial Assets completed in the “Pricing (Council vehicles)” tab of the Pricing Schedule.
  - 15.2.3. These prices and rates will provide a total notional annual cost and a total cost over the Contract Period. The Evaluation Panel (Finance) will transpose the Evaluation Prices (determined in the “Summary – evaluation” tab of the Pricing Schedule) of all Bidders from the Pricing Schedules to the Evaluation Model in Annex 1.
- 15.3. **Notional Sums for the Variable Rate Items:** Bidders should note that the Quantities Applied for the Variable Rate Items are notional only as these services will be instructed on an ad hoc basis. The Quantities Applied for the Variable Rate Items have been included for the purposes of the evaluation only. The Council does not warrant or guarantee the number, type or quantity of Variable Rate Items required during the Contract Period.
- 15.4. Total points for Evaluation Price
- 15.4.1. The points for the Evaluation Price criterion will be determined on the basis of a “deviation from the lowest Tender Sum” methodology.
  - 15.4.2. The Tender Sums for each Bidder will be calculated using the Pricing Schedule as set out in section 15.2 above, and the relevant figures will be transposed into the Evaluation Model in Annex 1 (see section 15.2 and Annex 1 for more details). The Tender Sums will then be ranked lowest first. The submission achieving the lowest Tender Sum will obtain the maximum number of points available, i.e. 420 points, with the other submissions receiving points based on their deviation from the lowest Tender Sum in accordance with the following calculation:
  - 15.4.3.  $(\text{Lowest Tender Sum } (\pounds) \div \text{Bidder's Tender Sum } (\pounds)) \times [420]$
  - 15.4.4. The points awarded (rounded to the nearest whole number) for the Evaluation Price criterion for each Bidder will be taken forward to calculate the Total Points for each Bidder (Stage 3 of the Evaluation Framework).

<b>Awarded points = (Lowest Tender Sum ÷ Bidders' Tender Sum) x 420</b>			
<b>Example Sums</b>	<b>Tender</b>	<b>Calculation</b>	<b>Example Score Awarded (out of max 420)</b>
		$(\text{Lowest Tender Sum } (\pounds) \div \text{Bidder's Tender Sum } (\pounds)) \times [420]$	
Bidder A = £1000		$(600/1000) \times 420 = 252$	252



## Evaluation Framework - Final Tender Stage

Bidder B = £850	$(600 / 850) \times 420 = 296$	296
Bidder C = £600	$(600 / 600) \times 420 = 420$	420

**STAGE 2.F OF THE EVALUATION FRAMEWORK**

**16. SOCIAL VALUE**

- 16.1. The evaluation and moderation of social value will be undertaken by an independent expert, Social Value Portal (“SVP”), alongside the Council.
- 16.2. There are two components to the evaluation of social value:
  - 16.2.1. Quantitative targets, detailed in section 16.8.
  - 16.2.2. Supporting qualitative descriptions, detailed in sections 16.3 to 16.7.
- 16.3. The supporting qualitative descriptions provided, detailing how the Quantitative targets will be delivered, will be evaluated using the scoring methodology set out in **Table 9** below. The assessment will be based on an overall assessment of the quality of the proposal, including the Bidder’s capacity to deliver Social Value offers made, based on the evidence provided by the bidder.
- 16.4. Scores will range from 0 to 5 in whole numbers without decimal or fractional parts.
- 16.5. In the scoring guidance in Table 9:
  - 16.5.1. references to the “Chosen Measures” are to those measures selected by the Bidder from the National TOMS (Themes, Outcomes and Measures) developed by the SVP;
  - 16.5.2. to address a Chosen Measure, it must be referred to in the supporting qualitative descriptions as submitted by the Bidder.
- 16.6. The Evaluation Panel will not infer information that is not expressly stated in the supporting qualitative descriptions.

**Table 9:** Evaluation Scoring Guidance (Tier 2: supporting qualitative descriptions)

Score Descriptor	Score	Evaluation Scoring Guidance
		In the opinion of the member of the Evaluation Panel, the Bidder’s response provides information which:
Very Good	5	<ul style="list-style-type: none"> <li>• addresses all aspects of the Chosen Measures; and</li> <li>• provides a clear methodology and relevant supporting information and does not contain weaknesses; and</li> <li>• provides complete confidence that the Bidder’s proposals will deliver all aspects of the Chosen Measures to a very high standard.</li> </ul>
Good	4	<ul style="list-style-type: none"> <li>• addresses all aspects of the Chosen Measures; and</li> <li>• provides a clear methodology and relevant supporting information, but may contain minor weaknesses; and</li> <li>• provides confidence that the Bidder’s proposals will deliver all aspects of the Chosen Measures to a high standard.</li> </ul>
Satisfactory	3	<ul style="list-style-type: none"> <li>• addresses all or almost all aspects of the Chosen Measures; and</li> <li>• provides a methodology and relevant supporting information, but may contain moderate weaknesses and/or gives rise to minor cause for concern in some areas; and</li> <li>• provides confidence that the Bidder’s proposals are likely to deliver all or almost all aspects of the Chosen Measures to a largely acceptable standard.</li> </ul>
Reservations	2	<ul style="list-style-type: none"> <li>• addresses aspects of the Chosen Measures partially and/or may contain omissions; and/or</li> </ul>

Score Descriptor	Score	Evaluation Scoring Guidance
		In the opinion of the member of the Evaluation Panel, the Bidder's response provides information which:
		<ul style="list-style-type: none"> <li>provides a methodology and supporting information but contains significant weaknesses and/or gives rise to cause for concern in many areas; and/or</li> <li>does not provide confidence that the Bidder's proposals are likely to deliver some aspects of the Chose Measures to a largely acceptable standard.</li> </ul>
Major Reservations	1 (Fail)	<ul style="list-style-type: none"> <li>addresses aspects of the Chosen Measures partially and/or may contain significant omissions; and/or</li> <li>provides a methodology and supporting information that is of limited relevance and contains significant weaknesses and/or gives rise to serious cause for concern in many areas; and/or</li> <li>does not provide confidence that the Bidder's proposals are likely to deliver all or almost all aspects of the Chosen Measures.</li> </ul>
Unacceptable	0 (Fail)	<ul style="list-style-type: none"> <li>does not substantively address the Chosen Measures and contains major omissions and/or no response; and/or</li> <li>provides a methodology and supporting information that is fundamentally inappropriate and/or gives rise to serious cause for concern in most areas; and/or</li> <li>does not provide confidence that the Bidder's proposals will meet the Chosen Measures.</li> </ul>

16.7. At the relevant moderation meeting, as described in section 6 of this Evaluation Framework, the Evaluation Panel (Social Value) will determine the total score for the supporting qualitative descriptions criterion for each submission as follows:

16.7.1. the moderated score for the supporting qualitative descriptions (Social Value Tier 2) criterion, will be divided by the maximum available score (5) set out in Table 9; and

16.7.2. the result will be multiplied by the maximum number of points available for the supporting qualitative descriptions (Social Value Tier 2) criterion as set out in Annex 1 to arrive at a weighted score for the supporting qualitative descriptions (Social Value Tier 2) criterion.

16.8. The quantitative targets (Social Value Tier 2) score will be calculated using the formula below.

16.8.1. The bidder submitting the highest aggregate target value (after any discounting made as a result of the evaluation) in their Social Value proposal will be scored the maximum available score for the quantitative element of the social value scoring, subject to satisfactory evidence being provided to support the proposal.

16.8.2. All other bidders will be scored in relation to the highest Social Value submission as follows:

$$(A \div B) \times C = X$$

Where:

A = the Bidder's social value financial proposal

B = the highest financial proposal submitted

C = the maximum score i.e. 50

X = the Bidder's weighted quantitative targets score.

16.9. Total Social Value Score

- 16.9.1. In order to calculate the Total Social Value (Tier 1) score, the weighted score for the supporting qualitative descriptions will be added to the weighted score for the quantitative targets.
- 16.9.2. The Total Social Value Score for each Bidder will be taken forward to calculate the Total Points for each Bidder (Stage 3 of the Evaluation Framework).

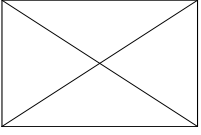
**STAGE 3 OF THE EVALUATION FRAMEWORK**

**17. TOTAL POINTS**

17.1. The Total Points for each submission will be awarded using the following formula:

Total Points = (points awarded for the Method Statements criterion + points awarded for the Robustness of the Bidder Financial Model criterion + points awarded for the Evaluation Price criterion + points awarded for the Social Value criterion).

**ANNEX 1: EVALUATION MODEL**



## **TERMS OF REFERENCE**

### **Joint Mobilisation Project Board**

#### **1 PURPOSE AND FUNCTION**

- 1.1 The Joint Mobilisation Project Board will oversee the mobilisation of the Waste, Recycling and Street Cleansing Contract due to commence in May 2025. The Joint Mobilisation Project Board shall provide senior level guidance for the programme of works required for mobilisation.
- 1.2 The Joint Mobilisation Project Board is advised by the Mobilisation Project Team on any issues arising and shall confirm decisions for implementation to the Mobilisation Project Team or Shared Service Manager who shall implement any decisions of the Joint Mobilisation Project Board. The Joint Mobilisation Project Board reports to the Councils.
- 1.3 The Joint Mobilisation Project Board shall meet alternate monthly unless a key decision or update is required sooner under the project plan.
- 1.4 The functions of the Joint Mobilisation Project Board are:
  - 1.4.1 to provide senior level guidance, leadership and strategy advice and steer in relation to the mobilisation of the Services and to approve recommendations from the Mobilisation Project Team and make recommendations to the respective Councils in respect thereto;
  - 1.4.2 to ensure the recommendations of the Executive and the Cabinet meetings on 25<sup>th</sup> October 2022, and 9<sup>th</sup> July 2024 and the Cabinet meeting of 12<sup>th</sup> December 2023 and the Executive meeting of 21<sup>st</sup> December 2023 in relation to the contract and service provision are implemented;
  - 1.4.3 make recommendations, having due regard to the services Aims and Principles agreed by Cabinet and Executive;
  - 1.4.4 to consider and make recommendations to each Council's Executive /Cabinet/Portfolio holder in relation to the reserved matters.
- 1.5 The Joint Mobilisation Project Board shall operate as a steering body and does not constitute a joint committee. It shall work within the existing decision-making frameworks of the Councils and in accordance with the levels of delegated authority assigned to the officers from time to time. The authority of executive members and officers who are members of the Joint Mobilisation Project Board shall not exceed the schemes of delegation as set out in each Council's respective constitutions. The Joint Mobilisation Project Board shall not have the authority to make binding decision on the parties collectively, any decisions shall be those of the individual Councils. Members and Officers shall act reasonably and in good faith in the interests of good contract management and partnership working.
- 1.6 No discussion, review or recommendation by the Joint Mobilisation Project Board shall relieve either Council of any liability or vary any such liability or any right or benefit.

#### **2 POWERS**

- 2.1 The Shared Service Manager on behalf of the Mobilisation Project Team shall present regular updates on the mobilisation to the Joint Mobilisation Project Board. The Joint Mobilisation Project Board shall oversee the mobilisation and provide guidance to the Mobilisation Project Team as required. The Heads of Service/Director have delegated authority within their respective constitutional delegations to make decisions in relation to the following matters (Ordinary Matters) in consultation with the Joint Mobilisation Project Board:

- 2.1.1 Approval of the mobilisation programme of works
  - 2.1.2 Oversight for related procurements
  - 2.1.3 Approval of communications plans and key messages;
  - 2.1.4 Approval of the contract Service Delivery Plan
  - 2.1.5 Approval of decisions on re-allocation of risk sharing.
  - 2.1.6 Approval of service change dates
- 2.2 The following matters (“Reserved Matters”), together with such other matters as the Heads of Service may determine, will be reported on by the Mobilisation Project Team for the Joint Mobilisation Project Board to discuss and make recommendations to the respective Councils who shall implement the recommendations as applicable. It is acknowledged that Representatives will not be empowered to make decisions in relation to Reserved Matters without referral to their own internal approval process. The following are Reserved Matters:
- 2.2.1 Financial pressures which become evident through the mobilisation including any increases to the budgetary envelope as agreed by the respective Councils;
  - 2.2.2 Financial spend associated with this project, e.g. Capital purchase of bins, EV charging infrastructure
  - 2.2.3 Any minor amendments to policies necessary to support service delivery

### **3 MEMBERSHIP**

- 3.1 The Joint Mobilisation Project Board shall consist of the following (“Representatives”):
- 3.1.1 The portfolio holders from each Council responsible for Waste\* and Communications. Either Council may nominate substitutes for a relevant executive member.
  - 3.1.2 Heads of Paid Service from each Council
  - 3.1.3 Director of Place from North Herts Council
  - 3.1.4 Head of Operations from East Herts Council
  - 3.1.5 Shared Service Manager from the Shared Waste Service (non-decision making)
  - 3.1.6 Head of Service/Director responsible for Digital Transformation/Customer Service from each Council
  - 3.1.7 Legal Representatives from each Council, (to provide advice as required)
  - 3.1.8 s151 Officers or a nominated representative

\*Shadow members/Deputies from time to time may observe meetings but consensus is not required from them to ensure balance of views from both Councils.

- 3.2 The Parties may appoint their Representatives onto the Joint Mobilisation Project Board and remove those Representatives and appoint replacements and or deputies, by written notice delivered by email or by hand to the Chair of the Joint Mobilisation Project Board at any time provided that any notice is received by the Chair prior to any meeting at which the replacement is intended to attend.
- 3.3 Any attendee at any meeting will be expected to declare any interest which may affect his or her judgement and/or impartiality in respect of any items to be discussed.
- 3.4 Other services and external consultants and advisers may be invited to attend meetings to present information to the Joint Mobilisation Project Board, respond to questions and queries and to assist the Joint Mobilisation Project Board reach decisions.

### **4 CHAIR**

- 4.1 The Chair rotates between the Executive Member for North Herts and Executive Member for East Herts for each Meeting.



- 4.2 The Chair in conjunction with the meeting secretary or Shared Service Manager (as applicable) shall be responsible for
- 4.2.1 scheduling and hosting Board meetings;
  - 4.2.2 chairing the Board meetings;
  - 4.2.3 monitoring the progress of any follow up tasks and activities agreed to be carried out following Board meetings;
  - 4.2.4 ensuring that minutes for Board meetings are recorded and disseminated electronically to the appropriate persons and to all Board meeting participants within fourteen (14) Working Days after the Board meeting; and
  - 4.2.5 facilitating the process or procedure by which any decision agreed at any Board meeting is given effect in the appropriate manner.
- 4.3 If a dispute arises at Joint Mobilisation Project Board the Chair of the meeting of the Joint Mobilisation Project Board shall use reasonable endeavours to facilitate the resolution of the Dispute in good faith and ensuring the relevant Members of the Joint Mobilisation Project Board cooperate with each other so as to advance the resolution of any Dispute. The Chair shall refer any Disputes which are not resolved at the Joint Mobilisation Project Board to the process set out in Clause 9.2.

## **5 QUORUM**

- 5.1 The following, or their suitable deputy, must be present to be quorate:
- 5.1.1.1 One elected Member from each Council,
  - 5.1.1.2 Director of Place from North Herts Council
  - 5.1.1.3 Head of Operations from East Herts Council
  - 5.1.1.4 Head of Service/Director for Digital Transformation/Customer Service from each Council
  - 5.1.1.5 Shared Service Manager.

## **6 DECISIONS**

### **6.1 Decisions on Ordinary Matters**

- 6.1.1 In line with the respective delegated authority of the Heads of Service/Director, all decisions on Ordinary Matters shall be made by the Heads of Service/Director from each Council in consultation with the Joint Mobilisation Project Board.

### **6.2 Reserved Matter Decisions of the Board.**

- 6.2.1 Any decision on Reserved Matters of the Board will be presented as a recommendation to the individual Councils.

## **7 MEETINGS**

- 7.1 Minutes of each meeting shall be recorded
- 7.2 Agendas for meeting shall be prepared by the Shared Service Manager and circulated at least 1 week before the date of any meeting.

Ref	Project Title	Project Description	Dependant Projects	NHC Directorate/Service Lead	EHC Department Lead	Project Lead Officer	Waste Service Officer Lead	Other departmental involvement/ stakeholders	Start Dates	End Date	Revised Start Date	Revised End Date	Original Risk Likelihood	Original Risk Impact	Original Risk Score 1-9	Current Risk Likelihood	Current Risk Impact	Current Risk Score 1-9
WM1	Recruitment of Comms officer	New job description Job evaluation Advert and recruitment Training		Shared Waste Service	Shared Waste Service	LO	LO	Communications teams NHC HR	Jan-24	Apr-24	Jun-24		Low	Medium	3	Low	Medium	3
WM2	Glendale move and depot reconfiguration	Liaison with Glendale Confirmation of new site Lease/contract amendments amendments Develop of new site Relocation Reconfiguration of Buntingford depot	WM10 WM22 WM23	N/A	Property Services	GH	CH	EHC Parks and Open Space EHC Legal Glendale	Jan-24	Nov-24			Medium	Medium	5	Medium	Medium	5
WM3	Litter Bin Project - 30% reduction	Development of location criteria Assessment matrix of use and coverage Identification of potential locations Member engagement Removals and relocations Storage and disposal		Shared Waste Service	Shared Waste Service	JL	JL	EHC Members NHC Members EHC Parks and Open Spaces NHC Parks and Open Spaces	Jan-24	Dec-24			Medium	Medium	5	Medium	Medium	5
WM4	Flats - recycling provision refresh	Review of existing recycling and residual capacity Identify weekly residual waste services which can move fortnightly Determination of needs - case by case Engagement with Managing agents - case by case Bin procurement Bin delivery Resident engagement		Shared Waste Service	Shared Waste Service	JL/KLW	JL/KLW	Housing Associations Managing Agents	Jan-24	Dec-24	Jul-24		Medium	Low	2	Medium	Low	2
WM5	Flexcollect - Phase 2	Identification of area of expansion Decision making cycles x2 Resident communications Delivery of sacks Mobilisation		Shared Waste Service	Shared Waste Service	GB	GB	EHC Members NHC Members	Jan-24	Apr-24		Sep-24	Low	Low	1	Low	Low	1
WM6	Commercial Food Waste	Set pricing structure Agree disposal arrangements with HCC Agree a delivery programme and capacity with Urbaser Marketing Business sign up Mobilisation	WM13 WM21 WM31	Shared Waste Service	Shared Waste Service	LO	LO	EHC Finance NHC Finance EHC Comms team NHC Comms team	Jan-24	Mar-25	Nov-24		Low	Low	1	Low	Low	1
WM7	Planning guidance update x2	Identification of changes required to SPDs Development of new guidance and standard conditions Updates to websites		Shared Waste Service	Shared Waste Service	JL	JL	EHC Planning NHC Planning	Jan-24	Dec-24	Aug-24		Low	Low	1	Low	Low	1
WM8	Caddy procurement (EHC)	Finalisation of numbers Source storage location Develop specification Develop procurement route and evaluation process Undertake procurement		N/A	Shared Waste Service	JL	JL	Stevenage Procurement EHC Finance EHC Legal HWP	Feb-24		Jun-24		Medium	High	8	Medium	High	8
WM9	EV Charging Infrastructure - Letchworth	Identification of needs development of specification Determination of costs/funding Decision making cycle Application for grid capacity Contingency planning Procurement Installation	WM22 WM23			MC	CH	NHC Procurement NHC Finance NHC Property Service NHC Legal	Feb-24	Apr-25			High	Medium	7	High	Medium	7
WM10	EV Charging Infrastructure - Buntingford Fuel tank procurement and installation	Identification of needs development of specification Determination of costs/funding Decision making cycle Application for grid capacity Contingency planning Procurement Installation	WM22 WM23				CH	Stevenage Procurement EHC Finance EHC Property Service EHC Legal	Feb-24	Dec-24			High	Medium	7	High	Medium	7
WM11	Transfer of customer service function in- house	Liaison with Urbaser Identification of staff eligible for TUPE Staff consultation Determination of transition arrangements Formal transfer processes Training and induction Subsequent recruitments	WM23	Customer Service & IT	N/A	CJ	LO	Urbaser	Feb-24	Dec-24			Medium	Medium	5	Medium	Medium	5

Ref	Project Title	Project Description	Dependant Projects	NHC Directorate/Service Lead	EHC Department Lead	Project Lead Officer	Waste Service Officer Lead	Other departmental involvement/ stakeholders	Start Dates	End Date	Revised Start Date	Revised End Date	Original Risk Likelihood	Original Risk Impact	Original Risk Score 1-9	Current Risk Likelihood	Current Risk Impact	Current Risk Score 1-9
WM12	Signing of Inter Authority Agreement prior to contract award	Review of IAA draft documents Liaison between authorities Determination of constitution impacts/working practice impacts Liaison with Members Signing		Shared Waste Service	Shared Waste Service	CH	CH	All	Feb-24	May-24			Medium	Low	2	Medium	Low	2
WM13	Recruitment of Trade Officer	New job description Job evaluation Advert and recruitment Training		Shared Waste Service	Shared Waste Service	LO	LO	Communications teams NHC HR	Jun-24	Jan-25	Jan-25	Apr-25	Low	Low	1	Low	Low	1
WM14	Refresh of waste and street cleansing policies	Review of existing policies Determination of criteria for exceptions policies Member liaison/ partnership board consideration Decision making cycle x 2 Communication with existing customers Updates to website Changes to online forms/customer service information		Shared Waste Service	Shared Waste Service	CH	CH	EHC Members NHC Members EHC Customer Service NHC Customer Service	Feb-24	Sep-24			Low	Low	1	Low	Low	1
WM15	Garden Waste Portal - NHC	Development of specification Design of new portal Build of new portal Integration with finance systems for DDs Integration with card payment system Integration with waste management IT system Integration with benefits system System testing Soft launch user testing New subscription year - go live	WM18 WM20	Customer Service & IT	N/A	CJ	SM/GB	NHC Procurement NHC Finance NHC IT NHC Legal Urbaser Digital Peanut	May-24	Dec-24			High	High	9	High	High	9
WM16	Garden Waste Portal - EHC	Development of specification Design of new portal Build of new portal Integration with finance systems for DDs Integration with card payment system Integration with waste management IT system System testing Soft launch user testing New subscription year - go live	WM17 WM19	N/A	Transformation	AS	SM/GB	Stevenage Procurement EHC Finance Stevenage IT EHC Legal EHC Customer Service Urbaser Digital Peanut	May-24	Dec-24			High	High	9	High	High	9
WM17	Set Up Integrated Online Forms - EHC	Identify data capture requirements and reporting needs Set up forms Integration with waste management IT system Integration with card payment systems System testing Soft launch user testing Mobilisation - go live	WM16	N/A	Transformation	AS	LO	EHC Customer Service	Jun-24	Feb-25			Medium	High	8	Medium	High	8
WM18	Set Up Integrated Online Forms - NHC	Identify data capture requirements and reporting needs Set up forms Integration with waste management IT system Integration with card payment systems System testing Soft launch user testing Mobilisation - go live	WM15	Customer Service & IT	N/A	CJ	LO		Jun-24	Feb-25			Medium	High	8	Medium	High	8
WM19	Migration of Garden Waste Direct Debit EHC Customers	Determination if list transfer possible Determination of system to be used System setup Testing Communication with subscribers Re-signup	WM16	N/A	Finance	AH	LO	EHC Finance Stevenage IT EHC Customer Service Urbaser	Jul-24	Mar-25			High	High	9	High	High	9
WM20	Migration of Garden Waste Direct Debit NHC Customers	Determination if list transfer possible System setup Testing Communication with subscribers Re-signup	WM15	Resources	N/A	RC	LO	NHC Finance NHC IT NHC Customer Service Urbaser	Jul-24	Mar-25			Medium	High	8	Medium	High	8
WM21	Trade Waste Software	Identification of capabilities of Provider solution Determination of any outstanding system needs Decision on existing Whitespace solution Re-procurement System set and configuration System integration with finance systems X 2 System testing Data migration Soft launch testing	WM6	Shared Waste Service	Shared Waste Service	SM	SM	EHC Finance NHC Finance EHC Customer Service NHC Customer Service	Jul-24	Mar-25			Medium	Medium	5	Medium	Medium	5

Ref	Project Title	Project Description	Dependant Projects	NHC Directorate/Service Lead	EHC Department Lead	Project Lead Officer	Waste Service Officer Lead	Other departmental involvement/ stakeholders	Start Dates	End Date	Revised Start Date	Revised End Date	Original Risk Likelihood	Original Risk Impact	Original Risk Score 1-9	Current Risk Likelihood	Current Risk Impact	Current Risk Score 1-9
WM22	De-mobilisation	Demobilisation of Letchworth depot Demobilisation of Buntingford depot Stock checks Asset checks and maintenance Condition survey Letchworth depot Condition survey Buntingford depot Data transfer/deletion as appropriate Novation of contracts		Shared Waste Service	Shared Waste Service	JL	JL	EHC Property Services NHC Property Services	Jul-24	Apr-25			Medium	Medium	5	Medium	Medium	5
WM23	Mobilisation	See separate preferred bidder spreadsheet	WM22	Shared Waste Service	Shared Waste Service	CH	CH	All	Jul-24	Apr-25			Low	High	6	Low	High	6
WM24	Procurement of MRF contract	Soft market testing Decision cycles Specification drafting Procurement exercise Evaluation Decision cycle Mobilisation		Shared Waste Service	Shared Waste Service	CH	CH	NHC Procurement EHC Finance NHC Finance EHC Legal NHC Legal HWP	Sep-24	May-25	May-25		Medium	High	8	Medium	High	8
WM25	EH Garden Waste Subscriptions 25/26	Agree pricing for 25/26 System set up DD sign up Subscription year communications Exception management	WM16 WM17 WM19	N/A	Shared Waste Service	LO/SM	LO/SM	EHC Finance	Sep-24	Jan-25			Medium	High	8	Medium	High	8
WM26	NH Garden Waste Subscriptions 25/26	Agree pricing for 25/26 System set up DD sign up Subscription year communications Benefits system check Exception management	WM15 WM18 WM20	Shared Waste Service	N/A	LO/SM	LO/SM	NHC Finance	Sep-24	Jan-25			Medium	High	8	Medium	High	8
WM27	Bins Procurement	Finalisation of numbers Source storage location Develop specification Develop procurement route and evaluation process Undertake procurement		Shared Waste Service	Shared Waste Service	JL	JL	NHC Procurement EHC Finance NHC Finance EHC Legal NHC Legal HWP	Oct-24				Medium	High	8	Medium	High	8
WM28	Data cleansing and IT system configuration	Data cleansing of existing data set Determination of files for transfer to Provider Agreement of system assets set up Agreement of field configuration Business Process Mapping System set up	WM23	Shared Waste Service	Shared Waste Service	SM	SM	EHC Customer Service NHC Customer Service EHC Transformation Team NHC IT team	Dec-24	Mar-24			Medium	Medium	5	Medium	Medium	5
WM29	Caddy & Bin Roll Out	Organisation of storage Determination of delivery sequence Communication messages to residents Writing of schedules Writing of FAQs Issues management Deliveries management	WM23	Shared Waste Service	Shared Waste Service	GB	GB	Communications teams NHC Customer Service EHC Customer Service Provider	Jan-25	Jul-25			Medium	High	8	Medium	High	8
WM30	Recruitment of temporary staff	review job description Advert and recruitment Training		Shared Waste Service	Shared Waste Service	LO	LO	Communications teams NHC HR	Jun-25	Jul-25			Low	Medium	3	Low	Medium	3
WM31	Trade Waste Direct Debit	System set up System testing Notification to customer base Customer set up Invoice run Communication to outstanding customer base	WM6	N/A	Finance	AH	LO	EHC Customer Service EHC Finance Team EHC IT Team	Jan-24	Oct-24	Jun-24	Jan-25	High	Medium	7	High	Medium	7
WM32	New contract mobilisation communications	Development of communications plan All member communications Developments of FAQs Communication on changes to customer service	WM1	Shared Waste Service	Shared Waste Service	LO	LO	Communications teams NHC Customer Service EHC Customer Service Members Provider	Jul-24	Jun-25			Low	Low	1	Low	Low	1
WM33	New service communications	Development of communications plan All member communications Developments of FAQs Communication on changes to customer service Day change communications Service change specific communications Opt in/out communications Trouble shooting/how to comms Triaging route identification	WM1	Shared Waste Service	Shared Waste Service	LO	LO	Communications teams NHC Customer Service EHC Customer Service Members Provider	Jan-25	Oct-25			Medium	High	8	Medium	High	8

Ref	Project Title	Project Description	Dependant Projects	NHC Directorate/Service Lead	EHC Department Lead	Project Lead Officer	Waste Service Officer Lead	Other departmental involvement/ stakeholders	Start Dates	End Date	Revised Start Date	Revised End Date	Original Risk Likelihood	Original Risk Impact	Original Risk Score 1-9	Current Risk Likelihood	Current Risk Impact	Current Risk Score 1-9
WM34	Transfer or closure of Buntingford Toilet	Decision regarding refurbishment, new cleaning contract or closure		N/A			CH	Communications team Members Property Services Buntingford Town Council	Sep-24	Apr-25			Low	Low	1	Low	Low	1
WM35	Review of chargeable services and charging	Determine variance from existing costs Consider alternative charging structures Review margins Draft charging proposals	WM36	Shared Waste Service	Shared Waste Service	LO	LO	Finance Teams Members	Aug-24	Jan-25			Medium	Medium	4	Medium	Medium	4
WM36	Review of budgets	Determine variance from existing budgets Consider needs for alternative budget structure Consider impact of chargeable services Consider impact of new services on processing/haulage and recycling sales	WM35			CH	CH	Finance Teams Members	Jul-24	Oct-24			Medium	Medium	4	Medium	Medium	4
WM37	Collection contract signing & consideration of anticipated changes	Letter of intent Agreements re- vehicle procurement Determine requirements for anticipated changes Finalisation of leases Finalisation of contract documentation	All	Legal Services	Legal Services		CH	Finance Teams Legal Services	Jul-24	May-25			Medium	Medium	4	Medium	Medium	4



Department  
for Environment  
Food & Rural Affairs

# Consultation on exemptions and statutory guidance for Simpler Recycling in England

October 2023



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Any enquiries regarding this publication should be sent to us at

[recycling@defra.gov.uk](mailto:recycling@defra.gov.uk)

# About the consultation

## Background

Following support at public consultation, the Environment Act 2021 amended the Environmental Protection Act 1990 to include new requirements relating to the collection of recyclable waste in England. In 2021 the government consulted on the detail to go into regulations, including on the materials in scope of collection, exemptions, and implementation dates. This consultation seeks views on proposed exemptions from the requirement separately collect the recyclable waste streams and statutory guidance.

## Stakeholder engagement

We have engaged with stakeholders leading up to, and since, the publication of our 2021 consultation: Consistency in household and business recycling in England. We sought views on certain exemptions and the content of the statutory guidance in our 2021 consultation and are now seeking views on additional exemptions and draft statutory guidance text.

We engaged with a wide range of stakeholders which are affected by these proposals ahead of the publication of our 2021 consultation. We have engaged with the following bodies: the Local Government Association (LGA); Association of Directors of Environment, Economy, Planning & Transport (ADEPT); National Association of Waste Disposal Officers (NAWDO); The Local Authority Recycling Advisory Committee (LARAC); the District Councils' Network (DCN); and some individual local authorities. We have also engaged with waste industry bodies, including, the Environmental Services Association (ESA); Renewable Energy Association (REA); Anaerobic Digestion & Bioresources Association (ADBA); the Bio-based and Biodegradable Industries Association (BBIA); and representatives of waste collection operators and recycling re-processors.

The Waste and Resources Action Programme (WRAP) and the Environment Agency have provided input into this consultation.

## Audience

This is a private consultation. We welcome responses from stakeholders which have received an invitation to respond from Defra.

## Responding to the consultation

Please respond to this consultation in one of following ways:

Online using the citizen space consultation at <https://consult.defra.gov.uk/waste-and-recycling/5576d1f1>

Send your response by email to [recycling@defra.gov.uk](mailto:recycling@defra.gov.uk)

Or in writing to:

Simpler Recycling Team,

Defra

Ground Floor Seacole



2 Marsham Street

SW1P 4DF

Please note, any responses sent by post must have arrived at the above address by the closing date of the consultation (20 November 2023) to be counted. Unfortunately, any responses received after this date will not be analysed. To ensure your response is included in the analysis, please consider responding online via Citizen Space.

## Duration

This consultation will run for 4 weeks. The consultation opens on 21 October 2023 and closes on 20 November 2023.

## Confidentiality and data protection information

Defra may publish the content of your response to this consultation to make it available to the public without your personal name and private contact details (for example, home address, email address, etc).

If you click on 'Yes' in response to the question asking if you would like anything in your response to be kept confidential, you are asked to state clearly what information you would like to be kept as confidential and explain your reasons for confidentiality. The reason for this is that information in responses to this consultation may be subject to release to the public or other parties in accordance with the access to information law (these are primarily the Environmental Information Regulations 2004 (EIRs), the Freedom of Information Act 2000 (FOIA) and the Data Protection Act 2018 (DPA)). We have obligations, mainly under the EIRs, FOIA and DPA, to disclose information to particular recipients or to the public in certain circumstances. In view of this, your explanation of your reasons for requesting confidentiality for all or part of your response would help us balance these obligations for disclosure against any obligation of confidentiality. If we receive a request for the information that you have provided in your response to this consultation, we will take full account of your reasons for requesting confidentiality of your response, but we cannot guarantee that confidentiality can be maintained in all circumstances.

If you click on 'No' in response to the question asking if you would like anything in your response to be kept confidential, we will be able to release the content of your response to the public, but we will not make your personal name and private contact details publicly available.

There may be occasions when Defra will share the information you provide in response to the consultation, including any personal data with external analysts. This is for the purposes of consultation response analysis and provision of a report of the summary of responses only.

Defra is the data controller in respect of any personal data that you provide, and [Defra's Personal Information Charter](#) gives details of your rights in respect of the handling of personal data.

## Compliance with the consultation principles

This consultation is being conducted in line with [government consultation principles](#).

If you have any comments or complaints about the consultation process, please address them to: [consultation.coordinator@defra.gov.uk](mailto:consultation.coordinator@defra.gov.uk)

## About you

**Q1. Would you like your response to be confidential?** Please see the confidentiality and data protection information in the above section of this document. (Required)

- Yes
- No

If you have answered 'Yes' above, please give your reason.

**Q2. What is your name?**

**Q3. What is your email address?** (Required)

**Q4. Which of the options below best describes you?**

Please tick only one option. If multiple categories apply to you, please choose the one which **best describes you** and which you are representing in your response. (Required)

- Academic or research
- Business representative organisation/trade body
- Charity or social enterprise
- Community group
- Consultancy
- Distributor
- Exporter
- Individual
- Local government
- Non-governmental organisation
- Operator/reprocessor
- Packaging designer/manufacturer/pack filler
- Retailer including online marketplace
- Waste management company
- Other (please provide details)

**Q5. If you are responding on behalf of an organisation, what is its name?**

# Executive summary

In this consultation we are seeking views on proposed exemptions to the requirement to collect the core recyclable waste streams separately from each other and the statutory guidance for the regulations related to Simpler Recycling.

## 1. Exemptions to the requirement to collect core recyclable waste streams separately from each other

We propose to introduce two exemptions in the regulations to allow local authorities and other waste collectors to always co-collect recyclable waste in a recyclable waste stream with at least one other recyclable waste stream, as long as dry recycling is collected separately from residual and organic. We propose for the following materials to be able to be collected together in one bin from both households and non-municipal households:

- Paper and card, plastic, metal and glass
- Food and garden waste

The government wants to ensure that recycling is made as simple as possible for citizens, give local authorities as much flexibility as possible, and avoid a proliferation of different bins causing 'bin blight'.

## 2. Statutory guidance

We are consulting on the statutory guidance for the regulations related to Simpler Recycling. The proposed statutory guidance in **Annex 1** is drafted in three parts:

1. Guidance on materials in and out of scope
2. Guidance on waste collections from households
3. Guidance on waste collections from commercial, industrial and relevant non-domestic premises (together referred to as 'non-household municipal premises')

The guidance will apply to England only. The guidance is aimed at waste collection authorities or other waste collectors collecting household waste from households, household waste from relevant non-domestic premises, and relevant waste.

The guidance is also aimed at anyone that makes arrangements for the collection of household waste from relevant non-domestic premises, or relevant waste from premises that produce commercial or industrial waste, such as business owners.

The guidance seeks views on proposals to include guidance on:

- Materials in scope of the recyclable waste streams
- Dry recycling collections from households
- Organic waste collections from households
- Residual waste collections frequency
- Food waste collections from non-household premises

# 1. Exemptions from the requirement to collect the recyclable waste streams separately from each other

The Environment Act as it stands would require local authorities to collect six recyclable waste streams (glass, metal, plastic, paper and card, food waste and garden waste) separately from residual (non-recyclable) waste, and separately from each other unless there was a technical, economic or environmental exception to allow separate collection. In practice this could lead to a situation where households would need to sort their waste into multiple different containers.

New section 45AZC of the Environmental Protection Act 1990 gives powers to the Secretary of State to set exemptions in regulations, from the requirement to collect recyclable waste in each of the recyclable waste streams separately in relation to two or more recyclable waste streams. The Secretary of State can exercise this power if satisfied that doing so will not significantly reduce the potential of the recyclable waste streams to be recycled or composted.

An exemption would allow local authorities and other waste collectors to always co-collect recyclable waste in a recyclable waste stream with at least one other recyclable waste stream. The government wants to ensure that recycling is made as simple as possible for citizens, give local authorities as much flexibility as possible, and avoid a proliferation of different bins causing 'bin blight'.

On further examination of the evidence base, we consider that there is sufficient evidence that the co-collection of dry recyclable materials will not significantly reduce their potential to be recycled, so long as dry recycling is collected separately from residual and organic waste. Based on available data, we have not identified a conclusive link that co-collection has a significant impact on recycling rate. Six of the top 10 local authorities in terms of 'household waste' recycling rate in England in 2021/22 provided a co-mingled service for dry materials. We are seeking views on providing exemptions to allow for the following recyclable waste streams to be collected together (in one bin), from both households and non-household municipal premises:

- Paper and card, plastic, metal and glass
- Food and garden waste

Please note, in all circumstances, the requirement that the dry recyclable waste streams must be collected separately from food and garden waste would still apply.

## Questions

**Q6. Do you agree with the provision of an exemption to allow for the co-collection of paper and card, plastic, metal and glass in one bin without needing a written assessment?**

- Agree (please explain why you agree)
- Disagree (please explain why you disagree)
- Unsure (please explain why you are unsure)

**Q7. Do you agree with the provision of an exemption to allow for the co-collection of food and garden waste in one bin without needing a written assessment?**

- Agree (please explain why you agree)
- Disagree (please explain why you disagree)
- Unsure (please explain why you are unsure)

## 2. Statutory guidance

We are consulting on statutory guidance that will be issued in accordance with new section 45AZE of the Environmental Protection Act 1990, once it comes into force. There is a consultation requirement before issuing guidance under new section 45AZE. However, this can be met by a consultation that is carried out before the section comes into force.

Please find the draft statutory guidance text in full in **Annex 1**.

Below, we have asked for your views where there is text that proposes new guidance. Questions are not included where the text only restates something that is or is proposed to be in legislation.

The final statutory guidance will be published after the regulations relating to Simpler Recycling (formerly titled Consistency in Recycling) have been made. The draft guidance is therefore written on the assumption that the regulations will be made as per the approach proposed in Section 1 of this consultation. However, this is subject to the outcome of this consultation and the Parliamentary process and the final guidance will be amended, if necessary, to reflect the regulations as they are eventually made.

The proposed statutory guidance in **Annex 1** is drafted in three parts:

1. Guidance on materials in and out of scope
2. Guidance on waste collections from households
3. Guidance on waste collections from commercial, industrial and relevant non-domestic premises (together referred to as 'non-household municipal premises')

The guidance will apply to England only. The guidance is aimed at waste collection authorities or other waste collectors collecting household waste from households, household waste from relevant non-domestic premises, and relevant waste. Relevant waste is waste from industrial or commercial premises which is similar in nature and composition to household waste.

The guidance is also aimed at anyone that makes arrangements for the collection of household waste from relevant non-domestic premises, or relevant waste from premises that produce commercial or industrial waste, such as business owners. All relevant waste collection authorities, waste disposal authorities and other waste collectors must have regard to the guidance when carrying out their waste management duties.

Please read the proposed statutory guidance text in **Annex 1** before answering the consultation questions.

## Questions

### **Proposed guidance on materials in scope of the recyclable waste streams**

**Q8. The guidance advises that waste collection authorities should build flexibility into their contracts to ensure materials can be added/removed to the recyclable waste streams as new recycling technologies develop. Do you agree or disagree with the content of this section?**

- Agree
- Disagree
- Unsure

If you disagree, please select one of the following to best describe why:

- Further content should be added (please explain why further content should be added)
- Content should be removed (please explain why content should be removed)
- Other (please explain)

**Q9. Do you agree or disagree with the contents of the list above, detailing the materials that are out of scope of the recyclable waste streams?**

- Agree
- Disagree
- Unsure

If you disagree, please select one of the following to best describe why:

- Materials should be added (please specify which materials)
- Materials should be removed (please specify which materials)
- Other (please explain)

### **Proposed guidance on dry recyclable waste collections from households**

**Q10. Guidance is provided regarding the requirement to collect dry recycling from premises and the use of communal bins. Do you agree or disagree with the content of this section?**

- Agree
- Disagree
- Unsure

If you disagree, please select one of the following to best describe why:

- Further content should be added (please explain why further content should be added)
- Content should be removed (please explain why content should be removed)

- Other (please explain)

## **Proposed guidance on organic recyclable waste collections from households**

In Annex 1 section 2.1.2 of the statutory guidance on organic recyclable waste, we propose to include guidance on the provision of caddy liners to households for food waste collections. In the 2019 and 2021 consultations on "Consistency in Household and Business Recycling in England," we consulted on the use of caddy liners. Before taking a final view, we are seeking additional evidence on the environmental impact of caddy liners made from different materials. Subject to the evidence, which will be considered together with the consultation responses, we expect to include guidance on the provision of caddy liners which could include information on preferred materials for caddy liners if a local authority chooses to supply them. We will take into consideration the environmental impacts of caddy liner materials when providing information on material preference.

### **Q11. Is there any additional guidance that would be useful regarding the provision of caddy liners?**

- Yes (please explain what additional guidance would be useful)  
 No  
 Unsure (please explain why you are unsure)

### **Q12. Guidance is provided regarding the requirement to collect food waste from premises and the use of communal bins. Do you agree or disagree with the content of this section?**

- Agree  
 Disagree  
 Unsure

If you disagree, please select one of the following to best describe why:

- Further content should be added (please explain why further content should be added)  
 Content should be removed (please explain why content should be removed)  
 Other (please explain why)

### **Q13. The guidance provides advice on collection frequency of garden waste. Do you agree or disagree with the advice on collection frequency of garden waste?**

- Agree  
 Disagree  
 Unsure

If you disagree, please select one of the following to best describe why:

- Further content should be added (please explain why further content should be added)  
 Content should be removed (please explain why content should be removed)



Other (please explain why)

**Q14. The guidance outlines that anaerobic digestion is the preferred method for treating food waste, where suitable, but composting is also permitted. Do you agree or disagree with the content of this section?**

- Agree
- Disagree
- Unsure

If you disagree, please select one of the following to best describe why:

- Further content should be added (please explain why further content should be added)
- Content should be removed (please explain why content should be removed)
- Other (please explain why)

### **Proposed guidance on residual waste collections from households**

Government expects a minimum service frequency for residual waste collections of fortnightly in England. We therefore propose that the statutory guidance sets out that local authorities should provide residual waste collections on at least a fortnightly basis. The government actively encourages councils to collect residual waste more frequently than fortnightly; this minimum standard provides a backstop, not a recommendation. The combination of the backstop on residual collections alongside the new weekly food waste collections will ensure frequent collections of smelly waste, and will stop a trend towards three or four weekly bin collections seen in some local authorities across the UK, particularly in Wales.

The New Burdens Doctrine aims to ensure that local government receives the support it needs. Local authorities will receive New Burdens funding in respect of all the new recycling requirements, but the doctrine is applied at ministerial discretion, and ministers at the Department for Levelling Up, Housing and Communities have decided to waive the New Burdens Doctrine in respect of mandatory fortnightly minimum residual waste collection.

There is a long-standing principle, since the establishment of local government, that councils should collect residual waste to protect local amenity and the local environment. Councils already receive funding from council tax and from the Local Government Finance Settlement for such essential 'core' services for the public. It would create perverse incentives to give extra funding to the small number of councils that have cut such essential core services.

**Q15. The guidance outlines a backstop on the frequency of collection of residual waste, to protect householders' local amenity. Do you agree or disagree with the content of this section?**

- Agree
- Disagree
- Unsure

If you disagree, please select one of the following to best describe why:

- Further content should be added (please explain why further content should be added)
- Content should be removed (please explain why content should be removed)
- Other (please explain why)

## **Proposed guidance on food waste collections from non-household municipal premises**

**Q16. The guidance outlines that anaerobic digestion is the preferred method for treating food waste, where suitable, but composting is also permitted. Do you agree or disagree with the content of this section?**

- Agree
- Disagree
- Unsure

If you disagree, please select one of the following to best describe why:

- Further content should be added (please explain why further content should be added)
- Content should be removed (please explain why content should be removed)
- Other (please explain why)

# Annex 1: Proposed statutory guidance text

## 1. Statutory guidance on materials in and out of scope

### 1.1 Materials in scope

This guidance deals with both recyclable household waste and recyclable relevant waste (waste from industrial or commercial premises which is similar in nature and composition to household waste). Waste is classified as recyclable household waste or recyclable relevant waste if it is included within one of the recyclable waste streams and it is of a description set out in regulations.

The recyclable waste streams are: paper and card; glass; metal; plastic; food waste; and garden waste. See regulations for a description of each recyclable waste stream.

#### **Adding and removing materials to and from recyclable waste streams**

As new recycling technology becomes available, the regulations may be amended to ensure the description of each recyclable waste stream remains up to date and includes as much material that is recyclable as possible. Waste collection authorities and other waste collectors should seek to build flexibility into relevant contracts (for instance, with waste management companies and reprocessors) to add or remove materials as appropriate.

### 1.2 Materials out of scope

For the avoidance of doubt, the following materials are not in scope of the recyclable waste streams and are not required to be collected for recycling or composting. This list is not exhaustive but refers to items which may commonly be confused with the materials in scope of recyclable waste collection. As new recycling technology becomes available, this list will be reviewed over time and may be updated. This list is adapted from the [WRAP Recycling Guidelines](#).

<b>Recyclable waste stream</b>	<b>Examples of other items or materials not in scope for collection from households and non-household municipal premises</b>
<b>Glass</b>	<ul style="list-style-type: none"><li>• Ceramics, for example crockery, earthenware</li><li>• Drinking glasses</li><li>• Flat glass</li><li>• Glass cookware including Pyrex</li><li>• Light bulbs and tubes</li><li>• Microwave plates</li><li>• Mirrors</li><li>• Vases</li></ul>

	<ul style="list-style-type: none"> <li>• Window glass</li> </ul>
<b>Metal</b>	<ul style="list-style-type: none"> <li>• Laminated foil, for example pet food pouches, coffee pouches</li> <li>• General kitchenware, for example cutlery, pots and pans</li> <li>• Any other metal items, for example kettles, irons, pipes, white goods</li> </ul>
<b>Plastic</b>	<ul style="list-style-type: none"> <li>• Any plastic packaging or non-packaging items labelled as “compostable” or “biodegradable” (including but not limited to coffee pods), with the exception of food waste caddy liners</li> <li>• Plastic pouches with laminated foil layer, for example, pet food pouches, coffee pouches</li> <li>• Plastic bottles containing white spirits, paints, engine oils and antifreeze</li> <li>• Bulky rigid plastics such as garden furniture, bins and plastic toys</li> <li>• Polystyrene (expanded and high impact)</li> <li>• Polyvinyl chloride (PVC) packaging</li> </ul>
<b>Paper and card</b>	<ul style="list-style-type: none"> <li>• Absorbent hygiene products (AHPs) including nappies, period products and incontinence items</li> <li>• Cotton wool, make up pads</li> <li>• Tissue/toilet paper</li> <li>• Wet wipes</li> </ul>
<b>Food waste</b>	<ul style="list-style-type: none"> <li>• Any plastic packaging or non-packaging items labelled as “compostable” or “biodegradable” (including but not limited to coffee pods), with the exception of food waste caddy liners</li> </ul>
<b>Garden waste</b>	<ul style="list-style-type: none"> <li>• Animal bedding</li> <li>• Bulky waste (including but not limited to garden furniture and fencing)</li> <li>• Garden tools or other gardening equipment</li> <li>• Plant pots</li> <li>• Plastic</li> <li>• Sand</li> <li>• Sawdust</li> <li>• Stone, gravel or bricks</li> <li>• Tea bags or coffee grounds</li> </ul>

## 2. Statutory guidance on the collection of waste from households

### 2.1 Duties of waste collection authorities

The recyclable household waste streams must be collected for recycling or composting. The requirements for each waste stream are explained below. If a waste collection authority employs another waste collector, the waste collection authority must ensure that the waste collector has regard to this guidance.

#### 2.1.1 Dry recyclable materials

Section 45A of the Environmental Protection Act 1990 outlines the requirements for separate collection of the dry recyclable waste streams: paper and card; glass; plastic; and metal.

##### Collection requirements

Waste collection authorities must collect the dry recyclable waste streams separately from residual waste in all circumstances. Dry recyclable waste stream must be collected separately from food and garden waste in all circumstances.

Waste collection authorities can decide how to collect dry recyclable waste streams, i.e. in multiple recycling bins (or bags), or co-mingled in one bin. An exemption has been provided in regulations to allow for the co-collection of dry recyclable waste streams, and therefore waste collection authorities are **not** required to complete a written assessment to justify this.

Note that while loose metal lids should be included in the metal waste stream, metal lids and caps on glass containers (for example, metal jam jar lids) can be left on and recycled with glass. Putting the lids or caps back on glass jars and bottles and recycling them with glass reduces the chance of them getting lost through the sorting process.

##### Collecting from premises

Under section 45(1)(a) of the Environmental Protection Act 1990, waste collection authorities are required to arrange for the collection of household waste unless it is situated at a place which in the opinion of the authority is so isolated or inaccessible that the cost of collecting it would be unreasonably high, and the authority is satisfied that adequate arrangements for its disposal have been or can reasonably be expected to be made by a person who controls the waste. Where there is a duty to collect waste under section 45(1)(a) of the Environmental Protection Act 1990, section 45A will apply in England.

The expectation is that households should receive an equivalent collection service for recycling as they do for residual waste. By this, we mean that where there is a duty to collect household waste, recycling should also be collected directly from the premises. Section 45A does not allow for comparable alternative arrangements. As a result, providing a 'bring bank' recycling service would not fulfil the duty to collect household

waste. These services should only be provided to supplement collections from households. For some flats and communal properties, it may be more suitable to collect residual waste from a communal on-site bin. In these cases, it may be appropriate to similarly collect the recyclable waste streams from communal on-site bins.

### **Collection frequency**

The frequency of collection of the dry recyclable waste streams should take into consideration the collection methodology employed, including container capacity.

As volumes of recyclable waste may change over time, we recommend that local authorities consider regularly reviewing the collection frequency and container capacity provided.

## **2.1.2 Organic recyclable materials**

Section 45A of the Environmental Protection Act 1990 sets out the requirements for the separate collection of food and garden waste.

### **Collection requirements**

Waste collection authorities must collect food and garden waste separately from the dry recyclable waste streams in all circumstances. All food waste must be handled and treated in compliance with [Animal By-Product Regulations](#).

Unlike the other recyclable waste streams, the duty to collect garden waste does not arise until the collection is requested and, if appropriate, paid for. However, once there is a duty to collect garden waste, the waste collection authority must meet the requirements set out in section 45A of the Environmental Protection Act 1990. The position remains that, under section 45(3) of the Environmental Protection Act 1990 and the Controlled Waste (England and Wales) Regulations 2012, a waste collection authority may recover a reasonable charge for the collection of garden waste from households. A charge is only allowed for collection of garden waste, not disposal.

Waste collection authorities can choose to use an exemption, set out in regulations, to co-collect food and garden waste (i.e. in one bin) without the need to complete a written assessment. Where food and garden waste are collected together, this service must be weekly to meet the requirements relating to food waste.

Where food and garden waste are collected together, a charge is only permitted for the collection of garden waste but not food waste, which must be collected free of charge. Householders should be made aware that they do not have to have a garden waste service (if they do not want to pay for one), and that they are entitled to a free food waste collection service regardless.

Note that windfall fruit can be collected as part of the garden waste stream or the food waste stream, as windfall fruit constitutes food. Also note that [open windrow composting facilities can accept windfall fruit](#). Waste collection authorities are required to collect these items if presented in either the food or garden waste stream. However, waste collection authorities can communicate a preference as to which waste stream householders should place the items in.

## **Collecting from premises**

For some flats and communal properties, it may be more suitable to collect residual waste from a communal on-site bin. In these cases, it may be appropriate to similarly collect food waste from communal on-site bins.

A set of two bins should be provided for food waste: a caddy for internal use and an external bin for presentation at kerbside. Where food waste is collected communally from flats and communal properties, waste collectors should provide an internal caddy per dwelling alongside the communal on-site bin.

## **Collection frequency**

Section 45A of the Environmental Protection Act 1990 requires that waste collection authorities collect food waste from households on at least a weekly basis.

In order to maximise garden waste yields, we recommend that garden waste collections are made from all households with gardens over a period no less than 36 weeks in any calendar year. It is recommended that, as a minimum, collections are made during March to October (inclusive).

## **Treatment of food and garden waste**

Where householders have the facilities to do so, home composting is the ideal solution for diverting some food and garden waste from the residual waste container, and has the added benefit of providing a soil improver for use in gardens. Further information on home composting can be viewed [on the WRAP website](#).

The legislation requires that separately collected food waste and garden waste must be recycled or composted. The preferred method for treating food waste is by anaerobic digestion (AD), which is considered a form of recycling, as this produces biogas and digestate. Where food waste has been separately collected, the digestate produced through AD should be of sufficient quality to be spread to land as a fertiliser.

Composting is also permitted, and in some circumstances where wet AD is not suitable (such as, where food and garden waste have been co-collected) composting may be a more appropriate method of treatment.

## **2.1.3 Residual Waste**

### **Collection frequency**

Government wants to ensure that householders can dispose of putrescent or odorous waste frequently. Government expects a minimum service frequency for residual waste collections of at least fortnightly in England. Local authorities therefore should provide a minimum standard of a fortnightly collection for residual waste (alongside a weekly food waste collection), i.e. they should not provide a residual waste collection service any less frequently than fortnightly.

The government actively encourages councils to collect residual waste more frequently than fortnightly; this minimum standard provides a backstop, not a recommendation. The combination of the backstop on residual collections alongside the new weekly food waste collections will ensure frequent collections of smelly waste, and will stop a trend towards

three or four weekly bin collections seen in some local authorities across the UK, particularly in Wales.

### 3. Statutory guidance on the collection of waste from non-household municipal premises

As outlined in section 45AZA of the Environmental Protection Act 1990, relevant non-domestic premises are: residential homes; premises forming part of a university or school or other educational establishment; premises forming part of a hospital or nursing home; or premises of a description specified in regulations made by the Secretary of State.

For collections from premises that produce commercial and industrial waste, “relevant waste” is waste which is similar in nature and composition to household waste.

Together, relevant non-domestic premises and premises that produce commercial and industrial waste are referred to as non-household municipal premises.

#### 3.1 Duties of waste collectors

The recyclable household and recyclable relevant waste streams must be collected separately from other household or relevant waste, for recycling or composting. For non-household municipal premises, the requirements for each waste stream are explained below.

##### 3.1.1 Dry recyclable materials

Sections 45AZA and 45AZB of the Environmental Protection Act 1990 outline the requirements for separate collection of the dry recyclable waste streams: paper and card; glass; plastic; and metal.

##### Collection requirements

Waste collectors must collect the dry recyclable waste streams separately from residual waste and food waste in all circumstances.

Waste collectors can decide how to collect dry recyclable waste streams, i.e. in multiple recycling bins (or bags), or co-mingled in one bin. An exemption has been provided in regulations to allow for the co-collection of dry recyclable waste streams, and therefore waste collectors are **not** required to complete a written assessment to justify this.

Note that while loose metal lids should be included in the metal waste stream, metal lids and caps on glass containers (for example, metal jam jar lids) can be left on and recycled with glass. Putting the lids or caps back on glass jars and bottles and recycling them with glass reduces the chance of them getting lost through the sorting process.



### **3.1.2 Food waste**

Sections 45AZA and 45AZB of the Environmental Protection Act 1990 set out the requirements for separate collection of the food waste stream.

#### **Collection requirements**

Waste collectors must collect food waste separately from the dry recyclable waste streams and residual waste in all circumstances. Where a non-household municipal premises does not produce any food waste, it is not required to arrange for its separate collection.

#### **Treatment of food waste**

The legislation requires that food waste must be collected separately for recycling or composting. The preferred method for treating food waste is by anaerobic digestion (AD), which is considered a form of recycling, as this produces biogas and digestate. Where food waste has been separately collected, the digestate produced through AD should be of sufficient quality to be spread to land as a fertiliser.

Composting is also permitted, and in some circumstances where wet AD is not suitable (meaning, where food and garden waste has been co-collected) composting may be a more appropriate method of treatment.

## **3.2 Exemptions for micro-firms**

Micro-firms are exempt from the requirements set out in sections 45AZA and 45AZB of the Environmental Protection Act 1990 until 31 March 2027. This applies to the food waste stream and dry recyclable waste streams. Micro-firms are defined as relevant non-domestic premises and businesses that have fewer than 10 full-time equivalent (FTE) employees. Micro-firms may choose to implement the new requirements ahead of 31 March 2027, however, before this date there is no legal obligation to do so.

[Register to vote \(/register-to-vote\)](#) Register by 18 June to vote in the General Election on 4 July.

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> [Exemptions and statutory guidance for simpler recycling in England](#)

[Department  
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Food & Rural  
Affairs](#)

Consultation outcome

# Government response

Published 9 May 2024

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# Executive summary

Simpler Recycling is a reform to the recycling system which means that people across England will be able to recycle the same materials, whether at home, work or school, putting an end to the confusion over what can and cannot be recycled in different parts of the country.

In this targeted consultation we sought views on:

- proposed exemptions to the requirement to collect the core recyclable waste streams separately from each other
- statutory guidance for the legislation related to Simpler Recycling

The government wants recycling to be as simple as possible for citizens, to give local authorities as much flexibility as possible, and to avoid a proliferation of different bins causing 'bin blight'.

We consulted on an exemption to allow the co-collection of any combination of recyclable plastic, glass, metal, and paper and card together in one bin in all circumstances, without the need for a written assessment. We will proceed with this exemption as proposed.

We consulted on an exemption to allow the co-collection of garden waste and food waste together in one bin in all circumstances, without the need for a written assessment. We will proceed with this exemption as proposed.

We also consulted on statutory guidance that will be issued in accordance with new section 45AZE of the Environmental Protection Act 1990, once it comes into force. As policies are subject to the parliamentary process, the statutory guidance will be published after the regulations are made. In this document, we have provided a summary of consultation responses and corresponding policy decisions that will feed into the final guidance.

## Summary of the consultation

The targeted consultation on exemptions and statutory guidance for Simpler Recycling in England opened on 21 October 2023 and closed on 20 November 2023.

Defra consulted all English waste collection and disposal authorities and the Environment Agency. We also engaged with key membership organisations across the waste sector during the consultation period. We also received feedback from a range of stakeholders, including packaging producers, material producers, reprocessors and environmental non-governmental organisations (ENGOs).

There were 202 respondents to the consultation:

- 170 local authorities
- 18 representative trade bodies
- 14 others

## **Government response on the proposed exemptions**

### **Question 6: Do you agree with the provision of an exemption to allow for the co-collection of paper and card, plastic, metal and glass in one bin without needing a written assessment?**

76% of consultation respondents agreed with this proposed exemption, while 17% disagreed, 6% were unsure and 2% did not respond.

We received mixed opinions regarding the impact of co-collecting dry recycling on the ability of the materials to be recycled. 28% of respondents considered that co-collection in one mixed recycling bin leads to higher recycling yields because it is easier and less confusing for households. This was supported by 33 local authority responses that noted they already co-collect dry recycling and consider that it works well. 62% of responses noted that councils are best placed to know how to deliver effective local services and need flexibility.

9% of responses argued in favour of the exemption as they consider the written assessment required to co-collect recyclable waste streams in the existing policy as an unnecessary burden on local authorities and other waste collectors. Some local authorities were concerned that the written assessment process may have been complicated or involve burdensome sign-off procedures. 33% raised concerns about funding and how the proposed exemption would interact with the extended producer responsibility (EPR) for packaging scheme.

16% of responses considered that technology is sufficient for separating materials after collection. However, 6% of responses noted concerns about the capacity and widespread availability of this technology in England. Accordingly, 22% of responses argued that the quality or value of co-collected recycling materials is lower.

Respondents highlighted concerns with mixing glass (8%) and paper and card (6%) in particular, as glass can contaminate other materials if it breaks during collection and sorting, and paper and card are vulnerable to contamination from liquids on other materials, both of which can reduce the quality of materials.

4% of responses queried the evidence base on which the decision regarding the exemption will be made, noting that care should be taken when comparing recycling rates because it is important to understand contextual factors, for instance the proportion of garden waste.

The Consultation Impact Assessment (<https://consult.defra.gov.uk/waste-and-recycling/consistency-in-household-and-business-recycling/>) for **Simpler Recycling**, informed by analysis from the Waste and Recycling Action Programme (WRAP), assumes a 4% contamination rate for separately collected dry recyclables: 9.5% for twin-stream collections and 13.5% for co-mingled mixed dry recyclable collections<sup>[footnote 1]</sup>. The Collection and Packaging Reforms (EPR for packaging, a deposit return scheme for drinks containers, and **Simpler Recycling in England**) will support behaviour change to reduce contamination rates and better preserve material value. **Simpler Recycling in England** will make recycling clearer and easier, as people will no longer need to check what their specific council will accept for recycling. As part of EPR for packaging, producers will be required to label packaging to state whether it is recyclable or not. This will help reduce confusion and support the **Simpler Recycling** measures to ensure the correct materials are captured for recycling.

Because of this, the Secretary of State is satisfied that co-collection of dry recyclable materials will not significantly reduce their potential to be recycled, so long as dry recycling is collected separately from residual and organic waste. We will proceed with this amended exemption to allow for the co-collection of these dry recyclable waste streams in one bin, without the need for a written assessment. This means that there will always be a minimum of 3 bins – dry recycling, organic waste, and residual (non-recyclable) waste.

Allowing local authorities and other waste collectors to make these decisions locally will ensure a commonsense approach to delivering recycling services and avoid a proliferation of unnecessary bins.

## **Question 7: Do you agree with the provision of an exemption to allow for the co-collection of food and garden waste in one bin without needing a written assessment?**

62% of respondents agreed with the proposed exemption, while 18% disagreed, 14% were unsure, and 5% did not give an answer.

In support of the exemption, 51% of stakeholders stated that the exemption would provide flexibility for local authorities to choose which system works best to allow them to provide an effective service for their local area. Respondents cited available infrastructure and the geographic and demographic nature of their local authorities as reasons why the ability to co-collect food and garden waste would be preferable.

The primary concerns from respondents over the exemption related to:

- the higher cost of co-collecting food and garden waste
- the belief that co-collection leads to lower yield and quality of food waste – although evidence about the effectiveness of their own systems, from local authorities that currently co-collect food and garden waste, countered this position
- worse environmental outcomes when co-collected garden and food waste is sent for industrial composting, as opposed to anaerobic digestion

Our proposal allows local authorities to co-collect food and garden waste together without the need for a written assessment, where it is deemed the preferable mode of collection. It does not impose co-collection on any local authority, which mitigates these concerns.

Some respondents (12%) expressed concern that it would be difficult to manage a chargeable garden waste collection and a free food waste collection where food and garden waste are co-collected<sup>[footnote 2]</sup>, as it would be confusing for residents and make it difficult to provide transparent data on the performance of both systems. We will provide non-statutory guidance for local authorities to support the provision of chargeable garden waste collections and free food waste collections, where these collections are co-mingled, to mitigate this concern.

In line with the responses to the consultation, we will proceed with the proposed exemption to allow food and garden waste to be co-collected in one bin from households and non-household municipal premises.

## **Government response on proposed statutory guidance**

We consulted on statutory guidance that will be issued in accordance with new section 45AZE of the Environmental Protection Act 1990, once it comes into force. We intend to commence the relevant legislation and make relevant regulations in 2024, subject to the parliamentary process. The final statutory guidance will then be published after the regulations relating to Simpler Recycling have been made. The draft guidance we consulted on was therefore

written on the assumption that the regulations will be made as per the approach proposed in Section 1 of the consultation, regarding proposed exemptions. However, as policies are subject to the parliamentary process, the final guidance will be amended as necessary to reflect the regulations as they are eventually made. The final guidance text may also be amended for clarity. Below, we have provided a summary of consultation responses and corresponding policy decisions that will feed into the final guidance.

We received many questions from consultation respondents and wider stakeholder engagement regarding the legal status of statutory guidance. All relevant waste collection authorities, waste disposal authorities and other waste collectors must have regard to the statutory guidance when carrying out waste management duties, in accordance with sections 45 to 45AZD of the Environmental Protection Act 1990. This means that parties must read the statutory guidance and take it into account when making relevant decisions. They should follow the statutory guidance unless they have good reason not to. We will ensure the guidance clearly differentiates between legal obligations, what government is advising parties should do unless they have good reason not to, and suggestions and advice which government considers will assist parties in implementing Simpler Recycling but which they are not required to have regard to.

## **Proposed guidance on materials in scope of the recyclable waste streams**

**Question 8: The guidance advises that waste collection authorities should build flexibility into their contracts to ensure materials can be added/removed to the recyclable waste streams as new recycling technologies develop. Do you agree or disagree with the content of this section?**

34% of respondents agreed with the proposed statutory guidance, 27% disagreed, 35% were unsure and 4% gave no answer.

While several respondents stated that flexibility in contracts is needed to be able to recycle more materials as the technology becomes available (19%), allowing for continuous improvement (8%), 61% of respondents noted that building flexibility into contracts increases upfront contract costs, and making use of flexible contract arrangements will have an impact on operational costs, such as upgrading infrastructure or procuring new vehicles or containers.

Furthermore, 18% of respondents stated that any changes to future materials in scope would not just impact waste collection contracts, but also others including disposal and processing contracts, and so any changes to materials in scope would need to involve consultation of the whole value chain.



Some respondents (5%) also stated that given the cost of amending an existing contract to incorporate flexibility, this expectation should only apply to future contracts.

Given respondents' concerns over the costs of building flexibility into contracts and the cost of amending contracts, we will provide suggestions and recommendations for local authorities to assist with building flexibility into future waste contracts, to ensure they can keep pace with any changes to the recyclable waste streams, but we will not include this in statutory guidance. We plan to support local authorities to incorporate this flexibility in a way that suits their particular needs and contracts.

**Question 9: Do you agree or disagree with the contents of the list above, detailing the materials that are out of scope of the recyclable waste streams?**

43% of respondents agreed with this proposal, while 44% disagreed, 9% were unsure and 4% did not give a response.

33% of responses requested that we align the lists of materials in and out of scope so that they can be viewed together on the same page. Others queried why some of the exclusions published in the [government response to the 2021 consultation](https://www.gov.uk/government/consultations/consistency-in-household-and-business-recycling-in-england/outcome/government-response) (<https://www.gov.uk/government/consultations/consistency-in-household-and-business-recycling-in-england/outcome/government-response>) were not reiterated in this document, for instance for the paper and card and garden waste stream descriptions.

The proposed list of materials out of scope sought to clarify their exclusion, where they are commonly confused with the materials in scope of recyclable waste collection, for the avoidance of doubt. This list supplements the descriptions of the recyclable waste streams referred to in the government response to the 2021 consultation, which will be put into regulations to ensure the separate collection duties are clear and enforceable.

18% of responses requested support to communicate this list to the public. Defra recognises the need for clear and communicable lists. Mandatory recyclability labelling on all packaging will be introduced through the [extended producer responsibility for packaging regulations](https://www.gov.uk/government/consultations/draft-producer-responsibility-obligations-packaging-and-packaging-waste-regulations) (<https://www.gov.uk/government/consultations/draft-producer-responsibility-obligations-packaging-and-packaging-waste-regulations>). Further work to develop public facing communications across the Collection and Packaging Reforms is underway and will precede the introduction of the Simpler Recycling obligations.

Respondents raised various specific materials or items which they considered should be included or excluded from scope. We are currently working with relevant stakeholders to refine the draft regulations and statutory guidance to ensure that the materials descriptions are as clear and accurate as possible. The Secretary of State may add to the materials in each recyclable waste

stream set out in the regulations in the future, once there is confidence that the materials are recyclable.

24% of responses flagged concerns with bulky waste or big items, noting that it is not technically feasible to collect materials over a certain size at kerbside. In accordance with existing legislation in section 46 of the Environmental Protection Act 1990, local authorities can require householders to present waste in any specified receptacles. In addition, per the Controlled Waste (England and Wales) Regulations 2012, local authorities can charge for the collection of:

- any single article of household waste which does not fit or cannot be fitted into any provided receptacles, or, where no such receptacle is provided, a cylindrical container 750mm in diameter and 1m in length
- any single article of household waste which weighs over 25kg

6% of responses sought clarification that the lists of materials in and out of scope of the recyclable waste streams will not restrict what is collected at household waste and recycling centres. This is correct: the separate collection requirements only apply to collections of household waste from households and relevant non-domestic premises, and relevant commercial and industrial waste.

## **Proposed guidance on dry recyclable waste collections from households**

**Question 10: Guidance is provided regarding the requirement to collect dry recycling from premises and the use of communal bins. Do you agree or disagree with the content of this section?**

53% of respondents agreed with this proposal, while 29% disagreed, 13% were unsure and 5% did not give a response.

Many responses emphasised the need for local authority flexibility, particularly for various 'difficult to access' properties (18%) or to provide innovative, communal 'bring bank'-style collections in certain circumstances (12%). The requirement for waste collection authorities to arrange for the collection of household waste in their area stems from existing legislation in section 45 of the Environmental Protection Act 1990. New section 45A applies only where the duty in section 45(1)(a) arises. Section 45(1)(a) sets out that each waste collection authority must arrange for the collection of household waste in its area, except where both of the following conditions apply:

- the waste is situated at a place which in the opinion of the authority is so isolated or inaccessible that the cost of collecting it would be unreasonably

- the authority is satisfied that adequate arrangements for its disposal have been or can reasonably be expected to be made by a person who controls the waste

The same parameters will apply for collecting the recyclable waste streams. For example, if a property is in a particular remote location that it has been deemed not feasible to provide a residual waste collection, and the council is satisfied that adequate alternative arrangements can be made by the householder, then the council would similarly not be expected to provide a recycling collection.

The final guidance document is intended to assist local authorities with understanding their legal obligations, as well as providing statutory guidance which they must have regard to and further advice and support.

20% of responses raised concerns that local authorities have limited power to require new building developments or renovations to incorporate appropriate space for waste receptacles, per relevant planning legislation and guidance. We recognise that space for receptacles is essential for providing efficient waste and recycling services, and the government recently consulted on [permitted development rights](https://www.gov.uk/government/consultations/changes-to-various-permitted-development-rights-development-rights-consultation/changes-to-various-permitted-development-rights-consultation) (<https://www.gov.uk/government/consultations/changes-to-various-permitted-development-rights-consultation/changes-to-various-permitted-development-rights-consultation>).

## **Proposed guidance on organic recyclable waste collections from households**

### **Question 11: Is there any additional guidance that would be useful regarding the provision of caddy liners?**

66% of respondents answered yes to this question, 8% answered no, 18% were unsure, and 8% gave no answer. Most of the additional detail provided by respondents focused on whether caddy liners should be provided alongside food waste collections, as opposed to what additional guidance would be useful.

18% of respondents suggested additional guidance should address quality standards and labelling to ensure the most appropriate liners are used. 10% of respondents asked for additional guidance on the preferred liner materials, if their use is to be mandated. 8% of respondents would appreciate additional guidance on practical considerations, including the quantity of liners that should be provided, the frequency and method of provision, and consideration of different property types.

Engagement with WRAP and the sector suggests that local authorities and food waste recycling plant operators benefit from a flexible approach to caddy liner use, which is appropriate to varied local circumstances and treatment facility requirements.

Local authorities are able to provide caddy liners if preferred, however, there are currently no plans to fund local authorities to provide caddy liners to households. We continually review the evidence base and policy around caddy liner use.

**Question 12: Guidance is provided regarding the requirement to collect food waste from premises and the use of communal bins. Do you agree or disagree with the content of this section?**

53% of respondents agreed with this proposal, while 29% disagreed, 11% were unsure and 7% did not give a response. We received similar feedback as for question 10 regarding the need for local authority flexibility and planning regulations: please refer to the answer for question 10.

Additionally, 17% of responses queried how food waste collections will be funded as a new burden on local authorities. We wrote to local authorities on 9 January 2024, detailing the indicative capital funding allocation for each local authority and when other sources of funding can be expected. It also detailed that funding will be provided through section 31 grants on a non-ringfenced basis.

**Question 13: The guidance provides advice on collection frequency of garden waste. Do you agree or disagree with the advice on collection frequency of garden waste?**

50% of respondents agree with this proposal, while 34% disagreed, 7% were unsure and 9% did not give a response. 29% of respondents stated that there should be scope for waste collection authorities to decide both the frequency and portion of the year in which to provide a garden waste collection. 6% asserted that there should be clarity over what is meant by 36 weeks, with some suggesting that the growing season varies depending on the year and area of the country. It was also raised that a frequency has not been provided.

5% of respondents said they would like further clarification on the requirements around the provision of a garden waste collection service within a local authority area, and whether garden waste collection services must be made to all households who request it, or whether local authorities can determine whether some properties are unable to be serviced, due to inaccessibility or cost.

We plan to recommend in statutory guidance that to maximise garden waste yields, garden waste collections are offered to all households with gardens over a period no less than 36 weeks in any calendar year and that, as a minimum, collections are offered during March to October (inclusive). We will make clear that this may vary on local circumstances and that frequency of collections is for

waste collection authorities to determine with regard to their local circumstances.

We will make clear in statutory guidance that under section 45(1)(a) of the Environmental Protection Act 1990, waste collection authorities are required to arrange for the collection of household waste, unless it is situated at a place which in the opinion of the authority is so isolated or inaccessible that the cost of collecting it would be unreasonably high, and the authority is satisfied that adequate arrangements for its disposal have been or can reasonably be expected to be made by a person who controls the waste. This applies even where a garden waste collection service has been requested. Where there is a duty to collect waste under section 45(1)(a) of the Environmental Protection Act 1990, new section 45A will apply in England.

**Question 14: The guidance outlines that anaerobic digestion is the preferred method for treating food waste, where suitable, but composting is also permitted. Do you agree or disagree with the content of this section?**

66% of respondents agreed with the content of this section, 18% disagreed, 8% were unsure and 8% gave no answer.

In line with the responses received, anaerobic digestion continues to be our preferred treatment option for food waste, while composting remains permitted. We will review the terminology around treatment types used in the guidance and clarify if appropriate. We will also consider adding guidance on the treatment of separately collected garden waste, and on best practice minimum standards for treatment of organic waste, including the quality of digestate or compost.

## **Proposed guidance on residual waste collections from households**

**Question 15: The guidance outlines a backstop on the frequency of collection of residual waste, to protect householders' local amenity. Do you agree or disagree with the content of this section?**

80% of respondents disagreed with the content of this section, while 10% agreed, 5% did not give an answer and a further 4% responded that they were unsure.

58% of total respondents expressed a view that that reducing the frequency of residual waste collections increases recycling rates, with 47% considering that without the flexibility to reduce the frequency of residual waste collections, both local and central government will not meet their recycling rate nor Net Zero.

ambitions. 44% were of the view that reducing residual waste frequency is important in changing householder behaviour, to encourage them to recycle more and, particularly, to use their food waste collection service.

54% of respondents expressed that local authorities are best placed to make decisions about the frequency of residual waste collections, tailored to the needs of their local residents. 33% of respondents pointed out that residual waste collections once every 3 weeks were working successfully in areas where they are currently offered.

40% of respondents stated that the frequency of residual collections should be determined by taking into account what delivers the highest performance and best quality of materials at the best value – particularly for obligated producers who are paying for EPR packaging materials.

Government wants to ensure that householders can dispose of putrescent or odorous non-recyclable waste frequently to avoid malodour and attracting vermin. Government expects a minimum service frequency for residual waste collections of at least fortnightly in England. Our statutory guidance will state that local authorities therefore should provide a minimum standard of a fortnightly collection for residual waste (alongside a weekly food waste collection), which means they should not provide a residual waste collection service any less frequently than fortnightly. The government actively encourages councils to collect residual waste more frequently than fortnightly; this minimum standard provides a backstop, not a recommendation. This policy will continue to be kept under review.

## **Proposed guidance on food waste collections from non-household municipal premises**

**Question 16: The guidance outlines that anaerobic digestion is the preferred method for treating food waste, where suitable, but composting is also permitted. Do you agree or disagree with the content of this section?**

63% of respondents agreed with the content of this section, 17% disagreed, 7% were unsure and 13% gave no answer.

Responses to this question were very closely aligned with those for question 14 on household food waste treatment.

In line with the responses received, anaerobic digestion continues to be our preferred treatment option for food waste, while composting remains permitted. We will review the terminology around treatment types used in the guidance and clarify if appropriate. We will also consider adding guidance on best

practice minimum standards for treatment of organic waste, including the quality of digestate or compost.

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1. WRAP's analysis (unpublished). As noted in the Impact Assessment, reporting of inputs and rejects from MRFs (Materials Recycling Facilities) shows reasonable variation and inconsistency between data sets such as Waste Data flow and the MF Portal, and so standardised contamination rates are applied in the Impact Assessment's modelling. A contamination rate is then applied to the tonnage collected and varies by collection approach.
2. All household food waste collections must be provided for free under new section 45A of the Environmental Protection Act 1990, as amended by the Environment Act 2021.

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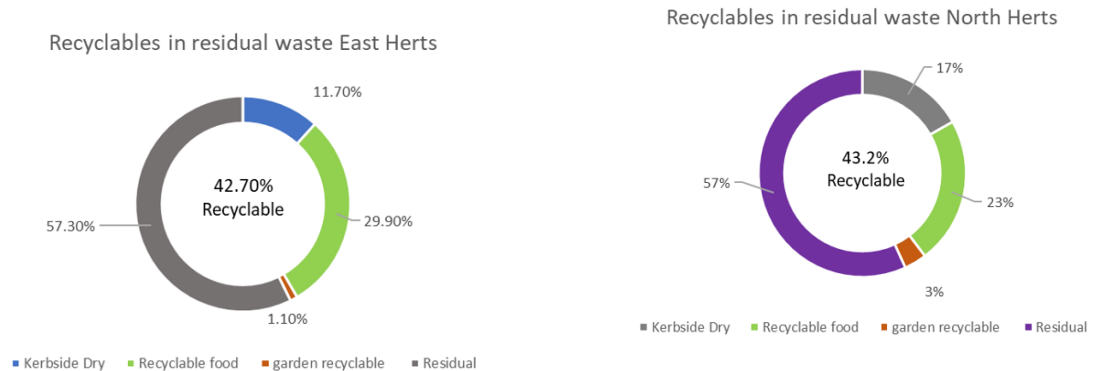
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## Detail from EHC Executive Report 25<sup>th</sup> October 2022

### Weekly food waste collection and 3 weekly Residual waste collection

3.1. A waste compositional analysis undertaken in late 2020 provided an insight into the composition of the residual waste bins at each authority. The graphs below show details of the recyclable proportions of the residual waste bin



3.2. The proportion of food waste in EHC residual waste bins is significant at 29.9%. Food production, according to an article in the professional magazine 'New Scientist' contributes 37% of global greenhouse gases and a report by the UN's Environment Programme estimates that between 8% to 10% of greenhouse gas emissions are from food which is wasted. Campaign work to encourage behaviour change in EHC and NHC over recent years and ongoing is only part of the solution to managing food waste.

3.3. According to a report by WRAP, (The impact of food waste collections on household food waste arisings); separate food waste collection schemes are significantly associated with lower total food waste arisings amongst householders.

3.4. In our public consultation 69% of respondents in EHC said that they were likely or quite likely to use a weekly food waste service.

3.5. This coupled with a government mandate for the weekly collection of separated food waste for 2025 leads to the recommendation that they be included for EHC in the new waste collection specification for implementation in 2025, despite confirmation of the mandated start date not being clear from central government.

3.6. The implementation costs for the food waste service change for East Herts are anticipated to be in the region of circa £150k for one-off revenue implementation costs. Circa £400k for initial capital costs and circa £1.5m ongoing revenue costs associated with the collection. As with the mid-contract change for the introduction of chargeable garden waste services in East Herts it is anticipated that the introduction of a separate weekly food collection service later than the start of the contract (should the Government push back

the date further) will significantly increase the price of the service putting further pressure on the EHC Medium Term Financial Plan (MTFP). From the experience of the garden waste service this has resulted in costs which are over 54% higher for East Herts than the original tender price. It is therefore recommended to provide a separate weekly food collection service early in the contract alongside a 3 weekly residual bin collection service.

- 3.7. There is an inevitable negative carbon impact from the introduction of food waste recycling in terms of the EHC fleet emissions. The current North Herts service produces approximately 94 tonnes of CO<sub>2</sub> per year. At this stage we are not clear on the methodology a new contractor would use for the collection of food waste and this would impact on the carbon emissions. However, based on the NHC service and extrapolating for higher property numbers it is likely additional fleet will be required. The carbon impact could therefore be in the region of 130 tonnes of additional CO<sub>2</sub> per year.
- 3.8. Removing food waste from the residual waste stream will however have a positive carbon impact. It is estimated using the governments conversion factors that treatment by EfW (Energy from Waste) results in 21.3kg CO<sub>2</sub>e per tonne or 626.9kg CO<sub>2</sub>e when landfilled. Whereas treatment by anaerobic digestion or composting produces 8.9 kg CO<sub>2</sub>e and therefore can result in a minimum net saving of 12.3kg CO<sub>2</sub>e per tonne. Based on 79 kg per household (based on capture rates from 21/22 NHC data) this could see a district wide carbon saving linked to disposal of approximately 65 tonnes of CO<sub>2</sub>e. Mitigating in part the negative fleet impact.
- 3.9. The waste hierarchy requires a consideration of waste minimisation before recycling however it is clear that residents still have a significant proportion (around 43% of the residual waste bin) of recycling which could be recycling at the kerbside.
- 3.10. In addition the waste compositional analysis showed a significant proportion of food waste in the residual waste bin nearly 30% in EHC and 23% in NHC despite the provision of a weekly separate food waste collection service in a 23L caddy.
- 3.11. In our public consultation. 45% of residents in EHC and 49% of NHC residents in said their residual waste bin was ½ full or less at the time of the fortnightly collection.
- 3.12. In order to reduce the amount of residual waste collected by both authorities it is proposed to extend the emptying cycle from fortnightly to three weekly for houses. This change has already been implemented by a number of authorities across the United Kingdom. A summary of local authorities known to have undertaken a change to a three weekly collection cycle are shown in Appendix 6.
- 3.13. The demographics of both the EHC and NHC districts mean that with the proposed change and a reinvigorated communications campaign that an

increase in recycling rate could be seen. However, based on the results of the public consultation where a high proportion residents stated that their residual waste bin was ½ full or less. It is also possible that a significant proportion of residents will cope with the residual waste change without a need to change either their buying or recycling behaviour.

3.14. In addition we asked a number of questions around extending the frequency of collections and the ability for resident to cope with an extended frequency. 75% of resident did not think that reducing the frequency of collections would reduce waste. However, when Daventry District Council adopted a three-weekly residual waste service in 2018 they had the highest fall in residual waste of any local authority in the country at a drop of 13%.

3.15. The table below shows an example of three Welsh Councils performance over a number of years following extended frequency collections and a change to three-weekly residual waste collections. These are not direct comparator Councils as they offer slightly different services and have a different demographic however demonstrate that total waste arisings are likely to fall as a result of a change to three weekly residual waste collections.

Residual Waste Service Frequency	Authority	Year	Recycling rate (%)	Waste Arisings per person (kgs)	Percentage Drop in Per Person Waste Arisings (kgs)	Residual Waste Per Person (kgs)	% decrease Residual Waste
4 weekly	Conway	20/21	70	452	18.12%	135	43.98%
3 weekly in 2016 and 4 weekly in Jan 18		13/14	56	552		241	
3 weekly	Gwynedd	20/21	65	494	21.71%	117	59.65%
		13/14	54	631		290	
3 weekly	Pembrokeshire	20/21	73	455	17.12%	112	48.62%
		13/14	60	549		218	

3.16. When asked whether residents agreed or disagreed with the statement; *'I would be able to manage my waste effectively with three weekly residual waste (refuse) collections by recycling more and squashing items.'* The majority of residents disagreed. However, 24% agreed or strongly agreed.

- 3.17. Of those residents who either disagreed or strongly disagreed, 26.5% had previously answered that their residual waste bin was  $\frac{1}{2}$  full or less. With 54% previously stating that their residual waste bin was  $\frac{3}{4}$  full or less. Demonstrating that of those that indicated they could not manage three-weekly collections a significant proportion of previous answers suggest this would be possible and that fear of change is an influencing factor in consultation answers.
- 3.18. Data from other local authorities is mixed but data does indicate that some level of recycling rate improvement can be expected. In particular in EHC where there would be the addition of food waste recycling options to support a positive behaviour change in recycling habits.
- 3.19. Based on data shown in the graphs in 3.11 and 21/22 residual waste tonnage, it is estimated that potentially a further 16,500 tonnes of recycling could be captured by diverting it from the residual waste stream. Although fully capturing this tonnage is unlikely even capturing an additional 20% would have a significant impact on the recycling rate for both authorities.
- 3.20. Reducing the emptying cycle as well as encouraging residents to recycle more and participate fully in services such as weekly food waste collections, will also help to mitigate the costs of service provision during the next 8 years of the contract. It is anticipated that a three weekly cycle would enable a reduction of approximately three vehicles from the fleet across both EHC and NHC. The estimated direct cost of this is anticipated to mitigate whole contract cost increases by circa £550k annually.
- 3.21. The associated reduction in fuel consumption (based on current housing densities) is anticipated to be circa 40k litres which has a direct positive carbon saving of approximately 122 tonnes carbon annually based on our current whole contract diesel fleet.
- 3.22. There are alternative ways the councils could consider reducing their carbon footprint through this contract procurement, such as the use of HVO (hydrotreated vegetable oil) as fuel, however the current cost is approximately 20p per litre more than diesel and consequently could see annual contract cost rises in the region of circa £130k based on 2021 fuel usage data.
- 3.23. In the public consultation 82% of respondents described themselves as either a proactive environmentalist or caring about the environment and doing their bit. With a further 16% describing themselves as residents who recycle and don't drop litter but not much else in support of the environment. 84% of respondents also said that the Council should do more to make people recycle more and reduce waste, with 74% of people agreeing the council should invest or change services to reduce their carbon footprint. These outcomes all support the proposals in this report.

- 3.24. Comparison with other local authorities introducing three weekly residual waste collections is difficult as many will have introduced other changes at the same time. For example changes to what can be recycled at the kerbside or moves from box collections to bin collections. Many Councils undertaking this change are also lower performing Councils at the point of change and so behaviour change is more prominent.
- 3.25. Gwynedd Council predicted that its recycling rate would increase by 5.2 percentage points. In 2013/14, Gwynedd's recycling rate (calculated in line with Welsh Government targets) was 54.0%. By 2015/16, when the switch to three weekly collections had been fully rolled out, the reported recycling rate had risen to 58.7%, and in 2016/17 it increased further to 61.1%. The total increase has therefore been 7.1 percentage points, significantly more than expected.
- 3.26. Bracknell Forest's recycling rate has increased by 13% to 56%. This is a monumental achievement, in comparison, in 2020 to 2021 the largest increase recorded by a local authority in England was 5.2% however this was coupled with other changes like the introduction of food waste and chargeable garden waste collections.
- 3.27. Rochdale, predicted the increase in recycling that was anticipated from going three-weekly (39% in 2015/16, 45% in 2016/17), but did not set out the underlying waste flows. In practice, they achieved 42% in 2015/16 and 47% in 2016/17, exceeding expectations. With a further increase to 53.7% in 2017/18.
- 3.28. Based on the information we have been able find from other Councils improvements in performance are both a step change and improvements over an extended period. The step change occurs with an immediate behaviour change, e.g. residents recycling more with new recycling services. The extended improvement in recycling rates could be attributed to more lasting changes in behaviour such as buying habits with services having a greater focus on recycling than residual waste services. Residents learn over time that the vast majority of waste is recyclable so use these services rather than continuing to use the residual waste bin because items still fit in it.
- 3.29. Our Contract Officers (including the mobilisation Contract Officers) and proposed Waste Awareness Officer will have a suite of tools to guide and support residents and help them identify items which they perhaps did not realise were not recyclable to help prevent any increases in contamination of recycling. Officers will also be able to support residents in understanding items which can be recycled at the kerbside but are sometimes forgotten.
- 3.30. It is likely that at the start of the service change we will see a slight uplift in the number of fly tips. However, this is expected not to be significant as those residents who would consider fly tipping are a very small minority. We will work with the enforcement teams at both authorities to ensure we

have a planned approach to the management of fly tipping of household waste expected to be as a result of the service change.

- 3.31. Following the NHC transition to 180L wheeled bins there was no attributable long-term impact on fly tipping. Fly tipping numbers in the first year of the service actually reduced when compared with the previous year and longer terms trends are consistent with the wider Hertfordshire districts. Therefore, a significant uplift in instances of fly tipping is not expected. Those residents who may initially struggle with a change to a three weekly collection cycle will be supported with advice on how to manage their waste and where appropriate will be supported by other policies. For example, the provision of extra capacity for larger households or households with two or more children in nappies and households producing healthcare waste such as incontinence wear. The proposal being for these households to continue to receive fortnightly collection services.
- 3.32. At the Members workshops an option for four-weekly residual waste collections was considered. There are a handful of Councils in the UK who have adopted this model, but Members felt this was too large a service change at the current time. Members were keen to ensure that a transitional option to four-weekly residual waste collections be drafted for the contract.
- 3.33. There is a risk that central government will mandate a requirement for fortnightly residual waste collections as a minimum. It is hoped that our need for fortnightly residual waste collections can be mitigated by supporting policies which can effectively manage the additional needs of some residents. This includes additional frequency collections of residual waste for those residents who require additional capacity for waste such as incontinence waste or nappy waste. The practicalities of this policy decision will be discussed as part of pre-market engagement with bidders.
- 3.34. Should the government mandate fortnightly residual waste collections and we are unable to mitigate this requirement with supporting policies for those who need additional waste collection support, we will have no alternative but to defer to our current residual waste collection model and provide collections fortnightly.
- 3.35. The provision of residual waste collections at flats will remain largely unchanged. Capacity provision at flats is based on per person calculations and as a consequence flats already have less capacity over six weeks of collection cycles than houses. Each flat block will be re audited and where flats participation in recycling services has been difficult, with high levels of contamination, advice and guidance will be given in liaison with the managing agents, to ensure that all flat blocks have access to recycling.
- 3.36. All flats will receive a review of residual waste collections alongside this audit, however it is not anticipated that flats will receive three weekly residual waste collections. It is possible that some flats currently receiving weekly collections may be able to receive fortnightly collections, as a result of a

refocus on recycling. This is most likely in East Herts where flats will receive weekly food waste collections in wheeled bins alongside the service for houses.

## **Appendix 6**

Councils with 3 weekly refuse collections	Refuse	Mixed recycling	Food	Garden waste	Paper/card	Glass	2019 recycling rate (SEPA) %	20/21 recycling rate (Let's Recycle &	Notes
<b>Argyll and Bute Council</b>	3 wk, 240L	2 wk, 240L	weekly, 23L caddy, towns only	not collected	included in recycle bin	4 wk towns only, 120L?	38.6		
<b>Blaenau Gwent County Borough Council</b>	3 wk. 240L? bin or sacks	weekly, 4 stacked boxes (Trollybocs) on trolley for separating paper, plastics, metal & glass	weekly, caddy 23L?	weekly, hessian sack	weekly, hessian sack (cardboard only)	weekly, included in Trollybocs		64.3	Garden waste stops in winter. Batteries and small WEEE collections
<b>Bury Council</b>	3 wk, 240L?	3 wk, bin	2 wk (mixed) bin		3 wk, bin	included in recycle bin		50.5	Collecting 3 weekly refuse since 2014
<b>Ceredigion County Council</b>	3 wk, sacks (option to purchase a 240L or 1100L bin)	weekly, sack	weekly, caddy	sacks, bookable collection	in mixed recycling bin	3 wk, box		70.2	
<b>Clackmannanshire Council</b>	3 wk, 240L	2 wk, 240L	weekly, 23L	3 wk, 240L	in mixed recycling bin	in mixed recycling bin	55.4		
<b>Daventry District Council</b>	3 wk, 240L?	2 wk, 240L?	weekly, 23L	2 wk, 240L	in mixed recycling bin	in mixed recycling bin		52.7	123+. WEEE collected in bag on residual day

East Ayrshire Council	3 wk, 240L	Weekly, trolley boxes (plastics & cans)	weekly, caddy 23L?	4 wk, 240L	weekly trolley box	weekly trolley box	53.2		
East Devon District Council	3 wk, 240L? bin or gull sack	Weekly Sack (plastic/metal) and box (paper/glass/bagged WEEE, textiles and batteries)	weekly, caddy	2 wk, 240L	in mixed recycling bin	in mixed recycling bin		60	Ask East Devon Alexa service
East Renfrewshire Council	3 wk, 240L?	3 wk, 240L?	weekly, mixed food/garden (max 1 bin),		3 wk, 240L	in co-mingled	67.8		
Gwynedd County Council	3 wk, 240L	weekly trolley boxes	weekly, 22L caddy	2 wk, 240L?	weekly box	weekly box		65.5	
Isle of Anglesey County Council	3 wk, 240L	weekly, trolley boxes	weekly, 23L food	2 wk, 240L	weekly box (paper & Textiles)	weekly box (glass & cardboard)		65.7	
Mid Devon	3 wk, 180L (new bins)	2 wk boxes	weekly, 23L caddy	2 wk, 240L	2 wk (cards & cartons)	in mixed recycling bin		53.7	Bin-it 123, Oct 22
Moray Council	3 wk, 240L	2 wk, 140L bin	2 wk, 140L		2 wk, 140L bin	2 wk, Box 38L	59		
North Ayrshire Council	3 wk, 240L	3wk, 240L	2 wk (mixed), 240L		3 wk, 240L	in mixed recycling bin	56.3		
North Lanarkshire Council	3 wk, 240L	3 wk, 240L	2 wk (mixed), 240L		3 wk, 240L	in mixed recycling bin	40.3		
Oldham Council	3 wk, bin	3 wk, bin	weekly, bin		3 wk, bin	in mixed recycling bin		36.7	
Pembrokeshire County Council	3 wk, 3 sacks	Weekly, reusable sack for metals and plastics	weekly, 23L caddy	2 wk, 240L	weekly, reusable sack for card, box for paper	weekly, box		73.2	Aug 19, good video. Garden waste stops in winter
Powys County Council	3 wk, 180L	Weekly, 55L Box	weekly, caddy		weekly, 44L Box	weekly, 44L Box		66.1	
Renfrewshire Council	3wk, bin	2 wk, bin	weekly, bin	weekly, caddy	2 wk, bin	in mixed recycling bin	53		
Rochdale Borough Council	3 wk, 240L	3 wk, 240L	weekly, 204L		3 wk, 240L	in mixed recycling bin		48	Family 5+ can have larger bins
Salford City Council	3 wk, 240L (Tues-Fri)	2 wk, 240L bin, box or sack	weekly, mixed garden/food 240L bin and 23L just for food (no garden)		2 wk, 240L bin (may be too big)	in mixed recycling bin		47.2	4 day collections. 4 years, includes farm houses/flats, buy extra capacity via trade contract. Saved £10M. 180-200 houses, 400,00 pop
South Ayrshire Council	3 wk, bin	4 wk, 2 bins allowed	weekly, caddy	4 wk, 2 bins allowed	4 wk, bin	6 wk, 2 bins allowed	57.7		App SAC mybins
Wigan Metropolitan Borough Council	3 wk, 240L standard (140 for smaller properties)	3 wk, 240L standard metals, glass plastics (140L smaller properties)	2 wk, mixed garden/food 240L standard (140L or 23L caddy for smaller properties)		3 wk 240/140L or sackx1	in mixed recycling bin		53.2	Food video. T&Cs for bin charging. Published waste policy "at a glance" summary
Warwick District Council*	3 wk, 180L	2 wk, 240L	weekly, 23L caddy	2 wk, 240L	in mixed recycling bin	in mixed recycling bin		49.5	"123 collection" also batteries WEEE and textiles, Aug 22
Stratford-on-Avon District Council*	3 wk, 240L (replacements will be 180L)	2 wk, 240L	weekly, 23L caddy	2 wk, 240L	in mixed recycling bin	in mixed recycling bin		59.4	"123 collection" also batteries WEEE and textiles, Aug 22

\*working in partnership



**Waste Management**

- 3.22 Officers have explored with bidders three alternative service design solutions for waste and recycling collections identified in 3.2 a), b) and c), to determine if more financially sustainable alternatives exist. All three options explored will deliver collection contract cost savings.
- 3.23 The three options identified also impact on material sales and Material Recovery Facility (MRF) contracts. Paper entering the fully commingled stream has significantly less value (sometimes a significant cost) over paper collected separately in the current kerbside boxes. This is due to processing costs which are paid 'per tonne' for material sent to an MRF. The Part 2 Appendix 2 shows recent published domestic mill paper price indices. These are examples and are not based on our current contract prices which traditionally perform well due to high quality materials with low contamination.
- 3.24 The fully commingled option in 3.2 a) is a relatively simple solution for residents, however, will mean there are no bin collections on some weeks, only food waste caddy collections. It also presents risks around the achievability of savings due to the significant impact on the cost of processing paper through an MRF. It is likely however that paper capture will continue to reduce year on year due to consumer trends and more digital media. This could of course also increase the value of good quality source separated paper.
- 3.25 During the Executive report on 25<sup>th</sup> October 2022 a service solution in the event of a mandate for separate fibre was explored. Although the governments Simpler Recycling model has not mandated separate fibre officers have explored this model further as a cost saving option.
- 3.26 The service solution identified in 3.2 c) would mean residents would receive a weekly collection of food waste and a three weekly collection of other recycling waste streams alongside the already agreed three weekly collection of residual waste. E.g.
- Week 1 – Food, Containers & packaging e.g cans, plastics, glass
  - Week 2 – Food, Cardboard and Paper
  - Week 3 – Food, Residual waste
- 3.27 Garden waste would remain fortnightly for those residents who subscribe to the service.
- 3.28 This expanded extended frequency cycle would help to mitigate the costs of an additional bin collection as fewer rounds are required each week as well as reducing the additional carbon impacts of the introduction of the service as a whole. A more detailed summary of this proposal is provided in Appendix 3.

- 3.29 The capture of paper and cardboard could drop if these material streams were only collected via a box service. It would therefore be necessary to consider the roll out of wheeled bins, to the majority of the district.
- 3.30 The proposal is therefore to issue a new bin to all non-terraced houses. With maisonettes and terraced properties being offered an 'opt-in' choice whether they wish to have a bin or just utilise their existing box. The primary consideration for this proposal is that many terraced properties have only small frontages or front directly onto the road with no off street storage. There is an estimated Capital cost of £2,290,000 for providing new bins across the two authorities, based on the provision of 100,000 bins. Property numbers across the authorities are significantly higher than this but we estimate that there are approximately 26,000 flatted properties and 38,000 terraced properties and therefore this number is considered sufficient. Full details of the preferred solution from bidders is still to be discussed at dialogue and therefore there is opportunity for officers to refine the position on the provision of bins. There will also be an ongoing cost for replacement/repairs and new build properties for the provision of a new bin.
- 3.31 In order to maximise the opportunity from issuing new bins it is proposed that in East Herts a new purple lidded 180L bin be issued which would become the new residual waste bin, with the existing residual waste bin becoming the commingled 'containers and packaging' bin and the existing commingled bin becoming the 'paper and cardboard' bin. (A similar change to that done in North Herts in 2013)
- 3.32 In North Herts a new blue lidded 240L bin would be issued which would become the new 'paper and cardboard bin replacing the box.
- 3.33 During the public consultation held during 2022 on waste services we asked questions regarding bin capacity 48.5% of North Herts residents and 85% of East Herts residents felt their recycling bin was full or overflowing, with 27% feeling they did not have enough recycling capacity. Under the existing system and existing proposed service solution for 2025 residents have a 240L bin and 55L box giving a recycling capacity of 885L over 6 weeks. Under the system proposed in 3.2 c) the capacity over 6 weeks would rise to 960L.
- 3.34 These changes would be supported by the previously agreed, at the 25<sup>th</sup> October 22 Executive/Cabinet, 'waste communications officer' post. It is however proposed to incorporate another temporary post into the service change directly responsible for 'fixing' issues which arise with containers. This staff member would be issued with a van and would assist with container swaps, delivery of ad hoc missing containers, restickering and resident run throughs to help residents adjusting to the change. Ad hoc deliveries/swaps can be expensive at the start of service changes when operating under a contract and therefore this is likely to be more cost effective than utilising the contract and allows the contractor to focus on business as usual. It is proposed therefore to include for an additional post for initially 4 months and up to 6 months.

3.35 In addition officers will consider the benefits of utilising a phone app for service related reminders including bin collection days, sufficient details are not available for consideration in this report and therefore if proposed will be brought forward as part of the budget setting proposals in 2024.

## **Extract from Appendix 2**

<b>Paper Price indicators</b>											
Waste paper prices – ‘recovered paper’ or ‘paper for recycling’ prices – are shown as indicators of prices that may be achieved for material, ex works usually baled or supplied to a paper mill specification. Merchant prices are for delivered in, often loose and smaller volumes. Prices can vary regionally. Contractual arrangements may differ. Alternative markets may exist for some grades but the prices are for recovered paper used within the paper industry. Price indicator guides are compiled by letsrecycle.com and are not guaranteed. letsrecycle.com started publishing export prices in 2004.											
2023 £ per tonne ex works Price Indicators	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	
The lower of this grade are indicative of MRF prices.	Mixed papers	5 - 45	10 - 50	20 - 55	25 - 60	27 - 50	22 - 45	22 - 45	22 - 47	30 - 50	38 - 58
Used for brown corrugated cardboard in MRF prices	Old KLS (cardboard)	90 - 115	95 - 120	85 - 120	95 - 125	82 - 105	80 - 90	75 - 87	75 - 88	75 - 90	80 - 97
Separate kerbside collected paper prices	News and pams	110 - 120	110 - 115	105 - 110	100 - 110	90 - 100	80 - 90	70 - 80	70 - 80	70 - 85	75 - 90

## Proposal for extended frequency dry recycling collections with separate 'fibre' (paper and cardboard)

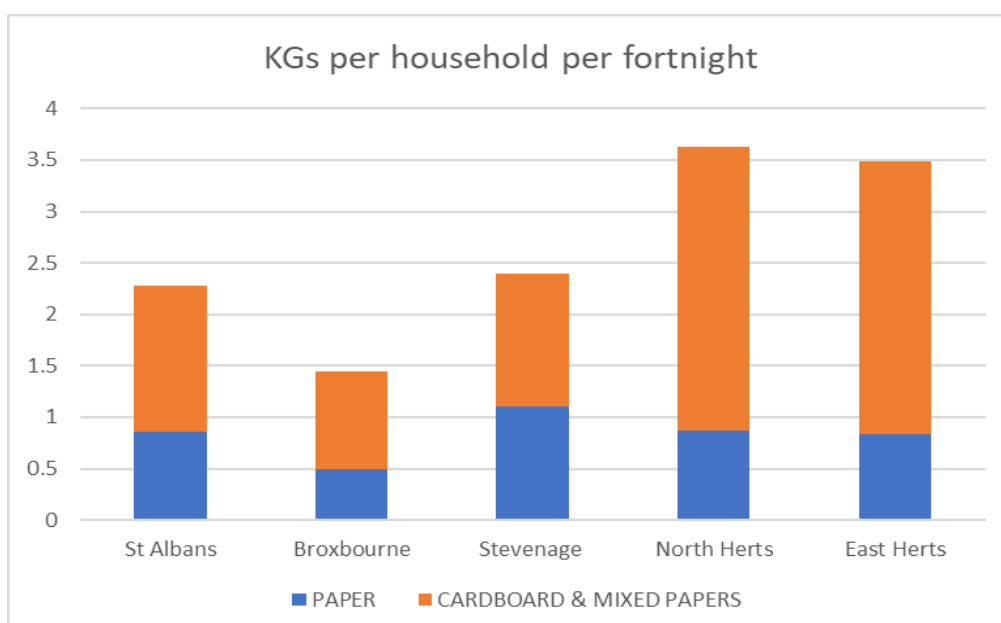
### Preferred Proposal

- Introduce weekly food in EH
- Three weekly 180L residual waste
- Three weekly 'Fibre' bin – Paper and Cardboard
- Three weekly 'Containers' bin – plastic bottles pots, tubs, trays, film, aluminium and steel cans, glass
- Total capacity over 6 weeks = 1,458L
- Est. Recycling Rate = 58%-60%+

Capacity for households is reduced slightly from the current provision over a six-weekly cycle in line with waste minimisation principles. However, capacity provision is higher than the primary proposal agreed in the Cabinet/Executive meetings on 25<sup>th</sup> October 2022 for three weekly residual waste with fortnightly mixed dry recycling and a fortnightly paper box. This is due to the larger 'Fibre' bin size proposed for most households.

Collection costs are anticipated to be lower operating this model, in part due to operating 'standard' body vehicles rather than 'split' body vehicles and collection route optimisation from operating over three weeks rather than two.

Data below taken from the HWP Waste compositional analysis in 2021 shows capture rates for paper and card co-collected in local box services and our current paper only box and bin service (which captures cardboard).



Capture of cardboard/ mixed papers is likely to drop if collected in a box only service. Proposal is therefore for a 240L bin provision for the majority of households.

- **Does it reduce waste?** Yes, from reduced residual bin size and reduced residual emptying cycle. Also food waste reduces when separate food waste collections are introduced.
- **Does it increase recycling?** Yes, greater capacity for recycling in bins. Also food waste captured in EHC.
- **Does it reduce fleet carbon footprint?** Carbon impacts are mitigated, there are reduced fleet movements for a three-weekly cycle and operational efficiencies gained from operating standard body vehicles.
- **Does it reduce collection costs?** Cost are reduced from the service design agreed on 25<sup>th</sup> October 2022.
- **Are East & North Service aligned?** Yes
- **Is there Capital spend?** Yes, for the provision of new bins to the majority of households.

## WASTE & RECYCLING COLLECTION & STREET CLEANSING POLICY STATEMENTS

### 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](#)
14. [Missed collections](#)
15. [Assisted collections](#)
16. [Frozen compostable waste bins](#)
17. [Overweight wheeled bins and sacks](#)
18. [Ownership of wheeled bins/sacks](#)
19. [Provision of new / replacement wheeled bins](#)
20. [Lost or stolen wheeled bins](#)
21. [Damaged wheeled bins](#)
22. [Sharing wheeled bins](#)
23. [Severe weather](#)
24. [Access issues](#)
25. [Healthcare and Clinical waste](#)
26. [Bulky waste collections](#)

### 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 domestic waste is a three weekly service for Residual Waste, Mixed Dry Recycling and Fibre (Paper and Cardboard). 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. Each household can pay a subscription charge for a maximum of two additional bins for garden waste. This service is suspended for one collection over Christmas.

Each Council has historical bin colours; the list below represents the standard service which will be rolled out in 2025 and 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	Residual waste (waste which cannot be recycled)	Three Weekly
240L grey/black bin	Mixed dry recycling*	Three Weekly
240L blue lidded with grey body bin	Paper and cardboard	Three Weekly
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 yard or gardens 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 householder/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/sacks 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, at the discretion of the Council, for some existing flat blocks where bin storage space is insufficient. All new build and converted communal properties are required to have adequate accessible bin storage.

Only waste which is presented in the correct containers with the correct items in will be emptied. 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 waste 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/sack for the collection of mixed



dry recycling, a box/sack for the collection of paper and cardboard and a 23l caddy for food waste.

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.

### **Policy 6 – Extra bin capacity**

All households will be provided with bins in accordance with the standard service. Residents can apply for additional capacity, which may be in the form of either larger bins, additional bins or more frequent collections at the discretion of the Council and based on need. This will be considered only under the following circumstances.

1. There are six or more permanent residents in the household
2. There are two or more babies in nappies under 36 months.
3. A household where a large quantity of non-clinical healthcare (hygiene) waste is being produced, e.g. incontinence wear.

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, copies of birth certificates may be requested, and the service will revert back to the standard service when the eldest child reaches 3 years of age.

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(s) or second recycling bin(s) at the Councils discretion.

Extra capacity provision under Criteria 3 may require proof of need. Where extra capacity is provided under Criteria 3, this may be for additional frequency collections, e.g., Fortnightly.

The provision of extra capacity is dependent on the household utilising the recycling service, including the food waste collection service and may be withdrawn if recycling services are not being utilised.

### **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
- Any liquids with the exception of liquid associated with food waste e.g. gravy
- Batteries
- Paint/ Pesticides or chemicals

- DIY waste
- Plasterboard
- Electrical and electronic equipment (including disposable vapes)
- Commercial waste
- Industrial waste
- Large or bulky waste which does not normally fit into a bin.(see [Policy 26](#))
- Hot ashes including disposable BBQs
- Car parts
- Rubble / soil
- Corrosive materials and liquids
- Oil
- Fluorescent tubes / low energy light bulbs

Households are encouraged to consider items for reuse and an A-Z of recycling is provided on our website for information on what can be reused, 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. A sticker informing the resident may be left. Persistent excess residual waste may result in a letter being sent or an officer visit to advise on the management of waste and opportunities for recycling. 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 chargeable garden waste bins or sacks with the exception of real Christmas trees, which are under 6ft, 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 provided these are contained in a reusable plastic box. Non-recyclable containers will be left after collection.

Large item such as cardboard from large electrical goods should be broken down and placed in the blue lidded paper and cardboard bin to facilitate collection.

Excess recyclable material will not be collected if presented in a black or other type of plastic sack.

### **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 pulled in 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 communal bin store has been provided at flats 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.

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### **Policy 15 - Assisted collections**

Assisted collections are available to anyone with a disability 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 where 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.

The Council will be proactive in its reuse of wheeled bins and wheeled bin parts and will endeavour when practicable to repair rather than replace bins. Replacements bins may be refurbished.

### **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/reusable sacks 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/ Disruption to Services**

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 or recycling 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, in exceptional circumstances 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.

[Area and round specific communications will go out via push notifications from our app]

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 either later the same day or 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 but vehicles were unable to collect waste due to blocked access we may notify the Police. Collections will resume on the next scheduled day.

If we are notified of road works in advance by a resident; 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 some circumstances 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 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 and dispose of soft furnishings separately from other bulky waste items and therefore where residents require a collection of mixed items two separate collections may 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.



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## TRADE WASTE POLICIES

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### 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 cardboard and paper, garden waste and 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.

Managing contamination is the responsibility of the business however 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.

- Box/reusable sack
- 140L
- 240L\*
- 360L\*
- 660L\*
- 1100L\*

\*Not suitable for food waste collections.

All bins, boxes 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 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.

Fly-tipping will be removed within 5 working days of the report and following any investigation by enforcement teams. Where hazardous waste is identified in the fly tip or the scale of the fly tip is significant 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 below.

In town centres which are cleansed in accordance with [Policy 33](#), response times are usually within 6 working hours.

In other areas with high footfall this is usually within 3 working day.

For the majority of other urban areas this is usually within 5 working days.

For rural areas this is between 5 and 14 days depending on the rurality and intensity of use.

Overflowing litterbins will be emptied within 24 hours.

Reported needles will be collected the same working day, as far as is reasonably practicable.

### Policy 31 – Detritus and Leaf clearance

Detritus is managed according to need and the defined kerbed edges of the highway. The emptying of road gullies and drains is the responsibility of Hertfordshire County Council.

Prior to the winter season the Council will inspect roads liable to severely flood and enact any additional detritus removal as a preventative measure.

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 5 working days and overflowing litter bins within 24 hours.

The Council will remove litter bins from laybys where they are subjected to regular fly tipping or misuse.

### **Policy 33 – Street cleansing Town centres**

Town centres will receive a morning 'back to standard' cleanse by 9am and be revisited throughout the day to provide litter picking and litterbin emptying services. The areas of the town centres experiencing the highest intensity of traffic will be maintained to a minimum of a Grade B standard between 9am and 6pm Monday to Saturday and 9am and 12noon on Sundays, with the exception of Christmas Day and New Year's Day.

### **Policy 34 - Litter / on street recycling bins**

Where possible litter and picnic waste should be taken home where it can be correctly sorted for recycling and disposal into household bins.

Litter bins are provided on a needs basis and only where their presence will have a demonstrable positive impact on the local environment by reducing litter or in very high footfall areas.

Litter bins are only provided for small items of rubbish derived from passersby only. Litter should be placed inside the bin, not next to or on top of it.

Bagged dog faeces can be placed into street litter bins. Household and commercial waste must not be placed into on street bins.

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 e.g. Network Rail, to encourage the removal of graffiti.

Further details are provided on our website

	Activity	Category	Project	Year of Spend	Est. Expenditure	Notes
	<b>3 Weekly collections commence</b>	<b>Milestone</b>				
New Service						
Three-weekly	<b>Agree key messages and branding</b>		<b>Three-weekly</b>		<b>0</b>	
	<b>Stakeholder implementation packs</b>		<b>Three-weekly</b>			
	Pre-engagement leaflet in council tax bill	Printed	Three-weekly	24/25	TBC	
	App and App launch	App	Three-weekly	24/25	44,000	Including set up costs. (promotion linked in other comms)
	Parish Council communication	Email	Three-weekly		0	
	Launch of "name your vehicle" competition	Social media	Three-weekly	24/25	1,000	their collection vehicles. Will ask public to vote for names. Could
	Change FAQs on both website	Website	Three-weekly		NA	Details on deliveries, missed deliveries and when you use new
	Intro to changes leaflet (inc day change) delivery/postage	Printed	Three-weekly	25/26	100,000	Based on 2nd class postage (85p) for 2 page leaflet. Alternatives still being researched
	Delivery of new wheeled bins	Milestone	Three-weekly			
	Day Change signs for villages	Printed	Three-weekly	25/26	1700	May not be required if App procured
	Website banner - introducing changes	Website	Three-weekly		NA	
	Webpage update - introducing changes	Website	Three-weekly		NA	
	Website all page update inc soft plastics	Website	Three-weekly		NA	
	Envelope inc leaflet and 2 x bin stickers	Printed	Three-weekly	25/26	92000	Delivered with bins. Full instructions for residents inc. bin relabelling
	Bin change stickers	Printed	Three-weekly		included in E10	based on 10p per sticker (No food waste sticker quote)
	3 x Bins intro roadshows per authority	Roadshow	Three-weekly	25/26	6000	Overtime for staff included in this estimate
	Vehicle Livery changes to services	Livery	Three-weekly	24/25	5000	5 in each district
	Website FAQs if people report a missing bin.	FAQ	Three-weekly		0	
	Social media/reception explanation video	Website	Three-weekly	25/26	2,000	Design time/animation, excludes boosting posts
	Social Media - Post boosting	Online		25/26	1,000	

Activity	Category	Project	Year of Spend	Est. Expenditure	Notes
Service change presentations (parishes) Q&A and video	Online	Three-weekly		0	Assumed no overtime required
Use councils e-news and email circulation for additional updates	Online	Three-weekly	25/26	0	Established network, need hook to increase read rates.
Engage parishes local newsletters, info boards, groups (distribution of leaflets)	Online	Three-weekly		0	Ask for features in local publications, engage representatives and engage via WhatsApp community chats.
Staff presentations (inc food waste for East)	Online	Three-weekly		0	
Updating policies - publish	Internal	Three-weekly		0	
Council website updates	Website	Three-weekly		0	
Crew engagement	Roadshow	Three-weekly		0	Face to face workshop/news letter
CSC training and engagement	Roadshow	Three-weekly		0	Face to face workshop
Outlook Full page spread on changes (North Only) Summer edition	Printed	Three-weekly		0	North Only (copy for other publications)
Engage local radio stations for promotion	Press	Three-weekly		0	Offer details but no apaid advertising
Attendance at Cllr surgeries and town talks to present changes (engage housing associations for any of their events)	Roadshow	Three-weekly		0	Ensure various officers can deliver presentation for maximum attendance.
Engage local press	Press	Three-weekly		0	Provide press with lots of details and ask for support NB: Press
Utilise Outlook Dec 24 for waste minimisation messages to prepare residents	Printed	Three-weekly		0	Opportunity to prepare residents for reducing either residual waste

	Activity	Category	Project	Year of Spend	Est. Expenditure	Notes
EH Weekly Food	Design of food waste flyer/leaflet	Printed	East Food	25/26	TBC	East Herts house design team based on WRAP COMMS
	No food waste stickers	Printed	East Food	25/26	5,000	To be stuck on residual bins.
	Food waste flyer (delivered with caddies)	Printed	East Food	25/26	4700	
	Vehicle Livery changes to services	Livery	East Food	25/26	3,000	Estimate based on 6 vehicles
	Webpage update - new food waste page	Website	East Food		NA	
Garden waste 25	Garden waste DD info change emails	Email	Garden waste 25		0	free using Govnotify
	Additional promotional leaflet inc. day changes	Printed	Three-weekly	25/26	1000	
	Garden waste letters (including info on changes)	Printed	Garden waste 25	25/26	1000	Postage based on existing customer numbers without email addresses
Flex collect ext.	New participants welcome leaflet	Printed	Flex collect		0	Funded via Flexcollect trial
	Delivery of flyer and sacks	Printed	Flex collect		0	Funded via Flexcollect trial
Other	Press release winning contractor	Press	General		0	Reference to changes expected
	Annual print (contam, frozen, GW unpaid etc)	Printed	General	Both	14,000	
	Christmas Hanger	Printed	General	Both	4,000	Delivery included in contract. May not be required if App purchased
	Text alerts based on 30k each district	Text		Both	6,000	BH texts based on 8 texts not required if App procured
	Online bulky payment launch	Website	New Contract			
	Y2 App Costs	App	General	25/26	34000	









## **East Herts Council Report**

### **Executive pre-meeting**

**Date of meeting: Tuesday 25 June 2024**

**Report by:** Councillor Vicky Glover-Ward – Executive Member for Planning and Growth

**Report title:** Request for Area Designation for Neighbourhood Planning: Hertford Castle Plus, Hertford Town Council

**Ward(s) affected: Hertford Bengoe; Hertford Castle; Hertford Kingsmead;**

**Summary** – To consider an application for the designation of another Neighbourhood Area within Hertford.

### **RECOMMENDATIONS FOR EXECUTIVE:**

- a) The consultation responses, as detailed in Appendix C to this report, be received and considered; and**
- b) The application, submitted by Hertford Town Council, for the designation of Hertford Castle Plus as a Neighbourhood Area for the purposes of producing a neighbourhood plan, be supported**

### **1.0 Proposal(s)**

- 1.1 The designation of a Neighbourhood Plan Area is the first formal stage in the Plan making process. In accordance with the requirements of Section 5 -7 of the Neighbourhood Planning (General) Regulations 2012 (as amended), Hertford Town Council must make a request to the local planning authority, East Herts Council (EHC), to designate a Neighbourhood Area. EHC must then determine the application.

## 2.0 Background

- 2.1 Neighbourhood Planning was introduced by the Government under the Localism Act in 2011. Neighbourhood planning provides an opportunity for local communities to produce a planning document that shapes and influences future development within their local area.
- 2.2 The Town and Country Planning England Neighbourhood Planning (General) Regulations 2012 (as amended) came into force on the 6 April 2012 and prescribe both the process, and role of the local planning authority in supporting neighbourhood planning. In East Herts, parish or town councils are qualifying bodies able to produce a Neighbourhood Plan.
- 2.3 Hertford Town Council submitted an application for the designation of a Neighbourhood Area to the Council on 5th March 2024. The application was made in writing by Hertford Town Council with an attached plan setting the area to which the application relates. The letter and plan form **Appendix A** and **Appendix B** to this report.
- 2.4 The Area Designation covers Hertford Castle ward and the parts of Bengoe and Kingsmead wards (Hertford Town Council wards of Bengoe South and Kingsmead West) not already included in existing designated neighbourhood areas. Hertford Town Council have decided this will be called Hertford Castle Plus Neighbourhood Area.
- 2.5 In 2023, following the recommendation of the Local Government Boundary Commission for England, Parliament approved changes to the electoral arrangements in East Herts. The boundaries of Kingsmead and Bengoe wards changed to include areas that were previously in Castle Ward. However, the Kingsmead and Bengoe Neighbourhood Plan area designations relate to the previous ward boundaries and will remain in place until such time that a further review or update of the Neighbourhood Plan/s is undertaken. Therefore to ensure all areas of Hertford are covered by a

neighbourhood plan, Hertford Town Council are requesting that the Hertford Castle Plus Neighbourhood Area cover Hertford Castle, Bengoe South and Kingsmead West wards. It will give the communities in those wards the opportunity to engage in the creation of a neighbourhood plan. Neighbourhood plans allow communities to have a direct say about challenges they have identified in their local area. These can include the development of residential housing developments, small businesses, local shops and other amenities, as well as the preservation of green spaces.

- 2.6 Agreement to the designation of a Neighbourhood Area is required by the District Council as Local Planning Authority (LPA) before a Neighbourhood Plan can be formulated.

### Consultation

- 2.7 The application has been advertised in accordance with the Regulations for a 7 week period between 4 April and 23 May 2024.
- 2.8 Six consultation responses were received, including one late response, submitted after the consultation period ended. Most of the responses are supportive of the neighbourhood area designation and view it as a positive opportunity to develop a neighbourhood plan to address local issues. Two of the responses identify priorities that they would like considered in the neighbourhood plan, including provision for equestrians, pedestrianisation of Hertford Town Centre, the future uses of County Hall and town centre regeneration opportunities. These issues should be taken into account whilst developing the neighbourhood plan, however, do not affect the Neighbourhood Area designation decision.
- 2.9 One of the responses is concerned the proposed neighbourhood area is too large and suggests that Kingsmead West ward should be incorporated into the existing Kingsmead Neighbourhood Plan and that Bengoe South ward should be included in the existing Bengoe Neighbourhood Plan. This response is considered in section 3 of this report.

2.10 The comments received are set out in **Appendix C** to this report.

### **3.0 Reason(s)**

- 3.1 The two main areas of consideration to be taken into account when determining an application for the designation of a Neighbourhood Area are set out in Schedule 9 of the Localism Act 2011. One of these is that the authority determining the application must have regard to the desirability of maintaining the existing boundaries of neighbourhood plan areas already designated. The other area of consideration is that a specified area must be one that consists of, or includes the whole or any part of the area of the (Parish) Council.
- 3.2 The proposed Neighbourhood Development Plan Area is contiguous with the existing neighbourhood areas of Sele, Bengoe and Kingsmead in Hertford and also Brickendon Liberty, Hertford Heath and Hertingfordbury. Therefore, there is no overlap with existing neighbourhood area boundaries.
- 3.3 The proposed area designation is the last area administered by Hertford Town Council to be designated as a neighbourhood area. As outlined above, due to the ward boundary changes in 2023, the area includes all of Castle ward, but also the parts of Bengoe and Kingsmead wards that are not included in existing neighbourhood areas.
- 3.4 Neighbourhood Planning legislation allows local planning authorities to amend the boundaries of existing designated neighbourhood areas (if an application is submitted), but any existing adopted Neighbourhood Plans would not relate to the new area. So, the suggestion in the consultation response, to extend Bengoe and Kingsmead neighbourhood areas, would require the existing neighbourhood plans in those neighbourhood areas (adopted in 2021 and 2023) to be replaced to cover larger neighbourhood areas.

- 3.5 This option has not been proposed by Hertford Town Council and the proposed designation of Hertford Castle Plus Neighbourhood Area complies with the legislation. To ensure the whole administrative area of Hertford is covered by a Neighbourhood Plan, Hertford Town Council consider it is appropriate to designate the Neighbourhood Area. This is a logical and sensible approach, to ensure all of Hertford's community has the opportunity to engage in the neighbourhood plan process. The Localism Act allows for all or part of a parish to be designated, so the proposed Castle Plus area designation is not considered too large.
- 3.6 At this stage no ideas have been developed about the content of the Plan. However, this will be led by Hertford Town Council in due course, with community engagement. The Council encourages Neighbourhood Plans to be developed in a positive and proactive manner to support the strategic objectives of the District Plan. It is East Herts Council's role to advise and support Neighbourhood Plans as they progress.

### *Conclusion*

- 3.7 In light of the above considerations, designation of a Hertford Castle Plus Neighbourhood Area, for neighbourhood planning purposes is supported.

## **4.0 Options**

- 4.1 The Local Planning Authority must determine whether the area should be designated as a Neighbourhood Area in accordance with The Neighbourhood Planning (General) Regulations 2012 (as amended). The proposed application meets the requirements of the legislation so refusing the application would be contrary to the legal requirements.

## **5.0 Risks**

5.1 Designated Neighbourhood Areas allow for the development of Neighbourhood Plans. Neighbourhood planning enables residents and businesses/organisations to set out proposals for their local area, which will inform future planning decisions. The process encourages the local community to shape their locality. If the neighbourhood area is not designated, then there is a risk that the community in Hertford may feel less engaged in the plan making process.

## **6.0 Implications/Consultations**

6.1 The area designation has been subject to public consultation for over 6 weeks, in accordance with Neighbourhood Planning Regulations 2012 (as amended). The designation of the neighbourhood area, which will allow for the development of a neighbourhood plan, is expected to have positive implications for the Council because it empowers communities to shape the development and growth in their local area, complying with national policy and the objective in the East Herts Corporate Plan to encourage neighbourhood planning.

### **Community Safety**

There are no direct community safety implications as a result of this report.

### **Data Protection**

All consultees have consented to the processing of their personal data for the reasons set out in the associated privacy notice.

### **Equalities**

There are no direct equality, diversity, or inclusion implications in this report. The Neighbourhood Plan process is an opportunity to reach out to those whose voices sometimes go unheard.

### **Environmental Sustainability**

There are no direct sustainability implications in this report. A future neighbourhood plan will be screened for its environmental impacts in accordance with the Neighbourhood Planning Regulations 2012 (as

amended). The Neighbourhood Plan process is an opportunity to include policies on climate change mitigation and adaptation contributing to meeting wider environmental and sustainability objectives.

### **Financial**

There are no additional financial implications beyond officer time as a result of this report. The Local Planning Authority is required to take decisions at key stages in the neighbourhood planning process.

Government grants will be available to the Council if a neighbourhood plan progresses to Examination and Referendum.

### **Health and Safety**

There are no direct health and safety implications as a result of this report.

### **Human Resources**

There are no direct human resources implications as a result of this report.

### **Human Rights**

There are no direct human rights implications as a result of this report.

### **Legal**

The Local Planning Authority must determine whether the area should be designated as a Neighbourhood Area in accordance with the Neighbourhood Planning (General ) Regulations 2012 (as amended)

### **Specific Wards**

Castle ward, and parts of Kingsmead ward and Bengo ward in Hertford

## **7.0 Background papers, appendices and other relevant material**

7.1 Appendix A: Hertford Town Council Neighbourhood Area Designation Request Letter

7.2 Appendix B: Map of Hertford Castle Plus Neighbourhood Area Designation

7.3 Appendix C: Consultation responses



**Contact Member** Vicky Glover-Ward  
Executive Member for Planning and Growth  
[vicky.glover-ward@eastherts.gov.uk](mailto:vicky.glover-ward@eastherts.gov.uk)

**Contact Officer** Sara Saunders  
Head of Planning and Building Control,  
Contact Tel. No. 01992 531656  
[sara.saunders@eastherts.gov.uk](mailto:sara.saunders@eastherts.gov.uk)

**Report Author**  
Laura Guy, Principal Planning Officer  
[laura.guy@eastherts.gov.uk](mailto:laura.guy@eastherts.gov.uk)



## HERTFORD TOWN COUNCIL

RECEIVED - 7 MAR 2024

Sara Saunders  
Head of Planning and Building Control  
East Herts District Council  
Wallfields, Pegs Lane  
Hertford  
SG13 8EQ

5 March 2024

Dear Sara,

**Proposed Neighbourhood Plan for Castle Ward, Kingsmead West Ward, and Bengoe South Ward Hertford – Application for Designation of a Neighbourhood Area**

By way of this letter, the Council is applying for the designation of the Castle Ward, Kingsmead West Ward, and Bengoe South Ward (CKWBS) in Hertford as a neighbourhood area.

To assist with this application, I am pleased to confirm the following:

- The enclosed plan identifies the area to which this application relates.
- A Neighbourhood Plan for the CKWBS Wards would allow the local community to have a direct say about the challenges that the local community has identified such as promoting a range of good quality developments, including residential, small business, local shops and local services that meet the needs of CKWBS area residents & organisations, whilst protecting biodiversity, and enhancing the green spaces of these wards. The purpose of the Neighbourhood Plan will be to help ensure that development makes a positive and beneficial contribution to the wider community and is supported by improvements to local services and infrastructure.
- Hertford Town Council is a relevant body for the purposes of Section 61G of the 1990 Planning Act.

At the meeting of the Council's Development and Leisure Committee held on 26 February 2024, it was resolved that Neighbourhood Plan for these three wards be called the Hertford Castle Plus Neighbourhood Plan.

TOWN CLERK - JOSEPH WHELAN MBA

The Castle • Hertford • SG14 1HR • Tel: 01992 552885 • Email: town.clerk@hertford.gov.uk

[www.hertford.gov.uk](http://www.hertford.gov.uk)

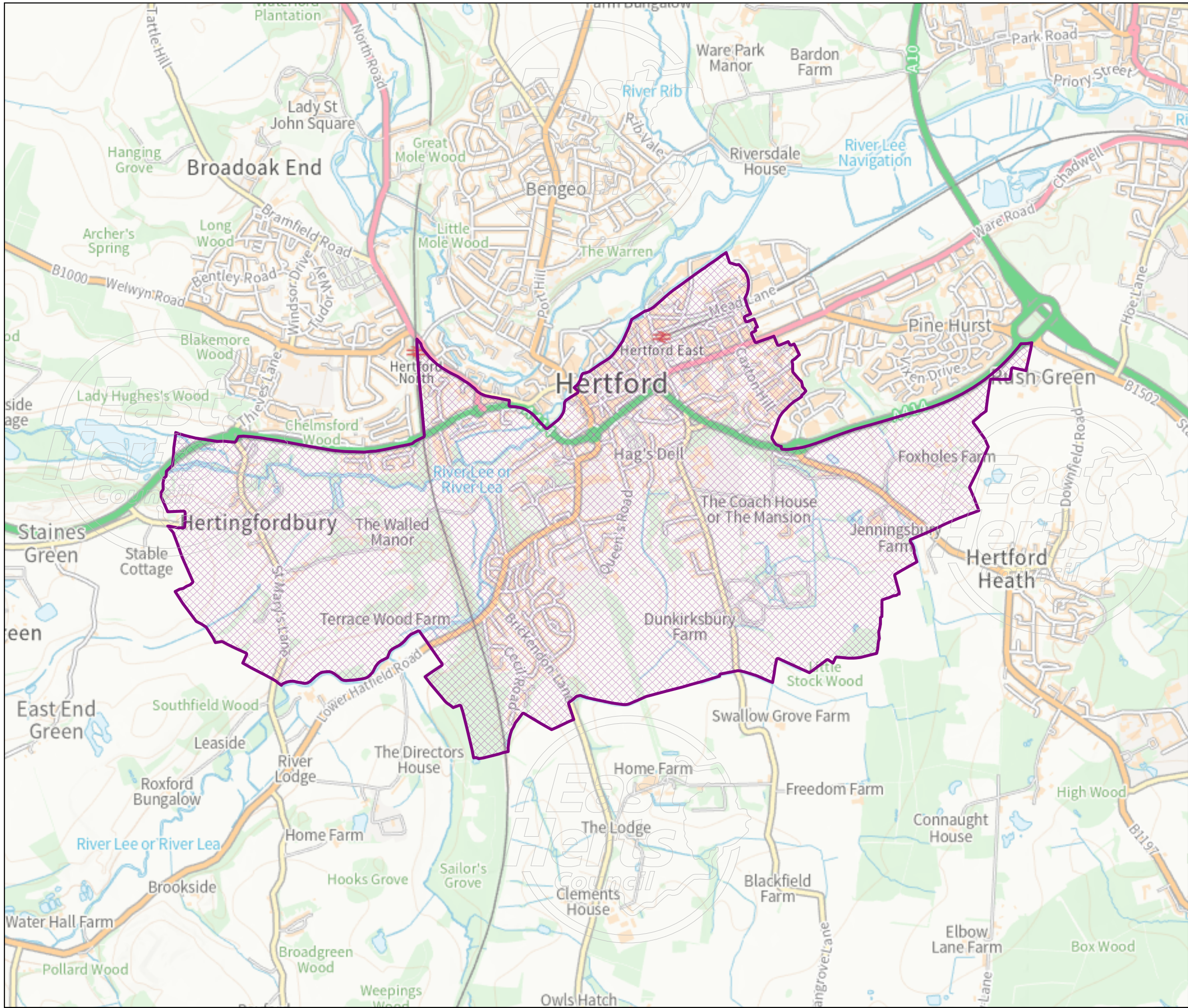
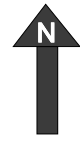
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Yours sincerely.

Joseph Whelan  
Town Clerk  
Hertford Town Council

Enc.





East Herts Council  
Wallfields  
Pegs Lane  
Hertford SG13 8EQ  
Tel: 01279 655261

PLAN TITLE  
Hertford Castle Plus  
Area Designation

DATE OF PRINT 25/03/2024  
SCALE 1:20000@A3



**From:** donotreply@eastherts.gov.uk on behalf of East Herts District Council  
<donotreply@eastherts.gov.uk>  
**Sent:** Thursday, 04 April 2024 17:32  
**To:** Development Management - Planning Policy EHC  
**Subject:** [External] Hertford Castle Plus NP Comment Form

200392

1

Submitted on Thu, 04/04/2024 - 17:31

Submitted by: Anonymous

Submitted values are:

## Part A: Personal Details

I am...

Responding as an individual

Name

Address

E-mail

Telephone number

## Part B: Representation

**Do you have any comments on the Hertford Castle Plus Neighbourhood Area Designation?**

Only that looking forward to finding out more about what impact this will have on residents

## Privacy Notice

**I consent to the processing of my personal data for the reasons set out in the Privacy Notice.**

Yes

**From:** donotreply@eastherts.gov.uk on behalf of East Herts District Council  
<donotreply@eastherts.gov.uk>  
**Sent:** Monday, 08 April 2024 20:26  
**To:** Development Management - Planning Policy EHC  
**Subject:** [External] Hertford Castle Plus NP Comment Form

200400

2

Submitted on Mon, 08/04/2024 - 20:17

Submitted by: Anonymous

Submitted values are:

## Part A: Personal Details

**I am...**

Responding as an individual

**Name**

**Address**

**E-mail**

**Telephone number**

## Part B: Representation

**Do you have any comments on the Hertford Castle Plus Neighbourhood Area Designation?**

It would be a good opportunity to consider the pedestrianisation of Hertford town centre (obviously need to maintain access to Folly Island), the future of the County Hall site (as the County Council is vacating it and it would be good to retain some employment in the town rather than just be a commuter suburb), the future of the bus station which seems a bit precarious, possibly regenerating the area around the telephone exchange and the Post Office, which could not doubt free up some land for housing delivery, as could some of the unused land and car parks around Stag House and the Fire Station.

## Privacy Notice

**I consent to the processing of my personal data for the reasons set out in the Privacy Notice.**

Yes

**From:** donotreply@eastherts.gov.uk on behalf of East Herts District Council  
<donotreply@eastherts.gov.uk>  
**Sent:** Friday, 12 April 2024 14:08  
**To:** Development Management - Planning Policy EHC  
**Subject:** [External] Hertford Castle Plus NP Comment Form

200416

3

Submitted on Fri, 12/04/2024 - 14:06

Submitted by: Anonymous

Submitted values are:

## **Part A: Personal Details**

**I am...**

Responding as an individual

**Name**

**Address**

**E-mail**

**Telephone number**

## **Part B: Representation**

**Do you have any comments on the Hertford Castle Plus Neighbourhood Area Designation?**

I think this is a good idea and should be progressed so that there can be some overall coherence in the future development of the area

## **Privacy Notice**

**I consent to the processing of my personal data for the reasons set out in the Privacy Notice.**

Yes

**From:** donotreply@eastherts.gov.uk on behalf of East Herts District Council  
<donotreply@eastherts.gov.uk>  
**Sent:** Wednesday, 08 May 2024 12:00  
**To:** Development Management - Planning Policy EHC  
**Subject:** [External] Hertford Castle Plus NP Comment Form

200515

4

Submitted on Wed, 08/05/2024 - 11:57

Submitted by: Anonymous

Submitted values are:

## Part A: Personal Details

**I am...**

Responding as an individual

**Name**

**Job Title/Dept**

Resident

**Address**

**E-mail**

**Telephone number**

## Part B: Representation

**Do you have any comments on the Hertford Castle Plus Neighbourhood Area Designation?**

I would support the proposed designation and will appreciate being kept informed on progress with the application.

## Privacy Notice

**I consent to the processing of my personal data for the reasons set out in the Privacy Notice.**

Yes



**From:** donotreply@eastherts.gov.uk on behalf of East Herts District Council  
<donotreply@eastherts.gov.uk>  
**Sent:** Thursday, 23 May 2024 07:33  
**To:** Development Management - Planning Policy EHC  
**Subject:** [External] Hertford Castle Plus NP Comment Form

200567

5

Submitted on Thu, 23/05/2024 - 07:26

Submitted by: Anonymous

Submitted values are:

## **Part A: Personal Details**

**I am...**

Responding as an individual

**Name**

**Address**

**E-mail**

**Telephone number**

## **Part B: Representation**

**Do you have any comments on the Hertford Castle Plus Neighbourhood Area Designation?**

What provisions have been made for equestrians please in the area?

## **Privacy Notice**

**I consent to the processing of my personal data for the reasons set out in the Privacy Notice.**

Yes

**From:** donotreply@eastherts.gov.uk on behalf of East Herts District Council  
<donotreply@eastherts.gov.uk>  
**Sent:** Wednesday, 05 June 2024 16:50  
**To:** Development Management - Planning Policy EHC  
**Subject:** [External] Hertford Castle Plus NP Comment Form

200607

6

Submitted on Wed, 05/06/2024 - 16:45

Submitted by: Anonymous

Submitted values are:

## Part A: Personal Details

**I am...**

Responding as an individual

**Name**

**Organisation**

N/A

**Address**

**E-mail**

**Telephone number**

## Part B: Representation

**Do you have any comments on the Hertford Castle Plus Neighbourhood Area Designation?**

Yes; I am of the opinion that the designated area is too large - Castle ward should be represented by the Castle town council ward designated area. Kingsmead West should be incorporated into the existing Kingsmead Neighbourhood plan, and likewise Bengo South should be incorporated into the existing Bengo Neighbourhood plan.

## Privacy Notice

**I consent to the processing of my personal data for the reasons set out in the Privacy Notice.**

Yes

# Agenda Item 7

## **East Herts Council Report**

### **Executive**

**Date of meeting: Tuesday 9<sup>th</sup> July 2024**

**Report by:** Councillor Chris Wilson, Executive Member for Resident Engagement

**Report title:** A Listening Council

### **Ward(s) affected:**

All wards

### **Summary**

In response to the recent consultation on the 'A Listening Council' document, this report provides an overview of the feedback received and consequent amendments made. An amended version of the document is presented for approval.

### **RECOMMENDATIONS FOR THE EXECUTIVE:**

- a) that the 'A Listening Council' document as amended following public consultation, presented in Appendix A, be approved.

### **1.0 Background**

- 1.1 The council's Corporate Plan, adopted by Council at its meeting on 28<sup>th</sup> February 2024, makes explicit that one of the council's core drivers is listening and being open and transparent. The 'A Listening Council' document lays out the principles and methods by which the council will adopt a listening approach.
- 1.2 The first draft of the 'A Listening Council' document was considered by the Overview and Scrutiny Committee on 7<sup>th</sup>

November 2023. The Executive Member for Resident Engagement drew on the committee's proposed amendments before putting a revised version of the document to the Executive at its meeting on 28<sup>th</sup> November 2023. At this meeting, the Executive endorsed the document for consultation. This report discusses the outcome of the consultation and present a final version of the 'A Listening Council' document for consideration by the Executive.

- 1.3 Since endorsement of the document for consultation, on 28<sup>th</sup> February 2024, Council has approved the East Herts Corporate Plan which included as one of its overarching aims that the council should adopt a 'Listening, open and transparent' stance. The benefits of this approach are underlined by the Local Government Association's (LGA) review of ['Innovation in community engagement'](#) which includes numerous case studies demonstrating how effective engagement can help councils save money, reduce complaints and increase public understanding of how councils work and the pressures they face.
- 1.4 For example, the LGA's work refers to Stroud District Council's Community Engagement Board which was established to bring together officers, councillors and volunteer community representatives to discuss how to reduce district carbon emissions. This is very similar to East Herts Council's Environmental and Climate Forum which has taken on a renewed focus since Council declared a Climate Emergency on 26<sup>th</sup> July 2023. Of note, the Forum has benefitted from local experts leading teach-in sessions, most recently covering air source heat pumps, without any cost to the council.

- 1.5 The LGA study also mentions Staffordshire County Council's approach to better engagement which involved recruiting 'trusted voices' within local communities who could make connections in their local areas to promote informed dialogue between the council and the public.
- 1.6 These examples point to how important it is to strengthen the council's approach to information giving, engagement and consultation as laid out in the 'A Listening Council' document.

## **2.0 Reason(s)**

- 2.1 Given the remit to seek the views of East Herts residents on the 'A Listening Council' document as discussed above, the document itself was made available for public consultation, digitally and in paper form, throughout the month of April 2024.
- 2.2 As envisioned by the document itself, although comments were invited via the online form, officers also discussed the document in person with several groups with which the council works very closely, including:
  - Dementia Friendly Group
  - The Joint Action Group. Partners include Housing Associations, East Herts Citizen's Advice, Community Alliance, MIND and others
  - East Herts Health & Wellbeing Group.
- 2.3 Information about the consultation was shared with many of the council's partners too, including:
  - HCC Services for Young People
  - Healthy Hub East Herts partner distribution list
  - Social Prescribing contacts

- East Hertfordshire Libraries.

2.4 Different publicity channels were also used:

- East Herts Council social media campaign
- physical displays in libraries
- council members via the Member Information Bulletin
- staff meetings.

2.5 It impossible to calculate how many individuals heard of the consultation through all the different routes listed above, however, we know that 86 individuals viewed the online material in addition to those who discussed the document in face-to-face meetings, with 23 fully completed survey questionnaires received. While all views through the various channels have been heard, this report focuses on the responses from the 23 completed questionnaires.

2.6 As the document essentially provides a description of *how* the council will enable consultation rather than the detail of *what* it will consult on, it is perhaps unsurprising that the number of participants in the consultation wasn't higher. Experience shows, however, that there is a tendency for people to engage with council in greater numbers on specific issues about which they feel particularly strongly or that they believe affect them and their families to a significant degree. Of note, the council's recently introduced Community Forums on strategic sites have attracted 60 to 90+ people each time. Also, within the last year, the council received 189 responses to the Air Quality Action Plan consultation, while over 900 taking part in the consultation on the Local Cycling and Walking Infrastructure Plan.

- 2.7 The responses we have received to the 'A Listening Council' consultation are clearly very well-considered and have provided valuable feedback on how to make the document as clear and easy to understand as possible. In addition, the council is at the start of a new approach to consultation and so will continually reflect on and learn from its engagement activities, thus, there will be more opportunities for people to share their views.
- 2.8 Appendix B lists the comments made in response to the following three questions:
- How clearly do you think we have described these approaches?
  - How well do you think we have explained these building blocks that we need to build our approach upon?
  - Is there anything you feel is missing from or you would like us to add to the Listening Council document?
- 2.9 The analysis, also given in Appendix B, has focused on the areas for improvement to the document suggested by respondents. A series of amendments have been made to the 'A Listening Council' document as a direct result of the consultation, a fact that in itself demonstrates the council's openness to the public's feedback. It should be noted that some comments related to specific services rather than the document itself. While these comments have not been included in the analysis, they have been passed to officers in the relevant services to consider.
- 2.10 In summary, the most substantive amendments proposed are:
- additional wording to make more explicit the recognition that honest communication is at the heart of the 'A Listening

Council' approach, even in instances where the council cannot act on residents' suggestions

- the addition of a more explicit commitment to include feedback and consultation responses in published reports when making decisions
- a rewording of the commitment to enable people to 'access information at the depth they prefer' to 'Allowing people to be able to get information from the council at the level of detail they prefer'
- a simplifying of references to 'elected members', notably, using the term 'councillors' instead which is perhaps more readily understood by the public.

### **3.0 Options**

- 3.1 Continue to carry out information giving, engagement and consultation on a case-by-case basis without a published set of principles – NOT RECOMMENDED as this can lead to problems such as inconsistency, perceived tokenism and a missed opportunity to learn from involvement exercises on an ongoing basis.
- 3.2 Not make any amendments following the consultation feedback – NOT RECOMMENDED as this would see the council missing out on the valuable observations and suggestions made by the public and, indeed, would undermine the desire to listen to feedback articulated within the document itself.
- 3.2 Endorse the document, which incorporates amendments following public consultation – RECOMMENDED.

### **4.0 Risks**



4.1 There is a possible reputational risk that in adopting the 'A Listening Council' document, the council may be unable, due to capacity and/or financial resources, to conduct all its involvement exercises in line with the principles and thus invite criticism. This risk can be minimised by developing best practice guidance for officers and members and continually learning from different exercises on how best to involve people in a meaningful way within the resources available to the council.

## **5.0 Implications/Consultations**

### **Community Safety**

None arising directly from this report.

### **Data Protection**

None arising directly from this report.

### **Equalities**

The 'A Listening Council' document explicitly includes 'Reaching out to those whose voices can sometimes go unheard' among its underlying principles. It is to be expected that some groups with protected characteristics may go unheard by the council. Prior to finalisation of the document and its presentation to members for adoption, a full equalities impact assessment will be conducted to ensure any issues are recognised and addressed.

### **Environmental Sustainability**

None arising directly from this report.

### **Financial**

Any training or development to support implementation of the 'A Listening Council' principles can be accommodated within the council's existing training budgets. There are no other financial

implications arising directly from this report as, ultimately, any exercises to inform, engage or consult will be carried out within existing budgets or with additional funding, whether from internal or external sources, approved by members on a case-by-case basis.

### **Health and Safety**

None arising directly from this report.

### **Human Resources**

None arising directly from this report.

### **Human Rights**

None arising directly from this report.

### **Legal**

Some of the council's work requires, by statute and/or government guidance, consultation to be conducted via prescribed means and/or over a set period of time. This applies, for example, to consultation on revisions to the District Plan and changes to the council's various licensing policies. Ultimate adoption of the 'A Listening Council' principles would not in any way over-ride or fetter the council's adherence to externally determined consultation requirements.

### **Specific Wards**

No

## **6.0 Background papers, appendices and other relevant material**

6.1 Background Information: None.

6.2 Appendices:

Appendix A – 'A Listening Consultation: East Herts Council's principles for information giving, engagement and consultation' final version with amendments incorporated following public consultation.

Appendix B - 'A Listening Council' – Feedback from consultation.

**Contact Member**

Executive Member for Resident Engagement

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# A Listening Council

East Herts Council's principles for  
information giving, engagement and consultation

# A Listening Council

At East Herts Council, we are committed to fostering open and inclusive dialogue with our residents, businesses and partners. We believe that meaningful and transparent conversations are essential for informed decision-making and the development of effective solutions. ***While there will always be conflicting outcomes and some residents may feel dissatisfied with the result, the council will always endeavour to deliver honest and unbiased communication.*** Our principles for information giving, engagement and consultation will guide us in creating an environment where diverse perspectives are valued so that, we truly believe, collaboration will lead to better outcomes.

## Understanding the different approaches

There are lots of ways the council can and does work with and involve residents, businesses and other partners on the things we do. The main ways are as follows.

### 1) Information giving

- This is a one-way form of communication where we provide people with details about what we are doing or planning to do but are not seeking input into those things.
- Sometimes we will simply give information not because we don't want to hear from people but because we are just telling people about something we have already consulted or updating or reminding them about our day-to-day services.
- Examples of ways in which will give information include ***East Herts Council's website***, social media posts, newsletters and press releases to local media.

### 2) Engagement

- Engagement is a more interactive approach where we involve people and ask for their input, opinions and feedback.
- Engagement can be ongoing and tends to focus on ongoing matters rather than being specifically linked to a single decision or issue. The aim

is that through longer term engagement, people can help the council develop its overall priorities and how to address ongoing issues.

- Examples of the council enabling engagement include ongoing forums, community meetings and online discussion groups.

### 3) Consultation

- ***Consultation is a slightly different form of engagement as it focuses on a specific matter whereby the council actively seeks views, suggestions and preferences on this specific matter.***
- The goal of consultation is to give people a meaningful role in shaping new policies and a genuine opportunity to influence specific decisions facing the council.
- Examples of ways of consulting include surveys, interviews, expert panels and meetings convened to address a specific proposed policy or decision that needs to be taken.

### Building blocks of effective information giving, engagement and consultation

Here are the building blocks for effective information giving, engagement and consultation facilitated by the council:

- transparency
- straightforward, jargon-free messaging
- involvement methods tailored to the locality, community and topic
- a genuine desire to listen
- multi-channel involvement; not simply relying on online methods
- reaching out to those whose voices can sometimes go unheard
- ***allowing people to be able to get information from the council at the level of detail they prefer***
- ***councillors being fully involved***
- listening to feedback.

### Putting theory into practice

Our building blocks are not just theory, we will use them to ensure we are a ***Listening Council*** in the following ways.

## 1) Transparency

- We believe in clear, ***open and honest communication***.
- We will provide simple explanations of any involvement exercise's purpose, scope and potential impact, ensuring participants can see the context and importance of their contributions.

## 2) Straightforward, jargon-free messaging

- Our goal is to make sure as many people as possible understand what we are trying to say because we know that not everyone will be familiar with how the council works.
- We will share our ideas and information without special jargon or technical language that could be confusing.
- We believe that by using everyday language, what we want to say can be most easily grasped by a diverse audience.

## 3) Involvement methods tailored to the locality, community and topic

- We will seek the views of wards members and other local stakeholders on how best to reach local communities.
- We will use local printed media with the greatest readership in the locality where we are working with people.
- Whenever possible, we will use local examples and references in our consultation and engagement material to bring the issues to life for any particular community.

## 4) A genuine desire to listen

- We want to hear our residents', businesses' and other stakeholders' views.
- We will encourage thoughtful contributions, allowing participants to share their expertise, concerns and hopes.
- We will provide opportunities for in-depth discussions and encourage participants to provide well-informed feedback.
- We will treat everyone with respect and empathy, fostering an environment where diverse opinions are heard and valued. Above all, we

want to make sure that everyone feels comfortable sharing their thoughts.

## **5) Multi-channel involvement; not simply relying on online methods**

- We are dedicated to making our involvement processes accessible to all participants.
- We recognise that each exercise we run is unique and so we will tailor our approaches to suit the specific context and preferences of participants, adapting our methods to the circumstances.
- We will provide multiple channels for involvement, including, for example, online communication, public meetings, surveys and other methods to better match people's preferences and needs.

## **6) Reaching out to those whose voices can sometimes go unheard**

- We see inclusivity and diversity as essential to high quality, meaningful involvement with the council.
- We will embrace a wide range of perspectives, experiences and backgrounds.
- We will actively seek input from individuals and groups representing different demographics, cultures and viewpoints to ensure we have as full an understanding of the issues at hand as possible.

## **7) *Allowing people to be able to get information from the council at the level of detail they prefer***

- ***For any given issue on which we are seeking views, we will aim to produce (a) a clear, concise summary, (b) a more detailed document and (c) a detailed document with more in-depth background information.***
- ***We want to engage early and often. By involving people early and maintaining ongoing communication, we believe we can help make sure their insights shape the outcome.***
- ***As much as we possibly can, we will involve people at different stages of a project or decision-making process, from when we have our first ideas,***



***to the time to decide whether to put the idea into action and to evaluation of the project.***

## **8) Councillors being fully involved**

- As part of the day-to-day contact with the public and specifically during any engagement or consultation exercise, all **councillors** have the opportunity and indeed responsibility to hear and relay the interests, opinions and feedback of the residents they represent whether through the established Overview and Scrutiny process or in response to specific involvement exercises.
- In any exercise, **councillors** play a crucial role in ensuring that accurate and relevant information about the issues is communicated to the public.
- **Councillors** can help facilitate meaningful and productive dialogue and joint working between the community and decision-makers within all three tiers of local government in East Herts, that is Hertfordshire County Council, East Herts Council and the Town and Parish Councils.
- Given their insight into their local communities, **councillors** can raise important issues, propose amendments or suggest alternatives based on what they've picked up from the people, businesses and others in their area.
- We recognise that **councillors** may facilitate discussions aimed at finding common ground and achieving consensus.

## **9) Listening to feedback**

- We will take responsibility for acting on what we've learned from our engagement and consultation.
- We will provide feedback to participants on how their input has influenced decisions and outcomes, thus helping to demonstrate transparency in our actions.
- We will always try to improve our information giving, engagement and consultation processes based on feedback and lessons learned.
- ***We will include feedback and consultation responses in published reports when making decisions.***

## Appendix B

### A Listening Council - Feedback from consultation

**Number of responses: 23**

**Q1. How clearly do you think we have described these approaches?**

Clearly	Neither clearly nor unclearly	Unclearly
44%	39%	17%

#### Areas of support

- Clear division made between the three.
- It makes sense.
- The document is short, sweet and sensible.
- You have separated them and clearly described them.
- You use correct English with no jargon.
- Easy to read in the guide.
- The identified approaches provide sufficient coverage and a means for effective collection of information from individuals and local stakeholders – the approaches and the associated building blocks are supportive of listening to the voice of the East Herts community.
- I can see you have explained the differences and your terms are explained.

#### Areas for improvement

Area for improvement raised during consultation feedback	Proposed amendment
<ul style="list-style-type: none"> <li>• We don't need definitions just clear, honest communication that doesn't gloss over bad news.</li> </ul>	Sentence to be added to introduction:  <b><i>While there will always be conflicting outcomes and some residents may feel dissatisfied with the result, the council will always endeavour to deliver honest and unbiased communication.</i></b>
<ul style="list-style-type: none"> <li>• It's not clear what the difference between engagement and consultation is.</li> </ul>	Sentence to be changed on page 2 to make the distinction more clear:  <b><i>Consultation is a slightly different form of engagement as it focuses on a specific matter whereby the council actively seeks views, suggestions and preferences on this specific matter.</i></b>
<ul style="list-style-type: none"> <li>• Still a lot of jargon and chat. This is what councillors should be doing anyway.</li> </ul>	No proposed change.

<ul style="list-style-type: none"> <li>• Definition on how you plan to go about "approaching" the population of EH. I only became aware of this proposed document through a private post on "Nextdoor".</li> </ul>	<p>No proposed change.</p> <p>Different ways of communicating have been covered on page 3, building block 3), second bullet point and also building block 5), third bullet point.</p>
<ul style="list-style-type: none"> <li>• I do not 'do' social media. How do you expect to contact me? You talk about not relying on online comms, then fail to identify any direct or 'non' online means of communication.</li> </ul>	<p>No proposed change.</p> <p>Explanation of different ways the council communicates outside of digital means is reflected on page 3, building block 3), third bullet point and page 4, building block 5), third bullet point.</p>
<ul style="list-style-type: none"> <li>• Although we need to be provided with information to be engaged and participate, information is broadcasting out - that isn't listening. The word 'informing' might be slightly better.</li> </ul>	<p>No proposed change.</p> <p>The explanation as to why 'information giving' is "a one-way form of communication" has been provided on page 1 building block 1).</p>
<ul style="list-style-type: none"> <li>• This sounds very much like a 'tick box exercise' to be seen that you are listening to local residents, when I don't think you do.</li> <li>• It's one thing saying you'll do it. It's quite another actually doing it.</li> </ul>	<p>No proposed change.</p> <p>The aim of this document is to set out the council's consistent future approach for information giving, engagement and consultation.</p>
<ul style="list-style-type: none"> <li>• Your purpose is correct but putting these aims into practice is more difficult. There is far too much central government interference in local government affairs.</li> </ul>	<p>No proposed change.</p>

**Q2. How well do you think we have explained these building blocks that we need to build our approach upon?**

Well	Neither well or unwell	Not well
52%	35%	13%

**Areas of support**

- Well outlined info.
- It is considered and thoughtful. I particularly like that you want it to be inclusive and that you genuinely want to hear the answers from constituents.

It's how many you get to reach out to, even with different communication streams.

- I am aware of that it is not easy for a statutory body to see thousands/millions of citizens as people.
- I would also like to record that the pandemic had a very positive outcome. In the words of a council employee "it got us out of our silos".
- Reading the above, I feel I understand your approach well.
- Again written clearly.
- The associated building blocks are well explained and provide clarity for the reader.
- Because you have given a clear description of each building block.

### Areas for improvement

Area for improvement raised during consultation	Proposed amendment
<ul style="list-style-type: none"> <li>• You seem to have missed the most obvious points. Communication needs to be honest and unbiased. This means being honest in delivering bad news.</li> </ul>	<p>As noted above, entence to be added to introduction:</p> <p><b><i>While there will always be conflicting outcomes and some residents may feel dissatisfied with the result, the council will always endeavour to deliver honest and unbiased communication.</i></b></p>
<ul style="list-style-type: none"> <li>• To a point. Time will tell. I believe, a major improvement to the website, would help: far too much clutter - pages are too long - menus are too long - too difficult to find 'what you're looking for'.</li> </ul>	<p>Sentence to be changed on page 1 in 'Information giving' section to now include reference to East Herts Council's website:</p> <p><i>Examples of ways in which will give information include <b>East Herts Council's website</b>, social media posts, newsletters and press releases to local media.</i></p> <p>Note: In addition to the feedback to this question, the resident provides constructive feedback relating to the navigation of East Herts Council's website that will be given to the Communications team.</p>
<ul style="list-style-type: none"> <li>• I'm not sure what a couple of the points mean eg 1) "a central active role for all elected members" and 2) "allowing people to access</li> </ul>	<p>The term 'elected members' has been replaced with <b>councillors</b> throughout the document.</p>

<p>council information to the depth that they prefer"?</p>	<p>Building block 8 – ‘A central active role for all elected members’ has been reworded as <b><i>‘Councillors being fully involved.’</i></b></p> <p>Building block 7 – ‘Allowing people to access council information to the depth they prefer’ has been changed to <b><i>‘Allowing people to be able to get information from the council at the level of detail they prefer.’</i></b></p> <p>The bullet points for Building block 7 have now been rearranged to correspond with the above change.</p>
<ul style="list-style-type: none"> <li>• Feel there are too many and sometimes they overlap or confuse e.g. combine 1, 4 and 9, 3 and 5 (what are involvement methods?), 3, 6 and 7? This isn’t ‘straightforward, jargon-free messaging!’</li> <li>• Each item you’ve described seems an obvious thing that I would expect normal people at the council to already be doing. I can’t see why you need this bureaucratic document.</li> </ul>	<p>No proposed change.</p> <p>There is a balance to be struck. The council wishes to spell out in as much as is possible its new approach.</p>
<ul style="list-style-type: none"> <li>• It’s one thing saying you’ll do it. It’s quite another actually doing it.</li> <li>• The proposals as laid out are fine if they are put into practice.</li> </ul>	<p>No proposed change.</p> <p>The council is committed to fulfilling these principles as outline in paragraph 1 of the document.</p>

**Q3. Is there anything you feel is missing from or you would like us to add to the Listening Council document?**

**Areas for improvement**

Area for improvement raised during consultation	Proposed amendment
<ul style="list-style-type: none"> <li>• Honesty and unbiased communication. This is so</li> </ul>	<p>As noted above, entence to be added to introduction:</p>

<p>important, honest and unbiased communication of bad and good news is the way to rebuild public trust and confidence.</p>	<p><b><i>While there will always be conflicting outcomes and some residents may feel dissatisfied with the result, the council will always endeavour to deliver honest and unbiased communication.</i></b></p>
<ul style="list-style-type: none"> <li>• Yes. Then what? I think you have to set out what happens then. Eg how, you will respond. Will you publish questions, challenges, feedback and your responses? Will you respond to individuals and groups? Will feedback etc be analysed and used to inform you about topics of concern to communities of concerns? I think that is an important next step.</li> </ul>	<p>Building block 9 – ‘Listening to feedback’ has had a bullet point added.</p> <p><b><i>We will include feedback and consultation responses in published reports when making decisions.</i></b></p>
<ul style="list-style-type: none"> <li>• Stress the importance of working with (and supporting) community groups, young people and senior citizens.</li> </ul>	<p>No proposed change.</p> <p>This point was raised at the Overview and Scrutiny Committee and a decision was made to not highlight specific demographic groups as this could potentially run the risk of prioritising one group over another.</p>
<ul style="list-style-type: none"> <li>• Don't look from just one of many views, try and accommodate diversity.</li> </ul>	<p>No proposed change.</p>
<ul style="list-style-type: none"> <li>• It is readily available to Internet users. Have you made an extra effort to make it available to those who don't/can't use the Internet?</li> <li>• That you don't listen to your constituents. Try letters, you miss a large older demographic I feel deliberately by posting on social media sites.</li> </ul>	<p>No proposed change.</p> <p>Collaborating with the public we will consistently work on ways to use feedback to inform wider communication and review what is most effective.</p>
<ul style="list-style-type: none"> <li>• A guarantee that you will carry out what you promise and follow it up.</li> </ul>	<p>No proposed change.</p> <p>Page 1, it is felt that the first paragraph details the council’s commitment.</p>
<ul style="list-style-type: none"> <li>• Some bullet points of how you propose each one will be achieved?</li> </ul>	<p>No proposed change.</p>

	A Listening Council document has sought to provide this throughout the document in its building blocks. For example, specific approaches are outlined in Building block 3 'Involvement methods tailored to the locality, community and topic' as well as Building block 7 'Allowing people to be able to get information from the council at the level of detail they prefer'.
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## Demographics

### Responding as an individual or as an organisation:

Individual/Organisation	Percentage
Individual	96%
Organisation	4%

### Area of respondent

Area	Number of respondents
Hertford	9
Bishop's Stortford	4
Thorley	3
Sawbridgeworth	2
Ware	2
Bengeo	1
Braughing	1
Buntingford	1

### Age Categories

Age Range	Number of respondents	Percentage
17 & under	0	0%
18-20	0	0%
21-29	0	0%
30-39	0	0%
40-49	5	22%
50-59	6	26%
60+	12	52%

## Gender

<b>Gender</b>	<b>Percentage</b>
Male	48%
Female	39%
Prefer not to say	13%

## Race/Ethnicity

<b>Race/Ethnicity</b>	<b>Percentage</b>
White British	74%
Black Caribbean	4%
Other	9%
Prefer not to say	13%

## Sexual Orientation

<b>Sexual Orientation</b>	<b>Percentage</b>
Heterosexual/Straight	61%
Prefer not to say	26%
None of the above	13%



# Agenda Item 8

## **East Herts Council Report**

### **Executive**

**Date of meeting: Tuesday 9 July 2024**

**Report by:** Councillor Carl Brittain – Executive Member for Financial Sustainability

**Report title:** Ward Freeman Community Pool Group Community Interest Organisation match funding support for Community Ownership Fund bid

**Ward(s) affected: Buntingford;**

**Summary** – The Ward Freeman Swimming Pool in Buntingford closed on 23 December 2023 for health and safety reasons. As this is a joint use pool shared with schools during the day and open to the public evenings and weekends, Hertfordshire County Council has notified us that when the Education Funding Agency pupil premiums for swimming end in August 2025, that they would wish to end the joint use agreement and close the pool as neither the County Council nor the schools would have the money available to continue the joint use agreement.

The Ward Freeman Community Pool Group Community Interest Organisation (WFCPG) has been formed and registered as a charity and intend to make a bid to the Community Ownership Fund (COF) to pay for the replacement of essential plant and refurbishment of the building to enable that group to open and operate the pool for the community. The COF has a condition that 20% of the capital funding must be matched funded and, because the application involves a publicly owned asset, certain other assurances must be provided to the Department of Levelling Up, Housing and Communities (DLUHC).

The WFCPG have requested that the council agrees to match fund, in principle, up to £200,000 and provide a letter of support to put in their

COF application. The council is also asked to include in that letter information required as the application involves a publicly owned asset. The approval of match funding, should the COF bid be successful, would be subject to a separate decision.

## **RECOMMENDATIONS FOR EXECUTIVE:**

- a)** Agree in principle to provide match funding of up to £200,000 to support the Ward Freeman Community Pool Group CIO application to the Government's Community Ownership Fund.
- b)** Authorise the Head of Strategic Finance and Property to issue a letter of support for the Community Ownership Fund bid setting out the in-principle match funding agreement.
- c)** Authorise the Head of Strategic Finance and Property to include in the letter the additional information concerning a publicly owned asset that the application will require.

### **1.0 Proposal(s)**

#### **Community Ownership Fund Bid**

- 1.1 The Community Ownership Fund (COF) had opened the fourth and final bidding round which was closed within days once the General Election was announced for 4 July 2024. There is a risk that a newly elected Government may not re-open bids to the fund, but this is considered low risk. In order for officers to assist the bid by issuing a letter of support and to provide additional information concerning a publicly owned asset, Executive is requested to authorise, in principle, match funding of up to £200,000 and authorise the Head of Strategic Finance and Property to issue the required letter of support to the Ward Freeman Community Pool Group CIO (WFCPG).
- 1.2 The WFCPG bid will be for up to £1,000,000 of capital funding to replace the filtration, heating and associated plant and for repairs to the pool tank. It will also cover the refurbishment of the changing areas. The bid will include up to £200,000 of

revenue funding to assist with operating the pool and opening it to the community.

- 1.3 Only the capital funding element is subject to a match funding requirement of 20%. WFCPG have requested the council to award, in principle, up to £200,000 in capital match funding to support their bid – this is the full 20% match funding requirement.
- 1.4 In addition, should the freeholder Hertfordshire County Council, transfer the building on a discounted lease of £1 per year, if demanded (previously known as a peppercorn but which is no longer a legally valid lease arrangement), then the value of the discount may count as in-kind match funding and be eligible to count towards total match funding. The discount must be professionally valued to be submitted for consideration. It is for Hertfordshire County Council to make decisions about the lease and whether they wish the discount to count towards match funding. The County Council cannot sell the freehold unless it does so for £1 as the COF does not permit its funds to be booked as a capital receipt by principal authorities.
- 1.5 The council is requested to agree to provide match funding, in principle, for the Community Ownership Fund application. The actual award of match funding and terms and conditions would be the subject of a subsequent report should the WFCPG application be successful.
- 1.6 The match funding would come from the existing management charge payment to SLM to run the pool which is still contained in the base revenue budget. The grant expenditure would be classified as the council's capital expenditure as it meets the definition for Revenue Expenditure Funded as Capital Under Statute (REFCUS). The revenue budget would be applied as Direct Revenue Financing for the capital grant as it was paid in accordance with the Capital Financing Regulations. The management charge will be removed from the base budget in subsequent years and contribute to the overall savings target identified in the Medium-Term Financial Plan( MTFP).

- 1.7 It is expected that the match funding would be drawn down at the same time as the COF payments but the council would consider limited up front funding to assist the WFCPG with costs of starting up the project.
- 1.8 Subject to the bid being successful, it is proposed that match funding administration and monitoring would be undertaken by the Community Wellbeing and Partnerships Team in Housing and Health who administer, monitor and submit statutory returns for several significant grants including the council's Community Grants programme, grants to third sector partners, including Citizens Advice and Community Alliance Broxbourne and East Herts, and various government grants for homelessness projects. In addition, the council could also consider a partnership with the WFCPG to host a Healthy Hub at Ward Freeman thus amplifying the benefits for Buntingford residents of the council's investment in the facility
- 1.9 The Executive is requested to approve, in principle, match funding of up to £200,000 and the issuing of a letter of support for the application providing the reasons the pool is at risk and confirmation that statutory service provision is not affected as leisure is a discretionary service.

### **Business Rates**

- 1.10 The Ward Freeman Community Pool Group CIO is a registered charity and will need to apply for mandatory and discretionary charitable business rate relief using the [application forms on the website \(opens in new window\)](#) and submit it to the Shared Revenues and Benefits Shared Service if the COF application is successful and Hertfordshire County Council agree to lease the building. As a registered charity they will automatically be eligible to receive the 80% mandatory charitable relief. The council's policy on discretionary top up relief states:

*"Charitable bodies can be awarded 20% discretionary relief 'top up', but only where there is significant evidence that the*

*charitable activities provide a significant benefit to local residents."*

- 1.11 The policy also includes standing approval for the granting of the top up for:

*"Leisure services – providing services at Grange Paddocks, Hartham, Fanshaw Pool, Leventhorpe and Ward Freeman Swimming Pool."*

- 1.12 In 2024/25 the value of the 100% Charitable Rate Relief will be £29,484. The costs of the relief are shared through the Business Rates Retention System and are: East Herts Council £11,793.60; Hertfordshire County Council £2,948.40 and HM Government £14,742. SLM operated the Ward Freeman pool through their charitable operating company and received 100% rates relief so the granting of 100% relief is already factored into the MTFP.

## **2.0 Background**

- 2.1 The Ward Freeman Swimming Pool in Buntingford closed on 23 December 2023 for health and safety reasons. As this is a joint use pool shared with schools during the day and open to the public evenings and weekends, Hertfordshire County Council has notified us that when the Education Funding Agency pupil premiums for swimming end in August 2025, that they would wish to end the joint use agreement and close the pool as neither the County Council nor the schools would have the money available to continue the joint use agreement. The Ward Freeman Community Pool Group CIO (WFCPG) has been formed and registered as a charity and intend to make a bid to the Community Ownership Fund (COF) to pay for the replacement of essential plant and refurbishment of the building to enable that group to open and operate the pool for the community.
- 2.2 The COF had opened the fourth and final bidding round which was closed within days once the General Election was announced for 4 July 2024. There is a risk that a newly elected

Government may not re-open bids to the fund, but this is considered low risk.

2.3 The COF terms are as follows:

2.3.1. **Eligibility:** Incorporated voluntary and community organisations, as well as parish and town councils can apply for funding.

2.3.2 **Funding Available:**

- a) Capital funding: Up to £2 million for all asset types, with most awards expected to be up to £250,000.
- b) Revenue funding: No more than £50,000 or 20% of the total capital funding applied for (whichever is smaller).

2.3.3 **Goals:**

- a) Support community groups in acquiring assets at risk of loss.
- b) Assist community-owned assets needing essential renovations for long-term sustainability.
- c) Strengthen community ownership across the UK.
- d) Enhance social infrastructure for thriving communities.

2.3.4 **The asset:**

- a) is at risk of loss without community intervention.
- b) can be run viably and sustainably in community hands for the long-term benefit of the community.
- c) if already owned, the asset requires essential renovations to be sustainable for the long-term benefit of the community.

2.3.5 **The project:**

- a) applying for up to £2 million for all asset types, but most expected awards will be for up to £250,000 of capital funding.
- b) applying for revenue funding, used to fund the initial running costs of the project, of no more than £50,000 or 20% of the total capital funding applied for, whichever is smaller.

- c) able to 'match' the capital grant from the Fund at the required match funding rate of 20%.
- d) able to show that capital grant funding and match funding will be spent within the 12 months following the date funding is offered (indicated on the offer letter).

2.3.6 **The applicant:**

- a) is an incorporated voluntary and community organisation or a parish or town council.
- b) is able to buy the asset freehold, or the long-term leasehold of at least 15 years with reasonable break clauses.
- c) is the same organisation that will receive the funding and run the project.

2.3.7 **Publicly owned assets:** Alongside the mandatory eligibility requirements that every applicant will need to fulfil, bids relating to publicly owned assets will also need to demonstrate the following additional requirements:

- a) The responsibility for delivering any statutory services is not transferred from the public authority to the community organisation.
- b) The Community Ownership Fund grant received will only be used for renovation and refurbishment costs following the transfer of an asset into community ownership; the public authority will not credit a capital receipt from Community Ownership Fund funding, except in the case of parish or town councils.
- c) Risk facing the asset - the Fund will only invest in community assets which would otherwise be lost. We will therefore need evidence from both the current public owner and applicant about the current status of the asset and why its future is at risk.

d) Impact on service provision - evidence that any statutory services currently delivered from the asset at risk will be continued by the public authority. This may be evidenced by a letter or appropriate cabinet paper from a local authority.

- 2.4 Apart from parish and town councils, local authorities are not eligible to apply to the Fund. However, the Department for Levelling Up, Housing and Communities hope that local councils across the United Kingdom will play an active role in supporting their local community groups to apply. Evidence of support from local authorities may help to support applications.
- 2.5 If their application is approved, WFCPG will receive an offer letter from DLUHC by email. They will then be contacted by one of a team of grant managers and will be invited to an Initial Project Meeting (IPM) to discuss the requirements for Community Ownership Fund grant recipients, including the securing of a legal charge and monitoring throughout and after the project spend has completed.
- 2.6 A Grant Funding Agreement (GFA) will be signed by WFCPG and by DLUHC after which point funding will be released. It will be the responsibility of WFCPG to work with DLUHC to put a legal charge against the asset.
- 2.7 Please note that this onboarding period usually takes up to 3 months from the offer letter and the WFCPG can only start to draw down their grant once it has been completed and all relevant paperwork is in place.
- 2.8 To meet audit and assurance requirements, the WFCPG must agree to provide independent assurance that the grant has been used for the delivery of project activities. This includes providing an independent certification of financial audit at any time when requested by DLUHC, as well as retaining all invoices, receipts, accounting records and correspondence documentation relating to eligible project expenditure. There will also be a requirement to provide regular updates on the success of the project itself in the longer term – usually up to seven years.



2.9 Previously successful applications to COF for swimming pools are shown in the table below:

Organisation	Title	Grant Award £
Birtley Community Aquatic Centre	Community Asset Transfer for Birtley swimming centre	£272,382.70
Waterside Community Trust	Waterside Pool Changing Room Refurbishment	£254,000
Lordsfield Swimming Club	Keep Overton Swimming	£835,400
FOWLC Community Interest Company	Wadebridge Sports and Leisure Centre	£935,000

### 3.0 Reason(s)

3.1 To protect social value to the community and whole system savings arising from the swimming pool. Research conducted by Swim England highlights the substantial social value and cost savings associated with a single 25-meter swimming pool:

3.1.1 Social Value:

- a) A single 25m pool can generate £7.2 million in social value for the community.
- b) This value includes benefits related to health, well-being, and community engagement.
- c) Swimming pools serve as highly valued hubs enjoyed by millions, contributing to local communities.

3.2.2 Healthcare Savings to the NHS and social care system of more than £1.2 million.

3.2 The support to WFCPG fulfils the following objectives in the council's Corporate Plan:

3.2.1 **Acting with the community:** Support voluntary sector groups to continue their work to support the whole community.

3.2.2 **Fair and inclusive:** Deliver our Thriving Together Plan to promote physical exercise, healthy lifestyles and other measures that boost community wellbeing.

## 4.0 Options

- 4.1 **Recommended:** Agree in principle, match funding of up to £200,000 and the issuing a letter of support for the application providing the reasons the pool is at risk and confirmation that statutory service provision is not affected as leisure is a discretionary service.
- 4.2 **Not recommended:** Do not agree in principle the match funding and letter of support. The pool would permanently close and there is likely to be negative publicity for the council. It would also appear to be contrary to the council's aspiration to support the community find ways to keep the pool open that do not impact on the council's budget, a position that has been expressed across political groups.

## **5.0 Risks**

- 5.1 There is a risk that a new Government closes the COF to any applications and the community group are unable to proceed.
- 5.2 There is a risk that WFCPG find that the pool tank and plant repair and replacement costs have been underestimated and they have insufficient funds to undertake the works with subsequent loss of COF grant which must be spent within a year.
- 5.3 The incoming government may decide to continue funding for swimming which will improve the WFCPG business case.

## **6.0 Implications/Consultations**

6.1

### **Community Safety**

None arising directly from this report.

### **Data Protection**

None arising directly from this report.

### **Equalities**

None arising directly from this report.

### **Environmental Sustainability**

None arising directly from this report.

### **Financial**

Yes – financial implications are contained in the main body of the report.

### **Health and Safety**

Yes – the pool is currently closed on the grounds of health and safety.

### **Human Resources**

None arising directly from this report.

### **Human Rights**

None arising directly from this report.

## **Legal**

None arising directly from this report.

## **Specific Wards**

Yes - Buntingford

## **7.0 Background papers, appendices and other relevant material**

### 7.1

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