

Agenda

Cabinet

Date: **Thursday 29 July 2021**

Time: **2.30 pm**

Place: **Three Counties Hotel, Belmont Road, Belmont,
Hereford, HR2 7BP**

Notes: Please note the time, date and venue of the meeting.

For any further information please contact:

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Agenda for the meeting of Cabinet

Membership

Chairperson Councillor David Hitchiner, Leader of the Council
Vice-Chairperson Councillor Liz Harvey, Deputy Leader of the Council

Councillor Felicity Norman
Councillor Ellie Chowns
Councillor Pauline Crockett
Councillor Gemma Davies
Councillor John Harrington
Councillor Diana Toynbee
Councillor Ange Tyler

Agenda

		Pages
1.	<p>APOLOGIES FOR ABSENCE</p> <p>To receive any apologies for absence.</p>	
2.	<p>DECLARATIONS OF INTEREST</p> <p>To receive declarations of interests in respect of Schedule 1, Schedule 2 or Other Interests from members of the committee in respect of items on the agenda.</p>	
<p>HOW TO SUBMIT QUESTIONS</p> <p><i>The deadline for submission of questions for this meeting is:</i></p> <p><i>9:30am on Monday 26 July 2020.</i></p> <p><i>Questions must be submitted to councillorservices@herefordshire.gov.uk. Questions sent to any other address may not be accepted.</i></p> <p><i>Accepted questions and the response to them will be published as a supplement to the agenda papers prior to the meeting. Further information and guidance is available at https://www.herefordshire.gov.uk/getinvolved</i></p>		
3.	<p>QUESTIONS FROM MEMBERS OF THE PUBLIC</p> <p>To receive questions from members of the public.</p>	
4.	<p>QUESTIONS FROM COUNCILLORS</p> <p>To receive questions from councillors.</p>	
5.	<p>TO SET OUT THE COUNCILS NEW INTEGRATED WASTE MANAGEMENT STRATEGY AND WASTE HANDLING PILOTS</p> <p>This report is looking to approve the new Integrated Waste Management Strategy which is detailed in Appendix A and to authorise council officers to design and implement new waste handling pilot schemes and approve the drawdown of the waste management reserve to fund such pilots.</p>	9 - 218
6.	<p>MENTAL HEALTH AFTERCARE ARRANGEMENTS AS REQUIRED UNDER SECTION 117 OF THE MENTAL HEALTH ACT 1983</p> <p>To approve the joint policy and standard operating procedure (SOP) for mental health aftercare, which is required under section 117 of the Mental Health Act 1983.</p>	219 - 280
7.	<p>2022/23 BUDGET SETTING AND CONSULTATION</p> <p>To recommend the approach for consultation to inform the 2022/23 budget and developing the medium term financial strategy (MTFS).</p>	281 - 286
8.	<p>MAJOR CONTRACT PERFORMANCE UPDATE</p> <p>To update Cabinet on progress made following the Major Contract Performance Review reported to Cabinet on 24 September 2020. That report approved improvements to the council's major contracts for Public Realm</p>	287 - 296

services and Property and Facilities Management.

9. RECOVERY AND INVESTMENT FUND

297 - 304

To recommend to Cabinet the approval in principle of the establishment of a Covid 19 Recovery and Investment Fund to support Herefordshire businesses.

10. ALLOCATING THE USE OF THE CLIMATE RESERVE

305 - 336

This report sets out the Council's ambitious plan to lead the local response to the Climate & Ecological Emergency including the development of a new Herefordshire Climate & Nature Partnership and to allocate the use of the Council's dedicated climate reserve in order to accelerate the delivery of our net zero carbon and nature rich commitments.

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**The Seven Principles of Public Life
(Nolan Principles)**

1. Selflessness

Holders of public office should act solely in terms of the public interest.

2. Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

3. Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4. Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

5. Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

6. Honesty

Holders of public office should be truthful.

7. Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.



Title of report: To set out the councils new Integrated Waste Management Strategy and Waste Handling Pilots

Meeting: Cabinet

Meeting date: Thursday 22 July 2021

Report by: Cabinet member commissioning, procurement and assets;

Classification

Open

Decision type

Key

This is a key decision because it is likely to result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council's budget for the service or function concerned. A threshold of £500,000 is regarded as significant.

This is a key decision because it is likely to be significant having regard to: the strategic nature of the decision; and / or whether the outcome will have an impact, for better or worse, on the amenity of the community or quality of service provided by the authority to a significant number of people living or working in the locality (two or more wards) affected.

Notice has been served in accordance with Part 3, Section 9 (Publicity in Connection with Key Decisions) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Wards affected

(All Wards);

Purpose

This report is looking to approve the new Integrated Waste Management Strategy which is detailed in Appendix A and to authorise council officers to design and implement new waste handling pilot schemes and approve the drawdown of the waste management reserve to fund such pilots.

Recommendation(s)

That:

- a) The cabinet authorises the new Integrated Waste Management strategy for Herefordshire, adopts to the new targets within the document as detailed in Appendix A and authorises the development of a benefits realisation action plan to achieve the agreed targets;**
- b) The cabinet authorises the design, development, procurement and implementation of the proposed waste handling pilot schemes and approves the expenditure of up to £1.5m from the council's waste reserve to progress and implement the schemes;**
- c) The cabinet authorises the expenditure of the Section 106 allocation for recycling projects up to the value of £92,000 to progress the proposed waste handling pilot schemes through design, development, procurement and implementation; and**
- d) The cabinet authorises the Section 151 officer to take all operational decisions relating to the above recommendations**

Alternative options

1. Not to adopt the New Integrated Waste Management Strategy. This is not recommended as the current waste collection and disposal contracts are due to expire 2023/24. This presents an opportunity for the council to address the significant issues around climate, expected changes in legislation, the circular economy expectations which were outlined in the work of the task and finish group and the council's County Plan objectives. Without developing and adopting a new Integrated Waste Management Strategy the council is at risk of not meeting the future legislative changes and failing to meet the County Plan objective.
2. Not to adopt the new targets out line in Appendix A. This is not recommended as if the council does not adopt the targets then they will not achieve the County Plan objectives, the aspirations as set out in the Climate and Ecological emergency or meet the legislative requirements that the government are consulting on currently especially around the collection and disposal of food waste.
3. Not to draw down the Waste reserve and use the section 106 allocation to enable prototype schemes to roll out across the county. This is not recommended as there is a requirement to look at new ways of handling our waste that is generated in the County to address the climate and ecological emergency, the objectives that are clearly outlined in the County Plan

Key considerations

Background

4. As a Unitary Authority, Herefordshire Council has a statutory obligation to collect, recycle and treat 'municipal' waste produced by residents in its area through the provision of a kerbside collection service and at least one Household Waste & Recycling Centre (HWRC). These obligations are enshrined in law, particularly the Environmental Protection Act 1990, providing a basis for what services are to be provided and how.
5. There are three main driving forces behind the need to review the council's waste management service, these are:
 - a. Our existing waste collection and disposal arrangements are due to expire at the end of 2023 and start of 2024 respectively.
 - b. Significant change to waste policy is expected in the wake of the Resource and Waste Strategy 2018 and progress through parliament of the Environment Bill 2019-20. New policy and legislation will influence everything from packaging design & production to how local authorities provide their waste management services. This will introduce the requirement for councils to provide weekly food waste collections to all households from 2023 and make it available to businesses for a charge. The government's clear direction is for the increased segregation of waste streams and a new target to achieve a 65% recycling rate.
 - c. The council has the ambition to make sweeping changes to bring about a more sustainable county. Resource management, production and waste are significant contributors to carbon emissions. By making changes to how materials are used in production, minimising use of raw materials, discouraging waste, maximising reuse, recycling and recovery we will be able to bring about large reductions in carbon emissions in response to the Climate and Ecological Emergency.
6. A key consideration of this review includes the consideration of the current partnership with Worcestershire Council and any future joint working arrangements.

General Scrutiny – Waste Services Review

7. In September 2020 the council's waste management task and finish group presented a report to the council's general scrutiny committee outlining the work that had reviewed the future of waste management options for Herefordshire. The report can be seen in Appendix B.
8. At the General Scrutiny meeting held on 28 September 2020, 4 additional recommendations were included.
9. On 22 April 2021 the executive responded to the review setting out a response to each recommendation.
10. The full executive response is available here:
<https://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=7849>
11. On 26 April 2021 the General Scrutiny committee made a further 7 recommendations to the executive, including the specific recommendation that:

- a. A unified waste strategy be drawn up by the executive with an aim to provide an end to end waste service for residents spanning from repair and reuse right through to collection and disposal.
12. The subsequent executive response is currently being prepared and will be available here:
<https://councillors.herefordshire.gov.uk/mglIssueHistoryHome.aspx?Id=50038122&Opt=0>
13. The new integrated waste management strategy specifically addresses a number of the recommendations from the scrutiny review including adopting ambitious targets so that the council is well placed to achieve the recommendations and County Plan objectives.
14. The council recognised the need to change how we collect and dispose of our waste, the need for a review and redesign, and also to undertake pilot schemes that will help the council realise its ambition.
15. Following the recommendations received from the General Scrutiny Committee the Cabinet Member for Assets and procurement authorised a paper recommending the council's intention to consult on the future of the collection service for Herefordshire. This consultation has now closed and the results of the consultation can be seen in Appendix C. There was a good level of support from across the county in favour of change especially around the collection of food waste and in general residents and businesses were understanding of the council's need to change to achieve its aspirations around handling waste in a better more sustainable circular economy way.

Proposed Next Steps

16. The council's waste disposal contract is due to end in 2024 after being in place for 25 years. Currently the council are in a joint partnership with Worcestershire County Council for this service. In line with the County Plan ambition this contract renewal is giving Herefordshire the ability to review and rethink how it might undertake its disposal service. It is extremely important that the way in which waste is disposed of in Herefordshire is reviewed to meet the government's objectives outlined in the Resources and Waste Strategy, enabling a move towards a circular economy and to address the climate and ecological emergency. Therefore it is key that the council reviews its partnership with Worcestershire Council and the way it disposes of its waste.
17. Within the County Plan, the Council sets out its ambition to protect and enhance the environment and keep Herefordshire a great place to live by minimising waste and increasing reuse, repair and recycling, and identifying opportunities for climate change action in all aspects of council operations. The Environment ambition is that the Council will use its community initiatives, partnerships and waste contracts to make it easier for businesses and residents to share, repair, reuse and recycle, and so reduce the Council's carbon emissions
18. The New Integrated Waste management strategy outlines a number of key targets that also fall in line with the County Plan. These waste management targets can be seen in Appendix A.

19. In order for the council to achieve these targets the service will need to consider new operating models to make changes to the way in which it collects and disposes of its waste. To further explore new and alternative methods of collection and disposal contracts the council is proposing to develop and run a number of new pilot schemes.
20. The themes for these pilots will include reuse, recycling, collection and disposal methods, composting, carbon reduction opportunities, partnership working across Herefordshire and further exploring potential opportunities for cross border working/project development as Herefordshire borders 5 counties, Shropshire, Worcestershire, Gloucestershire, Powys and Monmouthshire.
21. If adopted, the new integrated waste management strategy will require the development of a new communication strategy. Here officers will work closely with the communications team to develop a clear plan including but not limited to education, promotion, key messages and to consider the future resource requirements to meet the targets within the new integrated waste management strategy. It is also recognised that any new pilot schemes and protocols that are developed will require clear and robust communication.

Community impact

22. By the council adopting the new integrated waste management strategy, this will have a positive impact on contributing towards local and regional strategy priorities, targets and legislation.
23. The County Plan (2020-24) priorities are:
 - a - Protect and enhance our environment and keep Herefordshire a great place to live
 - b - Minimise waste and increase reuse, repair and recycling
 - c - Build understanding and support for sustainable living
 - d - Invest in low carbon projects
 - e - Identify climate change action in all aspects of council operation
 - f - Support the an economy which builds on the county's strengths and resources;
 - g - Seek strong stewardship of the county's natural resource
 - h - Develop environmentally sound infrastructure that attracts investment
 - i - Support an economy which builds on the county's strengths and resources and spend public money in the local economy wherever possible
24. In March 2019, Herefordshire Council unanimously declared a Climate and Ecological Emergency and formally adopted commitments to leads a local response, aspiring for the county to become carbon neutral by 2030.

The Resource and Waste strategy 2018 (RWS 2018) introduces a raft of measures to adopt a circular economy approach. It is a strategy for England reflecting on the already adopted policy changes in Scotland and Wales. These include:

- a. Consistent recycling collections (all local authorities collecting the same materials)

- b. Compulsory weekly food waste collection
 - c. Separate garden waste collection
 - d. Initiatives to encourage urban recycling
25. The Environment Bill is currently progressing through Parliament and is expected to make significant changes to environmental legislation. Whilst there are no currently proposed targets within the bill we anticipate the following targets as these are consistent with the EU Circular Economy Package (EU-CEP):
- a. A preparation for re-use and recycling (including composting/anaerobic digestion) target of 55% of municipal waste by 2025;
 - b. A preparation for re-use and recycling (including composting/anaerobic digestion) target of 60% of municipal waste by 2030;
 - c. A preparation for re-use and recycling (including composting/anaerobic digestion) target of 65% of municipal waste by 2035 (RWS 2018 Target);
 - d. A gradual limitation on landfilling of municipal waste, to 10% by 2035

Environmental Impact

26. Herefordshire Council provides and purchases a wide range of services for the people of Herefordshire. Together with partner organisations in the private, public and voluntary sectors we share a strong commitment to improving our environmental sustainability, achieving carbon neutrality and to protect and enhance Herefordshire's outstanding natural environment.
27. The environmental impact of the different waste collection options have been fundamental to the review and the proposed options detailed within the Task & Finish group report seek to deliver positive changes to the waste management service.
28. The proposed options seek to treat waste as a resource, supporting a more circular economy for Herefordshire by reducing, reusing and recycling materials so that they stay in use for longer, offsetting use of raw materials and reducing carbon emissions.
29. Further consideration to minimise the environmental impact of the service will be integral to the subsequent service design of the preferred waste management service. Here the future commissioning will include appropriate requirements on the contractor/delivery partner to minimise waste, reduce energy and carbon emissions and to consider opportunities to enhance biodiversity. This will be managed and reported through the future contract management arrangements

Equality duty

30. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

31. A public authority must, in the exercise of its functions, have due regard to the need to -
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
32. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. An Equalities Impact Assessment will be undertaken as an integral part of the future service redesign and our providers will be made aware of their contractual requirements in regards to equality legislation through the future commissioning.

Resource implications

33. The council currently spends £4m on its collection contract and £11m on its disposal contract. As both contracts are due for renewal in 2023/24 it is essential that the council are in a strong position to enable essential change. The council have taken on board the recommendation to develop a new integrated waste management strategy but will also need to test the operations and capability of the County to ensure successful delivery of the new strategy.
34. In order to do this there is a need to draw down the dedicated waste reserve to resource and enable the council to develop pilot schemes that can be tried across the County which will develop the County's own abilities to work with partners to create the tools and platforms to contribute to handling our waste differently. The council sees itself as a strong enabler but realises it needs to be a joint approach with residents and businesses from across the County.
35. There is a requirement to complete options and feasibility work, design, develop and procure the pilot schemes outlined in the key considerations section. To do this the council will need to draw down up to the value of £1.5m from the waste management reserve.
36. In terms of the expenditure plan around the drawdown of the waste reserve and section 106 money, it is expected that all procurements will be undertaken in compliance with the council's contract procedure rules.

Funding streams	2020/21	2021/22	Future Years	Total
	£000	£000	£000	£000
<i>Waste Revenue Reserve</i>	500	500	500	1,500
<i>Section 106 Recycling Allocation</i>	40	52		92
TOTAL	540	552	500	1,592

Legal implications

37. There are no additional legal issues to bring to the Cabinet's attention which are not already mentioned in the report. Legal Services provide support to the Project Board and are advising on an on-going basis.

Risk management

38. It is recommended that the following risks are considered against this decision report:

Risk / opportunity	Mitigation
The council does not adopt the new integrated waste management strategy	Complete further work to come to an acceptable strategy, complete further briefings with stakeholders
The proposed pilot schemes are presented with restrictions under the current collection and disposal contracts.	To work with the council's legal team to understand the limitations and consider solutions to unblocking any limitations and plan any potential pilot schemes in detail
The council do not agree to drawing down the waste revenue reserve and section 106 monies to fund pilot schemes	To work with key stakeholders, hold more briefings to gain agreement on the future work to develop waste protocols

Consultees

39. The following consultation has taken place to support the decision paper:

Consultation	Date	Feedback
Waste Management Services Review Project Board	Numerous meetings in 2019/20 – 2020/21	Lead the development of the recommendations through the process.

General Scrutiny Committee	28 September 2020	Recommendations and the Executive Response are detailed in Appendix B
Waste Management - Political Briefing with the cabinet member for Commissioning, Procurement and Assets	June 2021	Cllr Davies would like to see the development of a new integrated waste management strategy, pilot schemes to enable the council to meet its aspirations and to explore new opportunities for handling waste across the county
Political groups consultation on a key decision	June 2021	<p>Comments received: Cllr Polly Andrews noted that any new service will need clear explanation around the benefits as the current service is liked within Herefordshire</p> <p>Cllr Stark noted an endorsement for recommendations made by the task and finish group and to ensure a unified waste strategy be drawn up by the executive with an aim to provide an end to end waste service for residents spanning from repair and reuse right through to collection and disposal</p>
Cabinet Workshop	24 th June 2021	Cabinet members and officers were part of a waste shaping work shop
Herefordshire Council Management Board	6 th July 2021	The report has been well received and it has been recommended to continue onto cabinet feeder on the 8 th July 2021
Herefordshire Council Waste Management Project Board	7 th July 2021	The project board agreed to submit the report to cabinet feeder
Cabinet feeder briefing	12 th July 2021	The report was well received in cabinet feeder. It was agreed to take the report to cabinet on the 22 nd July 2021

Appendices

- Appendix A – New integrated Waste Management Strategy
- Appendix B - Task and Finish Group Report
- Appendix C – Waste Public Consultation

Background papers

- None identified

Please include a glossary of terms, abbreviations and acronyms used in this report.



Herefordshire Council
Draft Integrated Waste Management Strategy
2021 – 2035

Glossary

Term	Acronym	Description
Anaerobic digestion	AD	Anaerobic digestion is the process by which organic matter such as animal or food waste is broken down to produce biogas and bio-fertiliser. This process happens in the absence of oxygen in a sealed, oxygen-free tank called an anaerobic digester.
Bio-waste		Biodegradable waste materials include garden and food waste.
Bulky Household Waste	BHW	Household waste items that are too large to put in the regular waste bin such as mattresses, furniture items and large electrical appliances.
Carbon		Carbon dioxide or other gaseous carbon compounds released into the atmosphere, associated with climate change
Circular economy		A circular economy is an alternative to a traditional linear economy (make, use, dispose) in which we keep resources in use for as long as possible, extract the maximum value from them whilst in use, then recover and regenerate products and materials at the end of each service life.
Climate (and Ecological) Emergency		A declaration of climate emergency made by governments, urging action to reduce or halt climate change and avoid irreversible environmental damage resulting from it.
Consistency in collections		All local authorities collect the same core set of dry recyclables from households and provide separate weekly food waste collections.
Commissioning Authority		Local authority responsible for the commissioning of service contracts.
Courtauld Commitment		A voluntary agreement between grocery industry players and other organisations in the food system to reduce household food waste, packaging and supply chain waste.
Deposit Return Scheme	DRS	A recycling system in which consumers pay a small deposit for beverage containers, which can be refunded upon return to a shop or other authorised location.
DRS All in		A DRS focused on all drinks containers, irrespective of size.
DRS On the go	OTG	A DRS restricted to drinks containers less than 750ml and sold as a single item.
Dry mixed recycling	DMR	Glass, plastic, metal, cartons, cardboard and paper

Term	Acronym	Description
Ecodesign		A design approach for products that considers the environmental impacts of the product across its lifecycle.
Environment Bill		A UK Government Bill that makes provisions about targets, plans and policies for improving the natural environment.
Extended Producer Responsibility	EPR	A strategy designed to promote the integration of environmental costs associated with goods and/or packaging throughout their life cycles into the market price of the products.
Greenhouse gas	GHG	Gases that contribute to the greenhouse effect or atmospheric warming, by absorbing infrared radiation and emitting it back to the Earth.
Herefordshire Council / the Council	HC	The unitary authority, responsible for waste collection and waste disposal activities.
Household Waste Recycling Centre	HWRC	A site for residents to dispose of and recycle green waste, electricals, textiles and bulky waste (also called Civic Amenity site)
Kerbside		The collection of recycling and residual waste from the curtilage of residents' properties.
Long term		The period from April 2028 to March 2036.
Material Recycling / Recovery Facility	MRF	A specialised plant that receives, separates and prepares recyclable materials for marketing to end-user manufacturers.
Medium term		The period from 2 November 2023 up to March 2028.
Multi-stream		Separate collections of DMR material, usually using kerbside boxes and/or reusable bags. Can include collecting paper and card together and plastic and metals together, to be sorted at a MRF after collection.
Municipal waste		Household waste and waste similar in nature and composition to household waste
Nearest Neighbour	NN	A CIPFA category from an analytical database that shows similar local authorities to Herefordshire in terms of deprivation, age profile, rurality, household size and ethnic profile.
Output Area Classification	OAC	The 2011 Classification for Output Areas (2011 OAC) is a hierarchical geodemographic classification across the UK which identifies areas of the country with similar characteristics.

Term	Acronym	Description
Recycling rate		Calculated as the proportional value (%) of municipal waste recycled from the total municipal waste, including recycling, that is generated.
Residual waste		Materials that are not recycled / recyclable.
Resources and Waste Strategy	RWS	A Government strategy which sets out how we will preserve material resources by minimising waste, promoting resource efficiency and moving towards a circular economy in England.
Short term		The period from July 2021 – 1 November 2023 (i.e. pre new waste collection contract).
TEEP regulations	TEEP	A criterion (which forms part of the waste legislation in the UK) that requires separate collection of waste for recycling including paper/card, plastic, glass and metals where 'Technically, Environmentally and Economically Practicable'.
Twin-stream		Dry recyclables are separated into two different receptacles. Generally, either paper and card or glass are kept separate from the other dry material streams.
Waste hierarchy		A legislative requirement that is given to waste management options which ranks waste prevention the highest. Where waste is produced, the hierarchy prioritises reuse, recycling, energy recovery and finally disposal in that order. Repair is included in some recent waste hierarchies.
Waste Transfer Station	WTS	A temporary storage facility for collected waste that is unloaded, sometimes sorted and then bulked and compacted to be sent to their final treatment destination.

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1 Introduction

This document presents a new, draft integrated Waste Management Strategy for Herefordshire. It has been informed by a review of the council's current Joint Municipal Waste Management Strategy (JMWMS) for 2004 to 2034 (which was jointly developed with Worcestershire County Council).

Reviewing and writing a new strategy enables the Council to fully consider the implications of the 2018 Resources and Waste Strategy for England and the emerging policies and legislation that are being developed to support the national strategy. This new national policy context is expected to transform how the Council manages its waste from 2023 onwards.

The integrated strategy provides the basis for the Council's response to these new drivers. It sets out the direction of travel for the service for the period from 2021 to 2035 (the last target year in the national strategy), and it provides the framework for the Council to plan for the procurement of new waste collection and disposal contract(s), due to commence November 2023 and January 2024 respectively.

A rolling annual action plan which sets out the key priorities for the service over the next 12 months will be produced alongside the strategy. This will directly contribute towards meeting the targets outlined in the strategy. An annual communications plan to support each year of delivering the action plan will also be produced.

2 Vision

Herefordshire Council has a bold ambition, outlined in its County Plan 2020 - 2024:

“Respecting our past, shaping our future - we will improve the sustainability, connectivity and wellbeing of our county by strengthening our communities, creating a thriving local economy and protecting and enhancing our environment”.

Within the Plan, the Council sets out its ambition to protect and enhance the environment and keep Herefordshire a great place to live by minimising waste and increasing reuse, repair and recycling, and identifying opportunities for climate change action in all aspects of council operations. The Environment ambition is that the Council will use its community initiatives, partnerships and waste contracts to make it easier for businesses and residents to share, repair, reuse and recycle, and so reduce the Council's carbon emissions.

The vision of this integrated waste management strategy builds on national and local legislative and policy drivers to reduce waste and offer a value for money service to its residents.

Vision:

“Waste not, want not... we value resources and their use. We will reduce resource consumption and embrace the circular economy to maximise the life of products and materials. We treat the materials we collect as resources not waste. We will achieve this by prioritising the waste hierarchy, maximising waste prevention and reuse.”

3 Background

3.1 Overview

The kerbside waste and recycling services costs the Council:

- £30.50 per household per year to collect and process Herefordshire’s recycling.
- £62.70 per household per year to collect and treat Herefordshire’s residual and garden waste for disposal.

If waste isn’t generated for the Council to manage in the first place or is reused or repaired instead of being thrown away, there is no cost to the Council and therefore the costs of providing the services decreases. Reducing waste overall therefore helps to decrease costs and increase recycling rates which, in turn, helps to meet national statutory targets.

The waste management service should reduce costs by driving waste up the waste hierarchy. The Council is therefore committed to engaging residents and businesses in reducing waste and increasing the amount of waste that is reused, repaired and recycled. We want to reduce the amount of waste generated overall across our County.



Waste management affects all residents and businesses in Herefordshire, as waste is produced both at home and at work. The types and quantities of waste generated by residents varies according to the differing demographics and socio-economic factors across the county. The types and quantities of waste generated by businesses varies according to the business sectors and types of industry present too.

3.2 Demographics

Analysis of key statistical data, based on Output Area Classification data from the Office for National Statistics, has been used to develop an understanding of the socio-economic profile of residents living in Herefordshire and the associated implications for the county's waste services.

Herefordshire has 85,430 households (2019/20), and is a predominantly rural county, with 95% of land is classified as 'rural'. It has the fourth lowest population density in England (88 people per square kilometre). The number of households in the County increases by an average of just over 10% each year (an average of 9,250 new homes built per year¹). Just under a third of the population lives in Hereford city and just under a fifth live in the three largest market towns of Leominster, Ross and Ledbury.

Herefordshire is ranked the 97th most deprived upper tier (county or shire council) authorities out of a total of 151. The percentage of residents out of work and on benefits sits at 4.4% which is above the national average of 2.7% (May 2019).

Migration has been the sole driver of population growth since the early 90s, as there have been fewer births than deaths. The county has a relatively older aged population

¹ <https://www.herefordshire.gov.uk/downloads/file/21142/amr-2020-appendix-b-five-year-land-supply-document>

(24% aged 65+ compared to 18% nationally). The county also has higher proportions of older working age adults (mid-forties to the age of 64) but lower proportions of younger working age adults (from the age of 16 to mid-forties). Numbers of older people are set to continue growing at a higher rate than the younger age groups.

Key statistical data shows that in 2018 (the latest published dataset available), there were 10,130 business “enterprises” in Herefordshire. The majority (90%) of these were ‘micro’ enterprises, employing 9 or fewer employees, which matches the national average. A further 9% were ‘small’ (employing 10 to 49 people), and 1.4% were ‘medium’ size enterprises employing 50 to 249 employees. Enterprises classified as ‘large’ (employing 250 employees or more) accounted for a very small percentage (0.1%).

Key industries in the county are currently: manufacturing, defence and security, food and drink production, agriculture and tourism. Well-known businesses include Bulmers (Heineken), British Land, Avara Foods, Weston’s Cider, Bloor Homes and Tyrrells Crisps. 15% of the population are self-employed. An understanding of these business sectors and the nature of employment in the county helps inform how the commercial waste management service should be delivered by the Council. As an example, food related businesses, such as hotels and restaurants, will be more likely to require a separate weekly collection of food waste recycling than the defence sector.

3.3 Current waste management position

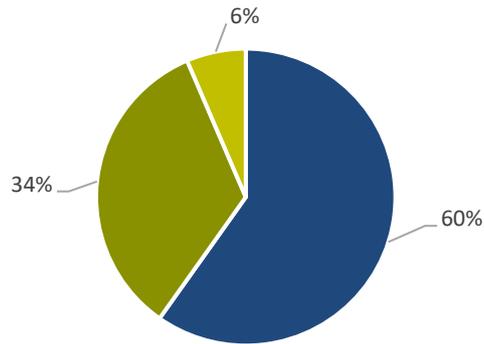
Herefordshire Council has a statutory responsibility to separately collect, manage, treat and dispose of the ‘municipal waste’ generated in the county through the provision of kerbside collection services and at least one Household Waste Recycling Centre (HWRC).

Municipal waste is waste collected from households and from businesses where waste is ‘household like’ (sometimes referred to as Local Authority Collected Waste). The Council’s waste management services relating to collecting municipal waste are:

- Kerbside waste and recycling collections
- Household Waste and Recycling Centres (HWRCs)
- Bulky household waste collections
- Clinical waste collections
- Commercial waste collections

In 2019/20, a total of 199,459 tonnes of municipal waste was collected in Herefordshire. The proportion from each Council service above is shown in the following pie chart. It should be noted that the tonnage arising from bulky household waste and clinical waste collections are not shown as they respectively represent 0.23% and 0.02% of all municipal waste collected, which is too small to illustrate.

Breakdown of municipal waste 2019/20

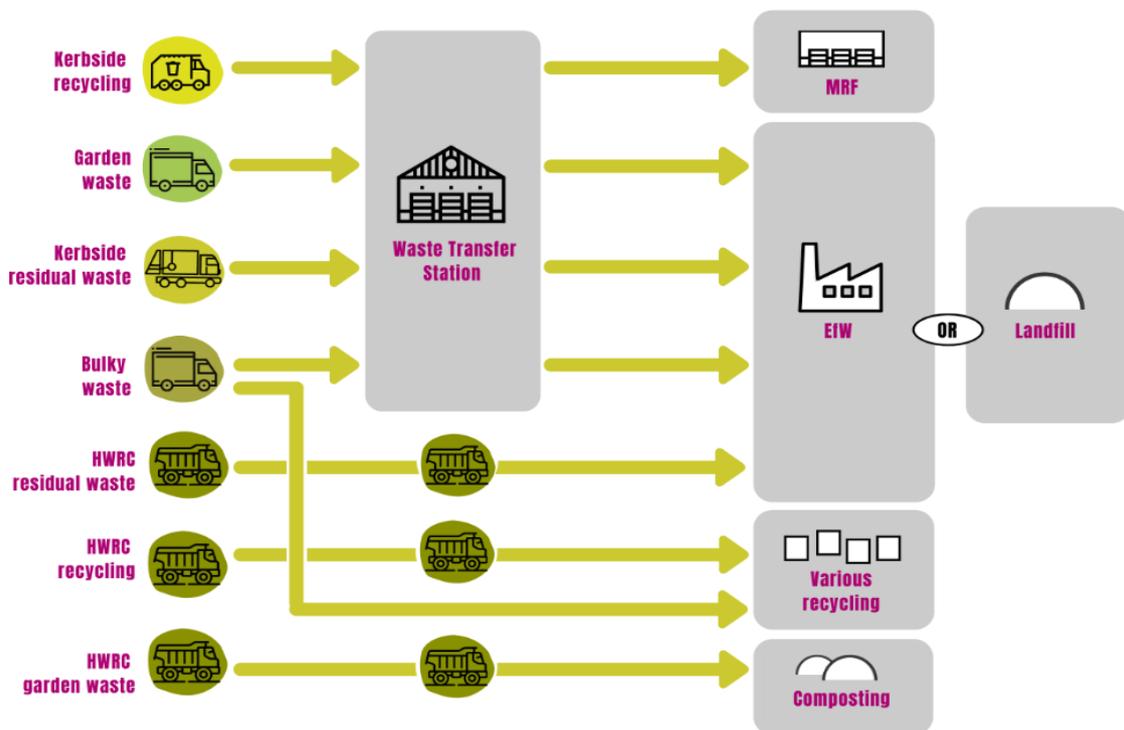


■ Kerbside tonnes ■ HWRC tonnes ■ Commercial tonnes

Herefordshire currently contracts out its waste management services. The Council has two contracts in place for the management of the county's waste:

- **Waste collection contract:** Household residual waste, garden waste and dry mixed recycling (DMR) collections, commercial waste collections, clinical waste collections, Bulky Household Waste (BHW) collections; and
- **Waste disposal contract (shared contract with Worcestershire County Council):** Treatment of DMR; Transport, storage and transfer of DMR and residual waste; Transport of DMR and residual waste; Residual waste treatment; Landfill; and HWRCs.

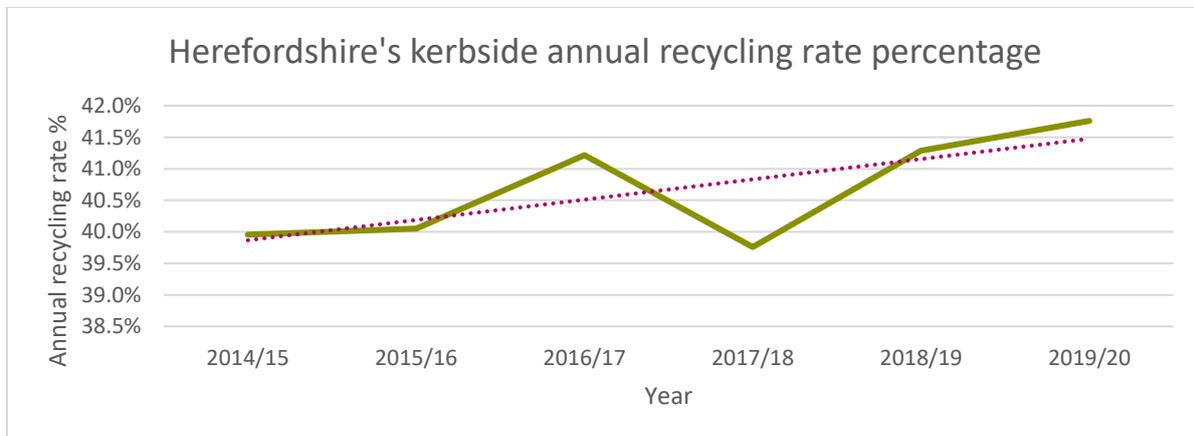
The flow of all material waste streams in Herefordshire is detailed in the following infographic:



The kerbside household waste collection service comprises a fortnightly collection of dry mixed recycling (paper, cardboard, cartons, plastic bottles, pots, tubs and trays, tins, cans and glass). These materials are collected using 240 litre wheeled bins on alternating weeks with residual waste, which uses the same containment type but is smaller sized, at 180 litres. A chargeable fortnightly kerbside garden waste collection service is also offered using sacks. However, this material is currently collected and treated as residual waste.

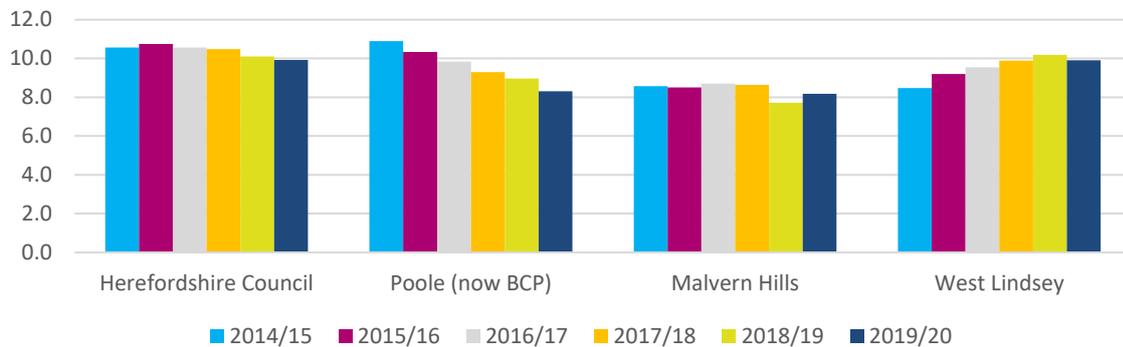
Herefordshire has a recycling rate of 41.8% (2019/20), which places the Council in 197th position out of 341 English local authorities. The highest performing authority in England in 2019/20 was Three Rivers District Council with a recycling rate of 64.1%. Herefordshire's recycling rate is just below England's average rate of 45.5%. This is around the same level as two local authorities which have very similar demographics and the same waste and recycling collection services as Herefordshire: Malvern Hills District Council (achieving a 39.8% recycling rate) and West Lindsey District Council (achieving 42.9%). The third local authority which also has similar demographics and the same waste and recycling service as Herefordshire, Bournemouth, Christchurch and Poole (BCP) Council, achieves a significantly higher recycling rate of 53.9%. However, it should be noted that each of these authorities collect garden waste for composting at the kerbside (there were no similar Councils to Herefordshire who did not).

Herefordshire's recycling rate has been plateauing at around 40% in recent years, although small increases have been achieved in the last two years (see below).



Similarly, residual waste arisings are also plateauing. In the five-year period from 2015/16 to 2019/20, the amount of residual waste generated has decreased by less than 1kg per householder per week (hhld/week) - from 10.75 kg/hhld/week to 9.92 kg/hhld/week. Residual waste arisings have similarly plateaued, rather than reduced, for Malvern Hills District Council. However, significant reductions in residual waste arisings have been achieved by BCP Council. In contrast, there has been an increased trend in arisings for West Lindsey District Council.

Residual waste arisings (kg/hhld/week) for Herefordshire and comparable authorities



The graph illustrates that Herefordshire's residual waste arisings are higher than BCP and Malvern Hills, although they are the same as West Lindsey. Herefordshire's residual waste arisings are also above the national average of 8.88 kg/hhld/week.

Waste composition analysis, undertaken in 2019, shows the typical make up of waste that is currently being thrown away in a Herefordshire household's residual waste bin. The results show that 26.5% of a typical bin is home compostable waste (food and garden waste), 15.8% is food waste which would be suitable for a kerbside food waste collection service and 8.6% is recyclable waste which could have been recycled using the kerbside collection service. Additionally, 10.0% is disposable nappies and 2.3% were re-usable items, such as clothing. The remaining 37.7% of the bin was made up of general items such as packaging, organic material (such as tissues and cloths) and 'fines' (anything below 10mm in size).

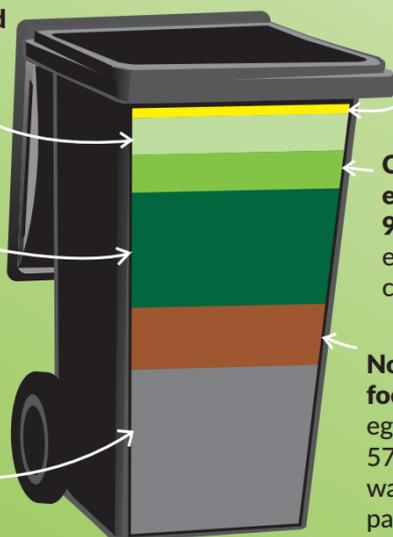
Reducing rubbish and increasing recycling

The average rubbish bin in Herefordshire is made up of the following*:

Could be recycled from home*
8.6%

Compostable waste 26.5%
eg. fruit and vegetable peelings, flowers

Waste that is not currently reusable or recyclable 37.7%



Reusable items 2.3%
eg. good quality clothes

Could be recycled elsewhere 9.1%
eg. foil, wood, soil, carrier bags

Non-compostable food waste 15.8%
eg. meat and dairy. 57% of this waste was still in its packaging!

*1.4% of the contents was glass.

The waste analysis shows that residents are good at recycling and composting garden waste. However, if residents recycled everything they could at home, the recycling rate could increase to over 46% (46.8% has been estimated).

There are currently six HWRCs in Herefordshire: Bromyard, Hereford, Kington, Ledbury, Leominster and Ross-on-Wye. These HWRCs have good recycling rates, at around 75% overall, higher than the national average of 60% (the latest figure available is from 2013/14).

Businesses are currently offered a residual waste collection service utilising varying wheeled bin sizes and collection frequencies. Currently, 5,264 tonnes per annum (2019/20) of business waste (refuse and recycling) is collected by the Council. The majority of this (97%) is residual waste collected from 2,110 businesses and 3% is recycling, collected from 500 businesses. All commercial collections are charged, which covers both the collection and treatment / disposal costs for refuse and recycling. Recycling collection frequencies are the same as for households (fortnightly) with the same size bins are offered. However, businesses can purchase up to five recycling bins. The same range of recycling material is collected as for households.

4 Policy context

Herefordshire is required to adopt the waste hierarchy when managing its waste. This is a legal requirement set out in the Waste (England and Wales) Regulations 2011. The figure below shows how the implementation of the principal of the waste hierarchy has changed waste management practices over time.



Source: Waste Management Plan for England, January 2021

Waste management practices have evolved from largely landfill disposal dominated practices in the 1990s (see pyramid on left of the figure) to one where some waste is prevented and much more material is reused and recycled (the diamonds in the middle). The direction of travel established by current national policy is one where the focus is on the upper tiers of the waste hierarchy: waste prevention, preparation for reuse and recycling (see the inverted pyramid on the right). These principals of waste minimisation were set out in Defra's 25-year Environment Plan issued in 2018 and were further expanded upon the Resources and Waste Strategy 2018.

Defra's Waste Management Plan for England (issued in January 2021) contains detailed measures designed to support a new national 65% recycling target for municipal waste by 2035, by:

- promoting high quality recycling, including the separate collections of materials where technically, environmentally and economically practicable (TEEP) and appropriate to meet the necessary quality standards for the relevant recycling sectors;
- encouraging the separate collection of bio-waste with a view to the composting and digestion of bio-waste;
- promoting the reuse of products and preparing for reuse activities, including measures to encourage the establishment and support of reuse and repair networks; and
- seeking to eliminate waste crime and illegal waste sites over the lifetime of the Plan, prioritising those of highest risk. Delivering a substantial reduction in litter and littering behaviour.

These measures derive from recent and emerging national policy and legislative drivers, particularly the Circular Economy Package 2020, the Resources and Waste Strategy 2018 and the emerging Environment Bill 2020, recently subject to a series of consultations.

Circular Economy Package 2020

The Circular Economy Package 2020 (CEP) was introduced to deliver circular economy-led improvement measures in waste management across Europe. The principals of the CEP have been adopted as part of evolving UK policy (most notably in the form of new municipal recycling rate targets originally set out in the Resources and Waste Strategy 2018), through amending the requirements of various existing waste management legislation, particularly the Waste Framework Directive, the Landfill Directive, the Packaging and Packaging Waste Directive and the various pieces of legislation pertaining to End-of-Life Vehicles (ELV), and batteries collection, treatment and disposal.

The revised mandatory targets for the UK to achieve are:

- 55% municipal reuse and recycling target by 2025;
- 60% municipal reuse & recycling target by 2030;
- 65% municipal reuse & recycling by 2035; and

- separate collection requirements for bio-waste (by 2023), textiles and hazardous waste (by 2025).

Similarly, the CEP includes strengthened provisions on waste prevention (Articles 9 & 29) and preparing for reuse (Article 11(1)), through the Waste Framework Directive.

The CEP therefore introduces “a revised legislative framework, identifying steps for the reduction of waste and establishing an ambitious and credible long-term path for waste management and recycling”².

The Resources and Waste Strategy, 2018

The Resources and Waste Strategy (RWS) sets out how resources will be preserved by minimising waste, promoting resource efficiency and moving towards a circular economy. It gives a clear longer-term policy direction in line with Defra’s 25 Year Environment Plan.

There are four key elements of the Strategy that directly affect local authority waste management. All are currently at various stages of public consultation with the view of implementation between 2023 and the end of 2024:

- **Consistency in collections:** The requirement for a consistent set of dry recyclable materials to be collected from all households and businesses. Initially, paper, card, glass, metals, plastic bottles and plastic pots, tubs and trays were included. The second consultation (June 2021) extended this to also include foil, foil trays, aerosol cans, metal packaging items and food and drink cartons, all requiring to be collected by the 2023/24 financial year. Plastic film and flexible packaging will also need to be included, with the likely target date being by the end of 2026/27.

Separate food waste collections for households and businesses must be provided by 2023 (preferably using Anaerobic Digestion plants for treatment) and free kerbside garden waste collections similarly provided, with the aim being to reduce the carbon impact of sending this material as residual waste.

- **Minimum service standards:** Waste collectors, such as the Council, will need to ensure that glass is collected separately from paper and that a multi-stream collection service is offered, unless it is not technically, economically or environmentally practicable (or TEEP) to do so. The Council’s current comingled collection service does not provide this separate collection, although the Council may be able to provide an evidence-based written assessment that separate collections of dry recycling materials, or twin-stream collections, are not TEEP and therefore a comingled service may continue to be provided.

The Government is also continuing to assess the costs and benefits of providing free garden waste collections on a minimum fortnightly collection service basis. The proposals stipulate a maximum capacity of 240-litres, using either bins or sacks. Local authorities will retain the ability to charge for higher levels of

² <https://www.gov.uk/government/publications/circular-economy-package-policy-statement/circular-economy-package-policy-statement>

service provision (for example, by offering increased collection frequencies or increased capacity).

Defra is also considering whether a recommended fortnightly collection of residual waste might be appropriate. Defra will be seeking views on including this in the future proposed statutory guidance on minimum service standards.

- **Reuse:** The RWS contains a commitment to amend waste regulations so that HWRCs perform a more effective role in resource efficiency, for example by clarifying the duty as to reuse. Further measures will also be explored, such as providing further guidance, setting reuse targets for local authorities, requiring them to set their own targets, or requiring reporting to encourage provision of reuse facilities. In reviewing and consulting on extended producer responsibility for new waste streams, consideration will be given regarding how to encourage greater reuse, in particular textiles and large household items, including furniture.

- **Deposit Return Schemes (DRS):** Two options are being proposed - 'All in' or 'On the go'. 'All in' references that cans, plastic and glass drinks containers, regardless of size, would be within the deposit system, with the purchaser receiving the deposit once the item was returned to the vendor. 'On the go' references the same drinks container materials, but only those which are less than 750ml in size and sold in single format containers.

Modelling in the second round of DRS consultations (undertaken in May / June 2021) indicated that for an all-in DRS scheme, there may be just 7% of plastic bottles, cans and glass drinks containers left in kerbside recycling schemes, significantly affecting the quantity of these containers collected by the Council. A DRS system is therefore likely to mean that overall volumes collected of these materials will decrease. The preferred DRS option is currently proposed to be implemented in late 2024. The consultation for this has recently concluded.

- **Extended Producer Responsibility (EPR):** Invoking the Polluter Pays Principle of waste management, EPR is proposed to initially target household packaging type items (i.e. packaging related cardboard, steel, aluminium, glass and plastic, except for drinks containers which fall in the scope of a Deposit Return Scheme system). A charge will be levied for producers of these materials to cover the full net cost of managing the materials from collection through to reprocessing, with packaging items unable to be reused or recycled attracting a higher charge. The income from charges will then be used to fund local authority recycling collection, treatment and disposal costs of these materials, with EPR covering funding for packaging items found in both the kerbside residual waste and dry recycling streams. The EPR requirements are likely to extend to all municipal waste (i.e., including businesses producing household-like waste – albeit not paying for the residual element for business packaging). However, only the “full net cost recovery” of costs that are “necessary” for the provision of “cost-efficient and effective” services will be paid. EPR reform is proposed to be implemented from October 2023. With the current kerbside collection service, it is unlikely that the Council will be able to demonstrate compliance with quality / minimum service standards that are likely to be required, such as greater kerbside sorting.

Defra is proposing to extend the range of materials covered by EPR to subsequently include textiles, bulky waste and vehicle tyres (as well as certain construction and demolition materials and fishing gear). The consultation for this has recently concluded.

Environment Bill 2020

The Environment Bill makes provision regarding targets, plans and policies for improving the natural environment. Through it the measures set out in the Resources and Waste Strategy are expected to become mandatory, including:

- Separate collections of recycling materials from households and businesses except when it is not technically or economically practicable, or there is no significant environmental benefit in doing so, in which case twin stream recycling is permissible.
- Weekly separate collections of food waste from households and businesses.
- Separate collections of garden waste from households.
- Deposit return schemes.
- Extended producer responsibility obligations.
- Resource efficiency and waste reduction environmental targets.

Carbon reduction targets

The Paris Agreement, signed by over 190 countries around the world, aims to limit the rise of the global temperature to no more than a 1.5°C above pre-industrial levels. This aim has been widely interpreted as requiring global carbon dioxide emissions to reach 'net-zero' by 2050. In 2019, the UK government became the first major economy in the world to set a legally binding target to achieve net zero greenhouse gas emissions (GHG) from across the UK economy by 2050. Consequently, Herefordshire has declared a Climate and Ecological Emergency. In declaring this, the Council has agreed to:

- Accelerate a reduction of emissions and aspire to become carbon neutral by 2030/31.
- Deliver an updated carbon management plan and associated action plan for Council emissions by April 2020.
- Work with strategic partners, residents and local organisations to develop a revised countywide CO₂ reduction strategy aspiring for carbon neutrality by 2030.
- Use 100% renewably sourced energy where this provides the best carbon reduction return on investment.

5 Future waste management requirements

5.1 Kerbside collection service requirements

The recent policy developments described above as well as the upcoming expiry of the waste collection contract has prompted the Council to review its kerbside collection service. The greatest impact for Herefordshire Council is the requirement to provide:

- separate collections of recycling materials at the kerbside from households and businesses (foils, plastic film and flexibles will all need to be collected), except when it is not technically or economically practicable, or there is no significant environmental benefit in doing so, in which case twin stream recycling should be provided.
- weekly separate collections of food waste from households and businesses; and
- free separate collections of garden waste from households, which should then be composted.

In addition, the Council will need to consider the implications of changes to the composition of the recyclable materials; affected by both the deposit return schemes (i.e. the quantities of cans, glass and plastic bottles present in recycling and residual waste streams which may affect the quantities collected and reprocessed) and EPR obligations for both household and commercial residual waste and recycling streams (i.e. for packaging type materials, but potentially also in relation to textiles, bulky waste and vehicle tyres in the future, as well as certain construction and demolition materials).

Each of these aspects, as well as the carbon and financial implications, are being considered by Herefordshire Council as part of an ongoing options appraisal process to determine a preferred service design for the new kerbside waste and recycling service, to begin when the new waste collection contract(s) commence from 2 November 2023. The options appraisal will also include an assessment of whether to outsource, deliver in-house or use an alternative service delivery mechanism for both the collection and the disposal contracts.

5.2 HWRC waste management requirements

The Resources and Waste Strategy sets out future requirements for HWRCs to provide increased reuse provision and to assist with enabling the 'right to repair' (especially for textiles and large household items, including furniture). Further legislative measures are also likely, such as providing further reuse guidance, setting reuse targets for local authorities, requiring them to set their own targets, or requiring reporting to encourage provision of reuse and/or repair facilities.

The Council recognises that this presents an opportunity to drive waste up the hierarchy and expand reuse provision at HWRCs. The Council is committed to maximising the quantity and quality of reuse of materials from HWRCs.

Assessing a range of HWRC related improvement activities for which a charge may be levied, such as accepting and charging for commercial waste and charging for 'DIY'

types of waste (such as plasterboard, rubble and hardcore, ceramics, soil, wood and tyres) and by diverting more waste to be reused, significant income to off-set costs could also be generated, presenting the Council with the opportunity to make cost savings.

5.3 Commercial waste requirements

The Environment Bill will require local authorities to provide businesses with:

- separate collections of recycling materials (glass, metal, plastic, paper and card), except when it is not technically or economically practicable, or there is no significant environmental benefit in doing so, in which case twin stream recycling should be offered; and
- weekly separate collections of food waste.

As EPR requirements for businesses become more clearly defined it will become clearer which items may attract funding from packaging producers and how these monies may become available to Herefordshire Council in the provision of services.

The service available to businesses is expected to change (along with the kerbside collection service provided to households) when the preferred option identified in the options appraisal exercise is implemented, anticipated to be from 2 November 2023 (when the Council's new waste collection contract(s) commences).

As with households, businesses are not currently offered a separate weekly food waste collection service. This will form a new chargeable service, anticipated to again be available from 2 November 2023.

6 Partnership arrangements

Herefordshire Council is committed to working with its neighbouring authorities to identify where services can be jointly delivered and to realise opportunities and efficiencies as they arise. The Council already collaborates in joint working with Worcestershire County Council through the current Joint Municipal Waste Strategy for Herefordshire and Worcestershire 2004-2034, through the joint waste disposal contract and through the shared ownership of the Energy from Waste facility in Hartlebury, Worcestershire.

7 National waste management campaigns

Herefordshire is committed to engaging with, supporting and promoting waste management campaigns which help to reduce the costs of the service and deliver the national legislative and policy requirements. This includes supporting campaigns from the charity Waste and Resource Action Programme (WRAP) whose work involves many sectors and includes defining practical solutions to improve resource efficiency in food and drink, plastic packaging, clothing and textiles and collections and recycling. This supports the Council's aims and objectives contained within this strategy and helps drive waste up the hierarchy. WRAP campaigns include:

- Recycle Now (including Recycle Week in September of each year);

- Love Food Hate Waste (LFHW) (including Chill the Fridge Out, Portion Planner and the A-Z of food storage);
- Clear on Plastics; and
- Love Your Clothes (including the Sustainable Clothing Action Plan (SCAP)).

8 Strategic targets

Six strategic targets have been set to enable the Council to achieve the Vision of the strategy. In developing these, targets from the Council's current Joint Municipal Waste Management Strategy (JMWMS) with Worcestershire County Council were reviewed. Four of these were adjusted and retained (see targets 2 to 5). Ambitions from the County Plan have been incorporated into two new targets for this strategy (target 1 and target 6).

The annual action plan accompanying this strategy will contain annual goals to achieve, which cumulatively work towards meeting each of these targets, achieved through delivering the priorities outlined in section 11, below. The targets set are measurable, providing the mechanism to evaluate the effectiveness of the priorities set in the strategy and to review how far they meet the vision of the strategy on an annual basis.

Target 1 – Net zero carbon by 2030

The first target is a “net zero carbon by 2030” and brings the County Plan ambition and the Climate and Ecological Emergency target together to form a new carbon reduction target for the strategy to achieve.

The Council has made a Climate and Ecological Emergency target to achieve a zero waste to landfill commitment by 2030. Considerable carbon emissions are associated with waste management activities. However, there is also the opportunity to reduce emissions through waste prevention, reuse and recycling. The County Plan also has an Environment ambition such that the Council will use its community initiatives, partnerships and our waste contracts to make it easier for businesses and residents to share, repair, reuse and recycle. Our waste should also be managed and processed locally, wherever possible. These actions will contribute to reducing carbon emissions.

The Environment Bill also addresses air quality, which may influence decisions around waste treatment methods, waste transport distances and even HWRC site design and traffic, particularly when facilities may be located in urban areas.

Target 2 – Reduce residual household waste arisings to less than 330kg /hhld/year by 2035

A key factor in reducing costs and increasing the recycling rate is to reduce the amount of residual waste collected and disposed of. This goal brings the JMWMS target “To achieve the national reductions in household residual waste (waste not reused, recycled or composted) of 35% by 2015 (700 kg/hhld) and 45% by 2020 (592 kg/hhld), based on 2000 levels” (1,077 kg/hhld) up to date. This JMWMS target was met well ahead of schedule, which reflects the service improvements made since the strategy was written in 2004. To set a more realistic and achievable target, residual waste arisings from local authorities most comparable to Herefordshire (see Section 3) were analysed. Likely food waste arisings which could be diverted from the residual waste stream with the introduction of a weekly food waste recycling service were then calculated³ and deducted from the best performing comparable local authority’s residual waste arisings figure, arriving at a new challenging target for Herefordshire to achieve less than 330 kg/hhld/year. This will ensure that waste management priorities include diverting kerbside recyclable materials and food waste from the residual waste stream in the long term and will continue to drive waste up the hierarchy.

The introduction of a weekly food waste recycling service from December 2023 is anticipated to divert more kerbside residual waste bin to recycling. This will reduce residual waste arisings and the necessity for 180 litre bins. Therefore, the kerbside options appraisal exercise will be used to determine what size residual waste bin is most suitable; this will also depend on whether additional items are collected for recycling at the kerbside (for example, textiles).

The annual action plan will set annual residual waste reduction targets to cumulatively achieve this goal, as well as setting out the necessary supporting activities to meet them. The action plan will be updated annually, to reflect progress made until the target is met. It will also be incorporated into appropriate waste collection contracts as an element of their Key Performance Indicators for the waste collection contractors to achieve, once the new service is operational, in December 2023.

Target 3 - Achieve national municipal reuse and recycling rate targets of 55% by 2025, 60% by 2030 and 65% by 2035.

The current target set in the JMWMS - To work towards achieving national recycling/composting levels of household waste of 45% by 31st March 2015 and 50% by 31st March 2020 - has formed the basis of this target. It also brings the target up to

³ Using WRAP data, residual waste arisings reduce an average of 1.8kg/hhld/week following the introduction of weekly food waste collections

date with the national new municipal reuse and recycling rate targets, as set out in the Circular Economy Package 2020 and the RWS.

Significant changes to the service are likely to be necessary to increase the reuse and recycling rate from the current rate of 41.8% to 65% by 2035. The annual action plan, which forms part of this strategy, will set annual reuse and recycling rate targets to cumulatively achieve this goal, as well as setting out the necessary supporting activities required to meet them. The action plan will be updated annually, to reflect progress made until the 65% target is met (by 2035).

The targets contained in the action plan have been set at milestones, which accord with both local and national policy and legislative drivers. For example, the Environment Bill contains a range of service improvements to be implemented nationally by the financial year 2023/2024, particularly in providing consistency in collections. For Herefordshire, the introduction of the mandatory weekly separate food waste recycling collection service will yield a significant increase in the recycling rate at this time. This is due to food waste, suitable for being diverted to this collection service, comprising 15.8% of the average residual waste bin. As the timescales coincide with procuring the new waste collection contract, the Council recognises that these changes will be introduced when the new service contracts commence from 2 November 2023. Therefore, the recycling rate is expected to increase significantly at the time the service changes are made, compared with other years.

The inclusion of reuse in the target provides the opportunity to measure the reuse related activities taking place from the various reuse priorities outlined in the strategy. The Council will need to ensure a mechanism for capturing and monitoring the amount of reuse taking place and embedding this in its reporting systems. For example, from implementing a reporting system which accurately captures the quantities of reuse captured through the bulky household waste collection service.

The annual reuse and recycling rate targets will similarly be incorporated into the appropriate waste management contracts, as a Key Performance Indicator for contractors to achieve, once the new collection service is operational in November 2023.

Target 4 – To meet the requirements of the Environment Bill

This target updates the JMWMS target “to continue to meet the requirements of the Household Waste Recycling Act 2003” and brings it up to date with the most recently available legislation. This target ties together all the other targets and reiterates the importance of driving waste up the waste hierarchy and providing a renewed focus on reuse.

The annual action plan will contain key measures outlined in the Environment Bill and will set suitable targets to achieve each measure in the timeframe outlined in the Bill.

Target 5 - No more than 1% of municipal waste to be sent to landfill from 2025 and zero waste to landfill by 2035

This target brings the final target from the JMWMS (“recover value from a minimum of 78% of municipal waste”) up to date. This target has been revised to reflect that the proportion of waste being sent to landfill has increased substantially in the last two years, creeping up to almost the maximum JMWMS target allowance of 22%. By ensuring that a long term zero waste to landfill target is set, the strategy sets out to drive waste up the hierarchy, as well as providing support to achieving net zero carbon from Target 1.

Target 6 - Improve reuse and recycling at all HWRC sites to achieve a reuse and recycling target of 85% by 2035.

Increasing the amount of waste reused through the HWRC network is a key commitment in the strategy. Therefore, this target has been set to predominately measure the improvements in reuse at the HWRCs, as set out under the priorities section of the strategy. The target is in keeping with the change in national recycling rate targets, which has now been expanded to include reuse. The HWRC reuse rate is currently 0.01% (equating to 26 tonnes per year). The recycling rate currently averages 74.9%, totalling 75% (2019/20). It is unlikely that the reuse and recycling rate can be significantly increased by 7.5% without substantial efforts to increase both reuse and recycling in the longer term.

The annual action plan will set annual increases in HWRC reuse and recycling rate targets to cumulatively achieve this target, as well as setting out the necessary supporting activities to meet them. The action plan will be updated annually, including reflecting progress made until the target is met. This target will also be incorporated into appropriate waste management contracts, as a Key Performance Indicator, for waste disposal contractors to achieve once the contract is operational in January 2024.

9 Priority actions

To meet the Vision of this strategy, the Council will need to undertake actions to support meeting its targets within the timeframe of the strategy. Recognising legislative and policy drivers, these activities are set out below and are in-keeping with the waste hierarchy.

The actions are identified as suggested short, medium and long-term priorities, where appropriate. All short-term priorities (covering the period from 2021 – 1 November 2023) will be taken forward into the annual action plan and progress reported

accordingly on an annual basis. Medium-term (covering the period from 2 November 2023 – 31 March 2028) and subsequently long-term priorities (1 April 2028 – 2035) will be included in the action plan as time progresses. The general priorities given at the beginning of the table are for implementation in the short-term but will remain for the life of the strategy.

Relation to the waste hierarchy	Priority	Contributing to targets...	Timescales for implementation
General	Set out the waste service's education and promotion requirements through the production of an annual communications plan to include waste prevention, reduction, reuse and recycling priorities for the coming year.	1 - 6	Short term priority
	Write, approve and publish a waste management charter between Herefordshire Council and its residents and businesses, reviewing and updating the waste management charter as a starting point. This will set out the services available to residents and businesses, and the expectations of the Council on residents and businesses using the service.	1 - 6	Short term priority
	Undertake a review of Herefordshire's waste service policies that support the waste management service. Undertake this review to ensure a robust suite of policies is in place and is approved to support future service direction, as set out in the strategy.	1 - 6	Short term priority
	Undertake annual performance reviews of the service, which evaluate Herefordshire's ability to meet its vision and priorities against the targets. This will ensure the Council remains on track and is able to identify and rectify any issues arising in a timely and planned manner.	1 - 6	Short term priority
Waste prevention	Promote existing Community Fridge / Community Larder initiatives, through promotion on the Council's website and social media platforms. For example, the Community Larder by The Churches Together in Ross and District. Work with community groups to facilitate more Community Fridge initiatives to be set up across the county.	1, 2, 5	Short term priority
	Investigate becoming a signatory to WRAP's Courtauld Commitment 2025. This is an ambitious voluntary agreement which brings together organisations across the food production and hospitality sectors to make food and drink production and consumption more sustainable. It contains a commitment to reduce food and drink waste associated with production, and consumption of food and drink, by 20% per person, post farm gate. It also commits to a 20% per person reduction in the greenhouse gas (GHG)	1, 2, 5	Short term priority

Relation to the waste hierarchy	Priority	Contributing to targets...	Timescales for implementation
Waste Prevention	emissions associated with production and consumption of food and drink in the UK.		
	Continue educational and promotional activities relating to home composting. This is particularly important given that around 26% of the average residual waste bin in Herefordshire is home compostable food and garden waste.	1, 2, 3, 5	Short term priority
	Continue educational and promotional activities relating to food waste prevention, supporting the WRAP Love Food Hate Waste national campaign.	1, 2, 3, 5	Short term priority
	Promote existing channels as opportunities for reuse on the Council's website - such as local charity shops.	1, 2, 3, 5	Short term priority
	Engage with existing community groups to facilitate and/or enable repair cafes and pop -repair shops ⁴ to take place across the county (i.e., by providing a venue and/or insurance). If this infrastructure is not currently in place, consider setting up a Community Action Group Herefordshire (CAG Herefordshire), in the same vein as CAG Devon ⁵ .	1, 2, 3, 5	Short term priority
	Develop a business case to assesses the viability of implementing a re-usable nappy promotion offering. Re-usable nappy loan kits, starter kits, money off vouchers, targeted education and promotion work and real nappy advisors are used by many other Councils to prevent disposable nappy waste, for example Gloucestershire County Council ⁶ . 10.0% of Herefordshire's average residual waste bin is disposable nappies, more than twice the national average.	1, 2, 3, 5	Short term priority
	Carry out "Save Money And Reduce Trash" shopping-related education and promotion; such as reducing waste by buying loose fruit and vegetables, buying in bulk and using refill stations where possible.	1, 2, 3, 5	Short term priority

⁴ <https://cagdevon.org.uk/resource/doingstuff/repaircafeguide>

⁵ <https://cagdevon.org.uk/about/what-we-do/>

⁶ <https://www.gloucestershirerecycles.com/reduce/real-reusable-nappies/>

Relation to the waste hierarchy	Priority	Contributing to targets...	Timescales for implementation
Preparation for reuse	Set up a baseline for reuse (suggested use of 2019/20 reuse figure), from which targets can be set and against which progress can be measured. Educational and promotional activities should be undertaken to raise awareness and increase reuse.	1 - 6	Short term priority
	Promote and endorse WRAP's Sustainable Clothing Action Plan (SCAP) Love Your Clothes campaign, including promotion of the Love Your Clothes website, to capture for reuse or recycling the textile material currently being disposed of via the residual waste bin (4.2% of kerbside residual waste is textiles that could have been reused or recycled).	1, 2, 3, 5	Short term priority
	Conduct a review of the bulky household waste (BHW) collection service. This could include the approach to charging, by item or number of items, and also the required condition of the items for collection – should it be purely for reuse or could some items be accepted to be broken down into component parts for recycling.	1, 2, 3, 5, 6	Short term priority
	Undertake a business case for assessing the viability of the voluntary and community sector delivering all or part of the BHW service on behalf of the Council from November 2023, including partnership arrangements, capabilities and limitations of each party and performance targets and rewards for quantities of items reused.	1, 2, 3, 5	Short term priority
	Undertake a business case to assess the suitability of introducing a new commercial bulky waste collection to enable recycling of a greater amount of municipal waste. This could be combined with the household bulky service or a standalone service.	1 - 5	Short term priority
	Undertake a business case to assess the level of savings and diversion from disposal possible from involving the Voluntary and Community Sector (VCS) (i.e., the British Heart Foundation and/or local charities) to encourage reuse, to be implemented from 2024 when the new waste disposal contract(s) commences.	1, 2, 3, 5	Short term priority
	Assess the feasibility of setting up a 'library of things' ⁷ and / or a share shed, working with local community groups.	1, 2, 3, 5	Short term priority
	Undertake a feasibility study for identifying suitable HWRC(s) to have a reuse shop operating on site.	1 - 6	Short term priority

⁷ https://www.youtube.com/watch?v=xs_pYwztGJM

Relation to the waste hierarchy	Priority	Contributing to targets...	Timescales for implementation
Preparation for reuse	Assess the business case for working with Community RePaint ⁸ to increase paint reuse through the HWRC network.	1, 2, 3, 5, 6	Short term priority
	Implement the reuse outputs from the various business cases undertaken in the short-term, incorporating the services into the service design and specifications for the new waste collection and waste disposal contracts.	1 - 6	Medium term priority
Recycling	Ensure that the new waste disposal contract specification includes the requirement to compost, using open windrow, the kerbside collected garden waste and garden waste received at the HWRCs.	1 - 6	Short term priority
	Undertake education and promotion activities to increase capture rates from recyclable material present in the residual waste stream, for both kerbside and HWRC (the waste composition study revealed that particular focus should be given to textiles).	1, 2, 3, 5, 6	Short term priority
	Undertake repeated and targeted education and promotion campaigns, including regular provision of bin stickers and leaflets to emphasise 'what goes where' at the kerbside.	1, 2, 3, 5	Short term priority
	Sign up to the voluntary Resource Association 'End Destinations of Recycling charter' and publicise the charter on the Council's website to provide transparency to residents about where recyclate is taken.	1, 2, 3, 5, 6	Short term priority
	Promote and encourage more businesses to sign up to the commercial recycling collection service (and new food waste collection service from December 2023), specifically targeting those businesses who already have a refuse collection service in the first instance.	1 - 5	Short term priority
	Develop a business case to evaluate the impact of growing the kerbside commercial waste and recycling collection service for businesses, to respond to legislative requirements, to harness financial income opportunities and to provide a sustainable and affordable service to businesses in Herefordshire. Produce a commercial waste and recycling action plan for the preferred option.	1 - 5	Short term priority
	Develop and produce business cases for evaluating the range of income generating options for the HWRC network. For example, for commercial waste acceptance and	1, 2, 3, 5, 6	Short term priority

⁸ <https://communityrepaint.org.uk/>

Relation to the waste hierarchy	Priority	Contributing to targets...	Timescales for implementation
	for charging for different types of DIY waste (rubble, hardcore, ceramics, plasterboard, wood and tyres).		
Recycling	Undertake a service delivery options appraisal to identify the preferred delivery of the new waste collection and waste disposal contracts (outsource, in-house or alternative service delivery mechanism). Include any services which could be delivered by the Voluntary and Community Sector, particularly regarding the BHW collection service.	1 - 6	Short term priority
	Undertake a 'What goes where?' HWRC campaign, including a review of container provision, a review of site signage and a review of information provided on the Council's website to decrease 'missed recycling' in the HWRC residual waste stream.	1, 2, 3, 5, 6	Short term priority
	Undertake a kerbside recycling participation survey to assess the number of households participating in the kerbside recycling collection service. This will enable specific education and promotion activities to be targeted at low performing areas in the County. This should be repeated at least every 2-3 years.	1, 2, 3, 5	Short term priority
	Continue the options appraisal project to determine the cost/benefit of kerbside recycling collection services that includes collecting foil, plastic film and flexibles from households and businesses, as well as an assessment of the potential impact of EPR and DRS on the kerbside collection services.	1 - 5	Short term priority
	Undertake a County-wide flats recycling review, recording an inventory of bin types, sizes and numbers present at each block of flats. Conduct an information gathering exercise to record contact details of caretakers, managing agents etc. Establish what standard capacity and service should look like for flats and, if necessary, relaunch the recycling service, ensuring each group of flats is left with a supply of service information leaflets, stickers and posters to refresh regularly, particularly enabling the managing agents to engage with new residents. Utilise learnings from ReLondon's flats recycling scheme ⁹ .	1 - 5	Short term priority

⁹ <https://relondon.gov.uk/resources/toolkit-flats-recycling-package>

Relation to the waste hierarchy	Priority	Contributing to targets...	Timescales for implementation
Other recovery, including disposal	Conduct a feasibility study to evaluate if any existing AD facilities could be utilised for the future treatment of food waste for Herefordshire and what open windrow composting facilities there are available within the County boundary, and with what capacity, for the future disposal of garden waste.	1, 4	Short term priority
	Deliver the Council's Climate and Ecological Emergency target of 0% waste to landfill by 2030, by sending all residual waste to Energy from Waste treatment by this target year.	1, 5	Medium term priority
	Implement black bag splitting at the HWRC, to divert and drive waste up the hierarchy, reducing the amount of residual waste sent for disposal.	1, 2, 3, 5, 6	Medium term priority
	Implement a reduced-size residual waste bin at the same time as introducing a separate kerbside food waste and recycling collection service in 2023 when new contracts commence, if the decision to retain fortnightly residual waste collections is made. The options appraisal will determine the preferred option for the size of bin to be used and the frequency of collection of the individual waste streams.	1 - 5	Medium term priority

GENERAL SCRUTINY COMMITTEE

TASK AND FINISH GROUP

WASTE, A STRATEGIC REVIEW



September 2020

The Waste Task and Finish Group



Councillor Paul Symonds (Chair)

Cllr Symonds, a resident of Ross on Wye has a wealth of local government experience. Managing waste, highways and environmental health services for a number of local authorities across England.



Councillor Jenny Bartlett

Cllr Bartlett has spent 30 years working as a professional cartographer in the civil service, private sector, local authorities and utilities. As a community artist she has worked with Leominster in Bloom on the town banners and the Leominster in Stitches projects.



Councillor Jennie Hewitt

Cllr Hewitt for Golden Valley North has worked as a primary art teacher in the local community. She is passionate about working to address climate change, protect the environment and restore and protect biodiversity. Prosperity without harm.



Councillor Kath Hey

Cllr Hey has been closely involved in the care and development of young people she has worked to make a difference to her home city of Hereford.



Councillor Elissa Swinglehurst

Cllr Swinglehurst's experience includes planning appeals, flooding litigation and drafting a Neighbourhood Development Plan. She has a huge passion for her local area and works tirelessly to help protect our communities, natural habitats and resources.



Nicola Percival, Waste Operations Team Leader

Nicola is passionate about resource management and has many years of experience from developing, procuring and managing waste services through to promoting and educating the use of them across diverse communities.



Kenton Vigus, Waste Disposal Team Leader

Kenton is an experienced local authority waste manager with experience of developing waste strategy and policy, procurement and service management in Rutland, Lincolnshire and Herefordshire.

Introduction

How we produce, manage and view waste needs to change. The recent Resource and Waste Strategy 2018 outlines how England will make changes to move away from a make, use and dispose approach towards a circular economy.

Herefordshire Council is uniquely positioned to embrace this change and significantly contribute to a more sustainable future for its residents and future generations.

Herefordshire Council has a bold ambition outlined in its new County Plan:

“Respecting our past, shaping our future – we will improve the sustainability, connectivity and wellbeing of our county by strengthening our communities, creating a thriving local economy and protecting and enhancing our environment”.

The Council’s waste management service can contribute to this ambition. It is the only service which every resident uses, it is essential in supporting our communities every day. It supports the economy and business and is a source of job creation and economic opportunity. Recycling, treating and disposing of waste more effectively and tackling waste crime reduces emissions, safeguards resources and protects our natural environment.

In November 2019 General Overview and Scrutiny Committee established a Task and Finish Group to consider how we provide the council’s waste management service in future.

This report sets out the findings of the group and the recommended actions to the council.

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Glossary

AD	Anaerobic Digestion facility, a process where bacteria breakdown organic material in the absence of air. Commonly used to treat food waste to create syngas (methane) and digestate (organic residue).
AWC	Alternate Weekly Collection, the council's current method of collecting waste, residual one week then recycling the next.
EFW	Energy from Waste facility, accepts residual waste from household and commercial collections for incineration. Waste is burnt to generate steam to power steam turbine and create electrical power. Also capable of distributing heat (hot water) to local area
EPRS	Extended Producer Responsibility Scheme, measures detailed in the RWS 2018 that will make packaging producers responsible for (the cost of) dealing with packaging waste, similar to producer responsibility for end of life vehicles and electronic equipment.
EU-CEP	European Union Circular Economy Package, a set of measures to be implemented by EU member states to bring about a more circular economy, the UK Government has recently re-committed (August 2020) to implementing the same measure in the UK as required in Europe.
HRC	Household Recycling Centre, often known as a Household Waste Recycling Centre or Civic Amenity Site. A place where residents may deposit their own household waste.
MRF	Materials Recovery Facility, a place where mixed materials are sent to be sorted and segregated. Also commonly referred to as a Materials Reclamation Facility or Material Facility.
RWS 2018	Resource and Waste Strategy 2018. The government's strategy for how England manages resources and waste to bring about a more circular economy.
Waste-TFG	The Waste Task and Finish Group, established by the council's General Overview and Scrutiny Committee to undertake a Strategic Review of the Council's waste management service.
WTS	Waste Transfer Station, facility where waste is taken to for storage and segregation prior to onward transport to another waste management facility.

1. REVIEW PURPOSE

There are three main driving forces behind the need to review the council's waste management service, these are:

1. Our existing waste collection and disposal arrangements are **due to expire** at the end of 2023 and start of 2024 respectively.

There is an option to extend our joint disposal (Waste Management Services) contract by up to 5 years to January 2029. This would also extend our partnership arrangements with Worcestershire County Council. There is no further extension option for the Waste Collection Contract which will expire in November 2023.

2. Changes to waste policy are expected in the wake of the **Resource and Waste Strategy 2018** and progress through parliament of the **Environment Bill 2019-20**.

New policy and legislation will influence everything from packaging design & production to how local authorities provide their waste management services. Significantly this will see the requirement for councils to provide weekly food waste collections to all households from 2023 and make it available to businesses for a charge.

3. The council has the ambition to make sweeping changes to bring about a more sustainable county. Resource management, production and waste are significant contributors to carbon emissions*. By making changes to how materials are used in production, minimising use of raw materials, discouraging waste, maximising reuse, recycling and recovery we will be able to bring about large reductions in carbon emissions in response to the **Climate and Ecological Emergency**.

**Zero Waste Scotland (ZWS) believe these factors alone to contribute to 84% of total carbon emissions in Scotland, there is no reason to believe the contribution of these factors in England is any less significant ([See ZWS Corporate Plan](#)).*

The review seeks to understand current arrangements and likely future demands of the service alongside the council's own aspirations for environmental protection, resource efficiency and carbon reduction.

Through a process of evidence & information gathering, learning from the experience of others and considering the needs and aspirations of the council the Waste-TFG have considered what the objectives for future improvements should be and different options for providing the service in future. The findings have informed the recommendations in this report.

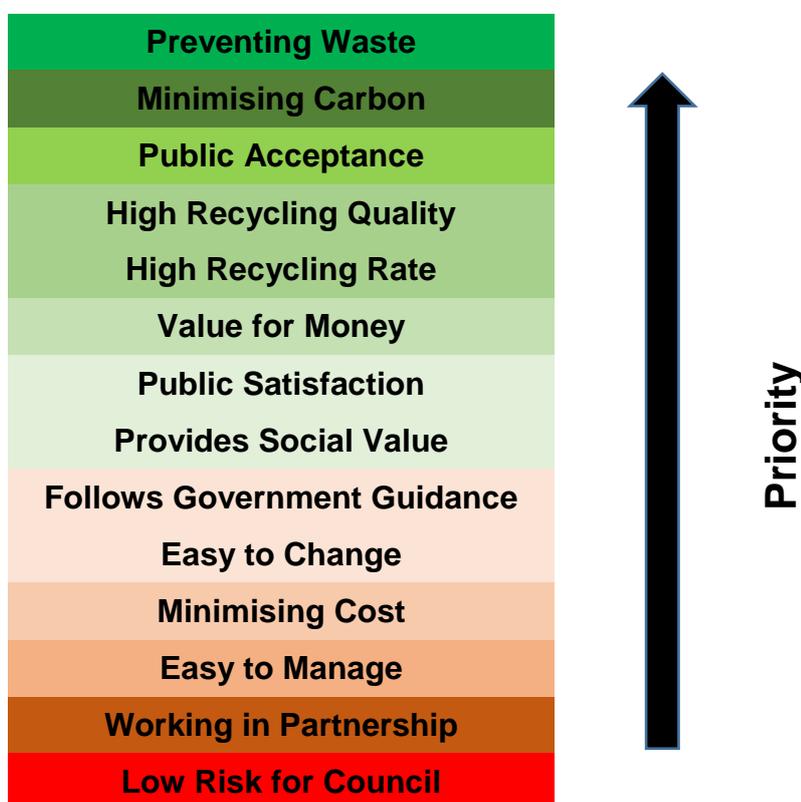
2. KEY CONSIDERATIONS

2.1. Member Briefings

In September 2019 the waste management team held two member briefing sessions to introduce the team and the service to councillors, many of whom were new to the organisation following the May 2019 elections. Members were taken through the government's Resource and Waste Strategy 2018 and what this could mean for the service and the council in future years. Some key comments from members at the briefings are captured below:

- There is confusion over what people can put in their bin
- Can we do more to encourage business waste reduction
- We need to tackle unnecessary plastics
- Household waste sites need to promote the reduce, reuse, recycle message
- Need to explore options for making use of the materials we collect more locally
- Waste composition in 5-7 years' time might be very different to now.
- We are in 4th most rural county, does the government's policy fit well with us?
- Can we combine or tailor the service for the differences between rural & urban?
- Water fountains in towns would help reduce need for plastic bottles
- Can we use electric vehicles for smaller rounds or urban rounds?
- Source separation will cause congestion in town due to the amount of time to collect
- Education is really important.

Overall 23 members took part in the briefings, at the end of each of the each sessions they were asked to rank their priorities for future delivery of the service, the combined result is provided here.



Overall members at the briefings felt our service should prioritise the prevention of waste, minimisation of carbon emissions and public acceptance. The least important were ease of

management for the council, working in partnership with others and the risks to the council. The task and finish group have considered these priorities in the findings and recommendations detailed in this report.

2.2. General Overview and Scrutiny Task and Finish Group

Consideration of the need for a review our waste management arrangements was made at the November 2019 General Overview and Scrutiny Committee (GOSC). The need for a strategic review of our service arrangements with contracts coming to their end and changes to policy expected was accepted. As a result, a cross party member Task and Finish Group (TFG) was established to work with officers to explore options, provide findings and make recommendations to the executive on how the council should approach these challenges.

Five members representing five political groups form the group with support for the Waste Operations Team Leader and Waste Disposal Team Leader. Details of the members of the Waste-TFG can be found at the front of this report.

2.3. The Waste Management Service

As a Unitary Authority, Herefordshire Council has a statutory obligation to collect, recycle and treat waste produced by residents in its area. These obligations are enshrined in law, particularly the Environmental Protection Act 1990, providing a basis for what services are to be provided and how. The law requires local authorities to:

- Collect household waste from residents in in its area
- Separately collect recyclable materials from households including paper, metals, plastics and glass
- Provide a commercial waste and recycling collection service
- Provide places where residents may take their household waste.

In Herefordshire the council fulfils its obligations by providing the following services to residents:

- Fortnightly collection of mixed dry recycling from green wheeled bins
- Fortnightly collection of residual waste from black wheeled bins
- Bulky waste collection
- Clinical waste collection
- 6 Household waste & recycling centres
- A commercial waste and recycling collection service

The waste collection service is simple, residents are provided with two wheeled bins, one for mixed dry recycling (paper, cardboard, plastic containers, tins, cans and glass containers) the other wheeled bin for general (residual) waste. Each bin is collected fortnightly or on an alternating weekly basis, hence this is termed Alternate Weekly Collection. The process is simply illustrated in Table 1.

	Householder	Collection	Waste Transfer	Processing	Outputs
WEEK 1 Recycling				 40% to Recycling	Separated materials 

WEEK 2 General Waste				 40% to EFW	Electricity 
				 20% to Landfill	Gas Flare 

Table 1. Herefordshire's current Alternate Weekly Collection (AWC) service. Recycling is collected one week from each property and residual general waste the next week. Each waste stream is thus collected every fortnight meaning the same vehicle can be used to collect mixed recyclable materials one week and then the general (residual) waste the next.

Our services are provided through two **outsourced*** service contracts with private waste management companies.

*See section on **service delivery options**, page 14

Waste Collection Contact

Provider: FCC Environment Ltd.
Services: Collection of recycling and residual waste, bulky collection, clinical waste and commercial waste and recycling collection
Commenced: 2 November 2009
Expires: 1 November 2023
Value: £4m per annum

On expiry of the contract the council will retain waste collection depots located in Hereford and Leominster. These may be utilised for the continued provision of the waste collection service or be used for another purpose if not required.

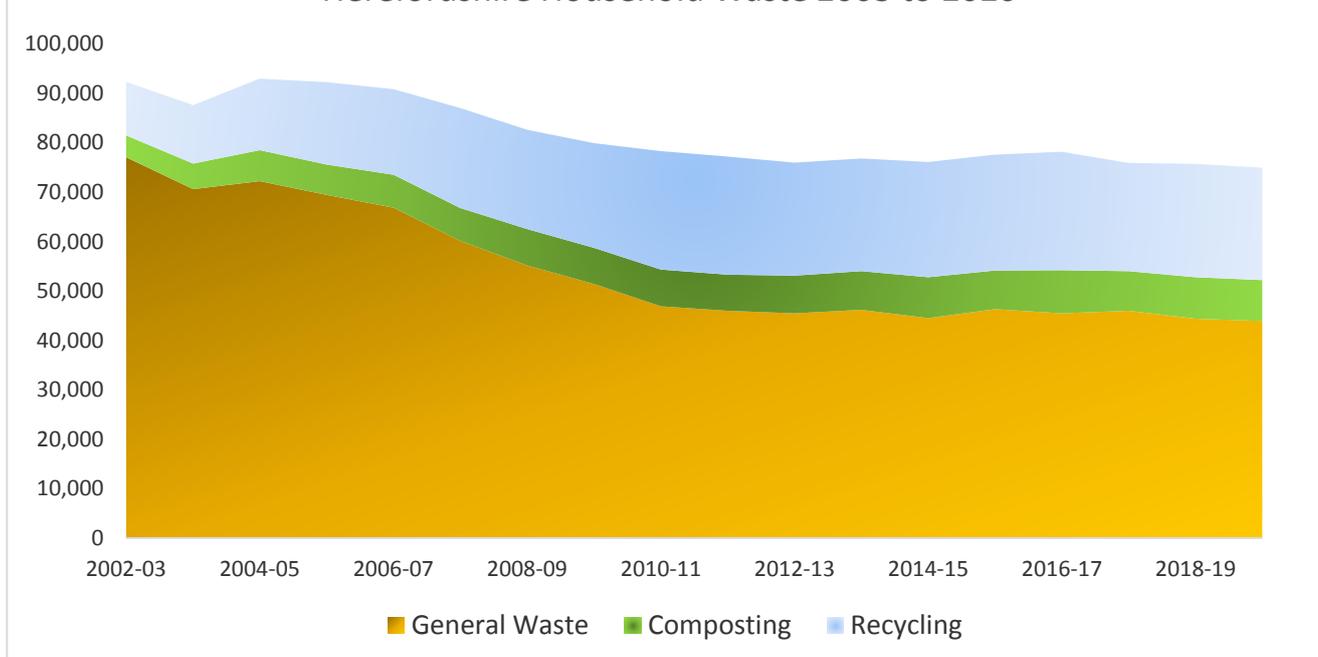
The current service of Alternate Weekly Collection (AWC) was introduced in 2014 after a contract variation was agreed. Prior to this service the council provided a fortnightly collection of mixed recycling (from a green wheeled bin) and weekly collection of general waste in black sacks.

Waste Management Services Contract (Joint with Worcestershire CC)

Provider: Mercia Waste Management Ltd.
Services: Waste transport and treatment (transfer stations, household recycling centres, energy from waste, materials recovery, materials handling, composting, landfill, waste transport)
Commenced: Jan 1999
Expires: Jan 2024 (5 year extension option)
Value: £11m per annum

At the end of the contract the intention is that assets and operational resources transfer back to the councils. These are allocated to each of the two councils WCC and HC depending on the location of the asset and any sharing agreement. On expiry of the

Herefordshire Household Waste 2003 to 2020



current contract the transfer of the following assets will be made to Herefordshire Council (or appointed operator):

- Residual Waste Transfer Station Compactor Units and weighbridges in Hereford (x2) and Leominster (x1)
- Recyclable Waste Transfer Station and site office in Hereford
- 6 Household Recycling Centres
- A share (24.2%) in the Energy from Waste facility in Hartlebury near Stourport in Worcestershire.

The performance of the service has been relatively consistent since the introduction of kerbside recycling in 2009. Residents in Herefordshire currently generate 75,000 tonnes of household waste per annum. **41% sent for recycling and composting which compares unfavourably with the highest performing local authorities** (highlighted in Table 4) who achieve recycling rates around 60%. Even with the opening of an Energy from Waste facility in 2017, 20% of Herefordshire’s waste continues to be sent to Landfill. The amount of household waste produced in Herefordshire has fallen from 92,000 tonnes in 2002 to 75,000 tonnes in 2019/20 a decline of 18%.

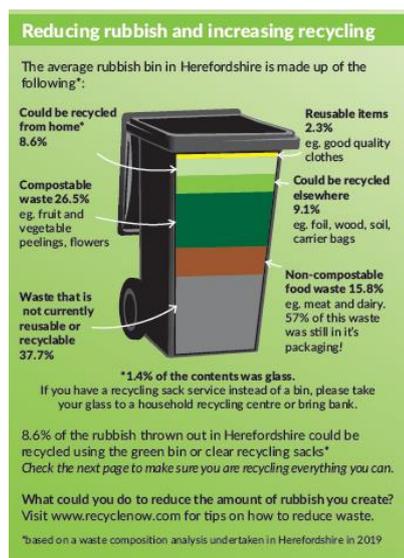
Household Waste Data	2002-03	2006-07	2010-11	2015-16	2019-20	
Waste Collected (e.g. from bins)	No data	No data	57,564	54,343	51,858	
Waste deposited at HRCs	No data	No data	20,787	23,269	23,195	
Whole Service (Collection and HRCs)	Dry Recycling	10,816	17,319	24,006	23,476	22,746
	Composting	4,433	6,657	7,400	7,794	8,311
	General (Residual)	77,092	66,862	46,944	46,342	43,937
Total Household Waste	92,341	90,838	78,351	77,612	74,993	
Recycling Rate	16.5%	26.4%	40.1%	40.3%	41.4%	

Table 2 household recycling, composting and general waste arising in Herefordshire since 2002

The recent impact of COVID-19 has seen disruption to normal services from March 2020 on, there have been temporary closures of household recycling centres and an increase in

Figure 1 Herefordshire's household recycling, composting and general waste arising since 2002

collected household waste. Although all services are now operating (from July 2020) it is likely there will be noticeable consequence on service performance in 2020-21.



An analysis of our residual waste (waste presented in black bins) was carried out in 2019. Only 8.6% of the contents was recycling items that could have been put into the green recycling bin. This is a **reduction from 12.4%** from a similar analysis carried out in 2011. This suggests that Herefordshire residents are good at separating waste for recycling at the home.

The most significant finding of the analysis was the amount of compostable waste (suitable for home composting) and food waste (suitable for food waste treatment). These two components made up over 40% of our residual waste. **Another finding was that over 57% of the food waste component was food still in its original packaging.**

The **simplicity of the current service**, both from the point of view of the user and in terms of practical delivery, is **recognised as a strength** by the Waste-TFG. Each household is provided with two wheeled bins, presented for collection on the same day and time on alternating weeks and no requirement to separate recycling out into different bags, boxes or bins. The service utilises a relatively small fleet of vehicles for the size of the county (20 household rounds). The vehicles are commonplace single compartment refuse collection vehicles.

Understanding that changes are almost certain to be required in future, the Waste-TFG have considered future requirements, compared the key options for delivering the service, service provision elsewhere and our own experience, needs and aspirations.

2.4. Waste Collection and Treatment Methodology

The analysis below provides a description of common collection methodology.

Collection Methodology	Description
Kerbside Sort	Recyclable materials are separated by residents into different containers and collected separately at the same time in different compartments on the collection vehicle, called a kerbsider. Materials are commonly presented by residents in 2, 3 or 4 60-90 litre boxes for collection. Crews can further sort, if required, into a greater number of compartments on the vehicle to gain a high degree of separation. Often further sorting is required, for example for plastics and metals before material is sent to on to re-processors.
Co-mingled Collection	All recyclable materials are placed by residents into one container for collection at the same time. This is Herefordshire's current recycling collection methodology.
Two Stream	Recyclable materials are separated into two different containers by residents to be collected by one or two different vehicles at the same or different times. For example paper and card in one container, plastics, and metals and glass in the other. You could have more than two streams.
Food Waste	Food waste is normally collected separately, but in one example above it is co-collected with garden waste. Commonly it is presented weekly by residents in small caddies that are collected

	by a dedicated vehicle or a separate compartment (pod) on a collection vehicle.
Garden Waste	Where provided separate collection is usually from a wheeled bin collected on a fortnightly basis. It can be seasonal with no service provided in winter months. Councils may make a charge for collection but may not for the treatment cost.
Frequency	Frequency can vary between different waste types and the type and size of container provided to store it prior to collection.
Container Types	Wheeled bins, boxes, reusable sacks and single use plastic sacks are all common for recycling collections. Wheeled bins and single use plastic sacks are common for residual waste. Caddies (around 20-30 litres) are common for food waste collection.

Table 3. Examples of waste collection methodology

The collection methodology in turn can influence options used for treating the material collected.

Recyclable Treatment

For mixed recycling collections (currently provided by Herefordshire Council) a sorting facility is required to separate the mixed materials back out into different material types. Here a range of mechanical and manual sorting techniques are employed. These are called by a number of names but the most commonly used is Materials Recovery Facility or MRF.

You can have simple MRF's separating out 2 or 3 different material types or complex ones sorting out many different material types. The more materials the more complex the sorting requirement and greater the likelihood of cross contamination and poorer recycling quality.

Storage and Separation

Where materials are separately collected they can be delivered straight to market. As it is uncommon for recyclable material re-processors or merchants to be located conveniently, materials are often stored in large warehouses. Materials may be stored loose or bailed ready for transport to market.

Residual Waste Treatment

For residual waste the most common treatment methods are Energy from Waste and Landfill, Mechanical Biological Treatment and Alternative treatment technologies are less common but have been used where councils have made a decision to avoid both Landfill and Energy from Waste.

Anaerobic digestion

Where food waste is separately collected it can be treated via anaerobic digestion. In this process bacteria are encouraged to digest food waste in the absence of oxygen to create methane gas. This can be extracted and used to generate power or exported to the gas grid. A residue or digestate is produced that can be applied to land to offset fertilizer use.

Composting (Windrow and In-Vessel)

Used for the composting of garden waste and treatment of food waste, however for the latter this needs to be in an enclosed area or container to prevent odour issues. Unlike anaerobic digestion no gas and thus no power is produced but it is a low tech and low cost treatment.

2.5. Service Delivery Options

As well as how the service is practically provided there are also many options for how local authorities may deliver waste management services. A summary is

Delivery Options	Description
In House Service	Practical service delivery is managed and provided by the council. This could be through direct employees of the council or through an arm's length operating company.
Outsourced	The service is provided by a third party for example a private company or non-profit making organisation.
Partnership	The council provides a service in partnership with a third party. It is different to an outsourced service in that practical and financial risks and benefits may be shared. For example a private operator and the council could be joint shareholders in the operation of an energy from waste plant.
Integrated	The whole service is provided by a single provider. This could be for a waste disposal service only or for a combined waste collection and disposal service. There are examples of both in table 1.
Aggregation/ Disaggregation	Where services are either combined together or split up into different service types. This could join up services of a similar nature or split up those which have different management and operational requirements. This can have benefits of creating efficiencies or encouraging competition from smaller, local and specialist suppliers
Combination	A mix of some or all of the above

Table 4 Examples of different approaches for providing waste management services

To help with their understanding and inform recommendations the Waste-TFG have sought to best understand the many options available to Herefordshire Council. This has been hampered somewhat by the COVID 19 crises, meaning much research has had to be carried out through desk based study and correspondence.

2.6. Comparison with Services Elsewhere

The waste management service is a large practical service, encompassing customer management, logistics, fleet management, asset management, engineering and materials handling. The redesign and commissioning of such a service is complex, there are many options for what services are provided and how they are delivered.

The Waste-TFG has considered a range of services provided elsewhere, focussing on those local authorities that have similar rural characteristics to Herefordshire. The Waste-TFG have also focussed on local authorities that:

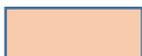
- Are Unitary Councils like Herefordshire
- Services are already aligned to expected future requirements
- Are in the top 10 Unitary Councils in terms of recycling performance
- Have rural Characteristics (only Milton Keynes has been excluded)
- Report costs less than those of Herefordshire Council

Table 3 provides an analysis of the nature, performance and cost (both overall and per household) of services provided elsewhere. These are colour coded to indicate those authorities providing either a kerbside recycling sort, twin stream recycling or co-mingled recycling style of service. This is useful for comparing different service options later in this report.

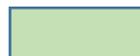
Kerbside Sort



Twin Stream



Comingled



Unitary	Household No.	Service Provided	How Delivered	Cost (pa)	Recycling Rate
Herefordshire	85,000	Fortnightly Mixed Recycling Fortnightly Residual	Waste Collection Contract (£4m) Waste Disposal Contract (£11m)	£15m (£176 per household)	41.3%
East Riding	155,000	Fortnightly Mixed Recycling Fortnightly Garden and Food Waste Fortnightly Residual	Residual Waste Treatment Contract MRF Contract HWRC Contract Organics Contract In House Collection (£9m)	£21m (£135 per household)	64.8%
Dorset Waste Partnership DWP CEASED TO EXIST END 18/19	201,000	Fortnightly Mixed Recycling Fortnightly Glass Weekly Food Waste Fortnightly Residual Waste Fortnightly Garden (Charge)	DWP running services on behalf of Dorset's local authorities In house collection (£9m) Residual Waste Treatment Contract (£11m) HRC, WTS, Haulage, MRF (£9m)	£30m (£149 per household)	59.6%
Cheshire West and Chester	156,000	Weekly Kerbside Sort Weekly Food Waste Fortnightly Garden Fortnightly Residual Waste	Waste Collection and Recycling Contract (£7.9m) Residual Treatment Contract (£6.5m) HWRC Contract (£2.5m)	£15.5m (£99 per household)	59.0%
Isle of Wight	71,000	Fortnightly mixed recycling Fortnightly paper and card Weekly Food Waste Fortnightly Textile Fortnightly Garden (Charge) Fortnightly Residual Waste	Integrated Waste Collection and Disposal Contract (£9m)	£9m (£127 per household)	55.7%
North Somerset Council	96,000	Weekly Kerbside Sort (inc textiles) Weekly Food Waste Fortnightly Garden (Charge) Fortnightly Residual Waste	Collection & HWRC contract (£7m) Disposal & WTS contract (£4.5m) MBT (£1.7m) (West of England Waste Partnership)	£14.6m (£152 per household)	58.7%
Bath & North East Somerset	82,000	Weekly Kerbside Sort Weekly Food Waste Fortnightly Residual Waste Fortnightly Garden (Charge)	(West of England Waste Partnership)	£14.5m (£177 per household)	58.7%
South Gloucestershire Council	117,000	Weekly Kerbside Sort Weekly Food Waste Fortnightly Residual Waste Fortnightly Garden (Charge)	(West of England Waste Partnership) Collection & Disposal contract	£18m (£154 per household)	57.8%

Rutland County Council	17000	Fortnightly mixed recycling Fortnightly residual Fortnightly garden (Charge)	Integrated contract for KS collections, transport, streets & ground maintenance Separate contracts for treatment of recyclables, compostable and residual	£2.9m (£170 per household)	56%
North Lincolnshire Council	75000	Fortnightly Kerbside Sort Fortnightly Residual Waste Fortnightly garden		£13.2m (£176 per household)	55.6%

Table 5. Comparison of Unitary Councils with food waste collection and similar characteristics to Herefordshire (source Defra waste stats 2018/19, Revenue Outturn (RO5) 2018/19 and respective council financial reports) Only Milton Keynes in the 10 top ten are excluded as a non-rural authority.

The analysis illustrates that all three main types of recycling collection methodologies are represented in the top performing (for recycling) Unitary Councils. 7 of 9 provide a weekly food waste collection and the remaining two have extensive garden waste collection services.

In the year the data was gathered North Lincolnshire, Cheshire West & Chester, and East Riding all provided a free garden waste collection service. Rutland had recently decided to introduce a charge. Free provision of garden waste can make a significant contribution to recycling performance. Garden waste is heavy and for residents it is simpler and more convenient to use a free council collection than avoiding the waste or composting it at home. Making a charge however continues to encourage avoiding garden waste and/or home composting.

The cost of service provided (per household) in each Unitary Council all tend to be lower or at least equivalent to Herefordshire's current service cost's. It should be highlighted that all of the council listed provide additional services to Herefordshire, whether it be food waste collection and/or free or chargeable garden waste collections.

2.7. Resource and Waste Strategy 2018 and the Environment Bill

The Resource and Waste Strategy 2018 (RWS 2018) introduces a raft of measures to adopt a circular economy approach. It is a strategy for England reflecting already enacted policy changes in Scotland and Wales.

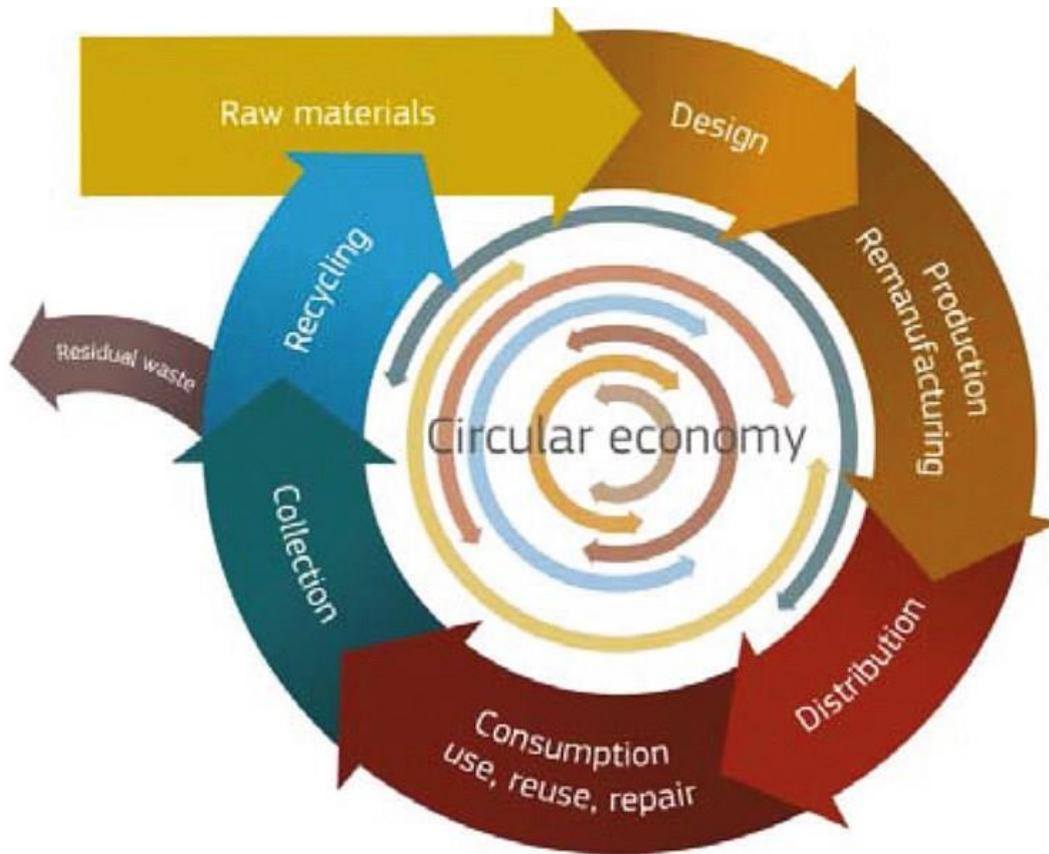


Figure 2 the Circular Economy

The strategy is broadly in line with the EU Circular Economy Package which has been in development for some years, if enacted in full it will mean our waste policy, legislation and targets will remain aligned to with those in Europe.

The implementation of new policies is expected in 2023. The timetable provided in *figure 2* outlines the government's expectations on when policies will be transposed to legislation and implemented. For local authorities the key year is 2023 when we expect to see the implementation of requirements for separate food waste collection, extended producer responsibility and deposit return schemes. How this schedule will be impacted by the COVID-19 pandemic is unknown.

The key measures in the Resource and Waste Strategy are:

- Extension of producer responsibility for packaging producers, meaning they will pay for the cost of dealing with packaging waste
- Possible bans for plastic materials where sustainable alternatives exist
- Consistent recycling collections (all local authorities collecting the same materials)
- Compulsory weekly food waste collection
- Separate garden waste collection
- Initiatives to encourage urban recycling
- Initiatives to tackle waste crime

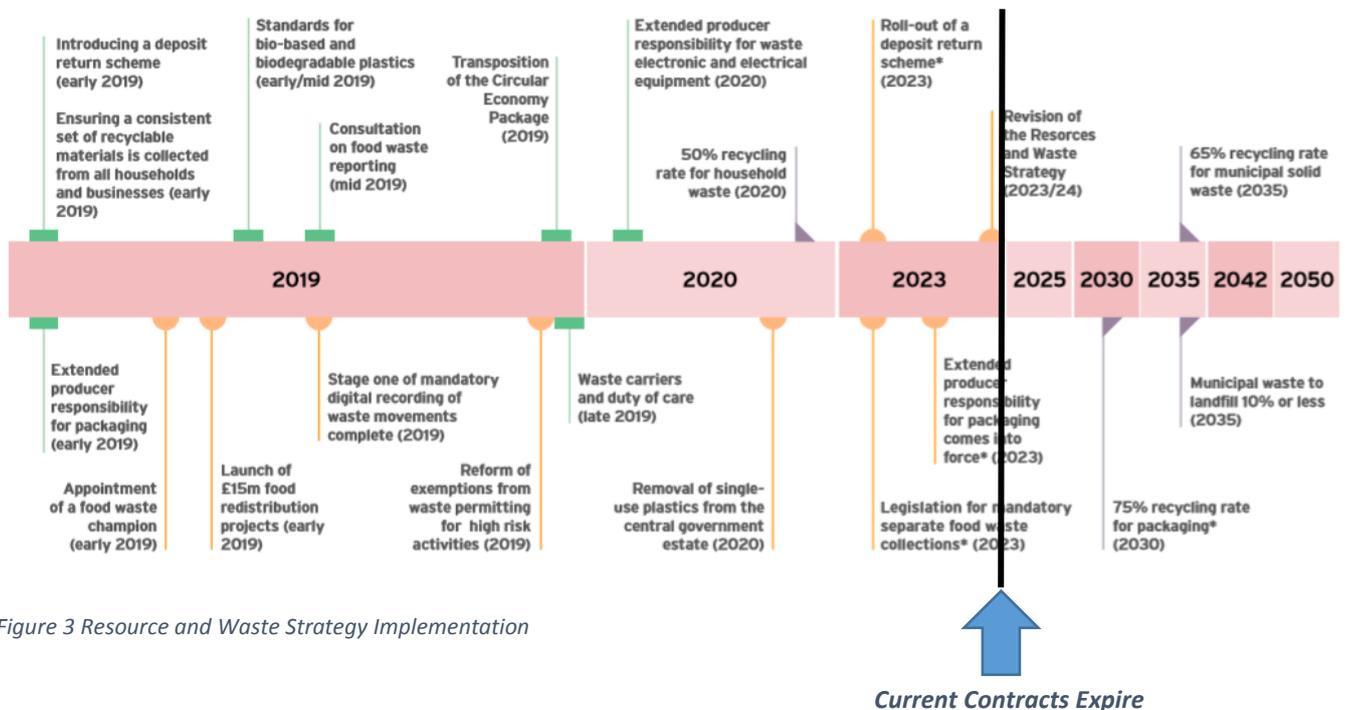


Figure 3 Resource and Waste Strategy Implementation

The Environment Bill making its way through Parliament is expected to make required changes to legislation to enact or enable these measures to be implemented. No targets are set within the bill, however we anticipate the following targets as these are consistent with the EU Circular Economy Package (EU-CEP):

- a preparation for re-use and recycling (including composting/anaerobic digestion) target of 55% of municipal waste by 2025;
- a preparation for re-use and recycling (including composting/anaerobic digestion) target of 60% of municipal waste by 2030;
- **a preparation for re-use and recycling (including composting/anaerobic digestion) target of 65% of municipal waste by 2035 (RWS 2018 Target);**
- a gradual limitation on landfilling of municipal waste, to 10% by 2035;

The RWS 2018 included the target to recycle and compost 65% of municipal waste (household and household like commercial waste) by 31 March 2035, mirroring the target in the EU-CEP.

If adopted, it is not clear how these targets will flow down to local authorities, the national target of 50% recycling and composting by 31 March 2020 is a national target, however in the past there have been statutory recycling targets imposed on local authorities.

2.8. Local Aspirations

Herefordshire Council recently produced its County Plan 2020-24 setting out what it plans to achieve in the four years of the plan. The focus is on three areas, the Environment, Communities and the Economy. The waste management service contributes to all these aims directly contributing the plan objectives highlighted below:



Our ambition for Herefordshire

Environment

Protect and enhance our environment and keep Herefordshire a great place to live

Minimise waste and increase reuse, repair and recycling

Build understanding and support for sustainable living

Invest in low carbon projects

Identify climate change action in all aspects of council operation

Seek strong stewardship of the county's natural resource

Community

Strengthen communities to ensure everyone lives well and safely together

Ensure all children are healthy, safe and inspired to achieve

Ensure that children in care, and moving on from care, are well supported and make good life choices

Economy

Support an economy which builds on the county's strengths and resources

Develop environmentally sound infrastructure that attracts investment

Use council land to create economic opportunities and bring higher paid jobs to the county

Invest in education and the skills needed by employer

Protect and promote our heritage, culture and natural beauty to enhance quality of life and support tourism

Spend public money in the local economy wherever possible

Herefordshire Council's Principles:

- Partnership** *We collaborate to maximise our strengths and resources*
- Resilience** *We use resources wisely so Herefordshire is fit for future generations*
- Integrity** *We make decisions based on evidence and work with respect, openness and accountability*
- Democracy** *We strengthen local democracy, decision making and service delivery and involve more young people*
- Engagement** *We listen to and learn from our communities and help people connect through culture, creativity and care.*

A strong theme of the county plan is to meet the challenge of climate change and ecological harm. Declaring a **Climate and Ecological Emergency** Herefordshire Council has agreed to:

- Accelerate a reduction of emissions and aspire to become carbon neutral by 2030/31.
- Deliver an updated carbon management plan and associated action plan for Council emissions by April 2020.
- Work with strategic partners, residents and local organisations to develop a revised countywide CO2 reduction strategy aspiring for carbon neutrality by 2030.
- Use 100% renewably sourced energy where this provides the best carbon reduction return on investment.

We know that waste management activities are a significant contributor to carbon emissions. Zero Waste Scotland estimate that waste management activities contribute over 12 million of Scotland's total 76 million tonnes of emissions ([view source](#)). This is equivalent to the combined emissions from all transport and domestic energy use in Scotland. It is reasonable to assume these estimates are applicable to other parts of the country including Herefordshire. Zero Waste Scotland estimate a further 52 million tonnes of emissions arise from the use of materials in the making of products. Here too, good waste management practice can help create a more circular economy, reducing, reusing and recycling materials so that they stay in use for longer, offsetting use of raw materials and reducing carbon emissions.

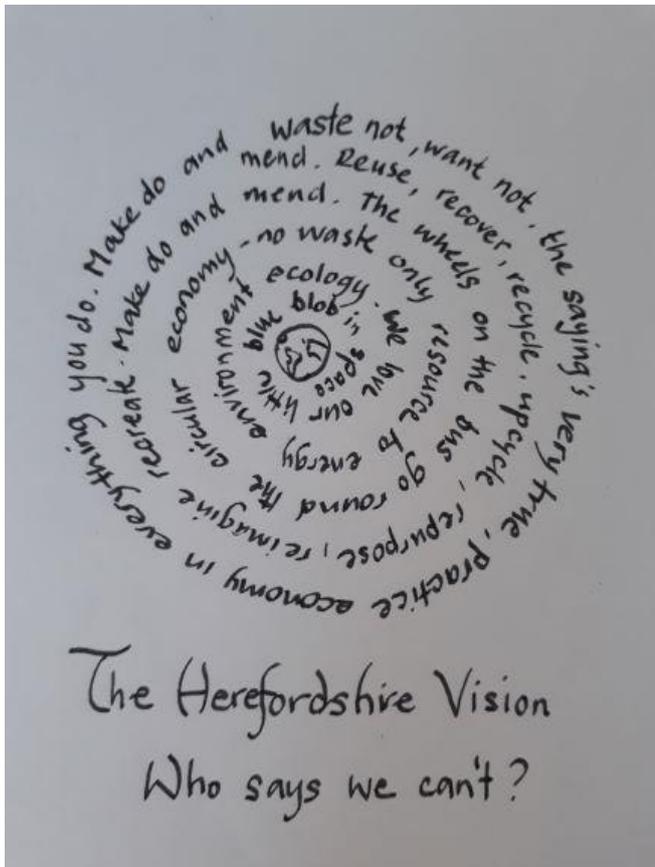
By making positive changes to our waste management service we can bring about a more circular economy for Herefordshire. We can reduce use of natural resources, make sure materials are in use for longer by creating opportunities for re-use and recycling. If data highlighted by Zero Waste Scotland is accepted, we can make perhaps the single biggest contribution to the council's objective for the county to be carbon neutral by 2030.

3. OUR VISION

The Waste Task and Finish group quickly expressed the need for us to no longer think of unwanted materials as waste but as a resource.

We have created a vision for the management of waste in Herefordshire, which encompasses the views of the Waste-TFG on how waste needs to be seen and managed in future.

Waste not, want not...we value resources and their use. We will reduce resource consumption and embrace the circular economy to maximise the life of products and materials. We treat the materials we collect as resources not waste.



4. OUR RECOMMENDATIONS

All the recommendations in this report are considered essential.

4.1. Priorities

Throughout the process key themes have emerged as priorities for the Waste-TFG, these are:

1. Treat Waste as a Resource

We must treat waste as a resource, adopt a circular economy, maximising reuse, recycling and recovery of waste to protect natural resources and minimise carbon emissions relating to waste management activities.

2. Prioritise Public Acceptance

Evolution of the current service has been very successful in promoting public participation, evidenced by the reduction in suitable recyclable material remaining in residual waste. We must make sure that the services we provide are user friendly to maximise proper use of the service, and the amount and quality of recyclable material gathered. We should consider different approaches to waste collection for certain housing types, such as flats and communal developments to maximise participation.

3. Maximise Reuse

We must consider how we can maximise the reuse of useful materials, particularly at Household Recycling Centres. Currently too much useful material is lost. We should facilitate opportunities for materials to be extracted from the waste stream, for them to be reused and re-purposed by businesses, charitable organisations and the wider community.

Recommendation 1

The council adopts the three priorities of TREATING WASTE AS A RESOURCE, PRIORITISING PUBLIC ACCEPTANCE and MAXIMISING REUSE as corporate priorities for waste management.

Adopting these principles as part of our county plan will provide leadership and direction for future decisions. The principles highlight the need for a more efficient circular economy, using our natural resources wisely as well as council resources, whilst reflecting the need to ensure our service are accessible and user friendly.

Measurement of our success in meeting these priorities will be through monitoring and reporting our recycling rate, diversion from landfill, participation rate (for recycling) and amount of waste diverted for re-use.

4.2. Objectives

4.2.1. Treating Waste as a Resource

In the future we will need to adopt a circular economy approach using resources efficiently and reducing the amount of waste we create. A circular economy will see us keeping resources in use as long as possible, so we extract maximum value from them. We will seek to reuse, recycle, recover and repurpose materials whenever we can, giving them a new lease of life and preventing them from becoming a waste. The Waste-TFG consider the following objectives are appropriate for enabling the council to achieve this, and have included recommendations alongside these objectives that would allow the council to meet them.

We will:

- **Prevent waste through investing in measures, campaigns and initiatives to educate, incentivise and encourage the public to reduce waste.**
 - We could limit residual capacity further to encourage residents to use existing and future recycling services. ([See WRAP](#) research on impact of limiting residual capacity)
 - Support residents to reduce the amount of food waste generated; making the most of the food they buy, encouraging smarter shopping, planning meals and using up leftovers
 - Continue to provide advice and support to those composting at home to reduce the amount of garden waste generated
 - Link in with national and local initiatives such as Love Food Hate Waste, and the Herefordshire Carbon Plan (Food Alliance). To enhance work we do, enable the community to be involved and support positive outcomes in reducing food waste and its impact on the environment.

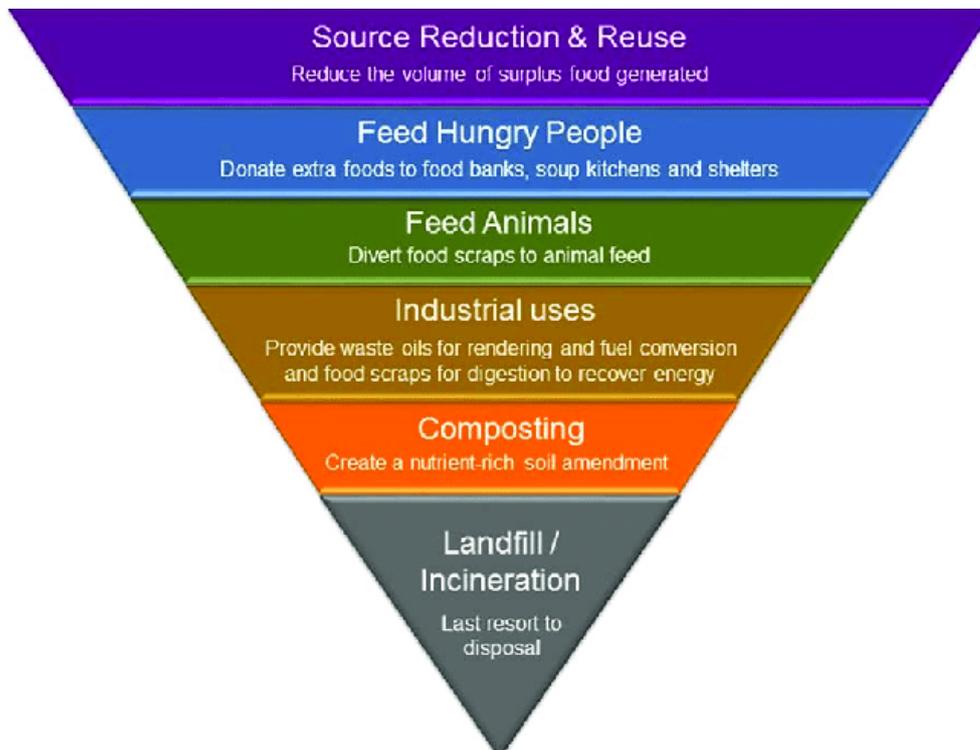


Figure 4 The food Waste hierarchy listing desired actions and behaviours with the most important at the top and least desired action at the bottom.

Recommendation 2

The council allocates resource to prevent waste from households, restricting residual capacity and investing in waste prevention campaigns and home & community composting initiatives.

Preventing waste will help both residents and the council save money. Residents through food waste prevention initiatives that help people to buy only what they need and the council as it will not need to pay for the cost of collecting and treating the waste avoided.

In recent years the council has been successful at reducing waste, particularly general residual household waste. This has resulted in a saving of over £500,000 per annum since 2011.

In terms of resource a dedicated member of staff with a small budget to manage waste prevention initiatives and waste communications in support of the service is recommended.

The council should set a target to reduce the amount of non-recyclable waste from 530 kg per house per annum (19/20) to 400 kg per house per annum by 2030

- **Maximise the quality and quantity of recycled materials to improve market opportunities and income generation potential**
 - Work with re-processors, considering material types and quality requirements to ensure we have secure markets for the materials we collect
 - Continue to investigate recycling opportunities for new material streams, both at Household Recycling Centres and the kerbside where reliable markets are available
 - Consider new collection systems and technologies that actively encourage residents to segregate more of their waste for recycling
 - Opportunities for using materials locally are actively explored. We work closely with partner organisations such as NMITE to develop reuse (repair and upcycling) capacity and encourage material re-processing to be established locally to turn waste into useful products minimising use of natural resources.



Figure 5 Swedish up-cycling mall (left) and Studio Mirai in Leominster (right)

Recommendation 3

The council prioritises the quality of recyclable material to increase its value and marketability. Secondly the council continually reviews and invests in increasing the quantity of material sent for recycling.

We must ensure that the recyclable materials we collect can be treated as a resource. We should design services that will encourage better quality materials to be collected so we are more likely to find outlets for them to use as a resource to turn into new products.

After quality we need to consider the best approach to maximise the quantity of materials collected for recycling. We can do this by ensuring our services are accessible and easy to use but also through investigating new opportunities and technologies that make the collection and recycling of materials possible. Our service needs to remain flexible enough to be able to accommodate these opportunities.

The council should adopt, as a minimum, targets to allow us to achieve the Resource and Waste Strategy 2018 objective of 65% recycling and composting by 2035:

- **To recycle or compost 60% of household waste by 2025**
- **To recycle or compost 60% of both household and commercial waste by 2030**
- **To recycle or compost 65% of both household and commercial waste by 2035**

○ **Adopt a zero waste to landfill approach**

- Only send waste to landfill where there is no other viable alternative, this may include inert residues from recycling and recovery treatment processes and hazardous wastes such as cement bonded asbestos.

Recommendation 4

The council adopts a zero waste to landfill policy, sending only waste that cannot be recycled or recovered. This will minimise loss of resource and minimise harmful emissions, such as carbon and leachate.

The Resource and Waste Strategy 2018 sets an ambition to eliminate food waste to landfill by 2030. It also includes a longer term target of limiting municipal waste to landfill to a maximum of 10%. **In 2019/20 we sent 20% of our waste to landfill.** The Waste-TFG consider that with our shared Energy from Waste Facility we should be doing better to avoid landfill. In order to consider waste as a resource only waste for which there is no other alternative should be sent to landfill

The council should adopt a target of no more than 1% of household waste to be sent to landfill from 2025.

4.2.2. Prioritising Public Acceptance

It is essential that the services we provide are user friendly and accessible to everyone. Herefordshire is a predominantly rural authority with large areas of sparse population. However this is in stark contrast to the urban areas of Hereford and the market towns. We must ensure our service reflects this, carefully considering our services so we can provide a high quality, easy to understand and accessible service. We will:

- **Ensure waste management services are user friendly and accessible to all**

- Consult with the public and business customers on proposed changes to the service to encourage their input into how they are provided to help ensure they are accessible and user friendly.
- Provide tailored solutions where the nature of housing and access can pose waste collection problems and create barriers to participation in recycling services. This can include town centres, communal developments and difficult to access rural areas where typical issues are limited waste storage, lack of suitable presentation points and poor access for normal refuse collection vehicles. By considering different solutions (alternative vehicles, containers, collection frequencies, communal recycling, etc.) we can maximize participation and compliance.
- Provide assisted collection services to support vulnerable less able bodied people to access our waste management services.
- Reconfigure our Household Recycling Centres to prioritise reuse and recycling opportunities, making sure they are accessible, user friendly and operatives provide quality assistance and guidance to residents.

Recommendation 5

The council ensures services are accessible and easy to use for all. Providing practical alternative solutions where possible/appropriate so that all residents and business customers can reasonably access them and be encouraged to manage waste safely and in accordance with our service.

The Waste-TFG consider public acceptance a key factor in the design of any services we provide. We must ensure that the public are included in the process of delivering any changes to our service through effective engagement and consultation. This does not mean that only the collection method residents prefer will be adopted, but that their preferences will be taken into account, balanced with financial and environmental impacts.

Through learning from our own experiences and those of other Local Authorities we can also consider what approaches may work best for Herefordshire residents and business customers.

Although we may need to consider different approaches in different areas of the county (such as town centres & communal developments) we want the service to be as consistent as possible from the user's perspective.

Participation rate will be measured and monitored for different housing types and demographics to inform where use of the service could be improved and the success of those improvements measured.

- **Communicate service information to residents and businesses so they can make best use of the services**
 - Provide an education service so that we can raise awareness of the importance of proper use of our services and benefits of reducing, reusing and recycling waste.
 - Provide up to date and simple guidance to residents and business customers on the council's website, through social media and printed guides.
 - Respond to customer enquiries and provide written and verbal assistance to help residents and businesses manage their waste safely, legally and to deliver better environmental outcomes.

Recommendation 6

The council allocates resource to provide effective communication initiatives with residents and businesses to promote proper use of the service and to help maximise waste reduction, reuse and recycling.

Alongside ensuring we have an accessible and user friendly service the Waste-TFG consider that effective communication is essential to help our residents and business customers use it in the right way. Effective communication will help reduce problems relating to the provision of the service and encourage better quality and quantity of recycling, reducing cost and increasing revenue.

Communication and education initiatives can be provided efficiently and effectively sharing resource used to provide waste prevention campaigns and initiatives.

4.2.3. Maximising Reuse

Opportunities for reuse are currently provided through textile banks and re-use containers located at Household Recycling Centres. Charity shops also provide an essential means of reusing many materials and these are supported by the council with a limited number of disposal permits to allow free disposal at the councils waste transfer stations. However the task and finish group see the potential for much more. Developing opportunities for reuse is a clear priority for the group particularly through the council's Household Recycling Centres service where useful materials are currently being wasted.

The Waste-TFG found that re-use initiatives have the potential to help deliver social value across a range of areas. Making materials available for re-use and supporting people and organisations to facilitate re-use of materials can provide opportunities for learning and development, offer employment opportunities as well as support disadvantaged people on low incomes. Two case studies are illustrated below to highlight both the resource management benefits and social value of re-use initiatives.

The current pre-booking system at HRCs has been very effective in managing demand which avoids queuing and gives time for operatives to advise customers on reuse options. This system should be retained and HRC staff trained to help minimise residual waste.

To maximise re-use we will:

- **Develop reuse opportunities throughout the service to maximise the amount of useful material made available for re-use**
 - Separate and make materials available for community use to increase opportunities for reuse and recycling
 - Maximise the quantity and quality of reuse of materials from Household Recycling Centres
 - Provide a "scrap store" facility to enable organisation to access materials for arts, crafts and other useful purposes and to support educational establishments.
 - Where possible the council re-use materials and/or distribute useful and needed materials (such as furniture and household goods) to organisations that can use them.
 - Enable the community, business, voluntary and charity groups to increase amount of waste diverted for re-use and recycling.

- The council should take advantage of current restrictions on service provision that have had the effect of creating capacity at the council HRCs. With less visits being made these facilities are quieter providing the opportunity for efforts to be made to separate materials for re-use. This could be achieved by re-tasking existing contractor's staff.

Recommendation 7

The council designs new services to expand reuse opportunities through both the household collection service and the Household Recycling Centres. Existing opportunities to extract reusable materials are explored and implemented.

The Waste-WFG believe that there are many social and commercial opportunities to be explored with reuse. A modest resource could help extract valuable materials so that they can be repaired, repurposed, upcycled and reused. Any costs will be recovered from savings in waste disposal cost, generating income from the materials and added social value.

In the short term the council develops a re-use facility to enable suitable items and materials to be diverted from waste (see case studies below). Such initiatives will very likely support the council's objectives and indicators being considered as part of its **corporate social value framework**.

The council should adopt a target to increase the current levels of reuse of 20 tonnes per annum to 500 tonnes per annum by 2025

Case Study 1 – Reuse in Leicestershire, Leicester and Rutland



Laying the foundations to double re-use

How research provided the catalyst for a new approach to re-use in Leicestershire, Leicester City and Rutland

Three neighbouring local authorities – Leicestershire County Council, Leicester City Council and Rutland County Council – were increasingly conscious that more could be done to drive re-use in their region. Though there was some bulky waste re-use taking place, via a number of routes, no-one was certain how much waste was being diverted from landfill, nor how much more could be diverted.

WRAP support helped answer these questions. Detailed research identified that over 1,390 tonnes of bulky items were being diverted into re-use by local furniture re-use organisations – but also that there was potential to almost double this in four years. With this target in mind, the local authorities, working with the third sector and waste contractors, agreed an action plan to achieve that level of re-use. The first actions in this plan took place in Summer 2013.

"The process of developing the Re-use Action Plan has been invaluable in bringing together the different stakeholders required to increase re-use and develop a more sustainable re-use sector. It will provide a road map for how we can all work together."

James O'Brien, Team Manager - Programme Co-ordination,
Leicestershire County Council

At a glance

- Quantified current levels of re-use across the region
- Identified potential to double the volume diverted from landfill
- Delivered a comprehensive action plan involving all parties – local authorities, private sector, third sector
- Advised local furniture re-use organisations on how to increase their capacity
- Established a local re-use network, which has now been appointed to supply re-usable items to the Leicestershire Welfare Provision service (Social Fund)
- Working towards setting up a WEEE repair facility



The three local authorities hope to nearly double re-use from ca. 1390 tonnes to ca. 2600 tonnes by 2017/18.

Case Study 2 – Reuse in Surrey



Increasing re-use by combining resources

How the Surrey Reuse Network enables its members to make a bigger impact on waste than they could do alone

Since receiving the backing of Surrey County Council as part of its resource-led waste strategy, the Surrey Reuse Network has gone from strength to strength.

As a co-ordinated network, it is able to share resources and win large-scale local authority contracts for bulky waste collection. It is also now the primary supplier of goods to Surrey's Local Assistance Scheme (LAS), the new crisis fund for people in real hardship, and making a sizeable contribution to the Council's target of diverting 2,000 tonnes of furniture and white goods from landfill through re-use in the community.

Each of the individual Furniture Re-use Organisations (FROs) involved has seen their own returns increase, meaning they can help more people in need.

"After three years, the SRN has achieved more than we expected. Some members have doubled their incomes, increased tonnages and significantly increased the number of people they assist."

Alex Green, Social Purpose Group. Interim Manager of the SRN

At a glance

- Formally established in 2010; now a registered charity and company limited by guarantee
- Currently diverting ca.600 tonnes of furniture from landfill each year – up 22% in 2012-13 compared to 2011-12
- By combining resources, the FROs have been able to set up a single 0800 number and online booking system for collections, run joint communications campaigns and win local authority contracts
- Re-use shop leased to SRN achieved turnover of £30k+ in first six months
- Assisting over 5,000 low-income households, and offering volunteering/ work-based training opportunities to 400 people a year
- Benefited from invest to save approach from Surrey County Council



4.2.4. Environmental Objectives

Waste management activities are a significant contributor to carbon emissions, Zero Waste Scotland believe this contribution is 15% of Scotland's total carbon emissions.

The service relies on large HGV vehicles to provide the service. Given the quantity of waste to be collected there are no real alternatives to HGV vehicles to facilitate the collection and movement of waste. However we can limit the impact of these large vehicle movements through a range of measures such as:

- Ensuring waste and recycling collection rounds are optimised
- Using in cab technology and round management systems to assist crews in reducing missed collections and helping to plan routes.
- Exploring the use of and incorporating alternative fuel vehicles such as electric and hydrogen fuel cell into the fleet where practical, for example by using smaller alternative fuel vehicles in difficult to access areas.

With waste treatment and disposal we should encourage local re-processing, to accept, re-use, recycle and treat materials more locally. We should also make sure that those accepting and processing waste on our behalf are doing so without risking any environmental harm, including where waste is sent overseas.

- **Reduce carbon emissions and environmental impact of the council's waste management service**
 - Encourage local options for treatment of waste to reduce impact of transporting waste long distances and create opportunities for using materials closer to the place of production

- Minimise impact of council waste management service on pollution, ensuring strict adherence to environmental compliance through contractual conditions monitoring and enforcement.
- Identify and tackle waste crime to deter fly-tipping, littering and encourage legal compliance
- Ensure that strict measures to minimise potential threats to the environment are in place with any arrangements for handling materials collected through the waste management service (e.g. contract conditions). Compliance with these conditions is monitored and enforced by council monitoring and enforcement teams.
- Ensure that anyone accepting our waste provides a full audit trail of where materials are sent for final processing doing all we can to ensure that our waste is not causing harm once out of the council's control.

Recommendation 8

The council will research and seek to develop and continually improve services to minimise carbon emissions and other environmental impacts of the waste management service.

The best data available suggests that avoiding the production of goods and materials from raw materials is the best way to avoid carbon emissions. The Waste-TFG believe the best way we can support global and our own ambitions to reduce the impacts of carbon emission is to reduce waste and discourage the consumption of goods and materials **and thus avoid the damaging need for production.**

We should also explore and seek to provide our waste management services in the most efficient ways possible that reduce our carbon emissions. This can include making sure our waste collection rounds are optimised to minimise fuel use, using alternative fuels for our waste fleets and investing in renewable power sources at waste treatment facilities.

We will work collaboratively with those engaged in work to meet our target of NET zero emissions by 2030 to identify, measure and consider way to reduce the impact of waste management activities. This includes the Energy and Active travel Team, Climate and Ecological Emergency steering group, and Climate Change Task and Finish Group.

The council should measure existing carbon emissions from both operational and embedded sources (e.g. from sale and transport of recyclables) of the service and adopt an achievable target to reduce them.

4.2.5. Social Value Objectives

The waste management service has many opportunities for providing added social value. The waste service is multi-disciplinary in nature encompassing, logistics, facility management, engineering design, materials handling, staff management, IT systems and more. There is a wealth of learning and career opportunities it can offer including HGV drivers, staff management, ICT and data handling, financial management, operation and maintenance, construction and engineering.

It is important, and a requirement for the council to consider how to provide social benefits through the service it provides. The Waste-TFG consider the waste management service can provide many opportunities for social value, these include:

- Ensuring good access to our service for vulnerable and disadvantaged people. Considering the needs of those who may struggle to participate in waste and recycling services.

- Making materials available to people and organisations that help to bring about positive social value outcomes (for example through community re-use projects)
- Provide learning and career opportunities for young and vulnerable people through offering apprenticeship and training positions.
- Provide specific support to care leavers to help find a route to work, with information, guidance and opportunities.
- Work with care providers to raise waste awareness of resource management issues with young people to encourage them to participate in recycling schemes in adult life.
- Supporting waste and resource organisations that help vulnerable people (such as social enterprises)
- Providing education services to schools
- Developing syllabus with NMITE to stimulate ideas, initiatives and provide skills to support the local resource and waste management sector.

The council is currently considering objectives and indicators to include within its [corporate social value framework](#). It is currently a requirement to consider how social value can be provided and enhanced through public procurement regulations. However the council will need to ensure that any future service meets, or better exceeds, any objectives set out in the developing corporate social value framework.

The Waste-TFG consider the following objectives are important to help provide added social value in future:

- Establish apprenticeship and trainee schemes to encourage people into jobs across the waste management service areas.
- Support community recycling and/or reuse social enterprises that support vulnerable people
- Develop education programmes with educational establishments, schools, colleges and NMITE to incorporate resource and waste management into the syllabus at all stages of a young person's development, and to encourage new generations to consider careers in resource and waste management.
- Support a community larder "too good to go" with local food businesses for food nearing its perishable date.

Recommendation 9

Ensure the service contributes meets or exceeds the objectives set out in the council's developing Corporate Social Value Framework.

The Waste-TFG have identified many opportunities for how the waste management service can contribute to providing social value through a range of initiatives to a wide range of people and communities.

Recommendation 7 highlights the many opportunities provided through re-use initiatives, but there exists further opportunities across the service (note case study on Llanfoist).

To support both the social objectives and benefit the ongoing delivery of the service an apprenticeship or trainee scheme could help encourage people to choose a career in waste. Amongst other things this could help tackle a national shortage of HGV drivers.

The council should provide an apprenticeship and/or training scheme within its waste management service to provide young people an opportunity and career route into the waste management service. Key service providers will be required to provide trainee/apprenticeship schemes to provide opportunities for people to learn skills to fill key job roles such as HGV drivers.

WASTE-TFG CASE STUDY

Llanfoist Reuse and Education Centre (Monmouthshire County Council)

Prior to the outbreak of COVID-19 and restrictions the Waste-TFG had planned a visit to see the reuse service provided by Monmouthshire County Council at its Llanfoist Household Waste Recycling Centre near Abergavenny.

Cllr Swinglehurst took an opportunity to see the facility in August and reported back to the group on how it worked and the benefits of the service.

REUSE SHOP

Monmouthshire opened a reuse shop in June 2019. Re-purposing an old site office and re-locating it at the Household Waste Recycling Centre. The shop has been provided as part of Monmouthshire's commitment to tackle climate change.

Members of the public bring things to the site and staff/volunteers actively intercept at the recycling centre. Staff working at the recycling centre are trained to maximise reuse and are able to buy at a discount from the reuse side so there is incentive for them to extract items. The reuse site is split between outdoors (crockery, garden things, waterproof stuff) and a medium size shed (indoor things, pictures, trinkets, some furniture, textiles).

The shop is only open 1 day a week (on a day when the recycling centre is closed). Visitors can buy items for just a few pounds, on average it re-uses 1.5 tonnes of material each month and makes an average of £600 each day it is open. Profit is donated to tree planting schemes across Monmouthshire.

HOMEMAKERS

A bulky collection and house clearance service is operated by a charity in association with the council. Household goods are collected for a charge (£180 for a van sized house clearance) and then sorted into reusable items (for sale or distribution), recycling (such as scrap metal) and waste. Small items are sold on eBay, high value furniture is sold (similarly to St Michaels Hospice) but serviceable low value furniture and appliances are made available to disadvantaged and vulnerable people for a nominal fee of £5 and even delivered.

EDUCATION CENTRE

Llanfoist also has an education centre that works with schools not only educating the young about the impact of waste on the environment but also showing them that Monmouthshire Council are doing something about it. Any schools, including those in Herefordshire are welcome at this facility.

Conclusions:

- This service has been simple to set up and is low cost to run, volunteers, charities are encouraged to get involved and it achieves positive outcomes for the council in terms of cost, environmental impact and social value.
- A business case should be drawn up as a matter of urgency with the view to providing a similar service in Herefordshire. This should be managed by the council to seamlessly combine all elements of the service to provide social, environmental and economic benefits. It can link into council social services supporting those going into care as well providing vulnerable people the means to source basic household items.
- To minimise costs use should be made of redundant but serviceable portable classrooms, containers and offices when they become available rather than paying substantial costs for them to be removed from premises when they are no longer required.

4.2.6. Economic Objectives

The view of the Waste-TFG is that the council needs to do more to support businesses and other organisations with their waste. Herefordshire has a diverse range of businesses with a varying degree of needs in respect of the waste we produce.

Providing an increased range of commercial waste and recycling services, including commercial recycling centres, will help support businesses in Herefordshire and our wider economy. The council should seek to recover the full cost of providing these services through customer charges but minimise its own costs and thus the charges made.

- **Provide commercial waste and recycling services to non-households (businesses, charities and non-profit making organisations) to support our economic development.**
 - Provide the same recycling and reuse opportunities to businesses as households.
 - Provide commercial recycling centres (at at our larger sites in Hereford and Leominster) to provide a place where businesses may take their waste, particularly where a commercial collection may not be appropriate.
 - Focus on small and medium sized enterprises, who may struggle more than large businesses to source and fund appropriate waste management services
 - Recover the cost of providing non-household services as described and permitted by relevant legislation.

Recommendation 10

The council should provide the same opportunities for non-household waste as it does for household waste. The same materials will be collected for recycling and commercial recycling centres will be provided. The council will recover costs as described and permitted by relevant legislation.

The Waste-TFG believe the council should provide services that are accessible, user friendly and flexible to meet the varied needs of businesses and other non-household entities in Herefordshire. Providing cost effective solutions will help improve compliance, reducing waste crime and the cost of dealing with it.

The council should adopt a target to provide at least one commercial recycling centre by 2025.

The Waste-TFG highlight the scale and significance of the decision that needs to be made in how this service is provided. This decision is conservatively valued at £150m based on current rates over a 10 year service period. The options assessment (detailed later in the report) indicates we should expect costs per household between £160 and £180 per household for providing this service (based on current rates and provision of a free garden waste collection service). The comparison Table 3 supports this assessment with rates of between £100 and £180 per household and an average of £150 per household, with most council's offering a chargeable instead of free garden waste collection service.

However the reader should note that there remain considerable variation between councils in the cost of providing the waste management services. To ensure we provide value for money the council must ensure it explores and considers its options carefully and acts adopts best practice solutions that are cost effective and preferably tried and tested elsewhere.

- **Provide value for money to the taxpayer**

- Investigate and understand best practice elsewhere to ensure our services deliver the best balance of quality, cost and performance.
- Carry out detailed financial assessments of service choices (e.g. different collection methods) and delivery options (e.g. in house, external provide, partnership) to inform decision making and avoid bias.
- Provide resource for to support the waste management service to plan and commission these services within a reasonable timeframe to deliver cost effective services for the council its residents and businesses.

Recommendation 11

The council will ensure it provides value for money to the taxpayer by undertaking a detailed business case on preferred service options as part of any commissioning process encompassing the best approach to achieve cost effective services that provide value for money to the taxpayer

With a decision of a value in the region of £150m the Waste-TFG believe that a well thought through and considered approach is more likely to result in not only better quality, but also better value for money. We must ensure that our services reflect both best practice and best value through understanding and assessing our option, undertaking a business case and through comparison with services provided by other Local Authorities.

The council should periodically benchmark their waste management service to compare costs and performance with other councils providing similar services as well as those we aspire to provide. This will indicate if service costs are reasonable or not.

4.3. Service Options

Our existing arrangements to provide our waste management service expire at the end of 2023/start of 2024. With changes to government policy expected to be introduced from 2023. In order to meet future requirements change will be required.

At the time of writing this report the council has a little over three years to plan, design and implement new services which comply with the council's statutory obligations.

The challenge for Herefordshire Council is that although the Resource and Waste Strategy 2018 and the Environment Bill provide a vision for what will be expected in future detail on specific requirements is not yet clear. The lack of detail creates uncertainty for local authorities who in designing service will need to ensure that they are compliant with evolving policy and any legal obligations.

✓ What we do know is that:

- We will be expected to provide a weekly food waste collection service for every household and offer this as a commercial service to businesses.
- We will be required to collect garden waste separately
- The government's preferred approach is that we collect different recyclables separately to increase their quality
- The governments preferred approach is that no waste stream is collected less than every fortnight
- There is likely to be income arising from Extended Producer Responsibility Schemes (EPRS) requiring packaging producers to fund the costs of dealing with packaging waste
- There will be deposit return schemes for all drinks containers up to 3 litres.
- We should expect any additional NET costs of service provision to be met with government funding
- Our current services expire at the end of 2023 and we MUST have services in place to replace them.

✗ What we don't know is:

- Whether or not we will be allowed to make a charge for garden waste collection or if it will be free to households
- How much flexibility there will be on collecting separate recyclable materials (as currently exists)
- Whether there will be flexibility on frequency of collection for different waste streams
- What income to local authorities will be generated through EPRS and how it will be paid
- What the impact of deposit return schemes will be, particularly in loss of high value recycling income to local authorities
- How the government will fund NET costs (capital grants, revenue funding, funding of transition costs, etc.)
- When exactly it will be required to provide new services (legislation will usually include a transition period)
- Our social value objectives (being developed in the Corporate Social value Framework)

Ensuring flexibility throughout the design and commissioning of the service is going to be essential to react to developing policy and as further clarity on requirements becomes evident. Engaging with government, through both Defra and local authority networks will be essential to gain intelligence and review plans to as necessary.

What is clear is that policy changes are going to have the greatest impact on waste collection services. Practically it is difficult to consider what changes to the waste disposal service are required without first understanding what materials you are collecting and how. Furthermore no significant changes to Household Recycling Centres (HRC) are considered in the RWS 2018. As such this report focuses on changes to the collection service (as does the RWS 2018).

Recommendation 12

The council will ensure flexibility during the design and provision of the service so that changes can be more easily made to accommodate requirements.

The Waste-TFG recognise that we are yet to receive specific details on the future policy. **This presents a risk that the council could design a service which is not compliant** with our statutory requirements. To mitigate this risk the council must be able to modify its approach during the design phase to ensure compliance with policy and legislative requirements.

In designing our service we must also make sure we do not restrict flexibility. This can be achieved by ensuring a holistic approach to service design where waste treatment and disposal services flex to the needs of the waste collection service. This could include avoiding long contracts that restrict the council to any particular approach for an extended period of time.

The Waste-TFG are also keen to explore introducing changes gradually over time to give residents and business customers time to adjust to new services. This may be also be beneficial to align service provision with promised government funding to support the delivery of the service.

4.3.1. Waste Collection Options

The government in developing their RWS 2018 considered three different options for providing waste collection services, these are summarised in Table 6. Although there are innumerable alternatives and service combinations for providing waste collection services, these options represent three distinct approaches that are often used to distinguish the style of waste collection provided by local authorities in the UK.

Scheme 1 Kerbside Sort Recycling	Scheme 2 Two Stream Recycling	Scheme 3 Comingled Recycling
Recycling: <i>Materials are presented weekly for collection in three streams and separated into four compartments on the vehicle</i> Residual Waste: <i>Collected fortnightly from a wheeled bin</i> Food Waste: <i>Collected weekly on same vehicle as recycling</i> Garden Waste: <i>Collected fortnightly from a wheeled bin</i>	Recycling: <i>Materials are presented for collection in two streams both collected fortnightly</i> Residual Waste: <i>Collected fortnightly from a wheeled bin</i> Food Waste: <i>Collected weekly by separate vehicle</i> Garden Waste: <i>Collected fortnightly from a wheeled bin</i>	Recycling: <i>Materials presented mixed together in one stream (co-mingled) collected fortnightly</i> Residual Waste: <i>Collected fortnightly from a wheeled bin</i> Food Waste: <i>Collected weekly by separate vehicle</i> Garden Waste: <i>Collected fortnightly from a wheeled bin</i>

Table 6 Waste collection options considered in the Resource and Waste Strategy 2018

To consider Herefordshire Council's options the Waste-TFG have considered three similar approaches to those in the RWS 2018.

The RWS 2018 options were reviewed and adjusted by current waste collection operatives, drivers and managers to factor local knowledge, experience and expertise. These adjustments

reflected practical considerations from those providing the service to provide more flexible, reliable and cost effective solutions. Two main adjustments were made:

1. Weekly collection of food by separate vehicle assumed for all three options.

The RWS 2018 assumed food waste would be collected alongside weekly recycling in its Scheme 1 (Kerbside Sort). Our waste collection staff do not believe this method to be practical as it would require vehicles with 5 compartments, long collection times per property and low payloads. Inevitably one compartment will fill faster than others requiring the vehicle to empty its load when others compartments are only partially filled. Scheme 1 also assumes the disposal point for each material is the same which is rarely the case if co-collecting dry recycling with food waste.

A collection by separate vehicle will be more efficient with quicker collection, full loads and ability to use any disposal point. The benefit of being able to bolt on at a later date or more easily terminate this service means it provides much greater flexibility.

2. Alternate Three Weekly Collection (ATWC) with two stream recycling assumed for Option 2.

This option explores the impact of restricting residual capacity further. This has been proven to encourage greater participation and performance in recycling and food waste collection services. It should also be noted that with provision of a weekly food waste collection the **amount of residual waste will reduce**. The choice to combine with two stream recycling was from discussions with waste collection staff who were keen to be able to utilise single compartment refuse collection vehicles (RCVs). In this option the same vehicles can be used to collect three different streams of waste:

- Week 1: Paper and Cardboard
- Week 2: Plastic containers, tins, cans, glass bottles & jars
- Week 3: Residual Waste

This permits greater flexibility and delivers efficiencies by reducing the number of vehicles needed to carry out the service. A similar service has recently been adopted in Aberdeenshire.

Following these discussion the final options were provided to a consultant to undertake a waste collection options assessment, the options are described in Table 7. The options include both the costs of collecting recycling and waste as well as the anticipated treatment and disposal costs. They exclude costs associated with the provision of the Household Recycling Centre service as no significant policy changes are expected for this service (an estimate of these costs is included to allow comparison with other council services in Table 3).

	<i>Option 1</i> Comingled Recycling	<i>Option 2</i> Two Stream Recycling	<i>Option 3</i> Kerbside Sort Recycling
What bin lorries could look like...			
General (Residual) Collection	Fortnightly Collection	Three Weekly Collection	Fortnightly Collection
Recycling Collection	Materials presented mixed together in one stream (comingled) collected fortnightly	Materials are presented for collection in two streams each collected every three weeks (alternating on the third week with residual)	Materials are presented weekly for collection in three streams and separated into four compartments on the vehicle
Food Waste	Weekly collection by separate vehicle	Weekly collection by separate vehicle	Weekly collection by separate vehicle
Garden Waste	Fortnightly Collection by separate vehicle	Fortnightly Collection by separate vehicle	Fortnightly Collection by separate vehicle
No. Containers per Household	4+1 (kitchen caddy)	5+1 (kitchen caddy)	6+1 (kitchen caddy)
What Collection Schedule could look like	Week 1		
	Week 2		
	Week 3		
	Week 4		

Table 7 Herefordshire Waste Collection Options, assessed in 2019

The relative resource requirements, performance and cost of each option was assessed by our consultant to help inform the council's service decisions. A summary of the resource requirements, cost and performance output of the assessment is provided in Table 8.

It should be noted that excluding the Household Recycling Centre (HRC) service from the assessment means that costs cannot be directly compared to other council services in Table 3. Based on previous assessments the cost of providing the HRC service should be in the region of £2m per annum. A more pessimistic value of £2.5 million per annum has been used to estimate the cost per household including HRC costs. This allows a representative comparison with costs of services elsewhere listed in Table 3. It should be noted that our assessments result in costs at the high end of those of services provided elsewhere, it should provide confidence that the assessment is both realistic and achievable (based on current rates).

		<i>Option 1</i> Comingled Recycling	<i>Option 2</i> Two Stream	<i>Option 3</i> Kerbside Sort
SECTION 1 – Resource Requirements				
Number of vehicles and operational staff needed to provide the service				
Fleet Requirement	Residual	19	18	9
	Recycling			25
	Food Waste	21	22	21
	Garden Waste	8	8	8
	TOTAL	48	48	63
Drivers and Loaders		126	127	174
SECTION 2 – Performance of household recycling and residual collection				
Expected household waste arising and performance				
Residual		24,401	20,987	26,193
Recycling		16,756	18,132	16,756
Food		5,311	7,085	5,311
Garden		16,387	16,387	16,387
Contamination		3,211	3,475	1,420
Total Collected		66,066	66,066	66,067
Dry Recycling Rate		25%	27%	25%
Recycling Rate		58%	63%	58%
SECTION 3 – Costs for recycling and residual waste collection and treatment				
Operational costs for recycling and residual waste are presented so the costs of continuing the existing Comingled Recycling (AWC) service (column 1) can be compared to alternative options of Two Stream (ATWC) or Kerbside Sort. Costs of food waste and garden waste are excluded and separately illustrated.				
Residual Waste Collection		£2,078,705	£1,458,007	£2,078,787
Recycling Collection		£2,078,705	£2,877,545	£4,078,736
SUB TOTAL		£4,157,410	£4,335,552	£6,157,523
Residual Treatment Cost		£2,398,617	£2,063,052	£2,574,790
Recycling Cost		£368,628	-£76,000	-£1,084,428
Storage and Transfer		£219,992	£219,992	£226,264
Waste Transport		£188,564	£187,774	£193,941
SUB TOTAL		£3,175,801	£2,394,818	£1,910,567
TOTAL		£7,333,211	£6,729,448	£8,068,090
SECTION 4 – Costs for food waste and garden waste collection and treatment				
Operational costs of storing, transfer, recycling, treatment and disposal of food and garden waste collected. This is separately illustrated as these represent new services the council does not currently provide, thus they represent the greatest impact on additional cost and improved performance.				
Note: The option of supplying caddy liners has been excluded.				
Food Waste Collection		£2,058,219	£2,146,613	£2,058,219
Garden Waste Collection		£1,684,144	£1,684,144	£1,684,144
SUB TOTAL		£3,742,363	£3,830,757	£3,742,363
Food Treatment Cost		£138,086	£184,210	£138,086
Garden Treatment Cost		£309,950	£309,950	£309,950
SUB TOTAL		£448,036	£494,160	£448,036
TOTAL FOOD & GARDEN		£4,190,399	£4,324,917	£4,190,399
SECTION 5 – Total Service costs for collection and respective treatment of wastes collected.				
Total operational costs for providing the household recycling and waste collection service and associated storage, transfer, transport and treatment. Cost per household is provided for comparison with Table 3. Cost per household + £3m (for HRC and management costs is also provided to allow more direct comparison)				
TOTAL SERVICE COSTS		£11,523,610	£11,054,365	£12,258,489
Cost per Household		£137	£131	£145
<i>Per Household (including HRCs)</i>		<i>£172</i>	<i>£167</i>	<i>£181</i>

Table 8 Analysis of waste collection service options cost and performance

Analysis of Waste Collection Options:

The consultant's report (*Waste Options Assessment 2019*), provided as an appendix to this report, provides further detail and analysis on the relative resource requirements, performance and cost of the different options. However to help best understand the key features and differences between the three options and the reasons for them are summarised in Table 9.

Key Features & Differences	<i>Option 1</i> Comingled Recycling	<i>Option 2</i> Two Stream Recycling	<i>Option 3</i> Kerbside Sort Recycling
Collection Methodology	<ul style="list-style-type: none"> Option 1 represents an “as is” service with additional service for the collection of food waste and garden waste bolted on. Fleet size minimised through collecting the least number of waste streams Least change for householders 	<ul style="list-style-type: none"> Option 2 represents a modification of the existing service where the current collection frequency is extended from every two weeks to three weeks to allow for an additional waste stream to be collected on the third week. Additional services for the collection of food waste and garden waste are bolted on Fleet size minimised by reducing collection frequency 	<ul style="list-style-type: none"> Option 3 represents a fundamental change in how recycling is collected utilising different recycling collection vehicles (kerbsiders) to allow for the separate collection of multi materials from each household. Large fleet required due to number of waste streams and reduced capacity of each vehicle Greatest change for householders
Recycling	<ul style="list-style-type: none"> Residents provided with one bin to put all their recycling in, no separation is required. Recycling is presented on the same day every two weeks (same day as general waste on the alternate weeks) Unavoidable cross contamination from mixing with other materials (e.g. glass shards, plastic and paper fragments, container residues, etc.) Avoidable contamination from user accidentally or deliberately putting in waste that are not accepted. Volatile cost of Materials Recovery Facility gate fees, due to volatile markets for recyclable materials Restricted markets for poorer quality materials 	<ul style="list-style-type: none"> Residents provided with two bins. One for paper and card the other for glass containers, plastic containers, tins and cans. One recycling bin is presented one week, the other the next and residual waste the third. Residents are provided with more recycling capacity (two bins collected in a three week period instead of one every two weeks) Unavoidable cross contamination is reduced Avoidable contamination may not be reduced Volatile markets for recyclable materials More sustainable markets due to moderate improvement in quality. 	<ul style="list-style-type: none"> Residents provided with three boxes collected weekly. One for paper and card, one for glass bottles and jars the other for plastics and cans. Residents are provided with the most recycling capacity of all options Cross contamination is minimal Further inspection and sorting by recycling crews eliminates obvious contamination Minimal further sorting and separation required Volatile markets for recyclable materials Most sustainable markets due to better quality materials
Food Waste	<ul style="list-style-type: none"> Residents provided with a small kitchen caddy, and a larger caddy for presenting each week. Getting people to participate in service can be difficult Relatively low yields mean high cost of collection 	<ul style="list-style-type: none"> Residents provided with a small kitchen caddy, and a larger caddy for presenting each week. People encouraged to participate by restricting residual capacity Relatively low yields mean high cost of collection 	<ul style="list-style-type: none"> Residents provided with a small kitchen caddy, and a larger caddy for presenting each week. Getting people to participate in service can be difficult Relatively low yields mean high cost of collection

Table 9 Key features of each option

Table 10 provides a qualitative assessment to illustrate the strengths and weaknesses of each option. This highlights how each option best fulfils the outcomes (priorities and objectives) desired by the Waste-TFG and other key criteria.

Criteria		<i>Option 1</i> Comingled Recycling	<i>Option 2</i> Two Stream Recycling	<i>Option 3</i> Kerbside Sort Recycling
Our Priorities	Treating Waste as a Resource	Material collected are the lowest quality of the options presented. Materials must be sent to a comingled MRF for further sorting and separation with more limited market options.	Improved quality due to further separation into two streams. Greater capacity and flexibility to change materials accepted for recycling. Less complex sorting requirements and greater market opportunities.	Best quality material due to separation at kerbside and ability of crews to reject materials. Least sorting requirement and greatest market opportunities with the potential to stimulate local re-processing.
	Prioritising Public Acceptance	Simplest service for the resident, one bin for all recyclable materials.	Requirement to store another bin and separate recycling into two streams	High degree of separation and effort of resident required. Storage of three boxes
	Maximising Reuse Opportunities	Limited options for further waste streams to be accepted as number of materials to be sorted out is high.	Twin stream increases opportunities for additional materials to be introduced in either recycling bin.	Multi stream provides best opportunity for additional materials to be collected as crews are able to sort at kerbside (e.g. batteries, WEEE, textiles, spectacles).
Our Objectives	Environmental (Vehicles)	Fleet size minimized, less transport impact and carbon emissions.	Fleet size minimized, less transport impact and carbon emissions	Most vehicles greatest carbon emissions and transport impact.
	Environmental (Resource)	Relative poor quality of recycling materials not in use for as long.	Improved material quality and quantity.	Best quality recycling keeping materials in use longer.
	Social Value Objectives	Improved opportunities for employment, training and skills.	Improved opportunities for employment, training and skills.	Most opportunities for employment, training and skills. More opportunities for local reprocessing and reuse
	Economic Objectives	Moderate cost of service to council	Lowest cost service to council	Highest costs service to council
Other Criteria	Legal Compliance (Frequency of collection)	Fortnightly collection	Three weekly frequency of collection presents risk of non-compliance	Governments preferred option very likely to be compliant.
	Legal Compliance (Recycling Quality)	Does not meet requirement to improve recycling quality	Improves recycling quality	Governments preferred option very likely to be compliant.
	Practical Service Delivery	Least change required and best understood. Utilises current vehicle types and design. Use of wheeled bins means waste is stored safely and required minimal manual handling on collection.	Some change required. Utilises current vehicle types and design. Use of wheeled bins means waste is stored safely and required minimal manual handling on collection. Moderate increased number of bins. More complex collection schedule.	Introduces multiple boxes creating storage, collection and manual handling difficulties. Collection times will be increased requiring more staff and vehicles to service. High demand for and cost if replacement boxes Multi compartment approach likely to result in some compartments filling up quicker than others.
	Flexibility of Service	Once procured it will be difficult to make changes to the type and number of vehicles without incurring significant additional cost. New materials may be added for recycling but this may be restricted by treatment/sorting methodology.	Once procured it will be difficult to make changes to the type and number of vehicles without incurring significant additional cost. New materials may be added for recycling but this may be restricted by treatment/sorting methodology.	Once procured it will be difficult to make changes to the type and number of vehicles without incurring significant additional cost. The range of materials accepted for recycling may more easily be altered due to the number of containers and ability of collection crews to sort materials at kerbside. Often kerbside vehicles can be reconfigured

Table 10. Qualitative analysis of options against key criteria

In summary:

Option 1 represents an “as is” service with a food waste and garden waste collection bolted on. It is most favourable in terms that it requires the least change for both our residents, operational staff and the council. However it is most disadvantageous in terms of resource management due to the loss in quality from collecting dry recycling together in one container. This not only reduces the value of the material collected but presents a risk that markets for those materials may be difficult to source.

Option 2 is a modification of the existing service that would allow the introduction of a second recycling wheeled bin. It is favourable in that it would allow paper and cardboard to be separated from other dry recyclable to improve the quality of both streams. Users are also encouraged to separate materials for recycling by reducing the frequency of residual collection to three weeks. Retaining wheeled bins for the collection of dry recycling means existing type vehicles can be used to provide the service. It is disadvantageous in that collection frequencies for residual waste are reduced to every three weeks but recycling is collected on the other two. The government have indicated a preference that no waste stream should be collected less frequently than every two weeks. This option would also require each household to accommodate an additional wheeled bin for the storage a second dry recyclable waste stream.

Option 3 is the governments preferred approach. It would mean collection of the highest quality of recyclable material maximising the value of the recyclable material collected and minimise risk of loss of market. It is disadvantageous in that it will require a wholesale change to how the service is currently provided, moving from wheeled bins for recycling to a box or bag collection service. This not only requires a much larger fleet of vehicles and more staff but introduces manual handling concerns that do not currently exist with staff requiring to repeatedly bend down to lift boxes or bags for sorting and emptying.

Each option has different strengths and weaknesses. Option 2 performs best both in terms of the amount of material sent for recycling and lowest cost. Option 3 provides the highest quality recycling and is in alignment with the governments preferred option in the RWS 2018. Option 1 would require the least change and thus likely to be easier to implement and gain public acceptance.

On balance the Waste TFG believe that options 2 and 3 are best able to fulfil the priorities, objectives and recommendations outlined in this report. Both options will result in improved quality of materials for recycling, improving opportunities for treating them as a resource in line with the circular economy approach. The Waste-TFG also believe Herefordshire Council needs to be brave if it wishes to fulfil its aspirations to be a leader in tackling climate change.

Recommendation 13

Options 2 and 3 are progressed to public consultation with feedback and preferences used to inform the council’s decision on its preferred approach. Progressing Option 1 is not recommended.

The Waste-TFG understand that no option is without merit or risk however both option 2 and 3 best fulfil the priorities, objectives and recommendations of this report. Option 2 as the best performing option and Option 3 as the governments preferred approach in the RWS 2018.

The council should consult with residents, business users and key stakeholders to obtain their views on these two approach to providing the service. The consultation should highlight future requirements and the need to change and ask for views on how best those changes can be delivered.

The Waste-TFG feel at this stage it is critical to obtain public feedback on future approach. The consultation should be clear that change is required and explain the reasons for it to bring forward views on how best to make the changes required.

To help inform the consultation selection of preferred waste collection option and subsequent service design the Waste-TFG have highlighted a number of key requirements that should feature in any future service.

Recommendation 14

In designing a new service the council should ensure it incorporates features that will enable it to meet the objectives and recommendations detailed in this report:

1. Design of the service enables the collection of high quality materials for recycling to ensure they are useful, valuable and in use for as long as possible to help protect natural resources in accordance with circular economy values.
2. The service is designed from the outset to be capable of meeting a 65% recycling and composting target for all the waste collection by the council.
3. Residual (general waste) capacity should be restricted in order to encourage the use of recycling and food waste collection, for example by smaller bin size or reduced collection frequency.
4. Reasonable and practical alternative collection options are provided to households where the nature of development makes it challenging to accommodate the standard collection service. For example providing different containers and or an increased frequency of collection.
5. Flexibility of service should be built in where possible, for example:
 - a. By ensuring waste treatment and disposal arrangements dovetail with those for waste collection, for instance by aligning contract periods. This will ensure that treatment and disposal arrangements do not constrain opportunities to make changes to waste collection services.
 - b. By having more flexible shorter term contractual arrangements with a range of providers to more easily flex to changes in materials collected for recycling.
6. A charge for garden waste collections should be made if permitted (to continue to encourage those residents able to do so, to compost at home).
7. The same opportunities provided for householders for recycling will be offered to commercial (trade waste) customers at a charge
8. Social value will be maximised through re-use initiatives, education and training.
9. The service will incorporate effective communications and initiatives to support provision of the service and encourage positive public behaviours to benefit the service (e.g. waste prevention, proper use of recycling services).

4.3.2. Household Recycling Centre Options

Around 30,000 tonnes a third of waste managed by the council is accepted at the 6 councils Household Recycling Centres (HRCs). The range of waste streams accepted for recycling encourages much higher recycling performance than through the kerbside service with all HRCs in Herefordshire recycling over 70% of the waste received.

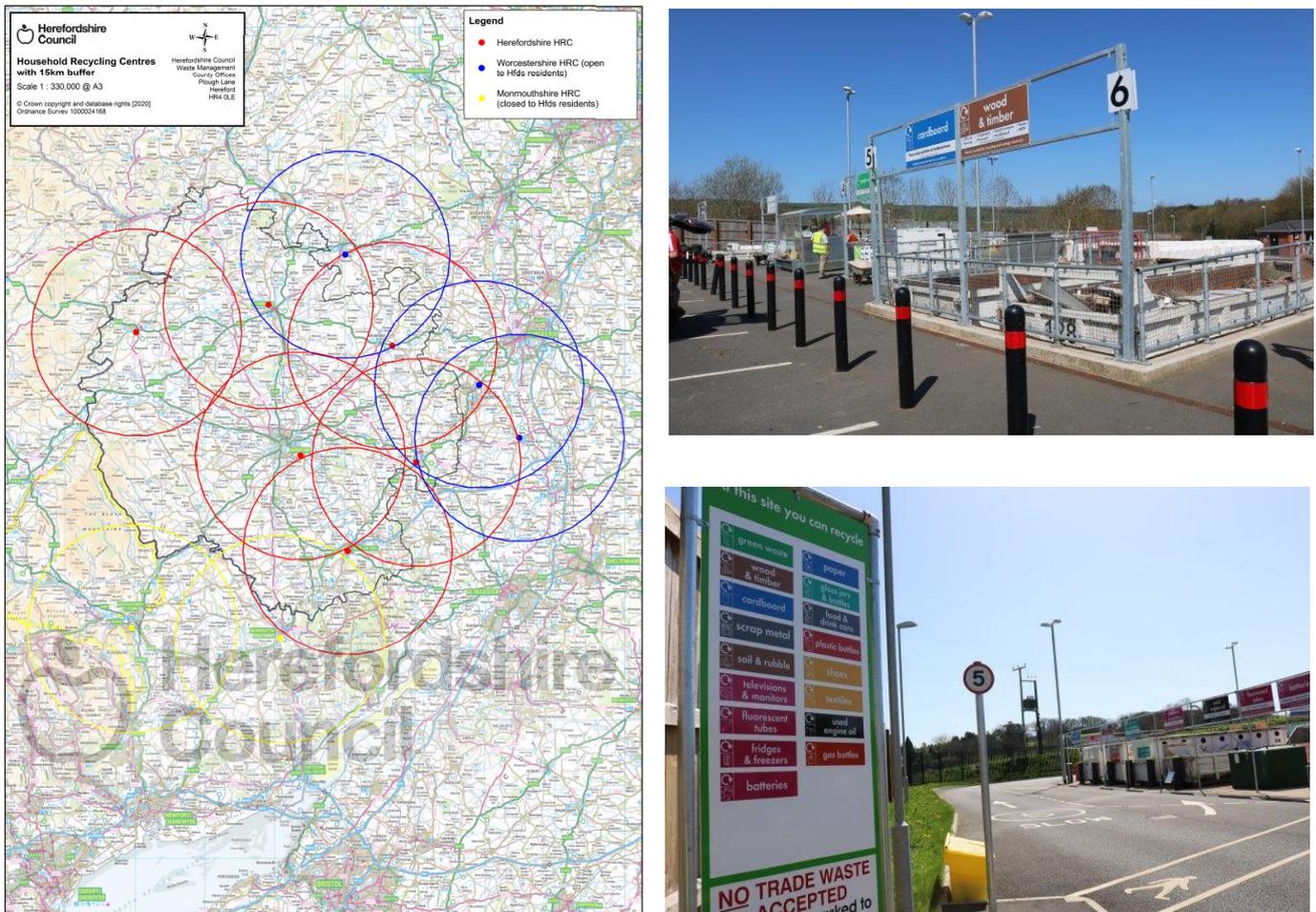


Figure 6 The Household Recycling Centre service

The service satisfies the council’s duty (under s51 of the Environmental Protection Act 1990) to provide places where residents in its area may deposit their household waste.

Future policy requires few changes to the Household Recycling Centre service however the Waste-TFG recognise the importance of this service in meeting both anticipated national policy and local ambitions. The Waste-TFG have made two recommendations relating to HRC service provision that will bring about increased resource recovery but also support local business:

Recommendation 7

The council designs new services to expand reuse opportunities through both the household collection service and the Household Recycling Centres. Existing opportunities to extract reusable materials are explored and implemented.

Recommendation 10

The council shall provide the same opportunities for non-household waste as it does for household waste. The same waste collection services will be provided to businesses as they are to households and commercial recycling centres will be provided. The council will recover costs as described and permitted by relevant legislation.

Household Recycling Centres provide great opportunities for providing social value, particularly through re-use initiatives highlighted earlier in the report. We must design services so that re-use organisation are encouraged to be a part of the provision of this service. The Waste-TFG have considered that one way to achieve this would be to consider the HRC service as a separate service, potentially run in house or in partnership in a way that those involved in re-use and delivering social value are not excluded.

A further consideration of the Waste-TFG was the design and layout of these facilities. It was felt that the layout and signage of the site should be improved to encourage separation of recyclable material as much as possible and discourage disposal of useful materials to waste. The council should use the opportunity of providing new services to make these changes.

4.3.3. Waste Treatment and Disposal Options

Similarly to HRCs, this report does not have a focus on waste treatment and disposal options. This can only be considered once the council has determined what materials it is going to collect from households.

What is clearer in the RWS 2018, and from progress through parliament of the Environment Bill, is that weekly collection of food waste and separate collection of garden waste is very likely to be required. This requirement will facilitate the need for additional services, the council does not currently provide which will generate new waste streams requiring treatment.

Recommendation 15

The council commissions a piece of work to understand what changes to its disposal service will be required to best manage the materials arising from the waste collection service options detailed in the analysis above.

A better understanding of the changes required to existing waste treatment and disposal service will inform requirements to support the delivery of the waste collection options outlined in this report. As a priority the council should seek to understand what changes are required to:

- **Waste Transfer Stations**, to understand how best materials collected could be accepted and stored for onward transport to treatment facilities elsewhere, and what required changes to existing transfer stations would be required, and:-
- **Waste Treatment Facilities**, to understand current waste treatment methods and capacity, what waste treatment facilities are required, and if there are any opportunities for developing more effective and resource efficient solutions for dealing with the materials collected.
- A full **analysis of potential markets** for materials arising from the new service and opportunities for local processing to be commission alongside public consultation to inform decision on preferred approach.

The requirement for a weekly collection of food waste will generate up to 7,000 tonnes of household waste plus additional food waste from commercial collection the council will provide. This will require treatment capacity for at least 10,000 tonnes of food waste. Anaerobic digestion (AD) is the most favourable means of treating food waste highlighted by government in its RWS 2018. Although there are a number of AD facilities located in Herefordshire, these are dedicated for the treatment of agricultural waste and energy crops.

The Waste-TFG are mindful that many AD facilities were developed on the back of incentives, such as feed in tariffs, the benefit of which are likely to come to an end. The Waste-TFG are keen to investigate if there are any opportunities for any existing agricultural facilities could be converted to food waste treatment as well as wider consideration of the alternatives of developing our own AD facility or using existing facilities out of county.

Recommendation 16

An early study is undertaken to evaluate if any existing AD facilities could be utilised for the treatment of food waste in Herefordshire.

The Waste-TFG recognise that Anaerobic Digestion facilities are likely to be required to treat food waste collected in Herefordshire. Although there are a number of options such as developing our own facility, using existing out of county facilities, the option of converting an existing agricultural facility may be advantageous.

A study engaging with existing operators would reveal if there is any appetite and possibility for this. The Waste-TFG believe this could also provide added incentives in discouraging the use of energy crops to as feedstock.

As for residual waste a zero waste to landfill policy (Recommendation 4) should be adopted. It is anticipated that any residual waste arising from the service in future will be sent and treated by Herefordshire's Energy from Waste facility it shares with Worcestershire County Council in Hartlebury, Worcestershire.

Recommendation 17

The council should seek to agree an approach with Worcestershire County Council on how their joint Energy from Waste (EFW) facility will be managed and operated to the mutual benefit of both council's on expiry or extension of existing arrangements

Even if the council were able to meet or exceed the governments expected target of 65% recycling by 2035 there will remain a need to treat residual waste arising from Herefordshire's waste management service.

Energy from Waste (Incineration) remains the only reasonable alternative to landfill for residual waste treatment so sending waste to our own shared EFW is expected. However the Waste-TFG wish to see the plant optimised by generating heat as well as power and other options to maximise the efficiency of the facility explored and implemented where advantageous to the two councils both financially and environmentally (through reducing the impact of residual waste treatment on climate change).

Any excess tonnage capacity created from increased recycling should be sold to generate commercial revenue for the two councils.

4.3.4. Management of the Service

The council's waste management team is currently comprised of 8 staff working under a head of service with responsibility for Environment, Climate Change and Waste. The team have a predominantly operational role managing contractors, dealing with service requests and managing the council trade waste, bulky waste and clinical waste collection service.

The waste collection contract is a master a servant style contract providing a service as specified by the council to provide vehicles and staff to collect waste from domestic properties and trade waste customers. The contractor has no strategic and only limited administrative responsibilities for the service.

The disposal service is a management contract where the contractor is required to make suitable arrangements for the treatment and disposal of waste delivered to it by the council. The service is managed by Worcestershire County Council on our behalf. The contractor has no strategic responsibility and has only limited administrative responsibilities for the service.

The decision the council must make on the future of this service is conservatively valued at £150m based on current rates and a 10 year contract. We currently rely on one officer with intermittent consultant support to deliver this. The Council's Waste Disposal Team Leader, who acts as the main contract officer for waste disposal and has lead on future strategy, is due to leave the council in October 2020 which presents a significant loss of knowledge at a key time.

The scale and significance of the work ahead should not be underestimated and time is now a critical factor.

Recommendation 18

Waste Management Team is augmented with required staff and resource to plan, commission and implement new services and manage our new arrangements.

The Waste-TFG consider it is essential to replace our Waste Disposal Team Leader as soon as possible and to create 3 new posts. A Waste Strategy Officer to provide support to the current post in developing the contract(s) and researching collection and disposal options. A Waste Communications Officer to lead the process of public engagement. They will need to be supported by an Administration Officer.

These new posts are required no later than 1st April 2021 and will need to be in place until at least 31st December 2025 to allow for bedding in of the redesigned waste collection services. The cost of these new posts is insignificant in terms of contract value and the financial and reputational impacts of getting this decision wrong. They will also be significantly less than the cost of bringing in consultants to bail us out at the 11th hour if we continue to rely on a single officer to deliver this.

Further resource is likely to be required to appoint legal, financial and technical advisers as required, particularly in support during any procurement. Investing in building the capability in the team will however minimise the need for expensive consultants as well build a more capable team to manage and continue to develop the service.

5. NEXT STEPS

The task ahead is to plan, design and implement a new waste management service. A clear plan with resourcing strategy is required to map out how the authority is going to achieve this.

Typically large scale waste management commissioning projects (to provide new services and/or waste treatment infrastructure) require a minimum of three years to complete successfully. The more time and resource an authority invests the better chance the outcome will deliver favourable outcomes in terms of quality, performance and cost.

As highlighted in **Service Management**, above, time is now a critical factor. In particular based on anticipated time required to consult and determine preferred approach the council will have around a year and a half to design its service in preparation for procuring it. With **local elections** scheduled in May 2023 the council must ensure it leaves sufficient time for service providers to mobilise (e.g. it could take a year to procure a new fleet).

A list of key tasks and suggested timings is provided in Table 11.

Target End	November 2020	March 2021	May 2021	December 2021	December 2022	Start November 2023
Length	3 Months	3 Months	2 Months	6 Months	1 Years	10 Months
Action	Considering Options	Public Consultation	Select Preferred Option(s)	Design Service and Produce Strategy	Commission / Procure Service	Mobilise and Implement
Key Tasks	Complete Strategic Review Report to General Overview and Scrutiny Report to Cabinet	Consult on key options with public and key stakeholders to inform preferred service options	Report to Cabinet to approve approach	Design service and produce strategy for how it will be delivered Report to cabinet to approve strategy Research and pilot services as required	Commission new services whether that be by procuring private service contractors or providing the service in house or a mix of the two.	Minimum 9 Month mobilisation period to enable providers to resource new service



WE ARE HERE

Table 11 Key tasks and milestones in implementing a new service

This report is a critical element of the “considering options” phase to determine what service the council’s wishes to provide in future. Following completion of this Strategic Review the recommendations within will be put to the council to inform next steps. It is anticipated that a public consultation exercise will follow to obtain service user’s (residents and businesses) and key stakeholder’s views on key service options.

The Waste-TFG is very keen to ensure that public engagement happens at an early stage and continues throughout the process of developing the service. It is hoped that this will foster a collective approach and increase awareness public acceptance of the changes that will be required.

The results of consultation will inform the council’s decision on its preferred service options to take forward into a service design and strategy development phase. Here detailed work is required to ensure the service can be delivered to meet the recommended priorities of treating waste and a resource, prioritising public acceptance and maximising re-use opportunities.

The significance and scale of the challenge ahead is huge. The findings and recommendations in this report clearly identify that the challenge cannot be ignored or delayed further. To do so will place an essential and critical council service at risk. To ensure the council stands a chance of having a new service in place on expiry of existing arrangements adequate resources must be allocated to the Waste Management Team. Initially this should support carrying out a public consultation exercise and commence the planning and design of new services.

6. SUMMARY OF FINDINGS AND RECOMMENDATIONS

This report conveys the findings and recommendations of the Waste task and Finish Group, established by the General Overview and Scrutiny Committee (GOSC) to undertake a Strategic Review of the council's Waste Management Service.

It is hoped that the findings and recommendations within can be agreed by GOSC and be presented to the executive to provide direction and inform the council's progress in responding to the challenges presented by the approaching expiry of existing arrangements and new government policy.

What is clear to the Waste-TFG is the scale of the task ahead. The Waste Management Service is a significant and essential statutory service which Herefordshire Council must provide for all its residents and offer to its businesses. It is a vital element in our everyday lives and for our economy to thrive.

The government also consider resource and waste management a priority, recently confirming its commitment to implementing equivalent measures set out in the EU circular Economy Package. This will mean a once in a generation transformation of our waste management service which we must be equipped to deal with if we want to avoid significant negative implications for the council as well as make the best of the opportunities this brings.

The council is ambitious, it wishes to bring about changes that help protect and enhance our environment, make best use of our resources to keep Herefordshire a great place to live. We now have a once in a generation opportunity to take our waste management service to a new level and meet this challenge.

"We must be brave!"

Next steps:

1. Report to be presented to General Overview and Scrutiny Committee on **Monday 28 September 2020**
2. Agreed findings and recommendations to be presented to Cabinet on **29 October 2020** to recommend approval and initial implementation strategy (to include initial public consultation on key service options)
3. Public consultation carried out and report on findings and recommended approach to providing new service to be presented to Cabinet in **April 2021**.

The Waste-TFG has provided a cross-party view on our future Waste Management Service options developing a balanced and pragmatic set of recommendations that will allow us to meet future requirements and our own aspirations as a council. We believe the establishment of a permanent cross party member working group would continue to benefit and support the council in meeting the challenge ahead. It can do this by:

- Aiding the development and carrying out of public consultation
- Keeping all political groups informed and included in the process
- Providing political and policy support and guidance to officers (linking with other council priorities and actions that officers may be unaware of).
- Bringing a different perspective
- Providing oversight, being a critical friend
- Identifying gaps and flagging required corrective actions

Recommendation 19

The council should maintain the Waste-TFG as a cross party member group to provide oversight and support to officers until implementation of new services in early 2024.

A cross party member working group will help include political groups throughout the process of planning, commissioning and implementing new services. It can help provide support to officers in offering balanced views and guidance. This group should help to re-enforce the governance processes of the council to ensure that decisions are made in the best interest of the council and its residents.

APPENDIX 1 RISKS

There are significant and potentially severe financial, practical and reputational risks associated with getting this wrong. Worst case scenario is total failure of the service and termination of high value contracts. High profile cases in Greater Manchester (Waste Disposal), Allerdale (Waste Collection) and Derby (Waste Treatment) in recent years highlight the risk. These situations tend to be acrimonious resulting in lengthy litigation and costs to both the council and service provider. Adequate resourcing to plan, design and commission services as well as informed decision making will minimise this risk.

Table 12 provides a list of key risks that currently exist. Risks should be regularly reviewed throughout the planning, commissioning and implementation phase to identify new risks and put in place appropriate measures to control them.

Key Risks	Likelihood	Severity	Implications	Mitigation
Not enough time to complete required work	Moderate	High	Not sufficient time to fully consider all key options and implications of different service choices. This will inevitably result in rushed and not fully thought through commissioning process.	Do not delay in resourcing and ensure effective decision making processes are in place. Consider a single Commissioning Manger with delegated responsibility (as advised by DEFRA in early 2018)
No strategy for commissioning new service	Moderate	High	Without a resourced strategy for putting new service in place there is no certainty that the council will be able to deliver its obligations as both Waste Collection Authority and Waste Disposal Authority in time for expiry of existing arrangements	The council does not delay to adequately resource the planning, development and commissioning of new services. Staff are recruited and resources allocated to undertake the work (Recommendation 18)
Service is not compliant with legal requirements	Low	High	Council will be in breach of statutory obligations Potential government intervention Damage to councils reputation Potential high cost to make compliant (negotiating with incumbent contractor or new service)	Ensure flexibility through the design and commissioning process to reflect that policy is still in development and legislative requirements are yet to be finalised. Engagement with government on developing policy and likely requirements Effective governance in place to take informed and timely decisions and corrective action. Option 1 is not pursued as an option.
Carbon emissions not minimised	Moderate	High	The service is a significant contributor to the county's total carbon emissions. It is likely that requirements are going to directly result in increased carbon emissions due to additional vehicles and additional waste produced from garden waste collections. No measure of current emissions or expected emissions	Indirect carbon savings from improved resource management will be achieved from preventing waste and maximising reuse and recycling. Consideration of how best to provide collections to minimise use of vehicles, introduce low carbon technologies and recover energy from residual waste are required to minimise the services impact on climate change. The carbon (climate change) The Energy and Active Travel Team provide support to measuring current emissions and assess impact of changes.
Poor Value for Money	Moderate	High	Lack of effective commissioning strategy and poor/slow decision making leads to higher service costs than expected. Taxpayers required to fund avoidable costs meaning less funds for other council services	The council does not delay to adequately resource the planning, development and commissioning of new services. Effective governance in place to take informed and timely decisions and corrective action.

Poor Quality and Performance of the services	Moderate	High	Lack of effective commissioning strategy and poor decision making leads to poor service design, quality and performance of services, resulting public dissatisfaction. Potential dispute (if private contractor) or stress on council staff providing the service. Need to re-commission failed services is not uncommon resulting in high unplanned costs	The council does not delay to adequately resource the planning, development and commissioning of new services. Effective governance in place to take informed and timely decisions and corrective action. Strong council management team able to understand service options and take actions to bring about best outcomes for council.
Volatility of recycling markets, availability and prices	High	Moderate	Reduced income and value for money Loss of market require changes to materials accepted through recycling schemes Customer dissatisfaction and confusion Reputational damage Possible contractual disputes (e.g. if changes mean provider(s) cannot comply with conditions)	Recycling services designed to accept core materials as priority Quality of materials is prioritised to maximise market opportunities and value Flexibility to allow changes to accepted recyclable materials without incurring unreasonable costs. Decisions on any new materials to be accepted are based on a sustainable market being available and not on public/political demand.
Availability of HGV (all vehicles above 3.5t) drivers for larger fleet	Moderate	Moderate	A shortage of HGV drivers nationally could result in difficulties recruiting and retaining enough qualified staff to provide the service	Consideration of a mix of multi compartments where practical and smaller 3.5t vehicles may help reduce the requirement for HGV drivers. Support of local training programmes, internal training opportunities to encourage a greater number of qualified staff.
Health and Safety Implications of Service	Moderate	Moderate	Physical demands of service leads to poor health of waste collection and disposal operatives. Changes to services will place additional physical demands on crews particularly increased risk of repetitive strain injury from bending down to collect food waste containers and recycling boxes (where used). With a kerbside sort crews may also be required to handle materials, sorting them into different compartments on the vehicle. This will expose staff to injury from sharp materials.	Where practical we should consider use of wheeled bins for collecting both waste and recycling to minimise manual handling risks. Include manual handling training and physiotherapy support for operational staff to reduce sickness and long term ill-effects.

Table 12 Analysis of key risks and possible mitigation

APPENDIX 2 SUMMARY TABLE OF RECOMMENDATIONS

No.	Recommendation	Reason for recommendation
1	The council adopts the three priorities of TREATING WASTE AS A RESOURCE, PRIORITISING PUBLIC ACCEPTANCE and MAXIMISING REUSE as corporate priorities for waste management.	Adopting these principles as part of our county plan will provide leadership and direction for future decisions. The principles highlight the need for a more efficient circular economy, using our natural resources wisely as well as council resources, whilst reflecting the need to ensure our service are accessible and user friendly. Measurement of our success in meeting these priorities will be through monitoring and reporting our recycling rate, diversion from landfill, participation rate (for recycling) and amount of waste diverted for re-use.
2	The council allocates resource to prevent waste from households, restricting residual capacity and investing in waste prevention campaigns and home & community composting initiatives.	Preventing waste will help save both residents and the council save money. Residents through food waste prevention initiatives that help people to buy only what they need and the council as it will not need to pay for the cost of collecting and treating the waste avoided. In recent years the council has been successful at reducing waste, particularly general residual household waste. This has resulted in a saving of over £500,000 per annum since 2011. In terms of resource a dedicated member of staff with a small budget to manage waste prevention initiatives and waste communications in support of the service is recommended. The council should set a target to reduce the amount of non-recyclable waste from 530 kg per house per annum (19/20) to 400 kg per house per annum by 2030
3	The council prioritises the quality of recyclable material to increase its value and marketability. Secondly the council continually reviews and invests in increasing the quantity of material sent for recycling.	We must ensure that the recyclable materials we collect can be treated as a resource. We should design services that will encourage better quality materials to be collected we are more likely to find outlets for them to use as a resource to turn into new products. After quality we need to consider the best approach to maximise the quantity of materials collected for recycling. We can do this be ensuring our services are accessible and easy to use but also through investigating new opportunities and technologies that make the collection and recycling of materials possible. Our service needs to remain flexible enough to be able to accommodate these opportunities. The council should adopt, as a minimum, targets to allow us to achieve the Resource and Waste Strategy 2018 objective of 65% recycling and composting by 2035: <ul style="list-style-type: none"> • To recycle or compost 60% of household waste by 2025 • To recycle or compost 60% of both household and commercial waste by 2030 • To recycle or compost 65% of both household and commercial waste by 2035
4	The council adopts a zero waste to landfill policy, sending only waste that cannot be recycled or recovered. This will minimise loss of resource and minimise harmful emissions, such as carbon and leachate.	The Resource and Waste Strategy 2018 sets an ambition to eliminate food waste to landfill by 2030. It also includes a longer term target of limiting municipal waste to landfill to a maximum of 10%. In 2019/20 we sent 20% of our waste to landfill. The Waste-TFG consider that with our shared Energy from Waste Facility we should be doing better to avoid landfill. In order to consider waste as a resource only waste for which there is no other alternative should be sent to landfill The council should adopt a target of no more than 1% of household waste to be sent to landfill from 2025.

5	<p>The council ensures services are accessible and easy to use for all. Providing practical alternative solutions where beneficial so that all residents and business customers can reasonably access them and be encouraged to manage waste safely and in accordance with our service.</p>	<p>The Waste-TFG consider public acceptance a key factor in the design of any services we provide. We must ensure that the public are included in the process of delivering any changes to our service through effective engagement and consultation. This does not mean that only the collection method residents prefer will be adopted, but that their preferences will be taken into account, balanced with financial and environmental impacts.</p> <p>Through learning from our own experiences and those of other Local Authorities we can also consider what approaches may work best for Herefordshire residents and business customers.</p> <p>Although we may need to consider different approaches in different areas of the county (such as town centres & communal developments) we want the service to be as consistent as possible from the user's perspective.</p> <p>Participation rate will be measured and monitored for different housing types and demographics to inform where use of the service could be improved and the success of those improvements measured.</p>
6	<p>The council allocates resource to provide effective communication initiatives with residents and businesses to promote proper use of the service and to help maximise waste reduction, reuse and recycling.</p>	<p>After ensuring we have an accessible and user friendly service the Waste-TFG consider that effective communication is essential to help our residents and business customers use it in the right way. Effective communication will help reduce problems relating to the provision of the service and encourage better quality and quantity of recycling, reducing cost and increasing revenue.</p>
7	<p>The council designs new services to expand reuse opportunities through both the household collection service and the Household Recycling Centres. Existing opportunities to extract reusable materials are explored and implemented.</p>	<p>The Waste-WFG believe that there are many social and commercial opportunities to be explored with reuse. A modest resource could help extract valuable materials so that they can be repaired, repurposed, upcycled and reused. Any costs will be recovered from savings in waste disposal cost, generating income from the materials and added social value.</p> <p>In the short term the council develops a re-use facility to enable suitable items and materials to be diverted from waste (see case studies below). Such initiatives will very likely support the council's objectives and indicators being considered as part of its corporate social value framework.</p> <p>The council should adopt a target to increase the current levels of reuse of 20 tonnes per annum to 500 tonnes per annum by 2025</p>
8	<p>The council will research and seek to develop and continually improve services to minimise carbon emissions and other environmental impacts of the waste management service.</p>	<p>The best data available suggests that avoiding the production of goods and materials from raw materials is the best way to avoid carbon emissions. The Waste-TFG believe the best way we can support global and our own ambitions to reduce the impacts of carbon emission is to reduce waste and discourage the consumption of goods and materials and thus avoid the damaging need for production.</p> <p>We should also explore and seek to provide our waste management services in the most efficient ways possible that reduce our carbon emissions. This can include making sure our waste collection rounds are optimised to minimise fuel use, using alternative fuels for our waste fleets and investing in renewable power sources at waste treatment facilities.</p> <p>We will work collaboratively with those engaged in work to meet our target of NET zero emissions by 2030 to identify, measure and consider way to reduce the impact of waste management activities. This includes the Energy and Active travel Team, Climate and Ecological Emergency steering group, and Climate Change Task and Finish Group.</p> <p>The council should measure existing carbon emissions from both operational and embedded sources (e.g. from sale and transport of recyclables) of the service and adopt an achievable target to reduce them.</p>

9	Ensure the service contributes meets or exceeds the objectives set out in the council's developing Corporate Social Value Framework.	<p>The Waste-TFG have identified many opportunities for how the waste management service can contribute to providing social value through a range of initiatives to a wide range of people and communities. Recommendation 7 highlights the many opportunities provided through re-use initiatives, but there exists further opportunities across the service.</p> <p>To support both the social objectives and benefit the ongoing delivery of the service an apprenticeship or trainee scheme could help encourage people to choose a career in waste. Amongst other things this could help tackle a national shortage of HGV drivers.</p> <p>The council should provide an apprenticeship and/or training scheme within its waste management service to provide young people an opportunity and career route into the waste management service. Key service providers will be required to provide trainee/apprenticeship schemes to provide opportunities for people to learn skills to fill key job roles such as HGV drivers.</p>
10	The council should provide the same opportunities for non-household waste as it does for household waste. The same materials will be collected for recycling and commercial recycling centres will be provided. The council will recover costs as described and permitted by relevant legislation.	<p>The Waste-TFG believe the council should provide services that are accessible, user friendly and flexible to meet the varied needs of businesses and other non-household entities in Herefordshire. Providing cost effective solutions will help improve compliance, reducing waste crime and the cost of dealing with it.</p> <p>The council should adopt a target to provide at least one commercial recycling centre by 2025.</p>
11	The council will ensure it provides value for money to the taxpayer by undertaking a detailed business case on preferred service options as part of any commissioning process encompassing the best approach to achieve cost effective services that provide value for money to the taxpayer	<p>With a decision of a value in the region of £150m the Waste-TFG believe that a well thought through and considered approach is more likely to result in not only better quality, but also better value for money. We must ensure that our services reflect both best practice and best value through understanding and assessing our option, undertaking a business case and through comparison with services provided by other Local Authorities. The council should periodically benchmark their waste management service to compare costs and performance with other councils providing similar services as well as those we aspire to provide. This will indicate if service costs are reasonable or not.</p>
12	The council will ensure flexibility during the design and provision of the service so that changes can be more easily made to accommodate requirements.	<p>The Waste-TFG recognise that we are yet to receive specific details on the future policy. This presents a risk that the council could design a service which is not compliant with our statutory requirements. To mitigate this risk the council must be able to modify its approach during the design phase to ensure compliance with policy and legislative requirements.</p> <p>In designing our service we must also make sure we do not restrict flexibility. This can be achieved by ensuring a holistic approach to service design where waste treatment and disposal services flex to the needs of the waste collection service. This could include avoiding long contracts that restrict the council to any particular approach for an extended period of time.</p> <p>The Waste-TFG are also keen to explore introducing changes gradually over time to give residents and business customers time to adjust to new services. This may be also be beneficial to align service provision with promised government funding to support the delivery of the service.</p>

13	Options 2 and 3 are progressed to public consultation with feedback and preferences used to inform the council's decision on its preferred approach. Progressing Option 1 is not recommended.	<p>The Waste-TFG understand that no option is without merit or risk however both option 2 and 3 best fulfil the priorities, objectives and recommendations of this report. Option 2 as the best performing option and Option 3 as the governments preferred approach in the RWS 2018.</p> <p>The council should consult with residents, business users and key stakeholders to obtain their views on these two approach to providing the service. The consultation should highlight future requirements and the need to change and ask for views on how best those changes can be delivered.</p>
14	In designing a new service the council should ensure it incorporates features that will enable it to meet the objectives and recommended detailed in this report	<ol style="list-style-type: none"> 1. Design of the service enables the collection of high quality materials for recycling to ensure they are useful, valuable and in use for as long as possible to help protect natural resources in accordance with circular economy values. 2. The service is designed from the outset to be capable of meeting a 65% recycling and composting target for all the waste collection by the council. 3. Residual (general waste) capacity should be restricted in order to encourage the use of recycling and food waste collection, for example by smaller bin size or reduced collection frequency. 4. Reasonable and practical alternative collection options are provided to households where the nature of development makes it challenging to accommodate the standard collection service. For example providing different containers and or an increased frequency of collection. 5. Flexibility of service should be built in where possible, for example: <ol style="list-style-type: none"> a. By ensuring waste treatment and disposal arrangements dovetail with those for waste collection, for instance by aligning contract periods. This will ensure that treatment and disposal arrangements do not constrain opportunities to make changes to waste collection services. b. By having more flexible shorter term contractual arrangements with a range of providers to more easily flex to changes in materials collected for recycling. 6. A charge for garden waste collections should be made if permitted (to continue to encourage those residents able to do so, to compost at home). 7. The same opportunities provided for householders for recycling will be offered to commercial (trade waste) customers at a charge 8. Social value will be maximised through re-use initiatives, education and training. 9. The service will incorporate effective communications and initiatives to support provision of the service and encourage positive public behaviours to benefit the service (e.g. waste prevention, proper use of recycling services).

15	<p>The council commissions work to understand what changes to its disposal service will be required to best manage the materials arising from the waste collection service options.</p>	<p>The council commissions a piece of work to understand what changes to its disposal service will be required to best manage the materials arising from the waste collection service options detailed in the analysis above. A better understanding of the changes required to existing waste treatment and disposal service will inform requirements to support the delivery of the waste collection options outlined in this report. As a priority the council should seek to understand what changes are required to:</p> <ul style="list-style-type: none"> • Waste Transfer Stations, to understand how best materials collected could be accepted and stored for onward transport to treatment facilities elsewhere, and what required changes to existing transfer stations would be required, and:- • Waste Treatment Facilities, to understand current waste treatment methods and capacity, what waste treatment facilities are required, and if there are any opportunities for developing more effective and resource efficient solutions for dealing with the materials collected. • A full analysis of potential markets for materials arising from the new service and opportunities for local processing to be commission alongside public consultation to inform decision on preferred approach.
16	<p>An early study is undertaken to evaluate if any existing AD facilities could be utilised for the treatment of food waste in Herefordshire.</p>	<p>The Waste-TFG recognise that Anaerobic Digestion facilities are likely to be required to treat food waste collected in Herefordshire. Although there are a number of options such as developing our own facility, using existing out of county facilities, the option of converting an existing agricultural facility may be advantageous. A study engaging with existing operators would reveal if there is any appetite and possibility for this. The Waste –TFG believe this could also provide added incentives in discouraging the use of energy crops to as feedstock.</p>
17	<p>The council should seek to agree an approach with Worcestershire County Council on how their joint Energy from Waste (EFW) facility will be managed and operated to the mutual benefit of both council's on expiry or extension of existing arrangements</p>	<p>Even if the council were able to meet or exceed the governments expected target of 65% recycling by 2035 there will remain a need to treat residual waste arising from Herefordshire's waste management service. Energy from Waste (Incineration) remains the only reasonable alternative to landfill for residual waste treatment so sending waste to our own shared EFW is expected. However the Waste-TFG wish to see the plant optimised by generating heat as well as power and other options to maximise the efficiency of the facility explored and implemented where advantageous to the two councils both financially and environmentally (through reducing the impact of residual waste treatment on climate change). Any excess tonnage capacity created from increased recycling should be sold to generate commercial revenue for the two councils.</p>
18	<p>Waste Management Team is augmented with required staff and resource to plan, commission and implement new services and manage our new arrangements.</p>	<p>The Waste-TFG consider it is essential to replace our Waste Disposal Team Leader as soon as possible and to create 3 new posts. A Waste Strategy Officer to provide support to the current post in developing the contract(s) and researching collection and disposal options. A Waste Communications Officer to lead the process of public engagement. They will need to be supported by an Administration Officer. These new posts are required no later than 1st April 2021 and will need to be in place until at least 31st December 2025 to allow for bedding in of the redesigned waste collection services. The cost of these new posts is insignificant in terms of contract value and the financial and reputational impacts of getting this decision wrong. They will also be significantly less than the cost of bringing in consultants to bail us out at the 11th hour if we continue to rely on a single officer to deliver this. Further resource is likely to be required to appoint legal, financial and technical advisers as required, particularly in support during any procurement. Investing in building the capability in the team will however minimise the need for expensive consultants as well build a more capable team to manage and continue to develop the service.</p>

19

The council should maintain the Waste-TFG as a cross party member group to provide oversight and support to officers until implementation of new services in early 2024.

A cross party member working group will help include political groups throughout the process of planning, commissioning and implementing new services. It can help provide support to officers in offering balanced views and guidance. This group should help to re-enforce the governance processes of the council to ensure that decisions are made in the best interest of the council and its residents.

APPENDIX 3 WASTE COLLECTION OPTIONS ASSESSMENT (2019)
PROVIDED AS SEPARATE DOCUMENT



m.e.l
research

**Rubbish and recycling
consultation**

Herefordshire Council

Final report

March 2021



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Project details and acknowledgements

Title	Rubbish and recycling consultation
Client	Herefordshire Council
Project number	20119
Author/s	Sophi Ducie, Sam Jones and Jenny Chen
Research Manager	Sophi Ducie
Reviewed by	Jenny Chen

M·E·L Research would like to thank Herefordshire Council's communications team in helping to promote the survey during these challenging times as well as all the residents and businesses who provided feedback.

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KEY FINDINGS AT A GLANCE

Rubbish and recycling consultation 2020/21



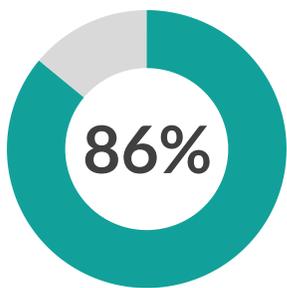
Produced by M-E-L Research on behalf of Herefordshire Council

Herefordshire Council needed to gather feedback from residents on the future of rubbish and recycling collections. The council's current rubbish and recycling contract is coming to an end in 2023. Since the current service was introduced, the government announced a new national resource and waste strategy and the council will have to ensure it meets the new requirements. In addition, in 2019 the council declared a Climate Emergency and has an ambition to make changes to bring about a more sustainable county. The council has already done a great deal of work gathering information to help inform any future decisions. The last stage was to gather feedback from both residents and businesses.

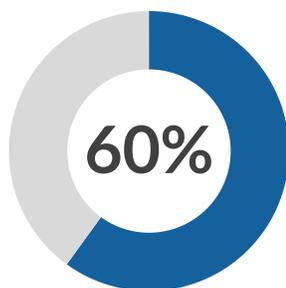
During December 2020 to February 2021, an online survey was circulated to gather this feedback. The consultation was promoted on the council website, social media pages, other media publications and emails were sent to a representative sample of residents. Trade and non-trade waste customers were sent an email to take part in the business survey. This section presents the key findings of the research. Overall, 3,498 resident and 181 businesses provided feedback.

Attitudes and perceptions

(% total positive score)



agree that more needs to be done to reduce rubbish and increase recycling



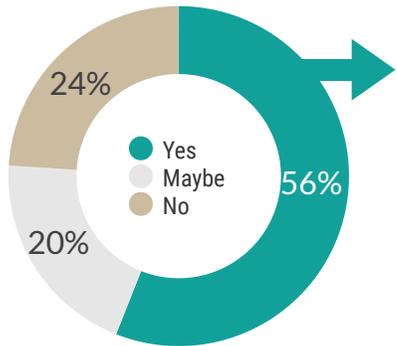
accept the need for the council to change the current rubbish and recycling

Relationship between priority & frequency of selection



Food waste usage

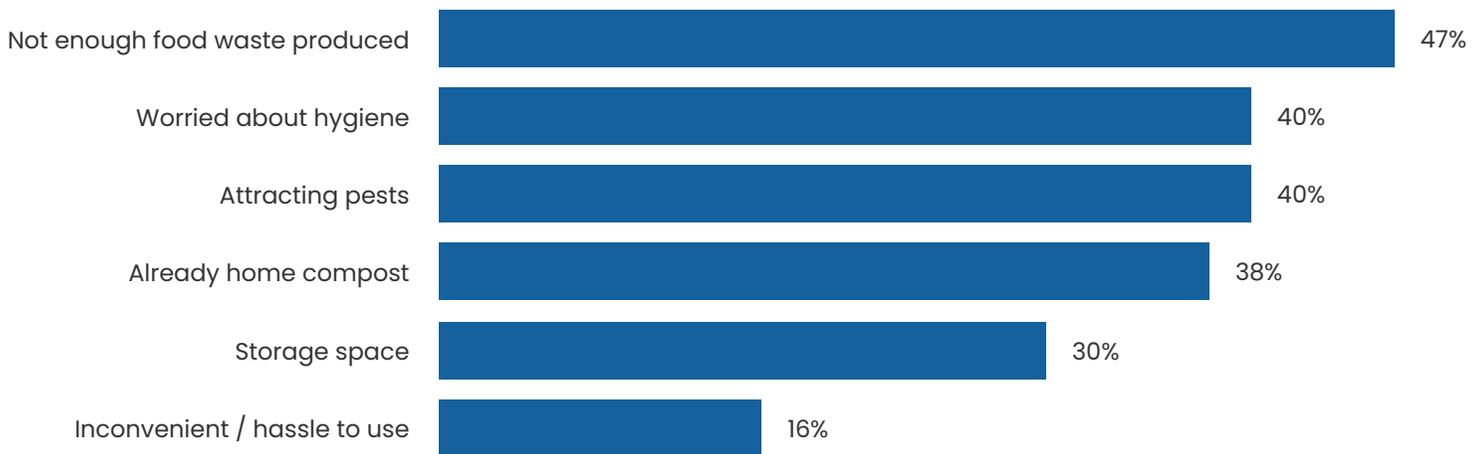
56% said they would use a weekly food waste collection if provided



Concerns to using the service...

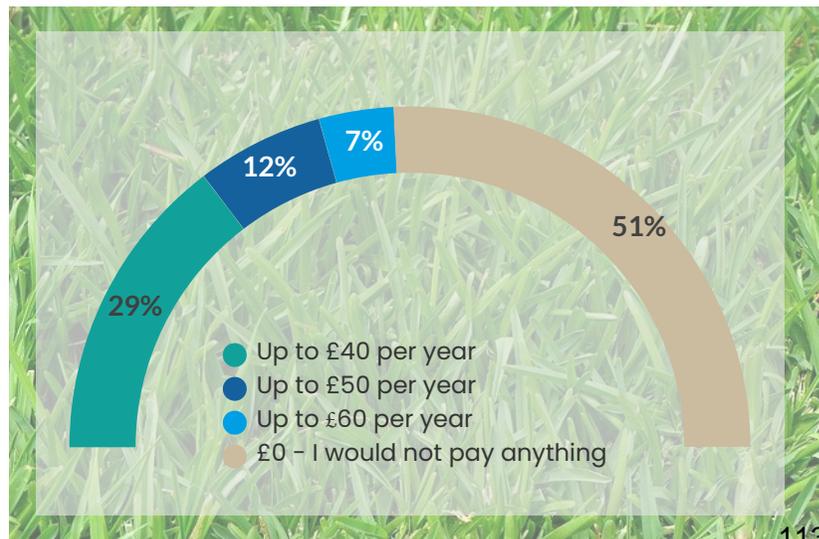


Why residents said 'maybe' or 'no' they would not use a food waste collection...



Garden waste collections

49% said they would pay for a council garden waste collection



The future of rubbish and recycling collections

Option 1



- Alternative 3 weekly collection of dry recycling (2 x wheeled bin)
- 3 weekly collection of rubbish
- Fortnightly collection of garden waste
- Weekly collection of food waste

Option 2



- Weekly collection of dry recycling (boxes)
- Fortnightly collection of rubbish
- Fortnightly collection of garden waste
- Weekly collection of food waste

Preference for options:

53%

47%

Reasons for preference:

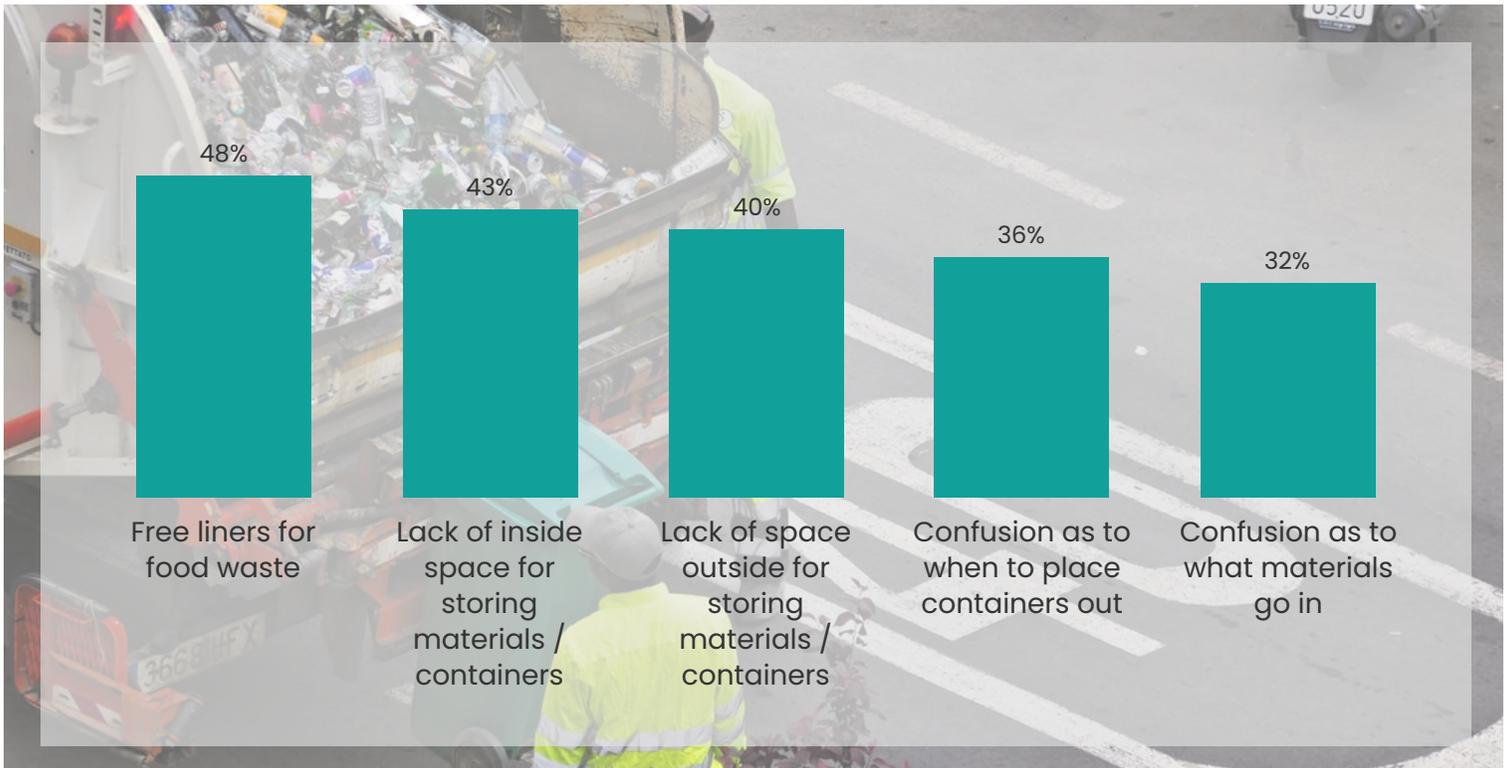


- Bins will be easier to use
- Easier, simple, convenient and straight forward e.g. no need to separate materials
- Boxes will create a mess / boxes not covered

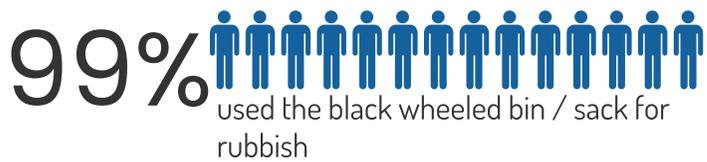


- General rubbish / recycling needs to be collected more frequently
- More frequently collected
- Easy and simple to use e.g. collection schedule

The council needs to consider the following (top 5):



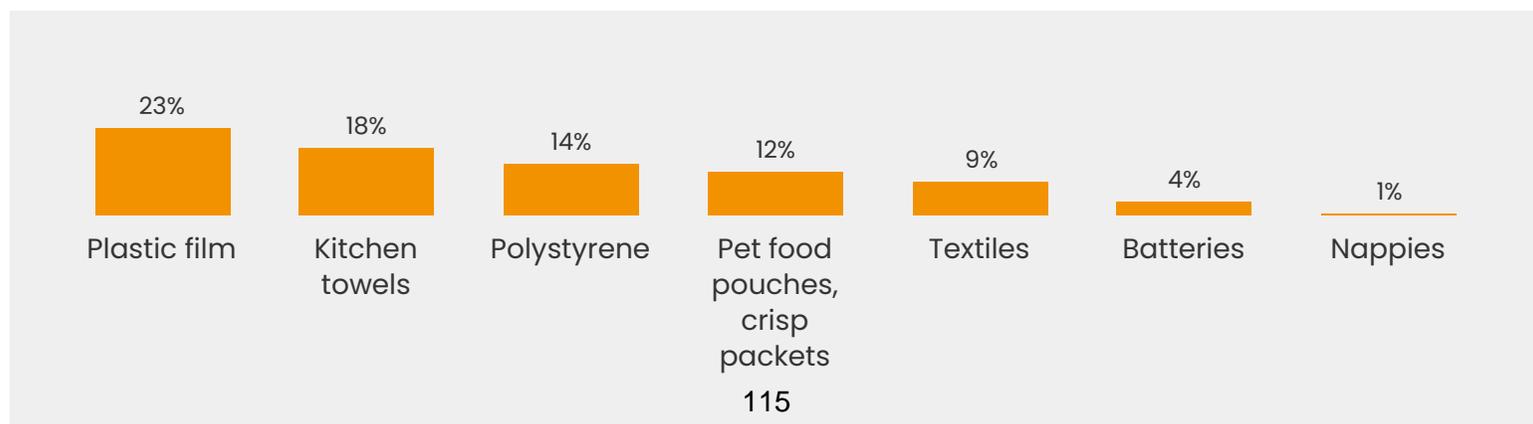
Claimed usage of current services



Materials recycled in the green wheeled bin / clear sacks (top 6):



Four in ten said they placed at least one type of non-requested material in the green wheeled bin / clear sacks

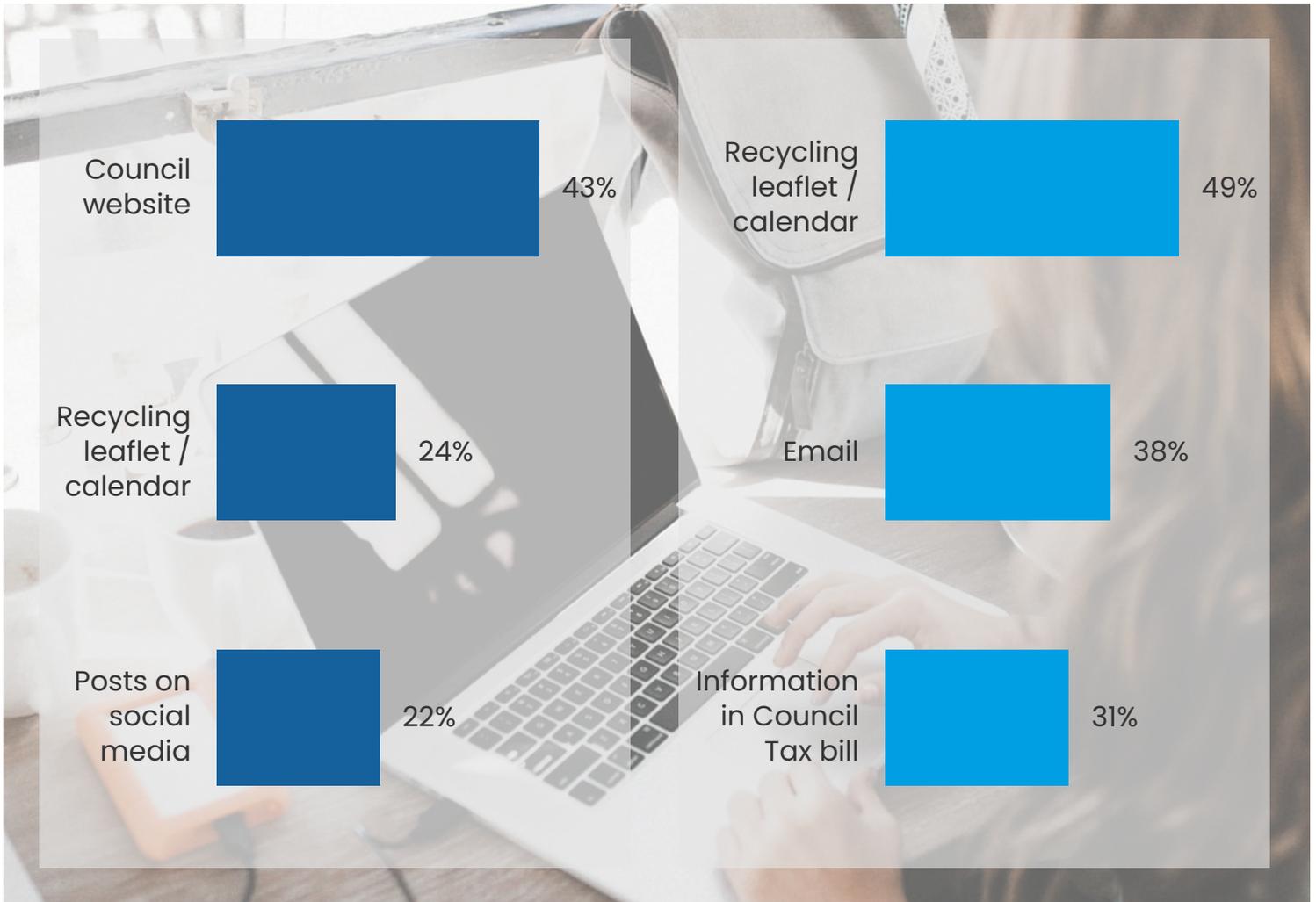




said they either 'frequently' or 'occasionally' contact the council

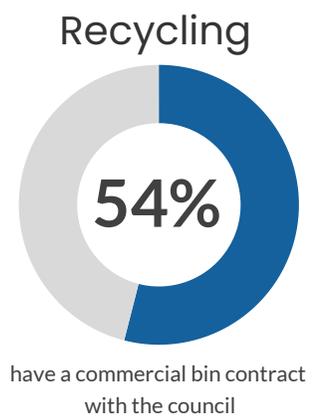
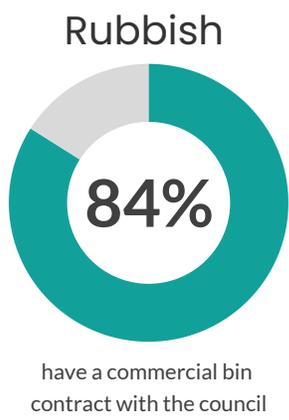
Where advertisements & information on rubbish & recycling services has been seen or heard (top 3):

Preferred way of receiving information about rubbish & recycling services (top 3):



BUSINESS SURVEY

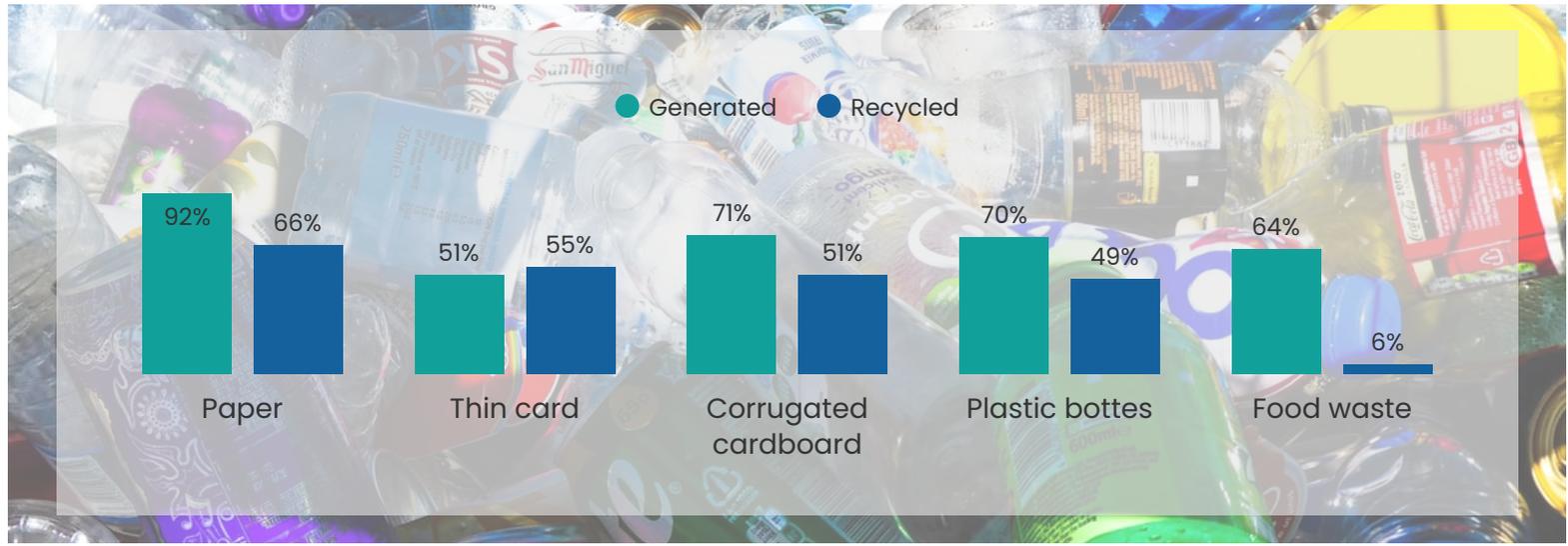
Current disposal methods



73% Stored their rubbish & recycling outside on their own land on collection day

19% Stored their rubbish & recycling outside on public land on collection day

Materials generated and materials recycling (top 6):



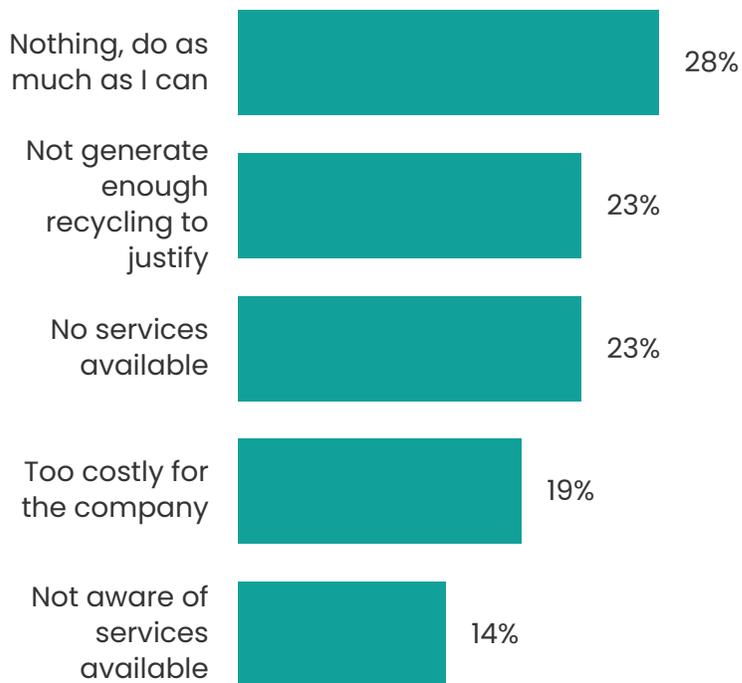
Opportunities to improve recycling

Materials businesses would like to recycle (top 5):

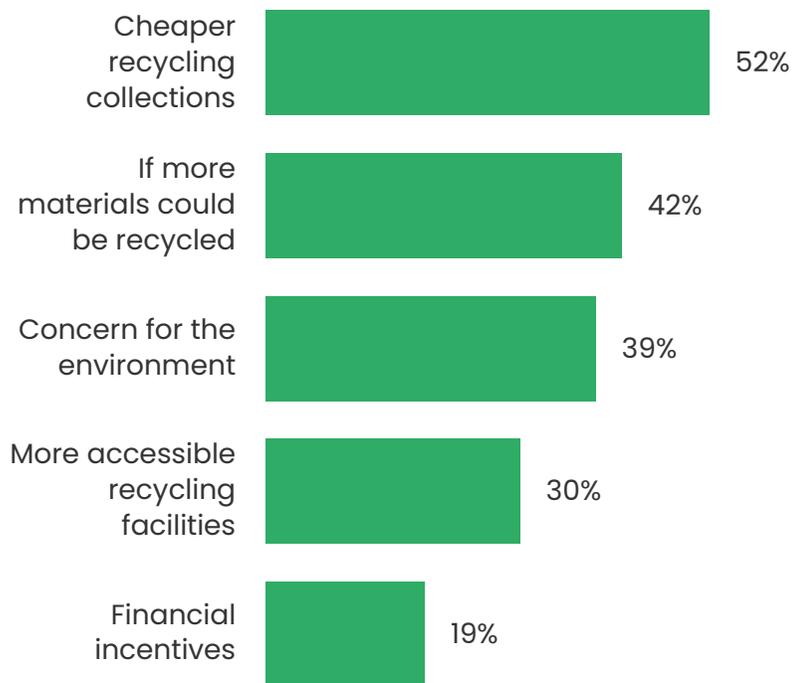


Barriers to recycling more

What stops businesses from recycling (Top 5):

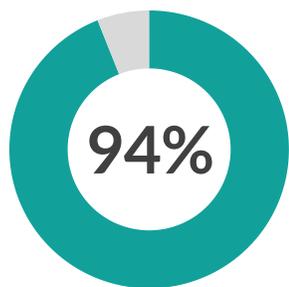


What would encourage your business to recycle more (Top 5):

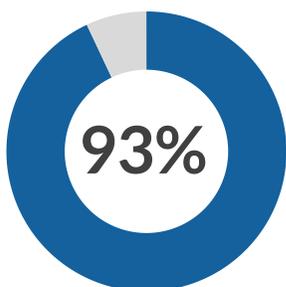


Scoping the future of service delivery

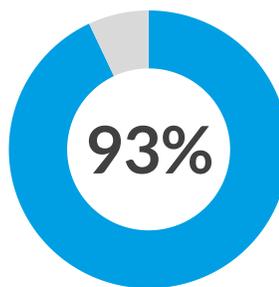
% very / fairly important



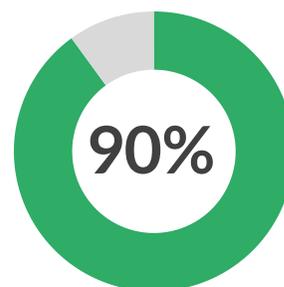
managing waste safely & legally to deliver better environmental outcomes



making efforts to increase the amount of waste diverted for re-use



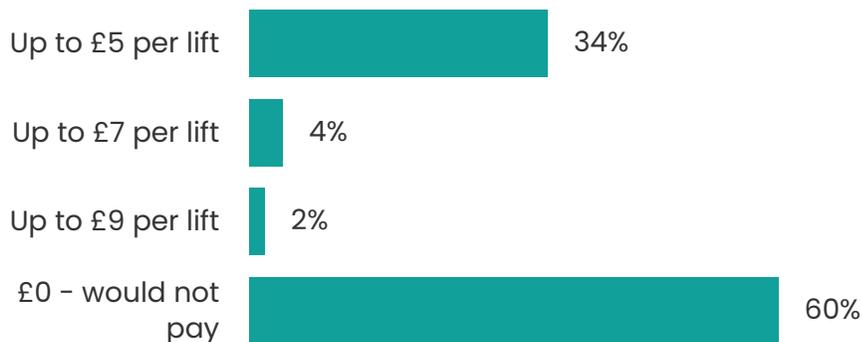
making efforts to increase the amount of waste recycled



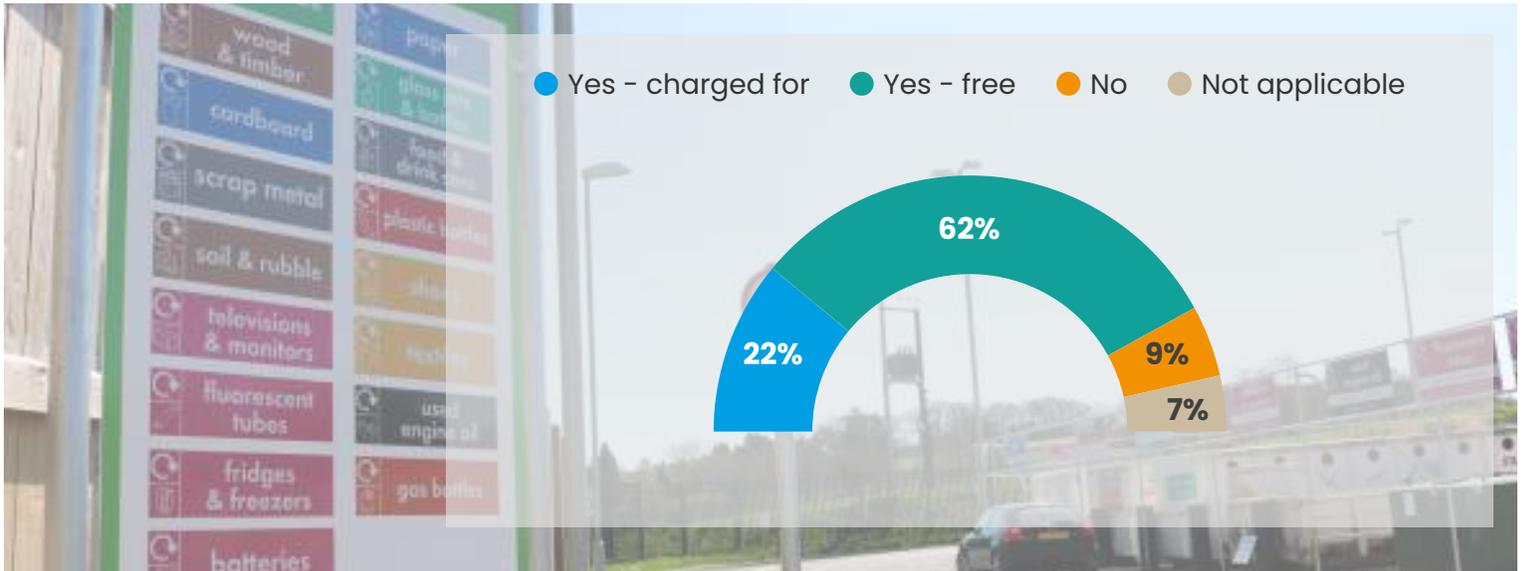
promoting sustainable resource use across the business



Willingness to pay for a food waste collection



Willingness to use a Commercial Recycling Centre



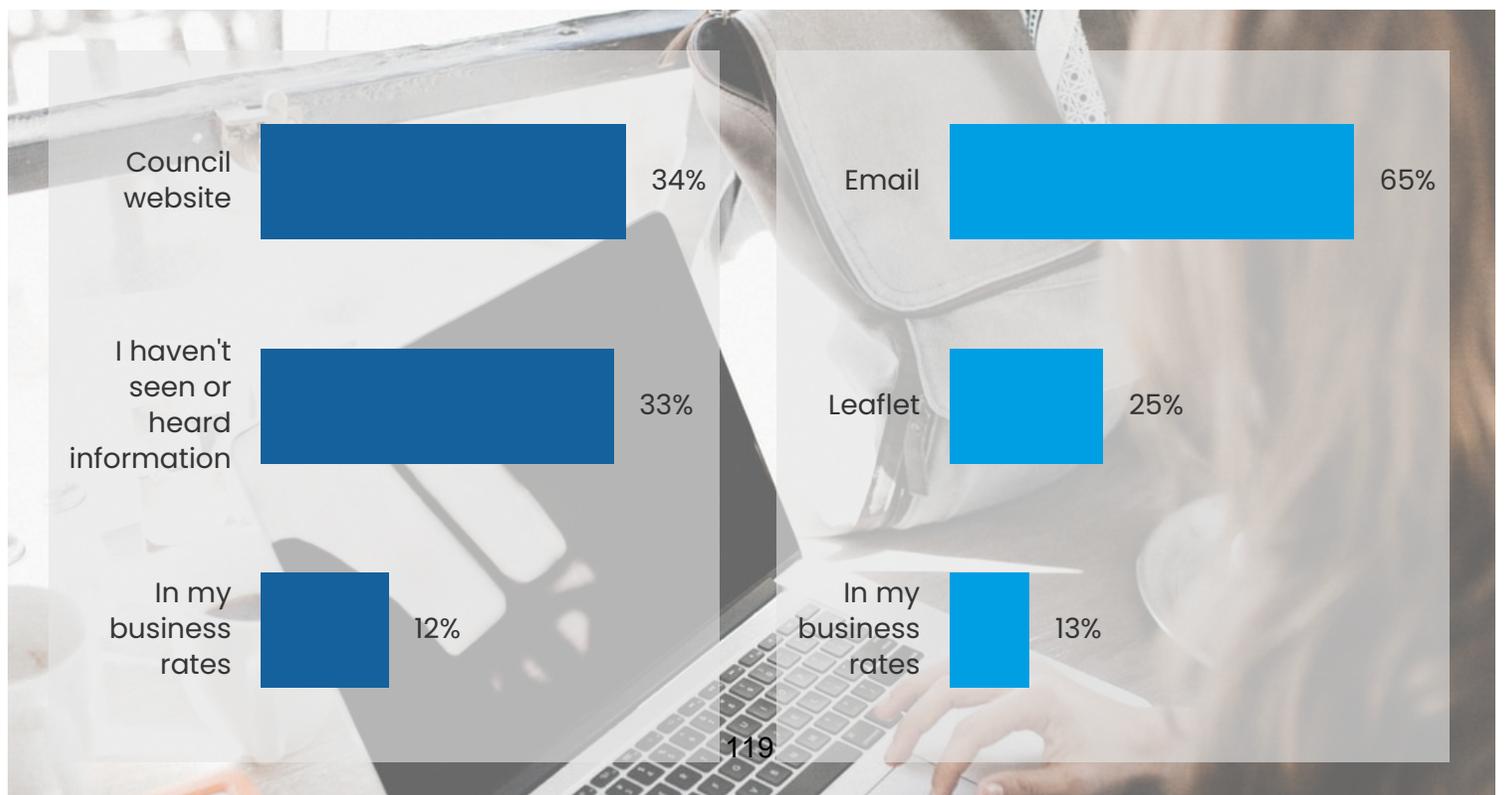
Communication and information



said they either 'frequently' or 'occasionally' contact the council

Where advertisements & information on business rubbish & recycling services has been seen or heard (top 3):

Preferred way of seeking or receiving information about business rubbish & recycling services (top 3):



Introduction

Research context

Central government published a new national waste strategy in December 2018. The government's national waste strategy, "[Our Waste, Our Resources: A Strategy for England](#)" contains objectives for dealing with the nation's waste, and suggestions for how these objectives can be achieved. This means that the items that are collected in Herefordshire and the way they are collected will need to change so that they are compliant with the strategy.

The council has an ambition to make changes to bring about a more sustainable county and in 2019 they declared a Climate Emergency. By reviewing the way they collect rubbish and recycling they may be able to bring about large reductions in carbon emissions in response to the Climate Emergency.

In addition to this, the council's existing collection and disposal arrangements are coming to an end in 2023. These events have provided the council with the opportunity to better understand residents' and businesses' views on the future rubbish and recycling services and likely demands of the service. This is alongside the council's own aspirations for environmental protection, resource efficiency and carbon reduction.

Prior to the consultation, the council has already done a great deal of work gathering information to help inform any future decisions, such as:

- **General Overview and Scrutiny Task and Finish Group** - A Task and Finish Group (TFG) with councillors from all political parties was established to work with officers to explore options, provide findings and make recommendations on how the council should approach these challenges. The final report can be viewed [here](#).
- **Comparison with services elsewhere** - The council has considered a range of services provided elsewhere, focussing on those local authorities that have similar rural characteristics to Herefordshire.
- **Rubbish and recycling collection service options modelling** - This assessment used a modelling tool and an appraisal of associated costs with subsequent recycling, treatment and disposal, to provide an indicative total cost of each collection system. This will help the council better understand the financial aspects of different collection systems.

The next step of work was to get the views and opinions of Herefordshire residents and businesses to make sure they are fully considered, prior to any future changes. Following the completion of the resident and business survey, the recommendations will be reviewed, and the preferred option will be approved by Cabinet in Spring 2021.

Methodology

The consultation was carried out between November 2020 and February 2021, amidst the coronavirus pandemic therefore our methodology selected was limited to mainly self-selection approaches. The consultation primarily used an online survey approach, but to make it as inclusive as possible, residents were able to request postal and telephone surveys.

Due to the pressures placed on businesses during the consultation period e.g. businesses remaining closed etc. we had to be sensitive in the way we communicated with organisations about the consultation. Therefore, the level of promotion around the business survey was limited.

	Resident survey	Business survey
Target population	Residents in Herefordshire	Businesses operating in Herefordshire
Survey length	Average of 10 mins	Average of 7 mins
Survey period	7 th December 2020 to 7 th February 2021	
Sampling method	Open online link	
Data collection method	Self-completion	
Total sample	3,498	181

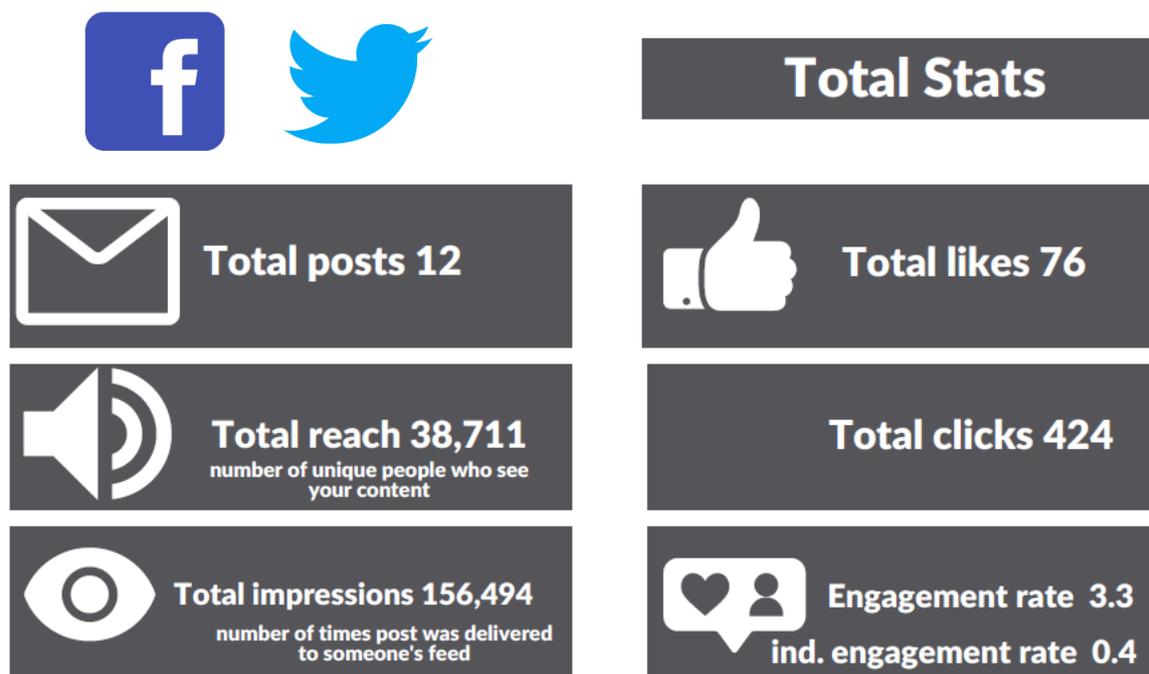
Communication and promotion of the consultation

7th December 2021 – consultation opens

- | | |
|--------------------------------|---|
| 7 th December 2020 | <ul style="list-style-type: none">▪ Press release sent to local media and posted on council website newsroom▪ Online survey sent to a representative sample of residents via email (n=8,000)▪ Survey promoted on the council’s Facebook and Twitter pages throughout the consultation period (<i>please see image 1 overleaf for social media statistics</i>).▪ Webpage banner on recycling pages & links to survey added to all council’s Waste Management emails / auto response e.g. booking confirmation/purchases |
| 14 th December 2020 | <ul style="list-style-type: none">▪ Reminders sent out to representative sample of residents via email |
| January 2021 | <ul style="list-style-type: none">▪ Paid for print in newspaper to promote survey |
| 13 th January 2021 | <ul style="list-style-type: none">▪ Engaged with universities / colleges to promote survey online to students |
| 28 th January 2021 | <ul style="list-style-type: none">▪ Engaged with business support organisations to promote survey online to their members |

7th February 2021 at midnight - Consultation closes

Image 1: Facebook and Twitter statistics



Statistical reliability

The survey findings are based on results of a sample of Herefordshire residents and are therefore subject to sampling tolerances. Best practice for surveys of this nature is to obtain a confidence interval of $\pm 3.0\%$ (based on a 95% confidence level using a 50% statistic) by achieving approximately 1,100 completed surveys.

The lower the confidence interval the greater the confidence you can have in your results. Table 1 below shows the confidence intervals for differing response results (sample tolerance).

For the resident survey, 3,498 residents completed the survey, this returns a confidence interval of $\pm 1.6\%$ for a 50% statistic at the 95% confidence level. This simply means that if 50% of residents indicated they agreed with a certain aspect, the true figure (had the whole population been surveyed) could in reality lie within the range of 48.4% to 51.6% and that these results would be seen 95 times out of 100.

For the business survey, 181 businesses took part in the consultation which gives us a confidence interval of $\pm 7.2\%$ for a 50% statistic at the 95% confidence level.

Table 1: Surveys completed overall

Size of sample	Approximate sampling tolerances*		
	50%	30% or 70%	10% or 90%
3,498 resident surveys	±1.6	±1.5	±1.0
181 business surveys	±7.2	±6.6	±4.3

*Based on a 95% confidence level

Analysis and reporting

The online survey is a self-selection methodology which means residents were free to choose whether to participate or not. It is anticipated that returned responses would not necessarily be fully representative of the target population.

Weighting

As part of the analysis process, the combined data from online, telephone and postal surveys was weighted by age group, gender and Acorn¹. This ensures that it more accurately matches the known profile of Herefordshire. The procedure involves adjusting the profile of the sample data to bring it into line with the population profile of Herefordshire. For example, in the survey the final sample comprised of 38% men and 62% women. Census data tells us that the proportion should be 49% men and 51% women. To bring the sample in line with the population profile we applied weights to the gender profile. The same process was repeated for the remaining subgroup profiles.

The resident survey results presented in this report have been weighted but for comparison purposes, where appropriate, the unweighted results have also been presented in charts.

Statistical tests

Differences in views of sub-groups of the population were compared using a statistical test (z test²) and statistically significant results (at the 95% level) are indicated in the text. Statistical significance means that a result is unlikely due to chance (i.e. it is a real difference in the population) and that if you were to replicate the study, you would be 95% certain the same results would be achieved again. As the combined sample for this research was weighted to be representative by age group, gender and Acorn, analysis for other sub-groups will be indicative only. This excludes ethnicity, if there were

¹ Acorn is a classification system that segments the UK population by analysing demographic data, social factors, population and consumer behaviour. Acorn is broken down into three tiers; 6 categories, 18 groups and 62 types.

² A statistical test to determine whether two population means are different when the variances are known and the sample size is large.

children in the home and Rural Urban Classification as these were already representative before weighting.

Presentation of data

Owing to the rounding of numbers, percentages displayed visually on graphs and charts within this report may not always add up to 100% and may differ slightly when compared with the text. The figures provided in the text should always be used. Where figures do not appear in a graph or chart, these are 3% or less. The 'base' or 'n=' figure referred to in each chart and table is the total number of residents responding to the question with a valid response.

Sample sizes indicated with a '*' should be interpreted with caution due to the small sample size achieved.

Icon key:



Gender



Rural Urban Classification



Age group



Ethnicity



Acorn classification



Children in the home

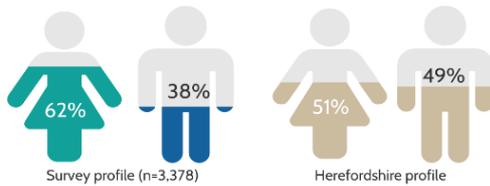
Residents survey

Whom we spoke to

Below is the unweighted socio-demographic results of respondents who took part in the survey and compared against the known profile of Herefordshire. The results presented in this report have been weighted back to the area profile to better reflect the profile of Herefordshire.

Gender

13 respondents preferred to self-describe across the survey period

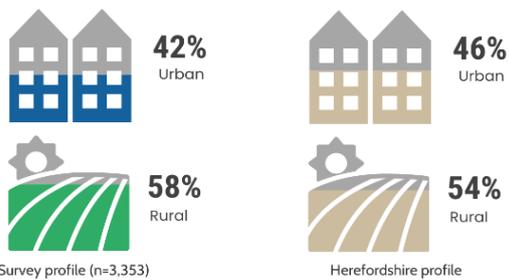


Age group

● 16-34 ● 35-44 ● 45-54 ● 55-64 ● 65+

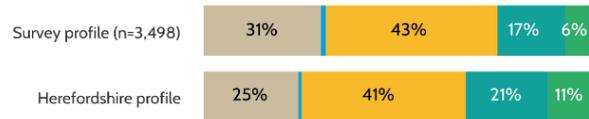


Rural / urban classification



Acorn Category

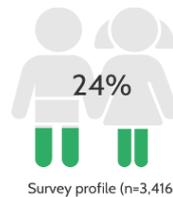
● 1 Affluent Achievers ● 2 Rising Prosperity
● 3 Comfortable Communities ● 4 Financially Stretched
● 5 Urban Adversity ● 6 Not Private Households



Long-term health problem or disability



Children in the home



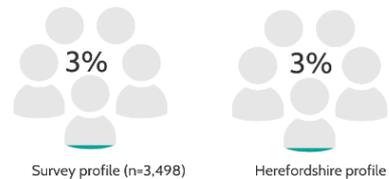
Household size

● 1 person ● 2 people ● 3 people ● 4 people ● 5 or more people

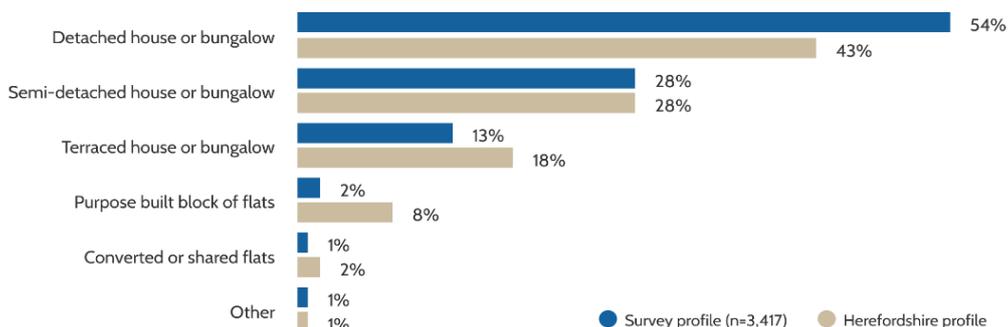


Ethnicity

Overall Black, Asian and other minority ethnic groups



Property type



Findings

Attitudes and perceptions

Section summary:

Residents fed back that the **future of rubbish and recycling services** in Herefordshire should **focus** on ensuring a **high recycling rate**. Almost **nine in ten** residents agreed that **more needs to be done** to reduce rubbish and increase recycling, although the **acceptance to change** to the current rubbish and recycling collection **came in lower**, with around six in ten accepting this. Women, the younger age groups, those living in less affluent areas and those with children in the home were more likely to accept the need for change.

Residents were asked to think about the future of rubbish and recycling services in Herefordshire and what aspects they thought the council should prioritise. Residents were asked to order their top 3 aspects in order from one to three (1st, 2nd and 3rd).

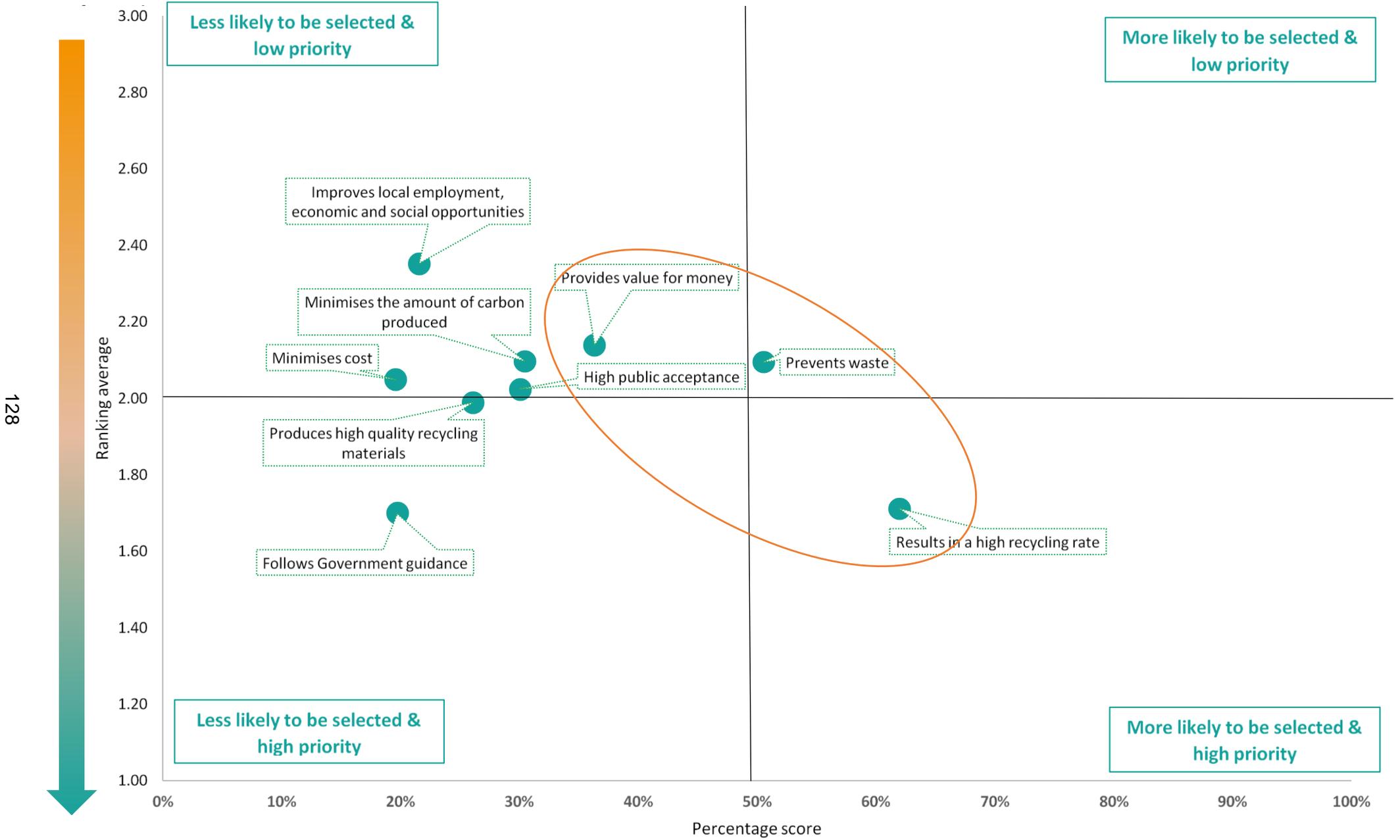
Figure 1 overleaf has been divided into four quadrants, with each quadrant representing the mean scores for each aspect and the percentage for each aspect. Each quadrant has been labelled as having high or low priority (the lower the score the higher the priority) and the percentage for how often that aspect was selected (regardless of what the aspects priority was e.g. 1st, 2nd or 3rd).

- 'Results in a high recycling rate' falls into the *'More likely to be selected & high priority'* quadrant. The council should therefore look to focus on these aspects. Other aspects the council could consider are 'prevents waste' and 'provides value for money'.
- This finding broadly aligns to recommendations of the council's Task and Finish group which reported³ in 2019 that the service should prioritise the prevention of waste (top priority). High recycling rates and providing value for money came in fifth and sixth place respectively.

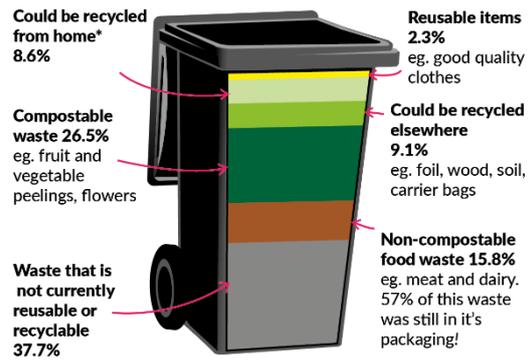
³

<https://councillors.herefordshire.gov.uk/documents/s50082806/Appendix%201%20for%20Task%20and%20finish%20group%20report%20-%20waste%20management%20strategic%20review.pdf>

Figure 1: Quadrant chart showing the average ranking (priority) for each aspect and the percentage of how often each aspect was selected



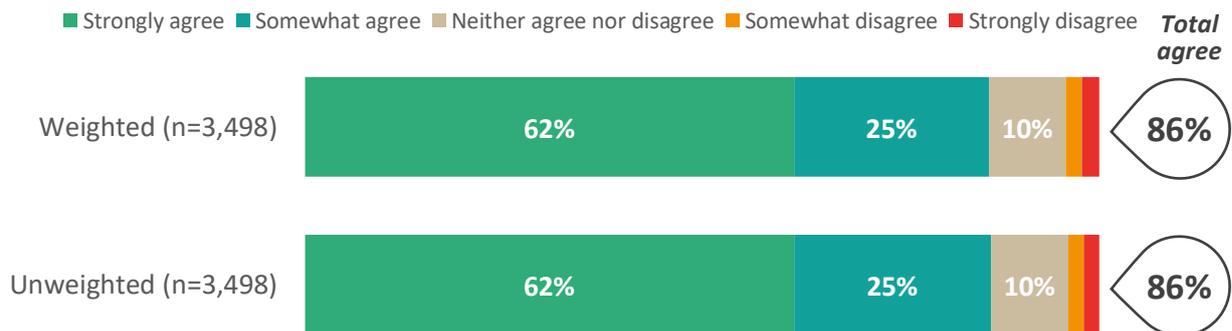
In 2019, the council carried out an analysis on the types of materials that were being placed into the black bin. They found that on average the black bin contained nearly 9% of materials that could be recycled at home and a further 42% consisted of food waste.



Residents were shown this information in the survey and then asked to what extent they agreed or disagreed that more needed to be done to reduce rubbish and increase recycling in Herefordshire.

- Overall, **86%** of residents either ‘strongly’ (62%) or ‘somewhat’ (25%) agreed with this and just 4% disagreed. While one in ten (10%) didn’t have any feelings either way (Figure 2).

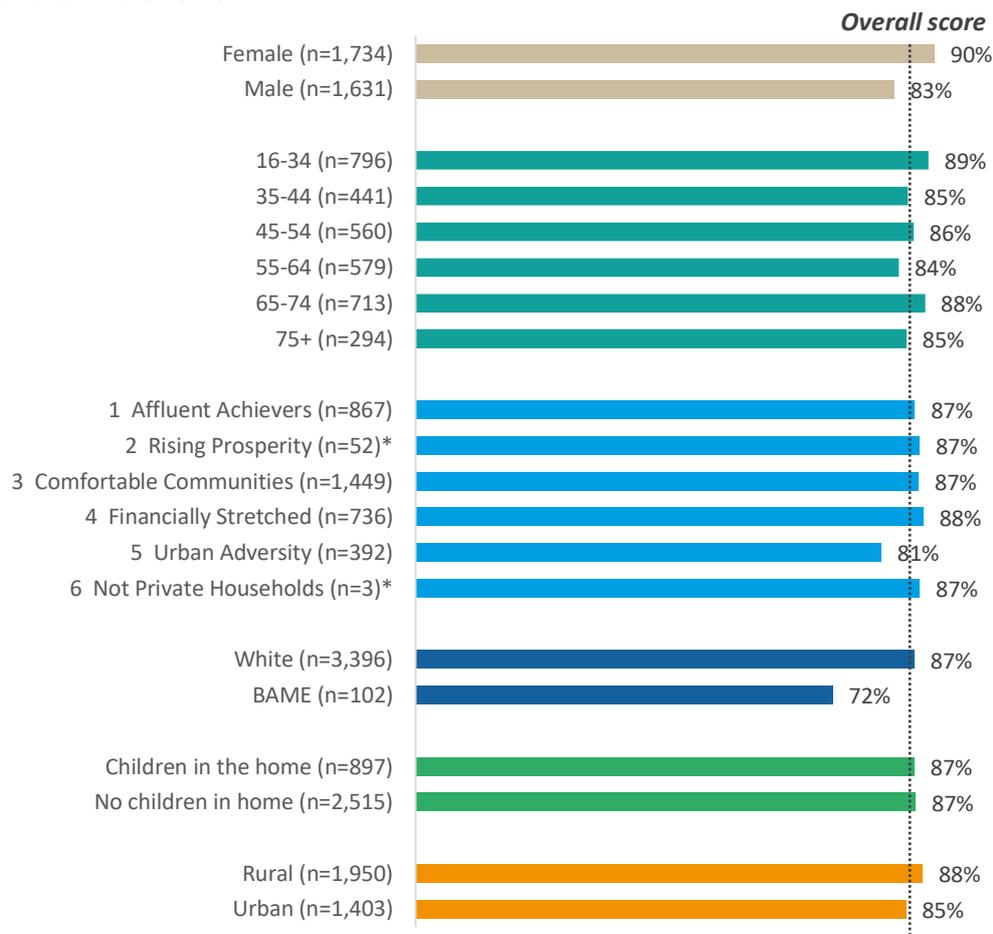
Figure 2: To what extent to you agree or disagree that more needs to be done to reduce rubbish and increase recycling in Herefordshire?



Sub-group analysis shows there were significant variations by age group and gender (Figure 3):

	<ul style="list-style-type: none"> Women were more likely (90%) to agree that more needs to be done to reduce rubbish and increase recycling compared to men (83%).
	<ul style="list-style-type: none"> Agreement across the age groups was fairly consistent, although those aged 65-74 were more likely to have agreed that more needs to be done compared to the 35-44 age groups.

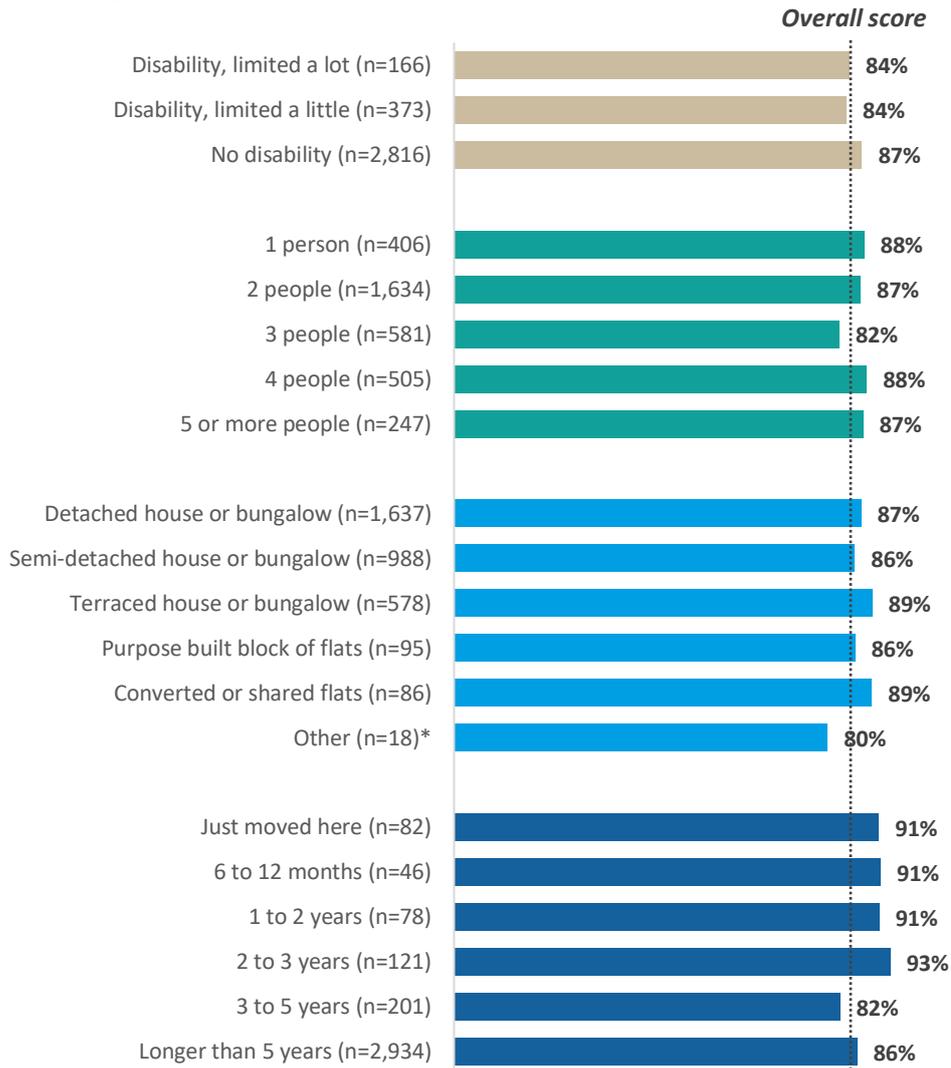
Figure 3: Total agreement by gender, age group, Acorn Category, Rural Urban Classification, ethnicity and children in the home



Indicative sub-group analysis

Residents agreeing that more needs to be done to reduce rubbish and increase recycling was fairly consistent across those with or without a disability, number of people in the household and property type (Figure 4). Residents who had been in the area for three years or more had lower levels of agreement with this. For example, 82% of residents who had been living in the area for between three to five years said they agreed with this, compared to 91% of resident who had lived in the area for one to two years.

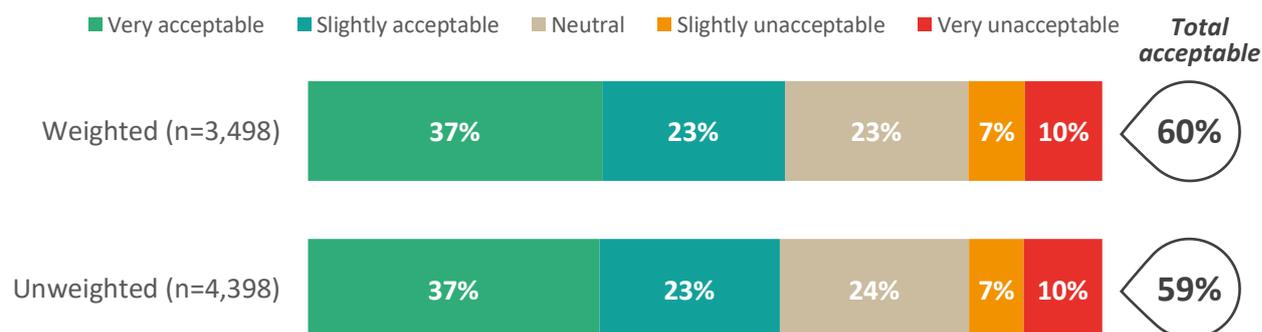
Figure 4: Total agreement by disability, household size, property type and length of time in the area



Residents were then asked to what extent they accepted the need for the council to change the current rubbish and recycling collection.

- Overall, 60% either said that this was 'very' (37%) or 'slightly' (23%) acceptable and 17% said that they did not accept the need for change. Almost a quarter (23%) had no feelings either way (Figure 5).

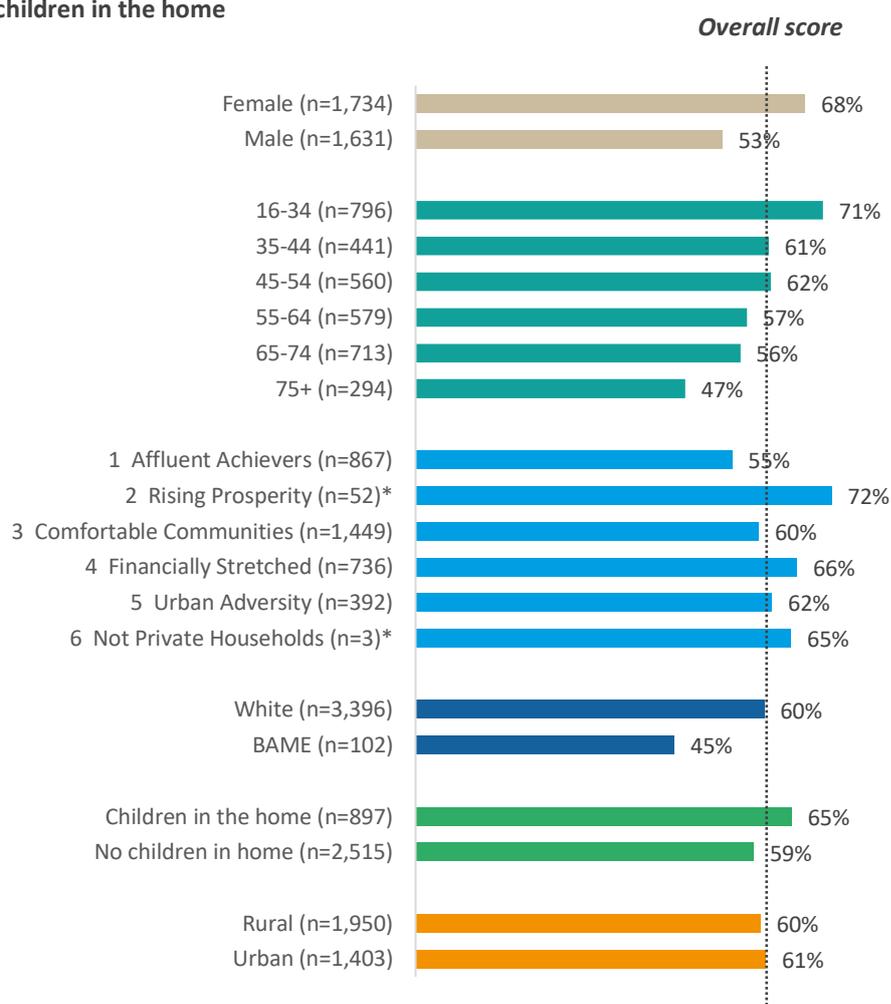
Figure 5: To what extent do you accept the need for the council to change the current rubbish and recycling collection?



Sub-group analysis shows there were significant variations by gender, age group, those with children in the home and Acorn category (Figure 6):

	<ul style="list-style-type: none"> Women were more likely to accept the need to change the rubbish and recycling services at 68%, compared to men at 53%.
	<ul style="list-style-type: none"> As age increased, the level of acceptance to change the services decreased. The youngest age group (16-34) were more likely to accept the need for a change, with 71% stating they accepted this. This is compared to the older age groups, for example, 47% of those aged 75 or older accepted this.
	<ul style="list-style-type: none"> Residents living in less affluent areas were more likely to accept the need to change the service. For example, 66% of residents living in households classified as Acorn 4 'Financially Stretched' accepted the need to change, compared to 55% of residents living in households classified as Acorn 1 'Affluent Achievers'.
	<ul style="list-style-type: none"> Those without children in the home had a lower level of acceptance (59%) compared to those with children in the home (65%). Although significantly more residents with no children in the home had no feeling either way (24%) compared to those with children (19%).

Figure 6: Total acceptance by gender, age group, Acorn Category, Rural Urban Classification, ethnicity and children in the home

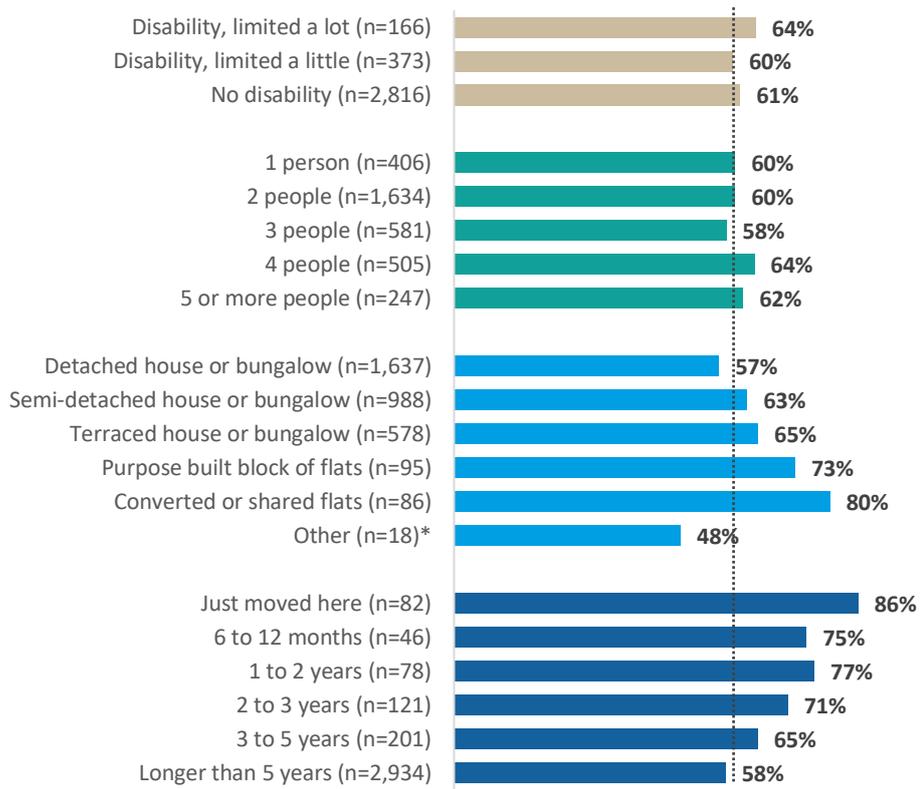


Indicative sub-group analysis

The level of acceptance with the need to change the rubbish and recycling collections varied by property type. Residents living in detached (57%), semi-detached (63%) and terraced (65%) properties were less likely to accept this, compared to those living in flats – who are more likely to have a shared /communal collection service (purpose built at 73% and converted/shared flat at 80%).

The longer a resident had lived in the area, the less likely they accepted the need for a change to the service. For example, 77% of those that had lived in the area for one to two years said they accepted this, compared to 58% of residents who had lived in the area for five years or longer (Figure 7).

Figure 7: Total acceptance by disability, household size, property type and length of time in the area
Overall score



Food waste collections

Section summary:

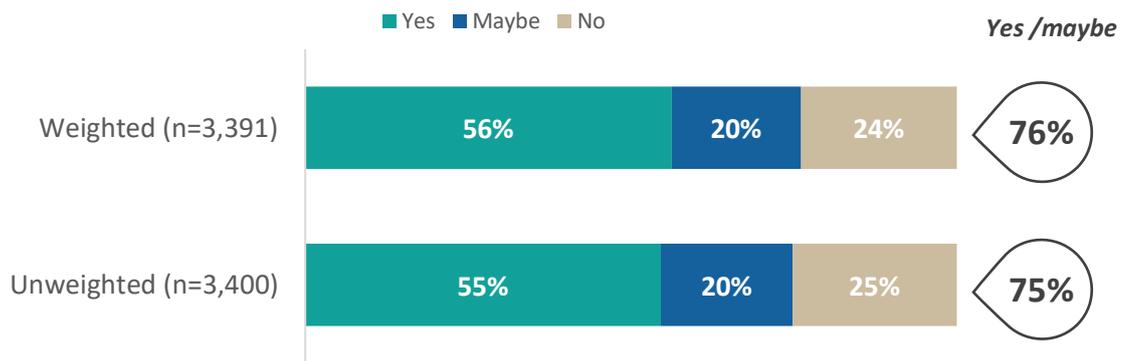
Potential uptake in a weekly food waste collection was positive, with almost **eight in ten** residents stating they **would use the service** if provided. Women, the younger age groups, those living in more deprived areas, urban areas and residents with children in the home were more likely to want to use the service. Residents who **did not want to use the service or were undecided** stated that they **did not produce enough food waste**, they already **home compost** or that they were concerned about **hygiene and pests**. The **older age groups** were more likely to feel they **do not produce enough food waste**, while the **younger age groups** were more concerned about **hygiene** and that the service would be **inconvenient or a hassle**. Residents living in **more affluent areas** were more likely to say they **would not use the service** as they **home compost** their food waste, this was similar for those living in more rural areas. Finally, those with **children in the home** that did not want to use the service were more likely to be concerned about **hygiene related issues**.

A third of residents who were happy to use the service said they **did not have any concerns in using a weekly food waste collection**. While around **two quarters** said that they were concerned around attracting **pests** and / or that they were worried about **hygiene**.

At the time of the consultation there was a lack of certainty in the government's resource and waste strategy, but it did outline that councils will have to provide a weekly food waste collection service for every household. To gauge future use of this service, residents were asked if they would use it if the council introduced a separate weekly food waste collection.

- Almost eight in ten (76%) residents said either 'yes' (56%) or 'maybe' (20%). Around a quarter (24%) said they would not use it (Figure 8).

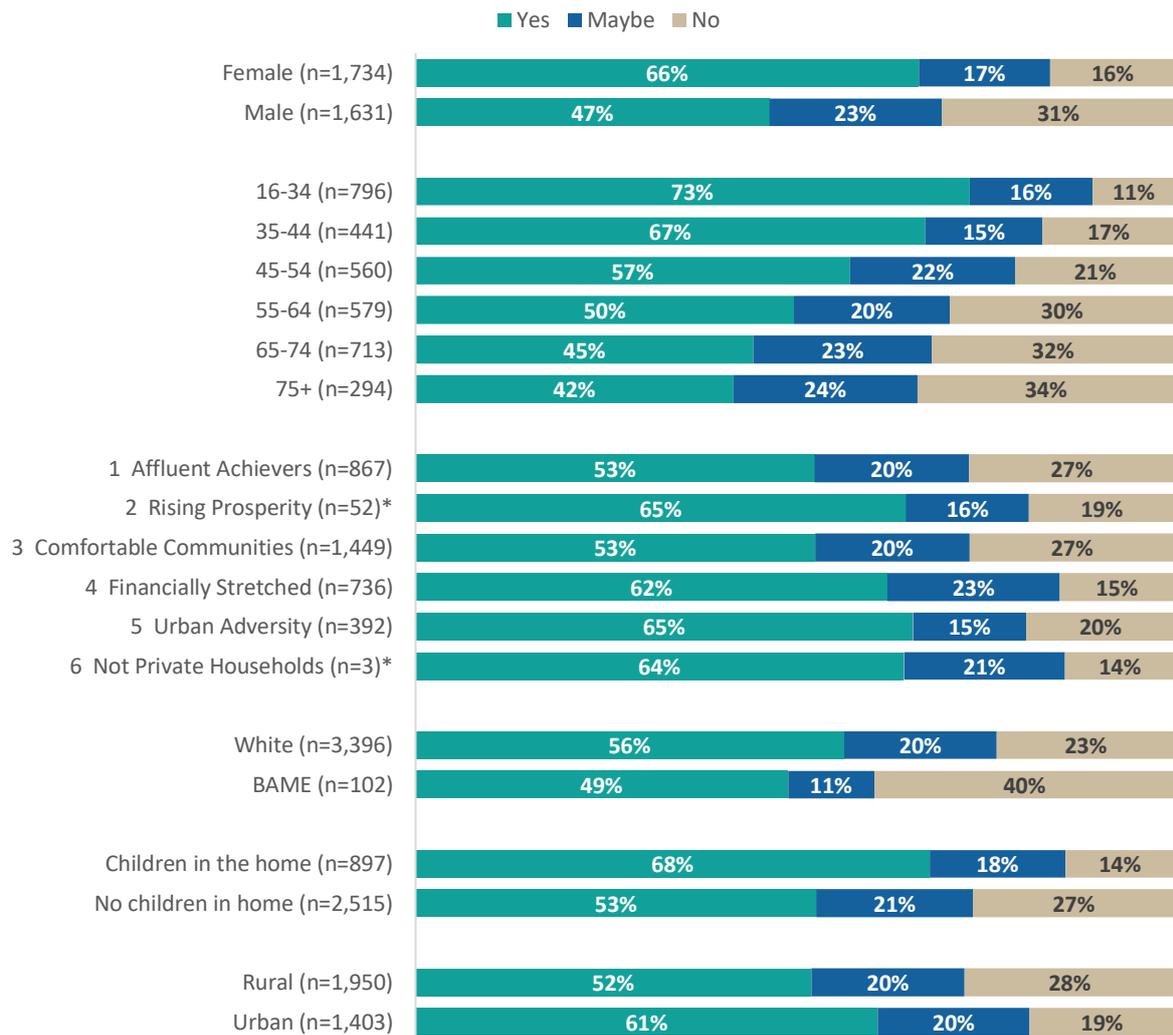
Figure 8: If the council introduced a separate weekly collection for food waste, would you use it?



Sub-group analysis shows there were significant variations by gender, age group, Acorn category Rural Urban Classification and those with children in the home (Figure 9):

	<ul style="list-style-type: none"> Women were more inclined to use a food waste collection compared to men. For example, 66% of women said they would use it, compared to men (46%).
	<ul style="list-style-type: none"> There were clear variations by age group, as age increased, so did the reluctance to use a food waste collection. For example, 73% of those aged 16-34 said they would use it, compared to 42% of those aged 75 or older.
	<ul style="list-style-type: none"> Residents living in homes that were classified as more deprived, were more willing to use or maybe use a food waste collection compared to those in more affluent homes. For example, 53% of those living in homes classified as Acorn 1 'Affluent Achievers' said they would use the service, compared to 65% of those living homes classified as Acorn 5 'Urban Adversity'.
	<ul style="list-style-type: none"> Residents living in rural areas were less likely to use a food waste collection, with 23% stating 'no' they wouldn't use it. While residents living in urban areas were more likely to say they would use it (61%).
	<ul style="list-style-type: none"> Residents who had children in the home were more likely to have said they would use a food waste collection at 68%. While those without children in the home were less likely to use the service if provided with 27% stating no.

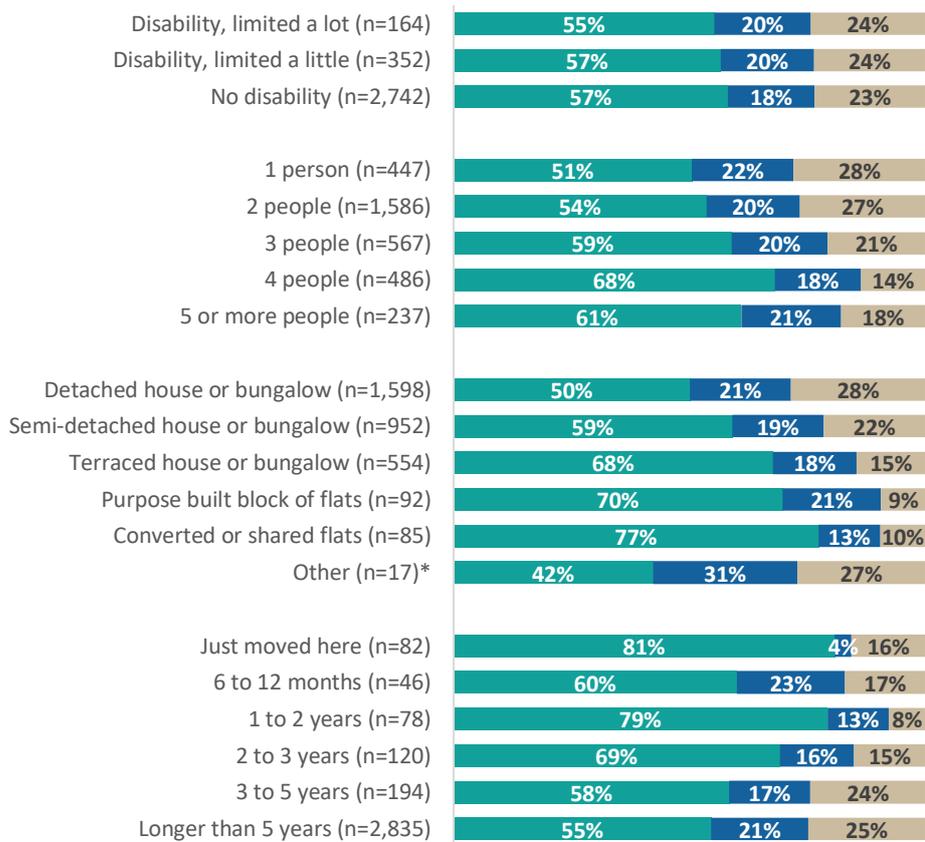
Figure 9: Use of food waste collection by gender, age group, Acorn category, ethnicity, children in the home and RUC



Indicative sub-group analysis

As household size increased, so did the desire to use a food waste collection. For example, 73% of homes with two people said they would use or maybe use the collection, compared to 86% of those with four people. When compared by property type, those in purpose-built flats or shared flats were more likely to say that they would use or maybe use the collection compared to other property types. For example, 91% of those living in purpose-built flats stated this, compared to 72% of those living in detached homes (Figure 10).

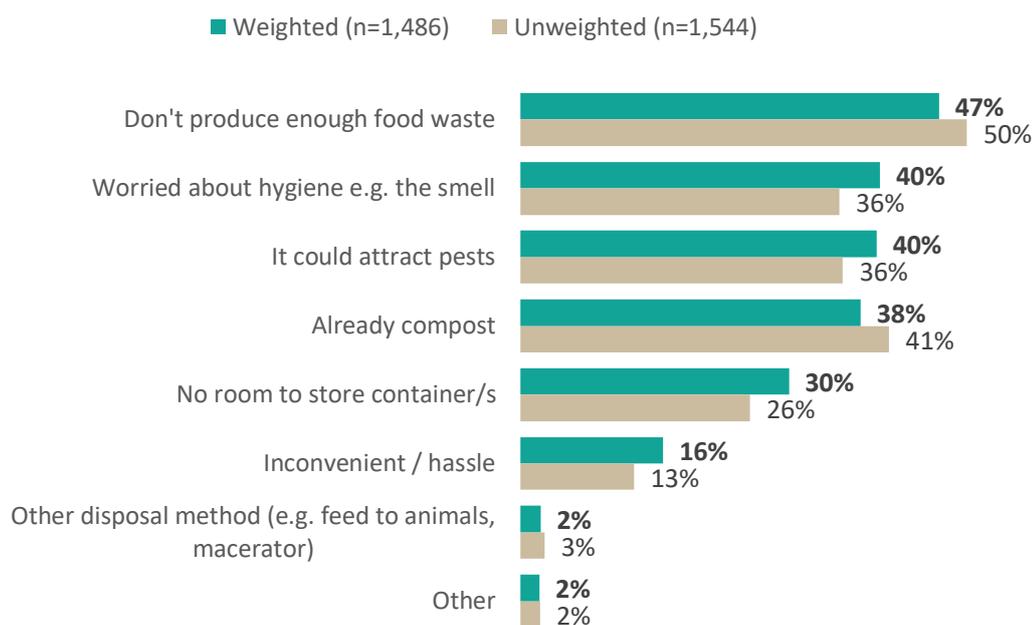
Figure 10: Use of food waste collection by disability, household size, property type and length of time in the area



Residents who said they would maybe or would not use a weekly food waste collection if provided, were asked why or what concerns they had (Figure 11).

- Almost half (47%) said that they did not produce enough food waste to warrant participation, followed by hygiene concerns such as it would attract pest and worried about hygiene (both 40%). 38% stated they home composted their food waste already. (Figure 11).

Figure 11: Why wouldn't you use it or what concerns do you have?



Sub-group analysis shows there were significant variations by age group, Acorn category, ethnicity, Rural Urban Classification and if there were children in the home (Table 12):

	<ul style="list-style-type: none"> Older residents were more likely to have said that they don't produce enough food waste to warrant using a service. For example, 61% of those aged 75 or older said this, compared to 25% of those aged 16-34. Concerns about hygiene were more likely to be claimed by the younger age groups. For example, 73% of those aged 16-34 stated this, compared to 26% of those aged 65-74. The service being inconvenient, or a hassle was more likely to have been mentioned by the younger age groups. For example, 31% of those aged 16-34 stated this, compared to 10% of those aged 65-74.
	<ul style="list-style-type: none"> Residents living in home that were more affluent were more likely to say that they home compost their food waste. For example, 45% of those living in homes classified as Acorn 1 'Affluent Achievers' said they home compost, compared to 15% of those living in homes classified at Acorn 5 'Urban Adversity'.
	<ul style="list-style-type: none"> Residents living in rural areas were more likely to say that they home compost at 48%, compared to urban areas (26%). Residents living in urban areas were more likely to have concerns about hygiene (49%), attracting pests (46%) and that they wouldn't have room to store containers (41%).

	<ul style="list-style-type: none"> ▪ BAME residents were more likely to have said that the service would be inconvenient or a hassle (32%) compared to non-BAME residents (15%).
	<ul style="list-style-type: none"> ▪ Residents with children in the home were more likely to have a range of concerns compared to those without children in the home. For example, concerns about hygiene (51%) and pests (50%) topped the list. This was followed by concerns with storing containers (45%) and the inconvenience or hassle of the service (22%).

Indicative sub-group analysis

The smaller the household size, the more likely they were to say that they would not use the collection because they do not produce enough food waste. For example, 72% of one person households said this compared to 30% of homes with five or more people. Hygiene and attracting pests were more of a concern for those in larger household sizes. For example, 53% of homes with five or more people said this was a concern, compared to 34% of two person households. Residents living in purpose-built flats were more concerned with where they would store containers with 63% stating this compared to other household types, for example, just 20% of those living in detached homes said this (Table 13).

Table 12: Why wouldn't you use it or what concerns do you have by gender, age group, Acorn category, ethnicity, children in the home and RUC

	Don't produce enough food waste	No room to store container/s	Worried about hygiene e.g. the smell	It could attract pests	Inconvenient / hassle	Already compost	Other disposal method (feed to animals, macerator)	Other
Female (n=567)	45%	31%	40%	41%	14%	38%	3%	2%
Male (n=847)	47%	29%	41%	39%	17%	38%	2%	2%
16-34 (n=207)	25%	57%	73%	68%	31%	25%	0%	1%
35-44 (n=142)	39%	41%	54%	53%	20%	31%	1%	4%
45-54 (n=234)	42%	35%	42%	41%	19%	31%	3%	2%
55-64 (n=284)	49%	22%	32%	32%	12%	43%	4%	3%
65-74 (n=380)	57%	16%	26%	28%	10%	45%	3%	1%
75+ (n=166)	61%	20%	32%	29%	8%	44%	3%	1%
1 Affluent Achievers (n=378)	47%	24%	37%	37%	14%	45%	2%	2%
2 Rising Prosperity (n=17)*	69%	57%	54%	45%	41%	13%	0%	0%
3 Comfortable Communities (n=636)	50%	23%	34%	35%	12%	44%	3%	2%
4 Financially Stretched (n=258)	45%	40%	47%	42%	16%	29%	1%	3%
5 Urban Adversity (n=127)	36%	57%	59%	61%	35%	15%	1%	4%
White (n=1,435)	66%	42%	57%	57%	22%	55%	31%	27%
BAME (n=51)*	58%	43%	53%	48%	32%	34%	5%	9%
Children in the home (n=277)	33%	45%	51%	50%	22%	36%	2%	2%
No children in home (n=1,155)	51%	26%	37%	37%	15%	38%	3%	2%
Rural (n=817)	49%	21%	33%	35%	13%	48%	3%	2%
Urban (n=601)	45%	41%	49%	46%	20%	26%	2%	2%

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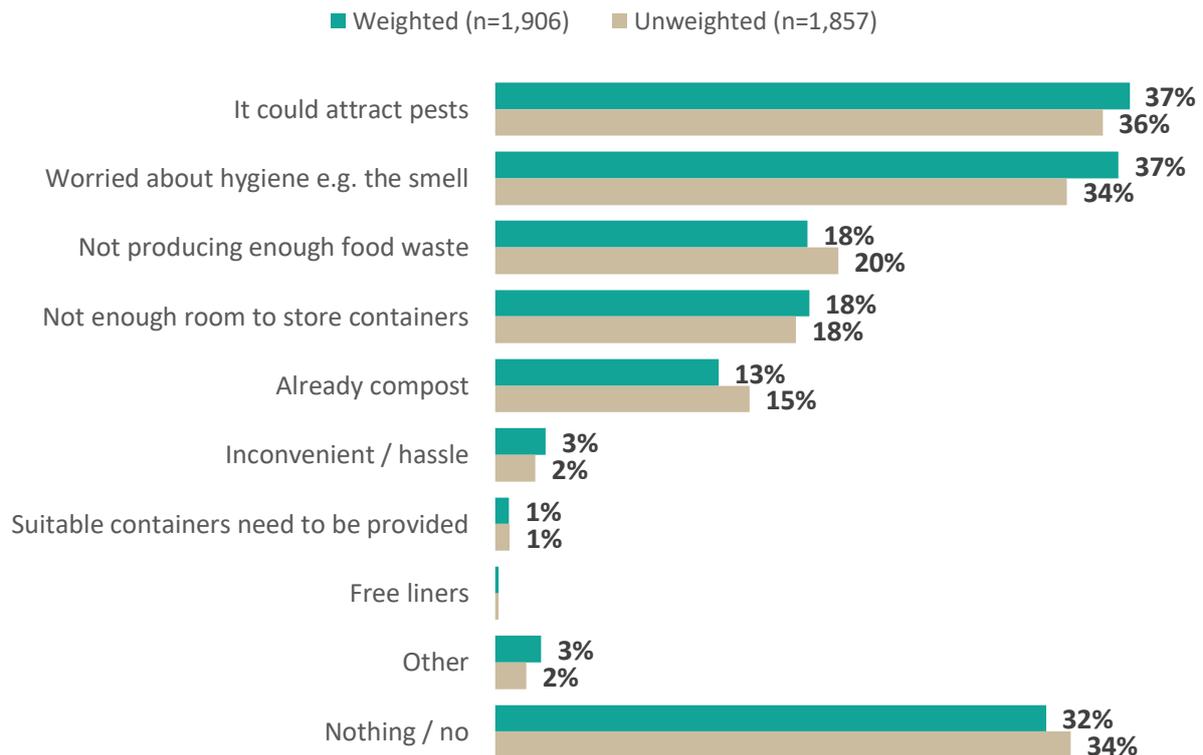
Table 13: Why wouldn't you use it or what concerns do you have by disability, household size, property type and length of time in the area

	Don't produce enough food waste	No room to store container/s	Worried about hygiene e.g. the smell	It could attract pests	Inconvenient / hassle	Already compost	Other disposal method (feed to animals, macerator)	Other
Disability, limited a lot (n=73)	60%	38%	50%	56%	20%	18%	3%	1%
Disability, limited a little (n=153)	48%	36%	46%	43%	18%	28%	3%	2%
No disability (n=1,177)	46%	28%	37%	37%	15%	41%	2%	2%
1 person (n=221)	72%	28%	34%	36%	18%	33%	3%	3%
2 people (n=738)	47%	23%	34%	33%	12%	43%	2%	2%
3 people (n=233)	40%	40%	54%	49%	24%	28%	2%	1%
4 people (n=155)	32%	43%	53%	54%	14%	34%	3%	4%
5 or more people (n=93)	30%	43%	53%	57%	28%	43%	3%	1%
Detached house or bungalow (n=799)	48%	20%	35%	36%	13%	47%	3%	2%
Semi-detached house or bungalow (n=390)	47%	39%	46%	45%	15%	31%	1%	3%
Terraced house or bungalow (n=179)	48%	39%	40%	33%	20%	30%	2%	1%
Purpose built block of flats (n=28)	42%	63%	59%	62%	18%	11%	2%	4%
Converted or shared flats (n=19)	46%	36%	42%	41%	15%	19%	0%	11%
Other (n=10)*	60%	46%	76%	68%	20%	17%	0%	16%
Just moved here (n=82)	16%	42%	44%	48%	35%	56%	0%	0%
6 to 12 months (n=46)	22%	24%	17%	25%	5%	64%	0%	0%
1 to 2 years (n=78)	27%	18%	28%	27%	16%	43%	3%	0%
2 to 3 years (n=121)	49%	30%	49%	51%	18%	49%	0%	0%
3 to 5 years (n=201)	47%	29%	41%	46%	21%	41%	3%	0%
Longer than 5 years (n=2,934)	48%	29%	40%	39%	16%	38%	2%	2%

Residents who said ‘yes’ they would use a weekly food waste collection if provided were also asked if they had any concerns with this (Figure 12).

- The main concerns highlighted by residents were around the collection attracting pests (37%) and hygiene concerns such as the smell (37%)
- Positively around a third (32%) of residents did not have any concerns in using the service.

Figure 12: Do you have any concerns in using a weekly food waste collection?



Sub-group analysis shows there were significant variations by gender, age group, RUC and children in the home (Table 14):

	<ul style="list-style-type: none"> ▪ Women who said they would use the service were more likely to have concerns with hygiene e.g., the smell with 40% stating this compared to men (32%). While men were more likely to be concerned with not producing enough food waste at (23%) compared to women (16%)
	<ul style="list-style-type: none"> ▪ There were variations across the age groups, with results being similar to those residents who said they did not want to use a food waste collection. For example, the younger 16-34 age groups were more likely to be concerned with hygiene (46%) and pests (44%), compared to the older age groups at 23% and 15% respectively.

	<ul style="list-style-type: none"> Residents living in rural areas who said they would use a food waste collection were more likely to have no concerns with this type of service at 36%. Compared to those in urban areas with 29% stating they have no concerns.
	<ul style="list-style-type: none"> Again, concern with hygiene was an issue for those homes with children (42%), compared to those without children (34%).

Table 14: Do you have concerns in using a food waste collection by gender, age group, Acorn category, ethnicity, children in the home and RUC

	Not producing enough food waste	Not enough room to store containers	Worried about hygiene	It could attract pests	Inconvenient / hassle	Already compost	Nothing / no	Suitable containers need to be provided	Free liners	Other
Female (n=1,114)	16%	20%	40%	39%	3%	12%	32%	1%	0%	3%
Male (n=739)	23%	17%	32%	34%	3%	15%	33%	1%	0%	3%
16-34 (n=558)	10%	23%	46%	44%	5%	9%	28%	0%	0%	6%
35-44 (n=291)	10%	21%	39%	39%	2%	8%	37%	2%	0%	2%
45-54 (n=313)	16%	18%	37%	37%	2%	9%	36%	1%	0%	1%
55-64 (n=281)	25%	18%	33%	38%	1%	20%	33%	0%	0%	1%
65-74 (n=305)	32%	11%	23%	25%	2%	20%	33%	1%	0%	1%
75+ (n=120)	33%	15%	28%	31%	5%	20%	31%	0%	0%	4%
1 Affluent Achievers (n=419)	24%	13%	34%	35%	2%	19%	32%	2%	0%	1%
2 Rising Prosperity (n=30)*	14%	16%	39%	34%	3%	0%	47%	0%	0%	0%
3 Comfortable Communities (n=705)	19%	19%	35%	35%	4%	14%	34%	1%	0%	3%
4 Financially Stretched (n=424)	15%	21%	42%	40%	3%	8%	32%	0%	0%	2%
5 Urban Adversity (n=240)	17%	23%	39%	46%	3%	8%	30%	2%	0%	4%
White (n=1,857)	18%	18%	37%	37%	3%	13%	33%	1%	0%	3%
BAME (n=49)*	16%	20%	38%	33%	4%	9%	29%	2%	2%	0%
Children in the home (n=583)	8%	21%	42%	40%	2%	8%	38%	1%	0%	1%
No children in home (n=1,293)	23%	18%	34%	36%	3%	15%	30%	1%	0%	3%
Rural (n=888)	20%	14%	32%	33%	2%	17%	36%	1%	0%	1%
Urban (n=937)	18%	23%	42%	42%	4%	9%	29%	1%	0%	3%

Garden waste collections

Section summary:

Just over half of residents said that if they **had to pay** for a garden waste collection they **would not sign up to the service**. Of those that were willing, **just under a third** said that they were prepared to **pay up to £40 per year**. The older age groups were more inclined to pay for the service compared to the under 44 age group. Those living in more affluent areas were more likely to sign up to a paid for service.

The council currently offers residents the option to buy garden waste sacks which are collected once a fortnight (the garden waste collected is not composted). The council is considering introducing a garden waste collection service. This may be a paid for service which would go towards covering the costs of running it. The council would provide a wheeled bin or collect biodegradable garden waste to be sent for composting every fortnight (Figure 13).

- Just over half (51%) of residents said that if they had to pay for a garden waste collection, they would not have it collected.
- 49% said they would pay, with the most popular amount being up to £40 per year (29%). Just 7% opted for the most expensive option of up to £60 per year.

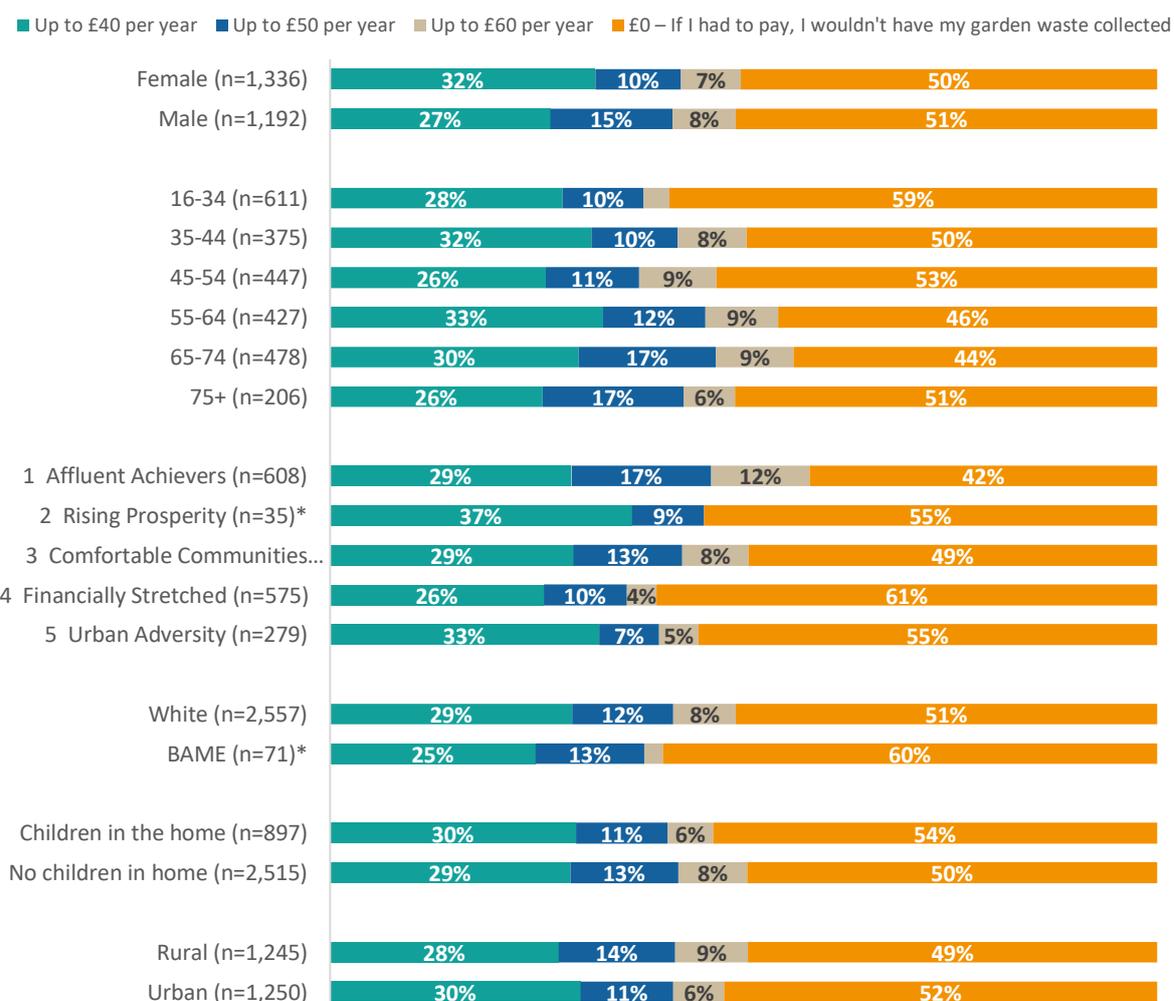
Figure 13: If there was a fee for collecting garden waste how much would you be prepared to pay for this service?



Sub-group analysis shows there were significant variations by age group and Acorn category (Figure 14):

	<ul style="list-style-type: none"> The younger 16-34 age group were more likely to have selected the 'If I had to pay, I wouldn't have my garden waste collected' option (59%) compared to the older age groups. For example, 46% of those aged 65-74 selected this option.
	<ul style="list-style-type: none"> As affluence decreases, so is the likelihood of residents stating they would be willing to paying for a garden waste collection. For example, 61% of households classified as Acorn 4 'Financially Stretched' said they would not pay, compared to 49% of Acorn 3 'Comfortable Communities' and 42% of Acorn 1 'Affluent Achiever' households stating this.

Figure 14: If there was a fee for collecting garden waste how much would you be prepared to pay for this service by gender, age group, Acorn category, ethnicity, children in the home and RUC



Indicative sub-group analysis

Residents living in detached and semi-detached homes were more willing to pay for a garden waste collection. For example, 53% of those living in detached homes said they would be willing to pay a certain amount, compared to 44% of those living in terraced properties (Figure 15).

Figure 15: If there was a fee for collecting garden waste how much would you be prepared to pay for this service by disability, household size, property type and length of time in the area

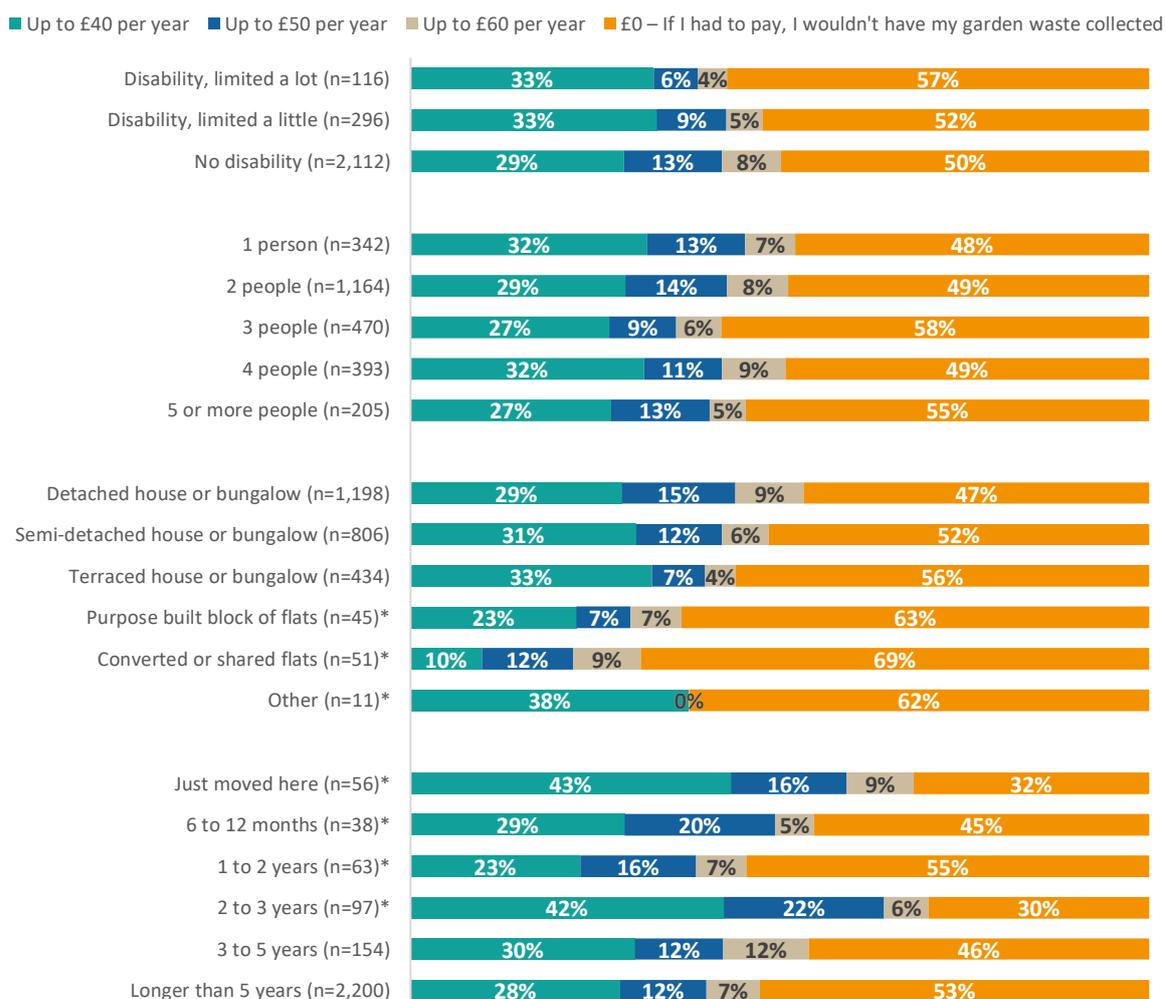
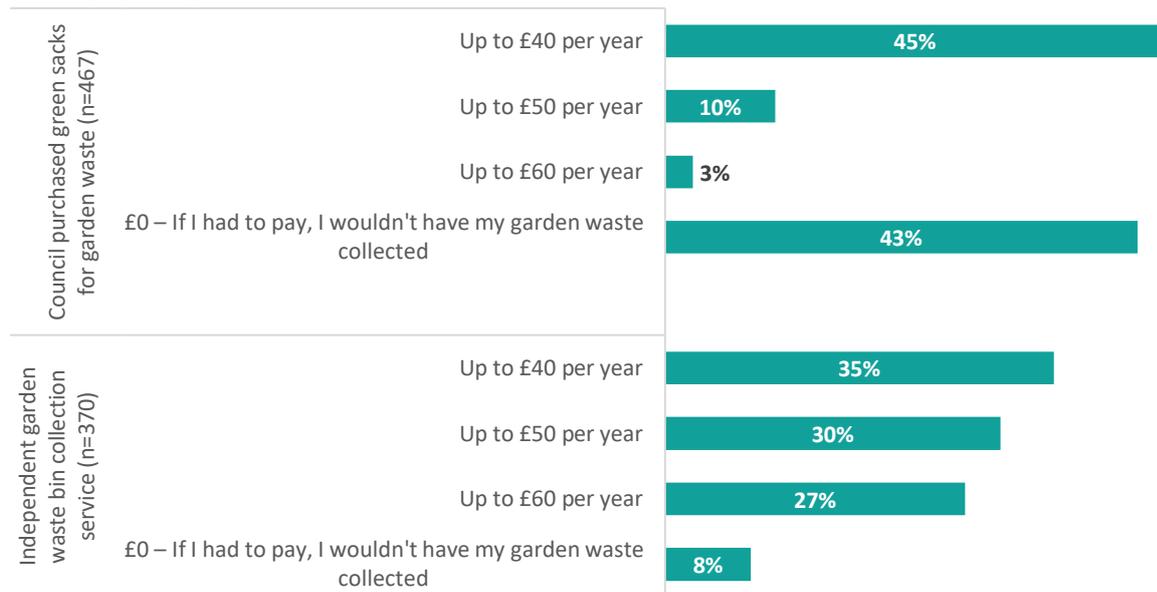


Figure 16 compares how much residents would be willing to pay based on if they currently pay for a garden waste service (either through the council or an independent collection).

- Residents who already pay for an independent garden waste collection are far more willing to pay for the service if provided by the council. For example, just 8% of those who pay for an independent service said they would not pay anything, compared to those who pay for the garden waste sack collection (provided by the council) with 43% stating this.

Figure 16: How much residents would be willing to pay based on those who already pay for either the council or independent garden waste collection service.



Preference for the future of rubbish and recycling collections

Section summary:

The preference for the two service options were split - **53% for option 1** and **47% for option 2**. **Women, older age groups**, and those in **less affluent areas** were more likely to **prefer option 1**. When asked why residents selected each option, resident who **selected option 1** said that this was because **bins are easier to use**, the service would be **simple** and **straightforward to use** and that the boxes in option 2 would create a mess and that they are not covered. Residents who **preferred option 2** said that this was because the **general waste needs to be collected more frequently** than once every three weeks (as per option 1), that all the containers will be **collected more frequently** and that **it is simpler and straightforward to use** (collection calendar is easier to follow etc.).

Residents were then asked if there was anything they felt that the council needed to consider for residents. Top of the list was the **provision of free liners for the food waste collection**. This could help alleviate some of the concerns residents may have with hygiene e.g. the smell etc. **Storage of containers** was also a concern for residents – both inside and outside the home. Residents also felt that they would get **confused as to when containers get placed out for collection**, more so for option 1. So clear instructions would need to be provided. Those who selected option 2 said that the council needs to consider **how they would stop materials being blown or falling out the boxes** and how residents could **keep the materials dry**.

The council has been considering different options for providing rubbish and recycling collection services in the future. It has therefore needed to think about what needs to be achieved and has been gathering a range of evidence, information and speaking to other councils to find out more about their experience to help with this. The council knows it will need to make certain changes to ensure compliance with the government's policy which includes the following:

- To provide a weekly food waste collection service for every household.
- To collect garden waste separately.
- The government's preferred approach is that councils collect different recyclables separately to increase their quality e.g. in different containers.
- The government's preferred approach is that no waste stream is collected less than every fortnight.

Through work already carried out, the council identified the two best performing options and wanted residents to provide their preference for this. Below summarises the options:

Option 1

Container	Material	Collection period
 240 litre	Recycling - Metal tins/cans, plastic pots, tubs, trays and bottles, glass bottles and jars	Once every 3 weeks
 240 litre	Recycling – all paper and cardboard	Once every 3 weeks
 240 litre	Garden waste*	Once every 2 weeks
 23 litre	Food waste	Weekly
 180 litre	General waste	Once every 3 weeks

Option 1

- Dry recycling would be collected in a 240 litre green wheeled bin once every 3 weeks. This would be for items such as metal tins/cans, plastic pots, tubs, bottles and glass bottles and jars.
 - Paper and card materials would be collected in a separate 240 litre blue wheeled bin, once every 3 weeks.
- The wheeled bins for dry recycling would be collected on alternating weeks.
- Residents would be provided with a weekly food waste collection, collected in a 23 litre lockable bin.
 - General waste would be collected in a 180 litre black wheeled bin once every three weeks.

Option 2

- Residents would be provided with three 55 litre boxes. One for metals and plastics, another for paper and card and a third for glass bottles and jars. These would be collected every week.
- Residents would be provided with a weekly food waste collection, collected in a 23 litre lockable bin.
- General waste would be collected in a 180 litre black wheeled bin once every two weeks

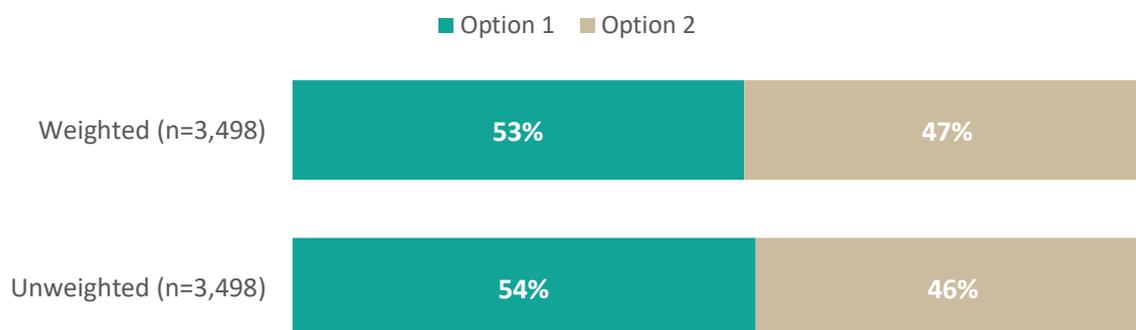
Option 2

Container	Material	Collection period
 55 litre/box	<u>Separated dry recycling:</u> Red box - Metal tins/cans, plastic pots, tubs, trays and bottles	Weekly
 55 litre/box	Blue box - all paper and cardboard	
 55 litre/box	Green box - glass bottles and jars	
 240 litre	Garden waste*	Once every 2 weeks
 23 litre	Food waste	Weekly
 180 litre	General waste	Once every 2 weeks

For both the options, residents would also be offered a garden waste collection in a brown 240 litre wheeled bin collected every two weeks. This may be a chargeable service.

Figure 17 shows that the results were split 53% for option 1 and 47% for option 2.

Figure 17: Which of the following two options would you prefer?

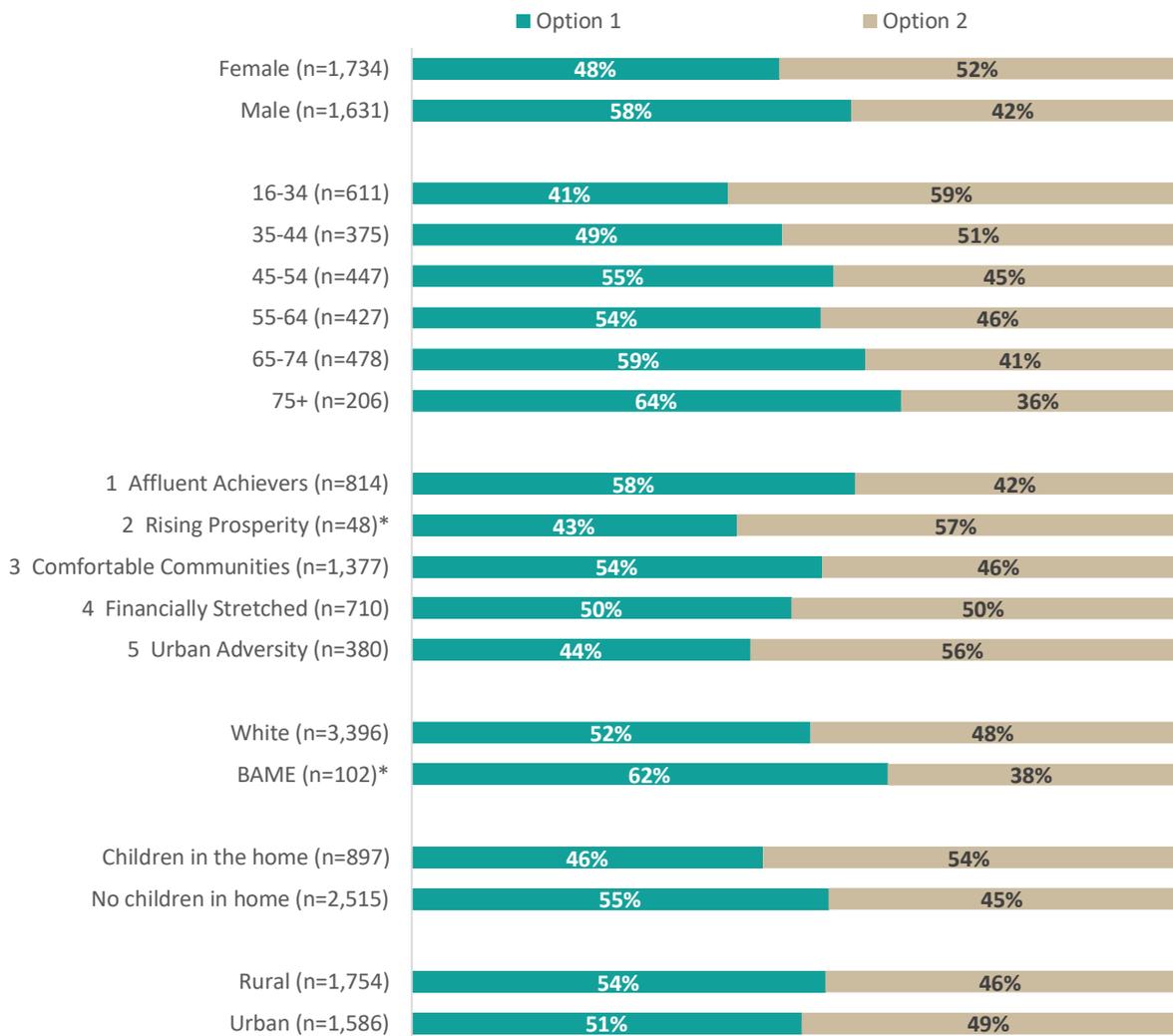


Sub-group analysis shows there were significant variations by gender, age group and Acorn category (Figure 18):

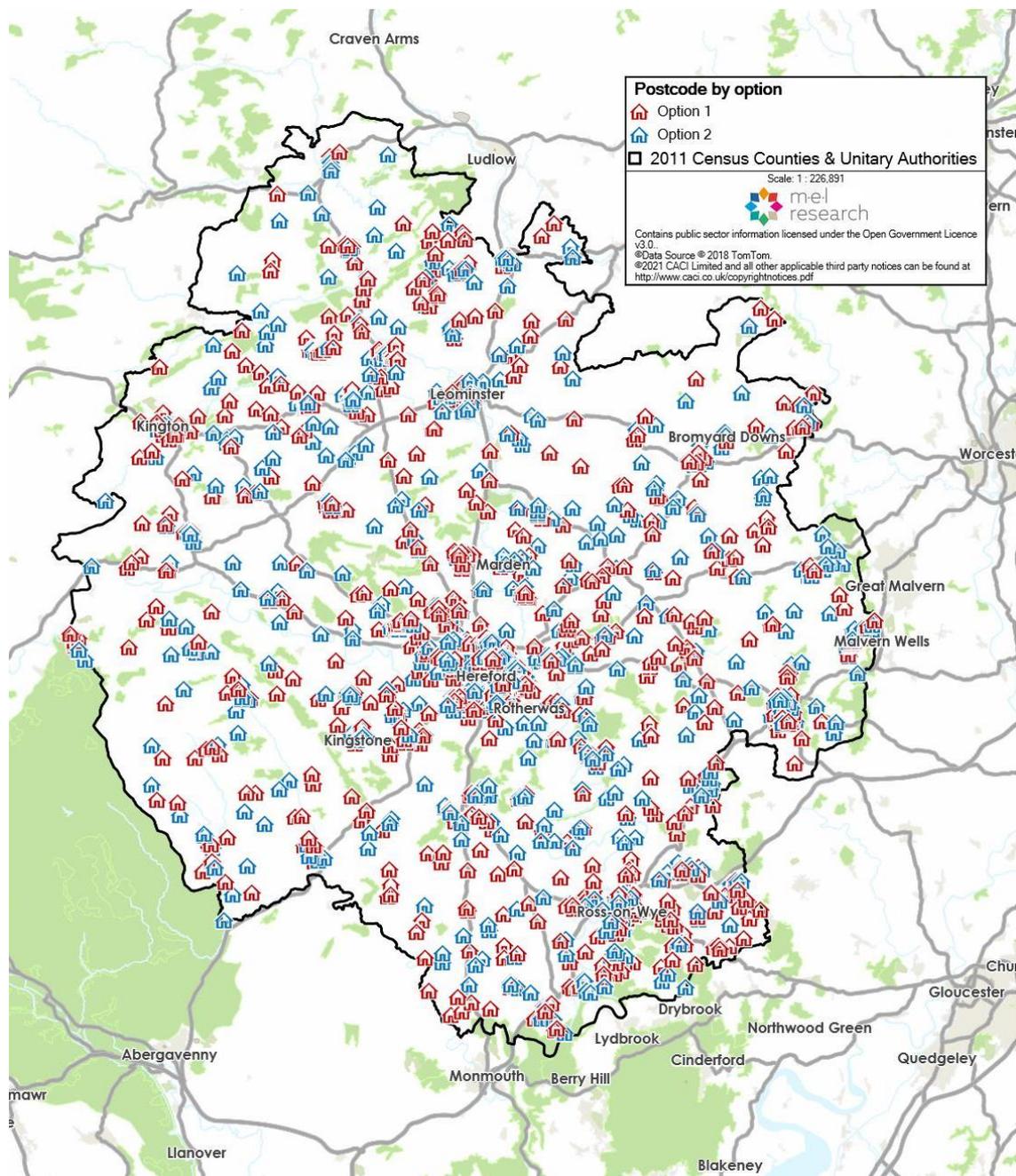
	<ul style="list-style-type: none"> ▪ Women were more likely to have selected option 2 at 52%, compared to men (42%). While men were more likely to have selected option 1 at 58%, compared to women (48%).
	<ul style="list-style-type: none"> ▪ As age increased, so did the preference for option 1. For example, 41% of residents aged 16-34 preferred option 1, compared to 64% of those aged 75 or older.
	<ul style="list-style-type: none"> ▪ The less affluent household had a greater preference for option 1 when compared to the more affluent areas. For example, 44% of homes classified as Acorn 5 'Urban Adversity' selected option 1, while this rose to 58% for homes classified as Acorn 1 'Affluent Achievers'.

There were no variations between the two service options presented to residents when compared by Rural Urban Classification. To further illustrate how this is spread across the market towns, Map 1 presents the dominant options selected by postcode.

Figure 18: Which option would you prefer by gender, age group, Acorn category, ethnicity, children in the home and RUC



Map 1: Plotted postcodes by option selected

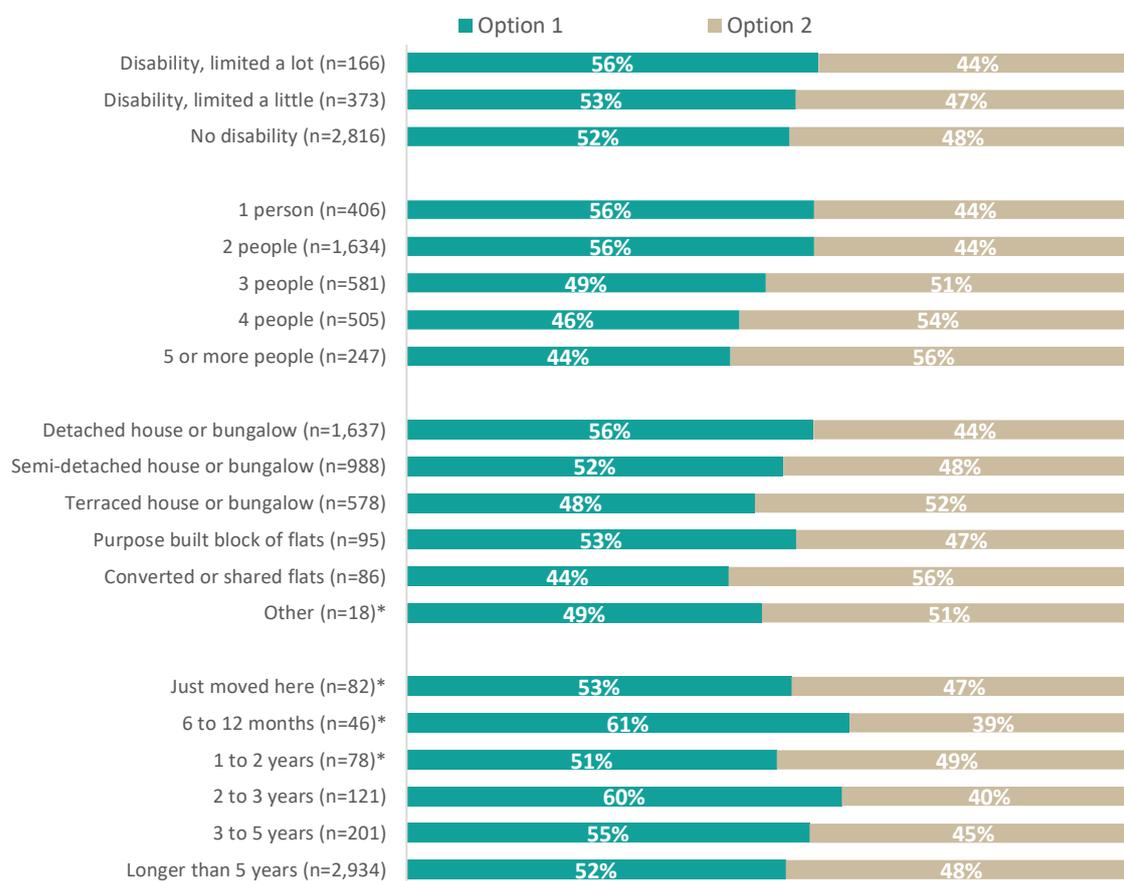


Indicative sub-group analysis

The larger the number of people in the home, the more likely residents were to prefer option 2. When exploring why this is, larger households were more likely to want their general rubbish to be collected more frequently, than that of option 1 (which is every 3 weeks) as well as the dry recycling being collected more frequently. Residents living in terraced properties, were more likely to have selected

option 2. Again, exploring this in more detail, space to store the bins, the increased frequency of the collection and there being too many containers (option 1 having larger containers) were commonly mentioned as a reason for selecting this option (Figure 18).

Figure 18: Which option would you prefer by disability, household size, property type and length of time in the area



Residents were then asked why they chose their preferred option. Overall, 3,384 residents provided further information and results have been coded into common themes. Table 14 presents the themes by option selected. For option 1 the key themes were that:

- Bins will be easier to use (30%) and it is easier, simple, convenient and straight forward (14%)

“More convenient, have space for larger containers, wheeled container easier for elderly to manage.”

“Easier to put recycling in one container.”

“Easier to manage, don’t like the small boxes.”

“With the wheelie bins, whilst larger, they're self-contained which for families like ours who store their waste outside will be better.”

“Fewer collections might mean lower carbon emissions. More convenient to have wheelie bins than boxes.”

“Much easier to have larger bins with a lid than the smaller ones that have to be carried down the drive to be picked up. I would recycle less with Option 2. There is nothing that can go 'off' in the 3 weeks.”

“Wheelie bins just work so much better and easier to manage and store.”

- Boxes will create a mess / boxes not covered (13%)

“The boxes are all too frustrating to store and present, plus the risk of items being blown out of the boxes when at boundary edge.”

“Keeping OPEN boxes outside will be impractical, rubbish will be blown around, get wet etc. In our case, our garden was designed around two wheelie bins, NOT several open boxes. I had the open box idea when living in Somerset - it is less than ideal!”

“Containing recycling in wheeled bins will be better for me as I have limited undercover space to store recycling. As such the paper and cardboard would be likely to get wet and therefore would be of poor quality. I also think that having recycling in boxes creates more litter as materials blow out of the boxes.”

For option 2, the key themes were:

- General rubbish / recycling needs to be collected more frequently (28%)

“Wouldn't want general waste collected every 3 weeks. Happy to box separate waste up.”

“Because general waste needs to be collected as often as possible.”

“It makes sense to pre-sort the recycling. In addition, I would say General Waste collection is preferable every 2 weeks, not every 3 weeks.”

“Having a 3 weekly collection would be a nightmare for me and a lot of others because my bins are full to the brim a week and a half in and sometimes have bags that don't fit in so have to wait for the bins to be emptied to put them in the wheelie bin. 3 weekly collections would mean rubbish lying about for a longer period of time.”

- Option 2 provides a more frequent collection (21%)

“Weekly collection, sorting of waste materials.”

“Separating out leads to better recycling - less contamination. Plus collection is weekly.”

“Weekly option for most recyclables seems sensible with the container size shown, along with the division of recyclable types.”

“Keeps items to be recycled weekly rather than waiting weeks and then the bins getting full.”

- It is easier, simple, convenient and straight forward (14%)

“The collection is more often, I would forget which collection is when [for option 1].”

“The schedule for collection is simpler to follow/remember and will result in more reliable collections, avoiding build-up of material that the householder has forgotten to put out. Option 1 is more likely to lead to waste material spilling out of containers and fly tipping.”

“More convenient to have recycling collected more often than every 3 weeks, as a household we produce a lot of recycling and minimal waste to landfill so would need the recycling collected more often.”

“Regular collection of separated recycling items will be easier to follow.”

Table 14: Can you tell us why you chose this option?

	Overall (n=3,384)	Option 1 (n=1,819)	Option 2 (m=1,565)
Bins will be easier to use	18%	30%	5%
General rubbish / recycling needs to be collected more frequently	15%	4%	28%
Easier to use / simple / convenient / straight forward collection	14%	14%	14%
More frequently collected	11%	1%	21%
Boxes will create mess / boxes not covered	8%	13%	2%
Don't have the storage space for wheeled bins / want more wheeled bins	8%	4%	13%
Don't have the storage space for all the boxes	7%	12%	2%
Too many containers (option 2) / less containers (option 1)	6%	11%	1%
Don't like either option but will have to choose this one	6%	7%	5%
Would improve the quality of materials/better to separate the materials	6%	1%	12%
Boxes are easy to use/ save space	6%	2%	10%
Boxes would not be big enough	5%	8%	2%
Would struggle with boxes e.g. elderly, disability, long walk etc.	5%	8%	1%
Produce too much recycling / waste	3%	3%	4%
Don't produce lots of waste/recycling	3%	4%	2%
Keep/ prefer the current system	2%	2%	1%
Better for the environment	1%	2%	0%
Happy with either option	1%	1%	1%
Other	6%	7%	5%

Due to the variation in preference for the options by age group, the coded themes have been compared by age group to provide further insight (Table 15). Older residents were more likely to have said that they chose option 1 as bins will be easy to use and the service was simple e.g. not having to separate materials at source. While the younger age groups were more in favour of more frequent collections.

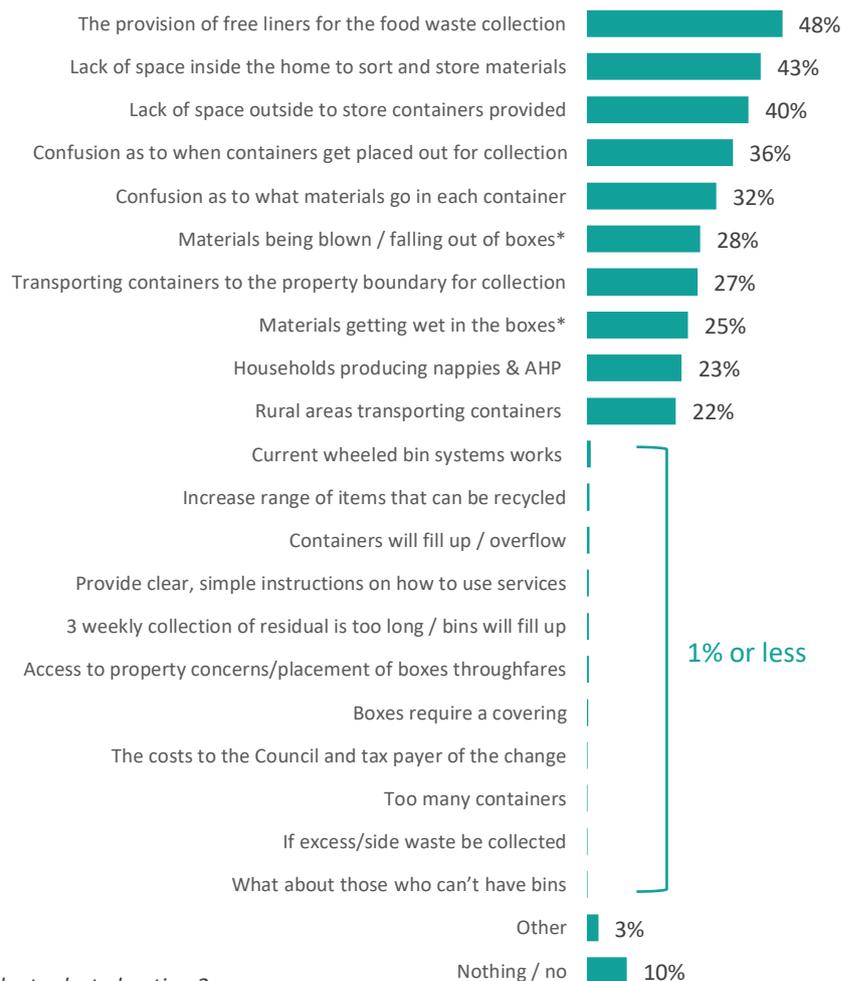
Table 15: Can you tell us why you chose this option by age group?

	16-24 (n=49)	25-34 (n=294)	35-44 (n=448)	45-54 (n=632)	55-64 (n=816)	65-74 (n=823)	75+ (n=326)
Bins will be easier to use	18%	17%	23%	19%	18%	16%	15%
General rubbish / recycling needs to be collected more frequently	12%	20%	18%	16%	15%	12%	8%
Easier to use / simple / convenient / straight forward collection	14%	12%	11%	11%	12%	16%	22%
More frequently collected	16%	15%	14%	13%	9%	7%	5%
Boxes will create mess / boxes not covered	8%	5%	6%	9%	8%	9%	6%
Don't have the storage space for wheeled bins / want more wheeled bins	10%	10%	7%	7%	8%	8%	5%
Don't have the storage space for all the boxes	8%	5%	8%	8%	7%	8%	7%
Too many containers (option 2) / less containers (option 1)	6%	4%	4%	6%	8%	7%	6%
Don't like either option but will have to choose this one	0%	5%	5%	6%	6%	6%	7%
Would improve the quality of materials/better to separate the materials	10%	5%	6%	6%	6%	6%	6%
Boxes are easy to use/ save space	12%	6%	4%	4%	6%	6%	8%
Boxes would not be big enough	2%	5%	5%	5%	6%	4%	3%
Would struggle with boxes e.g. elderly, disability, long walk etc.	0%	3%	4%	4%	5%	6%	5%
Produce too much recycling / waste	6%	4%	6%	4%	3%	2%	0%
Don't produce lots of waste/recycling	2%	1%	1%	0%	3%	4%	7%
Keep/ prefer the current system	2%	1%	1%	1%	2%	2%	4%
Better for the environment	0%	1%	1%	2%	1%	1%	1%
Happy with either option	0%	1%	1%	1%	1%	1%	1%
Other	6%	4%	5%	6%	6%	5%	5%

Residents were then asked if there was anything that the council needs to take into consideration for the option for residents personally (Figure 19).

- Just under half (48%) said that the council needs to consider the provision of free liners for the food waste collection. This could help alleviate some of the concerns residents may have with hygiene e.g., the smell etc.
- Storage of containers was also a concern for residents, with 43% stating that the council needs to take into consideration the lack of space in the home to sort and store materials and the space outside to store the containers.
- Confusion as to when containers get placed out for collection was also highlighted as something the council needs to consider, with 36% stating this.
- Residents who had selected option 2, said the council needs to consider the materials being blown or falling out the boxes (28%) and that the materials will get wet in the boxes (25%).

Figure 19: Is there anything that you feel the council needs to take into consideration for the options for you personally?



*Only shown if resident selected option 2

Claimed usage of current services

Section summary:

Claimed usage of the **rubbish and dry recycling** collection services **was high**, with all but 1% stating that they use the services with most placing their containers out once a fortnight. Just over one in ten said they paid for a council garden waste collection, with almost six in ten stating they placed their garden sacks out as and when required, followed by almost three in ten stating once a fortnight. Slightly less residents (13%) were paying for an independent garden waste collection and most placed their bin out once a fortnight.

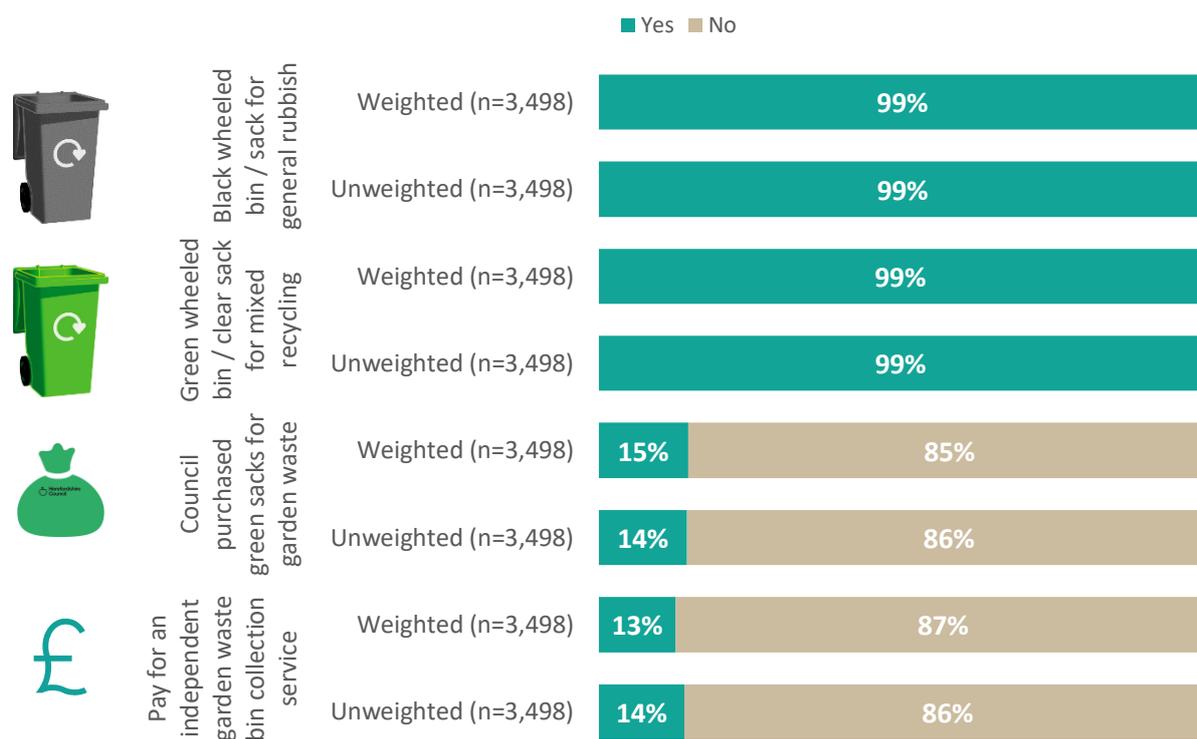
The most common material (>88%) that residents claimed to recycle were plastic bottles, thin card, paper, food tins and drink cans, glass bottles and jars and plastic pots. Aerosol cans (50%) and Tetra packs (70%) were less likely to have been selected.

Four in ten residents selected a non-requested material. Most commonly mentioned were plastics films (23%) and Kitchen towel/tissues (18%). It should be noted that if residents selected non-requested materials, they were notified of this in the survey and where relevant, provided with alternative disposal methods.

Herefordshire Council currently operates fortnightly rubbish and mixed dry recycling service collected in wheeled bin. For households that are not suited for a wheeled bin, sacks are provided. The council also offers a paid for fortnightly garden waste service collected in sacks. Currently the garden waste is not sent for composting. To understand claimed usage of the current service, residents were asked a series of questions. Firstly, residents were asked which household rubbish and recycling collections they use (Figure 20).

- The majority of residents claimed to use both the black bin/sack and mixed dry recycling bin/sack collection, both at 99%.
- Just 15% claimed to use the garden waste (paid for service) collection and a further 13% said they pay for an independent garden waste collection service.

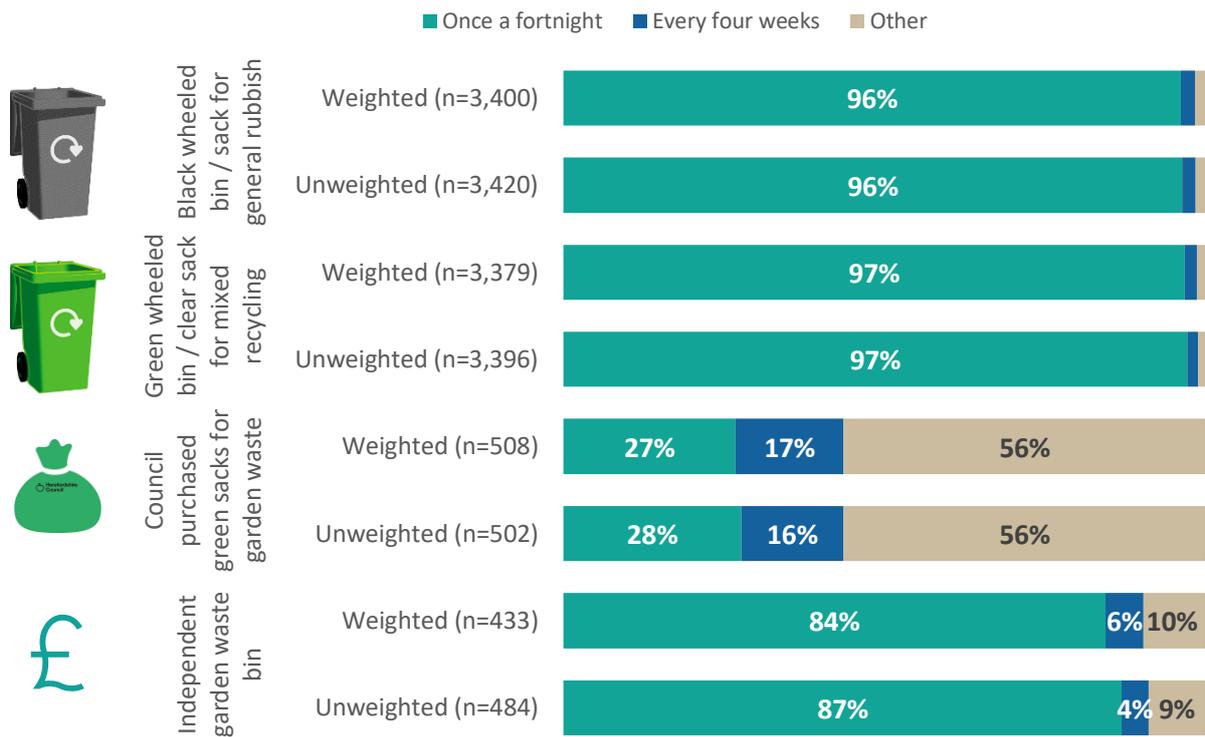
Figure 20: Which of the following household rubbish and recycling collections do you currently use?



Residents were then asked how often they place the containers out for collection (Figure 21).

- For both the black bin/sack and mixed dry recycling bin/sack collection, residents said they placed their containers out once a fortnight at 96% and 97% respectively.
- Just 1% (51 count) of residents said they did not use the mixed dry recycling collection. When asked why, the most common barriers to using the service, were that they did not produce enough to recycle, have just moved in and that they have no space to store the recycling bins.
- Almost one in six (56%) residents who said they used a paid for garden waste collection, said another option not listed. When asked what this was, most commonly mentioned was that they placed the sacks out as and when needed and 27% said once a fortnight.
- Those who used an independent garden waste collection, were more likely to place their containers out once a fortnight at 84%.

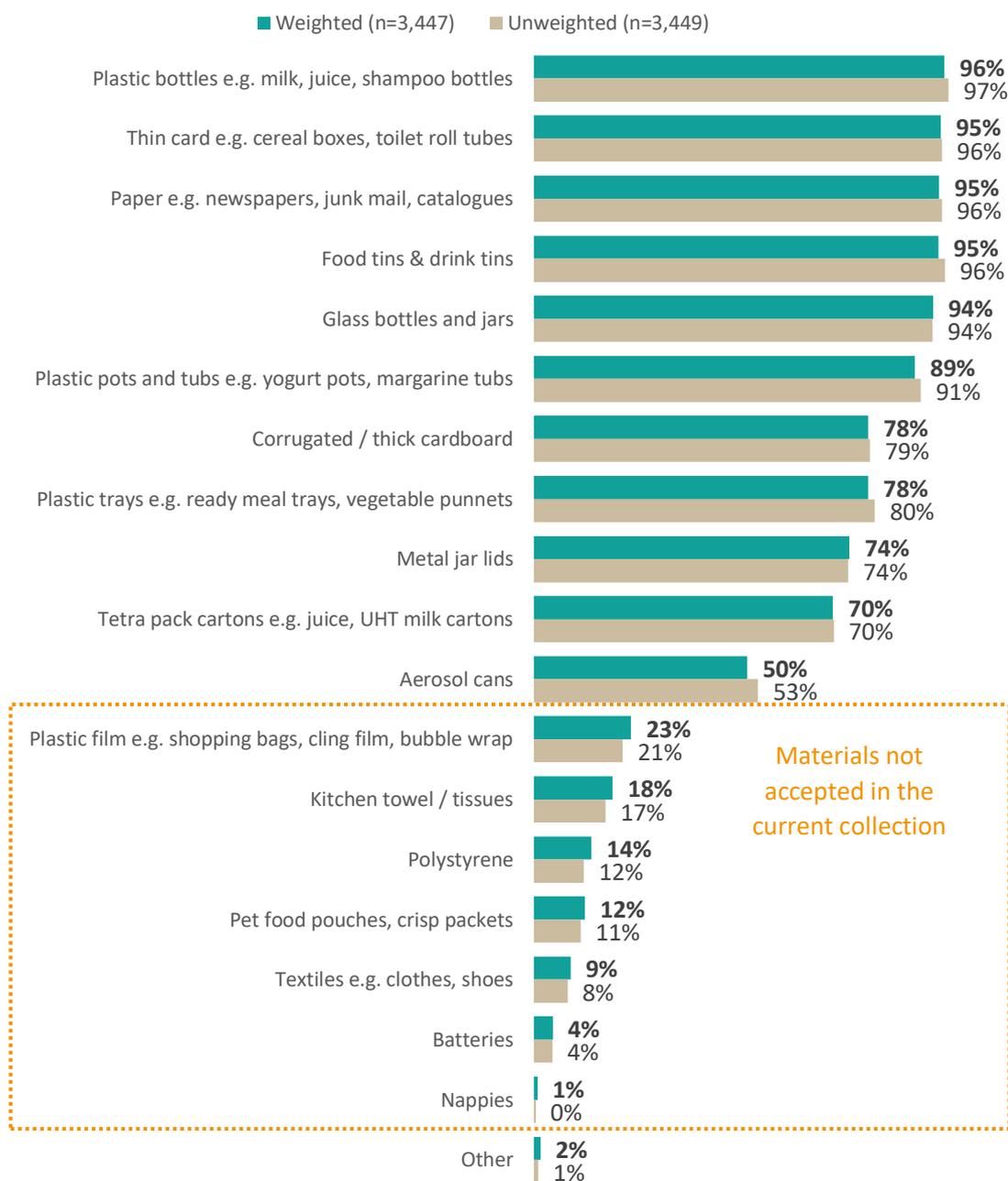
Figure 21: How often do you place the following out for collection?



Residents who claimed to use the mixed dry recycling collection (99%) were then asked what materials they recycle (Figure 22).

- The most commonly mentioned materials that residents claimed to recycle were plastic bottles (96%), thin card (95%), paper (95%), food tins and drink cans (95%), glass bottles and jars (94%) and plastic pots (89%).
- Overall, 40% of residents selected at least one non-requested materials that they put into the current service. Most commonly mentioned were plastics films (23%) and Kitchen towel/tissues (18%). It should be noted that if residents selected items that were not accepted, they were notified of this in the survey and where relevant, provided with alternative disposal methods.

Figure 22: What materials do you recycle in your green wheeled bin / clear sacks for mixed recycling?



To understand the type of people who are more likely to have said they dispose of non-requested materials in the dry recycling results have been broken down by demographics. Overall, the types of people who were most likely to have said they disposed of non-requested materials in the dry recycling were 16-34 and 65-74 year olds and households classified as Acorn 3 'Comfortable Communities'. The younger age group and Acorn 3 households were more likely to have said they place plastic films and kitchen towels in the recycling collection.

Table 16: Non-requested items placed in the mixed dry recycling collection by gender, age group, Acorn category, ethnicity, children in the home and RUC

	Plastic film e.g. shopping bags, cling film, bubble wrap	Kitchen towel / tissues	Polystyrene	Pet food pouches, crisp packets	Textiles e.g. clothes, shoes	Batteries	Nappies
Female (n=1,716)	20%	17%	10%	12%	6%	3%	1%
Male (n=1,600)	26%	20%	16%	12%	10%	6%	0%
16-34 (n=791)	27%	23%	17%	14%	9%	4%	2%
35-44 (n=439)	21%	16%	10%	14%	9%	3%	1%
45-54 (n=544)	24%	19%	11%	16%	8%	5%	1%
55-64 (n=571)	21%	16%	11%	9%	8%	5%	0%
65-74 (n=705)	21%	16%	14%	9%	8%	5%	0%
75+ (n=283)	22%	20%	17%	8%	10%	4%	0%
1 Affluent Achievers (n=810)	19%	16%	11%	8%	8%	4%	0%
2 Rising Prosperity (n=48)*	14%	15%	19%	5%	5%	2%	0%
3 Comfortable Communities (n=1,360)	22%	17%	14%	11%	8%	4%	0%
4 Financially Stretched (n=689)	27%	20%	15%	16%	11%	5%	2%
5 Urban Adversity (n=370)	24%	26%	11%	17%	7%	5%	1%
White (n=3,350)	23%	18%	13%	12%	9%	4%	1%
BAME (n=97)*	27%	19%	19%	14%	10%	8%	0%
Children in the home (n=887)	25%	18%	14%	13%	11%	4%	2%
No children in home (n=2,475)	22%	18%	13%	11%	8%	5%	0%
Rural (n=1,731)	20%	17%	12%	11%	7%	4%	0%
Urban (n=1,558)	26%	19%	14%	13%	10%	5%	1%

Communication and information

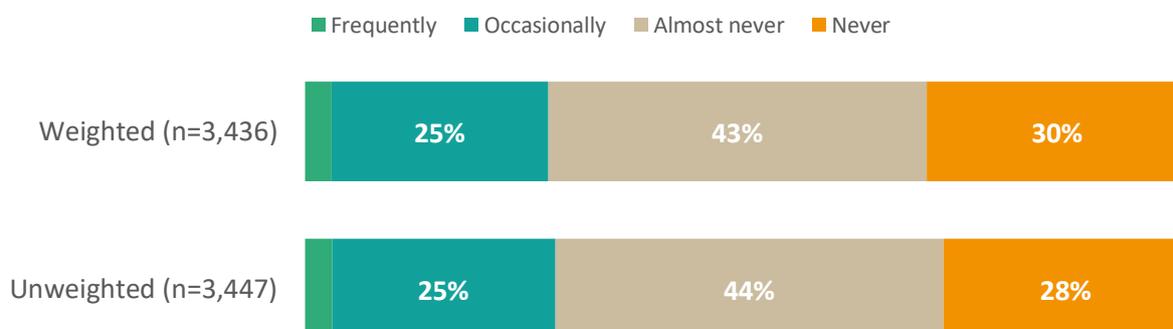
Section summary:

Just under three in ten residents that responded to the survey said they either **frequently or occasionally contacted the council**. **Men** were **more likely** have either frequently or occasionally **contacted the council**, compared to women. While the **younger age groups** were **less likely** to engage with the council, compared to the 55-74 age group. Just over **two fifths** of residents said they had seen or heard **information** about the rubbish and recycling service on the **council website**, followed by on a **leaflet or calendar** and then **social media**. Just under a fifth said they had not seen or heard any information. Residents **preference for receiving information** about rubbish and recycling was from a **council leaflet or calendar**, followed by **email communication** and information in the **Council Tax Bill**. Women and the younger (35-44) age group were more likely to prefer information via social media. While men and those over 55 years old were more likely to prefer information in their Council Tax bill compared to women and the younger age groups.

The last section of the resident survey focuses on communication and information provision, as well as preferences for communication with the council. Residents were firstly asked how often they had contact with the council, for example, to find information, pay for service or report an issue for example (Figure 23).

- Just under three in ten (28%) said they either 'frequently' (3%) or occasionally' (25%) contacted the council. While just over two fifths (43%) said they almost never did this and 30% said they never did this.

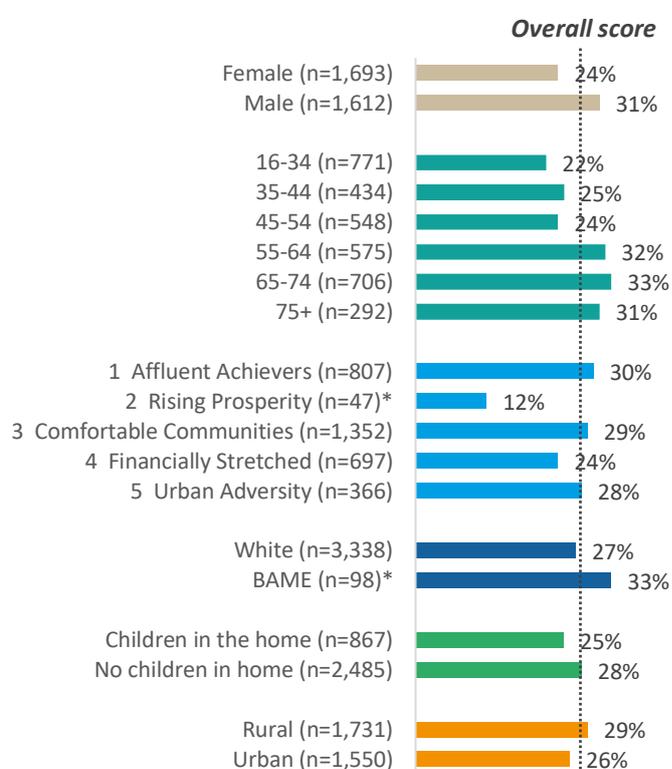
Figure 23: How often do you have contact with Herefordshire Council e.g. find information or find out about services, pay for services, report an issue?



Sub-group analysis shows there were significant variations by gender and age group (Figure 24):

	<ul style="list-style-type: none"> Men were more likely to have said they frequently or occasionally contact the council at 31%, compared to women at 24%.
	<ul style="list-style-type: none"> The 55-64 (32%) and 65-74 (33%) age groups were more likely to have said they frequently or occasionally contact the council compared to the younger age groups. For example, 22% of those aged 16-34 stated they contact the council frequently or occasionally.

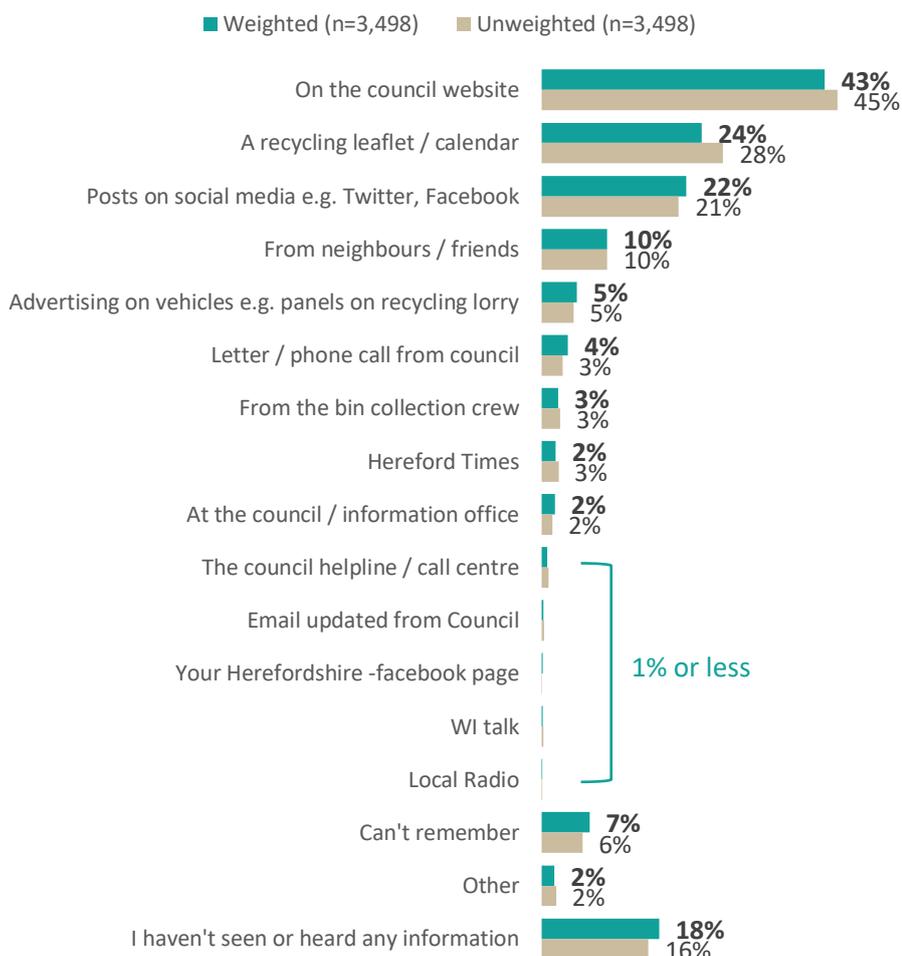
Figure 24: Combined frequent and occasional contact with the council by gender, age group, Acorn category, ethnicity, children in the home and RUC



Residents were then asked where they have seen or heard any advertisements or information specifically about rubbish and recycling in Herefordshire (Figure 25).

- Overall, 43% said they had seen or heard information on the council website, this was followed by 24% stating on a recycle leaflet or calendar. A further 22% said they had seen information on social media.
- Just under a fifth (18%) said they had not seen or heard any information about rubbish and recycling.

Figure 25: Where have you seen or heard advertisements or information about rubbish and recycling services provided by Herefordshire Council?



Sub-group analysis shows there were significant variations by gender and age group (Table 17):

	<ul style="list-style-type: none"> Women were more likely to have seen information on the social media (27%) compared to men at 18%. While men were more likely to have seen information on the council website (48%) compared to women (39%).
	<ul style="list-style-type: none"> The younger age groups were more likely to have seen posts on social media compared to the older age groups. For example, 33% residents aged 16-34 stated this, compared to 14% of those aged 65-74. The older age groups were more likely to have said they saw information via a recycling leaflet or calendar when compared to the younger age groups. For example, 39% of those aged 75 or older stated this compared to 11% of those aged 16-34.

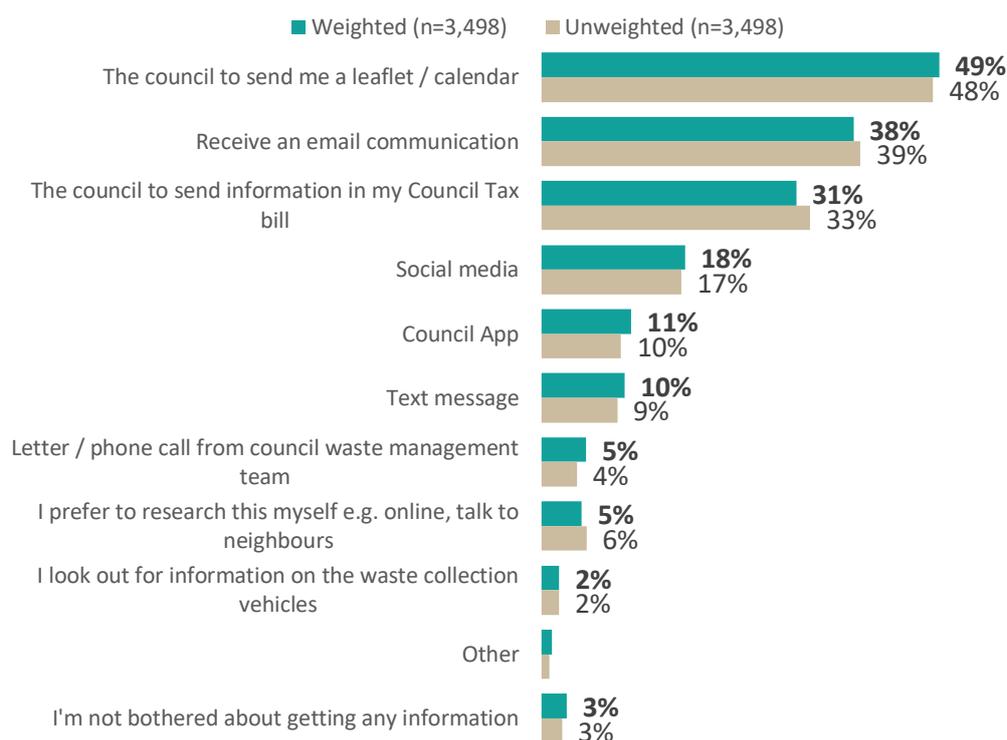
Table 17: Where have you seen or heard advertisements or information about rubbish and recycling services by gender and age group

	Female (n=1,734)	Male (n=1,631)	16-34 (n=796)	35-44 (n=441)	45-54 (n=560)	55-64 (n=579)	65-74 (n=713)	75+ (n=294)
On the council website	39%	48%	33%	37%	38%	48%	54%	52%
Posts on social media e.g. Twitter, Facebook	27%	18%	33%	32%	25%	18%	14%	6%
A recycling leaflet / calendar	23%	26%	11%	19%	23%	30%	34%	39%
From neighbours / friends	10%	10%	11%	9%	6%	10%	13%	11%
Advertising on vehicles e.g. panels on recycling lorry	5%	6%	7%	5%	5%	5%	5%	4%
Letter / phone call from council waste management team	4%	5%	6%	6%	3%	3%	4%	3%
From the bin collection crew	2%	2%	1%	2%	2%	3%	4%	4%
Hereford Times	2%	3%	0%	0%	1%	2%	5%	7%
At the council / information office	1%	3%	3%	2%	2%	2%	2%	1%
The council helpline / call centre	1%	1%	0%	1%	1%	1%	1%	1%
WI talk	0%	0%	0%	0%	0%	0%	0%	1%
Email updated from Council	0%	0%	0%	0%	0%	0%	1%	1%
Local Radio	0%	0%	0%	0%	0%	0%	0%	0%
Your Herefordshire -Facebook page	0%	0%	0%	1%	0%	0%	0%	0%
Can't remember	7%	8%	10%	8%	9%	6%	4%	4%
Other	1%	3%	0%	1%	1%	2%	3%	6%
I haven't seen or heard any information	19%	16%	23%	20%	20%	16%	12%	12%

Lastly, residents were asked what their preferred way of receiving information about the rubbish and recycling service would be (Figure 26).

- Just over half (49%) of residents said they would prefer to receive a leaflet or calendar with information. This was followed by 38% stating email communication and 31% said to receive the information in their Council Tax bill.

Figure 26: What would be your preferred way of receiving information about the rubbish and recycling services provided?



Sub-group analysis shows there were significant variations by gender and age group (Table 18).

	<ul style="list-style-type: none"> Women were more likely to prefer information about rubbish and recycling via social media (21%) compared to men (15%). Men were more likely to want to receive information in their Council Tax bill at 36% compared to women at 26%.
	<ul style="list-style-type: none"> Residents aged between 35-44 were more likely to want to receive information via social media at 31% compared to the other age groups. For example, just 9% of those aged 65-74 stated this. Information provided in the Council Tax bill was preferred by those aged over 55 years. For example, 44% of those aged 75 or older said they'd prefer this, compared to 21% of those aged 16-34.

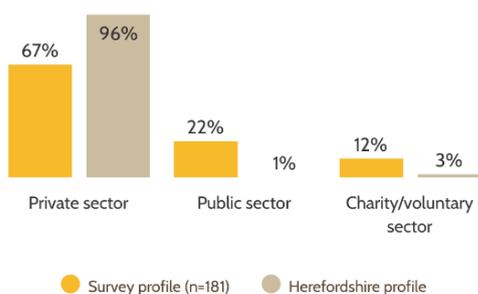
Table 18: Preferred way of receiving information about the rubbish and recycling services provided by gender, age group, children in the home and RUC

	Female (n=1,734)	Male (n=1,631)	16-34 (n=796)	35-44 (n=441)	45-54 (n=560)	55-64 (n=579)	65-74 (n=713)	75+ (n=294)	Children in the home (n=897)	No children in home (n=2,515)	Rural (n=1,754)	Urban (n=1,586)
The council to send me a leaflet / calendar	51%	47%	58%	47%	45%	43%	47%	54%	49%	49%	47%	51%
Receive an email communication	36%	41%	35%	38%	33%	39%	45%	45%	36%	40%	42%	35%
The council to send information in my Council Tax bill	26%	36%	21%	26%	25%	34%	42%	44%	24%	33%	34%	29%
Social media	21%	15%	21%	31%	24%	16%	9%	3%	25%	15%	14%	22%
Text message	11%	9%	15%	11%	11%	8%	7%	8%	12%	9%	9%	12%
Council App	11%	11%	16%	16%	13%	8%	5%	4%	13%	10%	10%	12%
Letter / phone call from council waste management team	6%	5%	11%	4%	3%	2%	5%	6%	6%	5%	5%	6%
I prefer to research this myself e.g. online, talk to neighbours	4%	6%	2%	5%	6%	7%	5%	6%	4%	5%	6%	4%
I look out for information on the waste collection vehicles	2%	2%	2%	2%	1%	2%	2%	5%	2%	2%	2%	3%
Look on website	1%	1%	1%	1%	1%	1%	2%	0%	1%	1%	1%	1%
Local Newspaper	0%	0%	0%	0%	0%	0%	1%	0%	0%	0%	0%	0%
Other	1%	1%	2%	1%	1%	0%	1%	1%	1%	1%	1%	1%
Don't know	1%	1%	0%	1%	2%	1%	1%	0%	1%	1%	1%	1%
I'm not bothered about getting any information	3%	3%	5%	3%	3%	2%	1%	3%	3%	3%	3%	3%

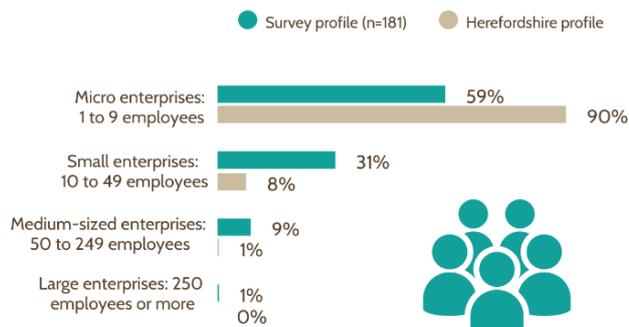
Business survey

Whom we spoke to

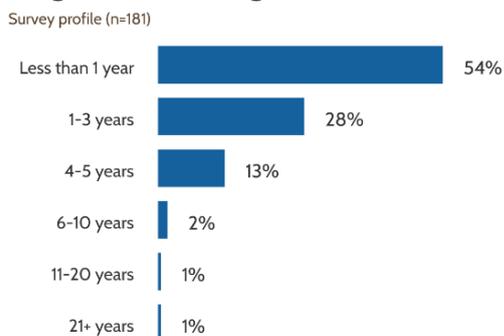
Sector



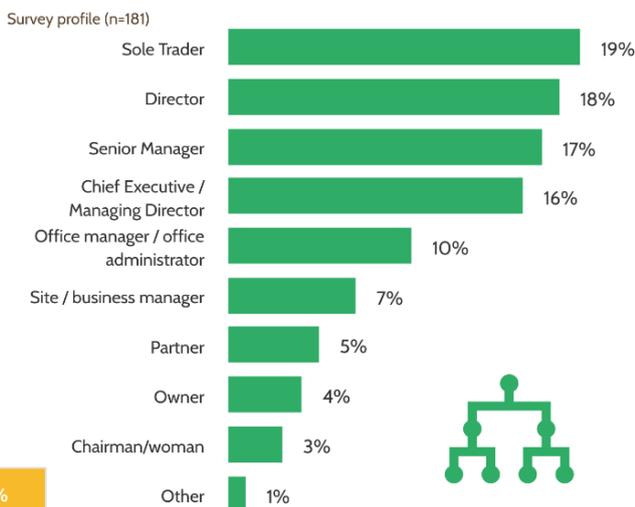
Business size



Length of time trading



Position



Principal business activity

Principal business activity	%
Accommodation, pubs & restaurants (eat in)	32%
Education	15%
Manufacturing	10%
Retail	9%
Arts, entertainment & recreation	8%
Health	6%
Motor trades	4%
Professional, scientific & technical	3%
Agriculture, forestry & fishing	2%
Take away food outlets	2%
Construction	1%
Wholesale	1%
Financial & insurance	1%
Property	1%
Business administration & support services	1%
Public administration & defence	1%
Other service activities	1%



Findings

Claimed usage

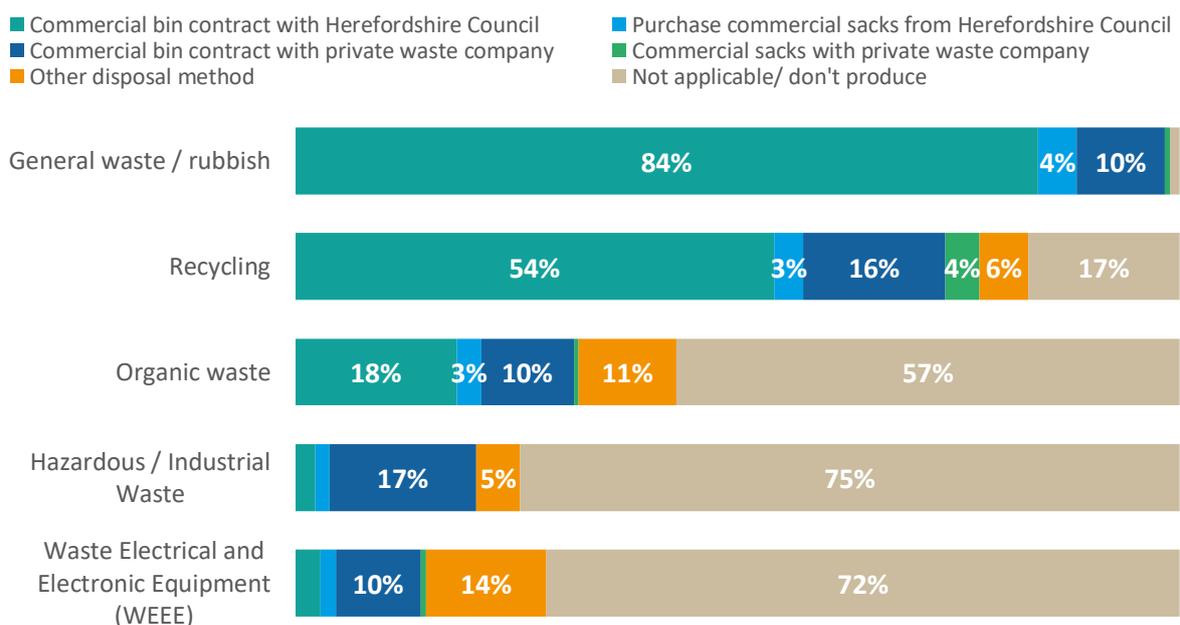
Section summary:

Most businesses who responded to the survey indicated that they **had a commercial bin contract** with **Herefordshire Council** to collect their general waste/rubbish. Private waste companies tended to be used for hazardous/industrial waste and/or waste electrical and electronic equipment (WEEE). **Most businesses generated** recyclable waste such as **paper** and **plastics** but not as many said to recycle them. A fifth of the businesses indicated to not recycle at all.

Businesses were asked how they currently disposed of their business rubbish and recycling. Via a commercial bin contract with Herefordshire Council was the most used method when general waste/rubbish (84%) and recycling (54%) were involved (Figure 27).

- The methods vary to a higher degree when it comes to organic waste, including via commercial bin contract with either the council or a private waste company, or using other disposal methods.
- Nearly three quarters of the businesses responding to the survey did not produce hazardous/industrial waste and/or waste electrical and electronic equipment (WEEE). For those that did, disposing these waste types via commercial bin contract with a private waste company or using other disposal methods were most mentioned.

Figure 27: How do you currently dispose of your business rubbish and recycling?



When asked where they stored their business rubbish and recycling, outside on their own land in a bin/container was the most used method (83%, Figure 28), followed by indoors in a bin/container (38%). Similarly, businesses tended to leave their rubbish and recycling outside on their own land in a bin/container on collection day (73%, Figure 29).

Figure 28: Where and how do you store your rubbish and/or recycling?

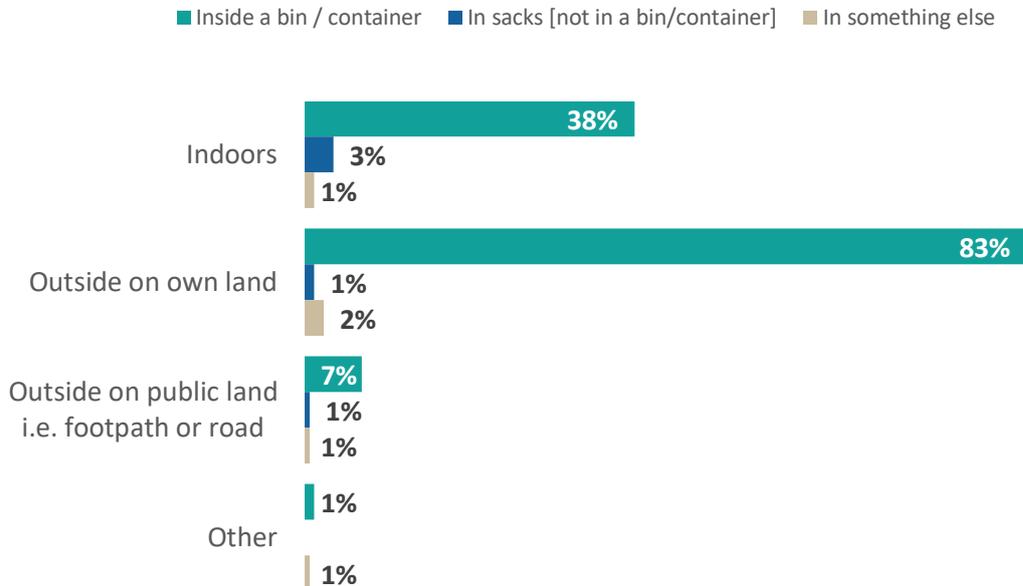
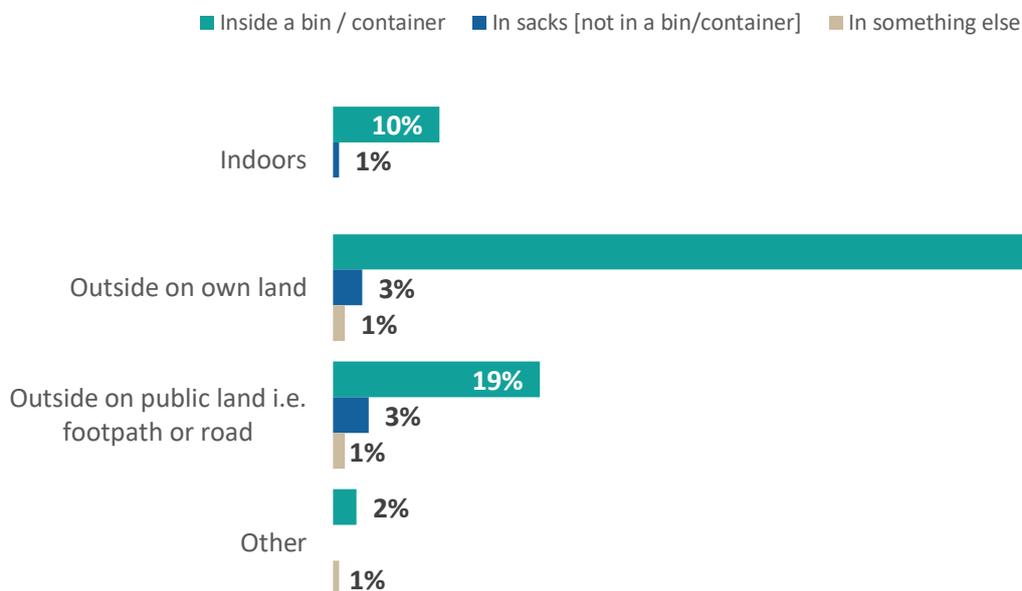


Figure 29: Where do you put your rubbish and/or recycling on collection day?



Businesses who responded to the survey indicated that they were more likely to generate waste materials such as paper (including thin card and corrugated cardboard), plastic (including bottles, tubs and pots), food waste, glass bottles/jars and metal tins/cans (Table 19). When asked what materials they recycled, more businesses recycled paper related waste than plastic. A fifth (21%) said they did not recycle at all.

Table 19: What waste types does your business generate / recycle?

	Materials generated (n=181)	Materials recycled (n=180)
Paper	92%	66%
Thin card	77%	55%
Corrugated cardboard	71%	51%
Plastic bottles	70%	49%
Food waste	64%	6%
Glass bottles / jars	64%	44%
Metals tins / cans	62%	41%
Plastic tubs / pots	58%	37%
Plastic films	53%	18%
Other plastics	40%	21%
Plastic trays	38%	28%
Other glass items	24%	14%
Other metal items	22%	14%
Wood	18%	8%
Batteries	18%	9%
Garden waste	17%	7%
Waste Electrical and Electronic Equipment (WEEE)	17%	9%
Textiles	15%	4%
Cooking oils	14%	7%
Hazardous waste	9%	2%
Building materials	7%	1%
Other	3%	1%
None	1%	21%

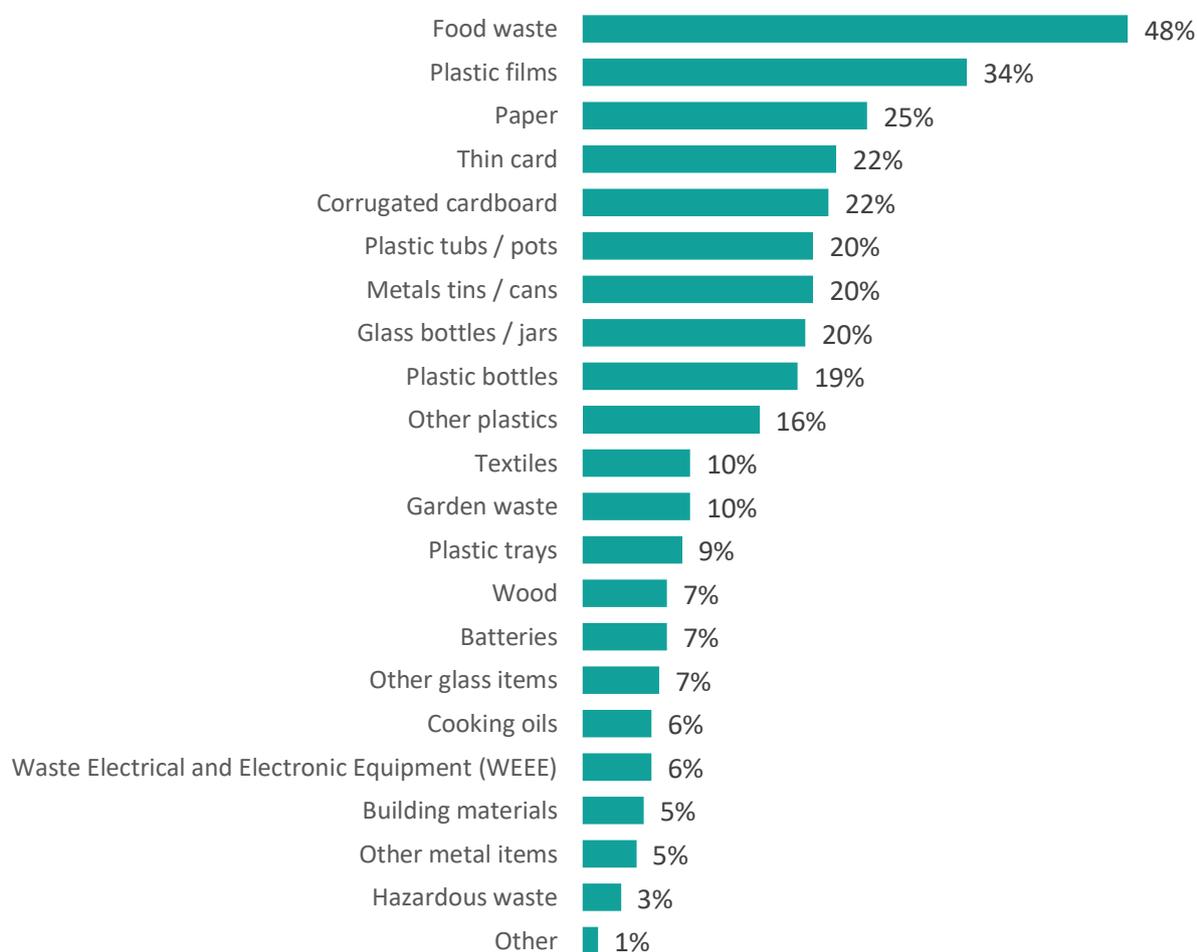
Opportunities to improve recycling

Section summary:

Nearly half of the businesses who took part in the survey would like to recycle food waste. In general businesses would like the cost of recycling to be reduced and that more materials can be recycled / more recycling services are available, so as to encourage them to recycle more.

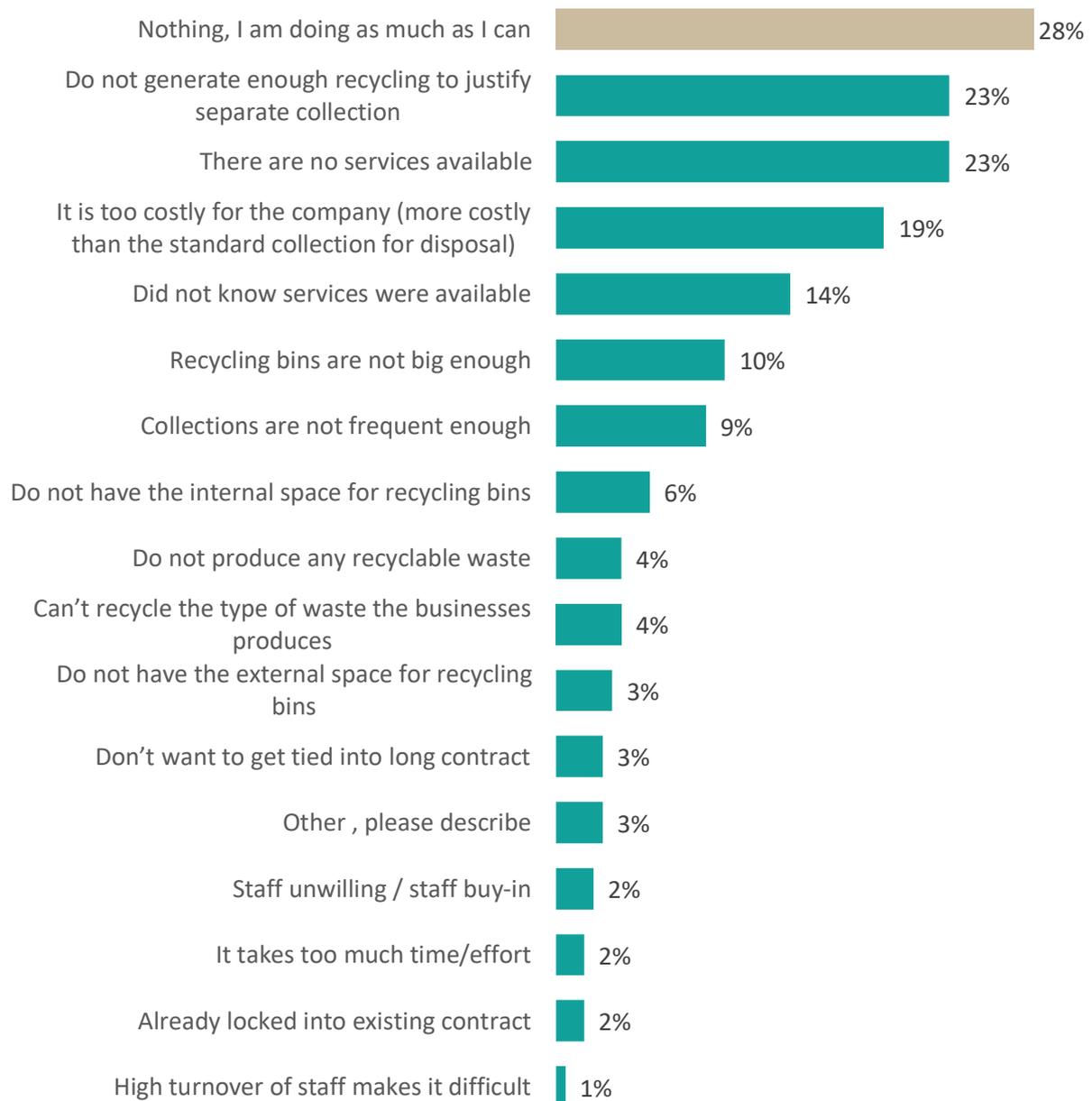
When asked what materials they would like to recycle but currently do not or cannot, food waste was most mentioned (48%, Figure 30) followed by plastic films (34%) and then paper/card/cardboard (22-25%).

Figure 30: What materials would you like to recycle but currently do not or cannot?



Over a quarter (28%, Figure 31) of the businesses felt that they were already recycling as much of their business waste as they could. Some indicated that they did not generate enough recycling to justify a separate collection (23%) or there were no services available (23%). It is worth noting that 19% said it was too costly for their company to recycle. A very small proportion of businesses suggested a lack of willingness to recycle, i.e. staff unwilling / staff buy-in (2%) and it takes too much time/effort (2%).

Figure 31: What prevents you from recycling any/more of your business waste?



When asked what would encourage their business to recycle more, the cost of recycling came on top with 52% wanting cheaper collections, followed by if more materials could be recycled (42%) and their concerns for the environment (39%, Figure 32).

Figure 32: What would encourage your business to recycle more than you do now?



The key challenges or issues mentioned by businesses when dealing with rubbish and recycling were:

- Cost of recycling
- Not enough bins or bins not big enough

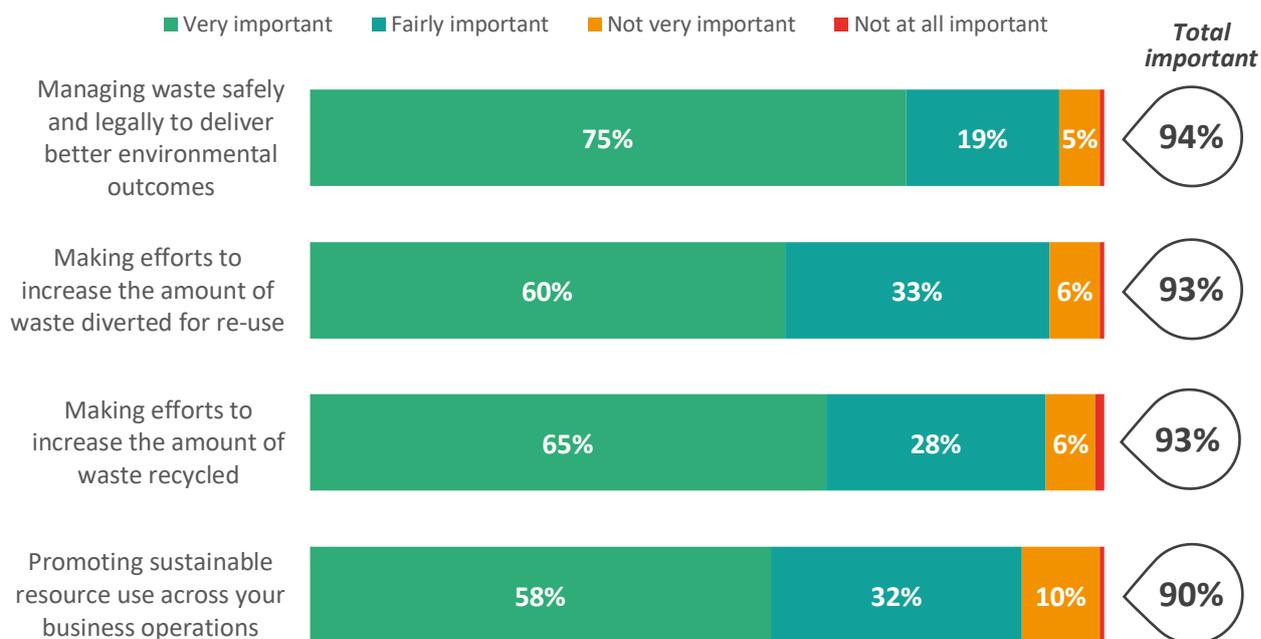
Scoping the future of service delivery

Section summary:

The majority of businesses felt it was **important to manage waste safely and legally** to deliver better **environmental outcomes**, and **efforts** should be made to **increase recycling, re-use** and **promote sustainable resource use**. When considering the provision of a **food waste collection service** and **Commercial Recycling Centre**, most businesses would prefer them to be **provided for free**.

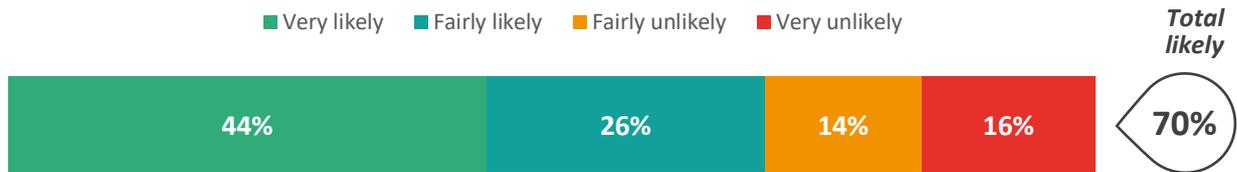
When asked the level of importance in the statements listed in Figure 33, the vast majority of the businesses felt they were either 'very' or 'fairly' important, particularly in managing waste safely and legally with 75% stating it being 'very' important.

Figure 33: Please state the level of importance you feel that the following statements are to your business



70% of the businesses indicated that they would be very/fairly likely to use a food waste collection service if one was available and affordable (Figure 34).

Figure 34: How likely or unlikely, would you and/or other members of your business be in using a food waste collection service if one was available and affordable?



Those who said they would be unlikely to use the service was mainly because they produced little food waste.

When asked if they would be prepared to pay for a food waste collection, two thirds felt the service should be free of charge, otherwise they would not have their food waste collected (Figure 35). This is partly affected by 30% of them being unlikely to use the service (Figure 34 above). For those who would be willing to pay, the vast majority opted for the tariff of up to £5 per lift of a 240 litre bin, excluding VAT.

Half of the businesses would like their food waste collected once a week; 16% felt it should be on demand/as and when required (Figure 36).

Figure 35: Please tell us how much you would be prepared to pay for a food waste collection?

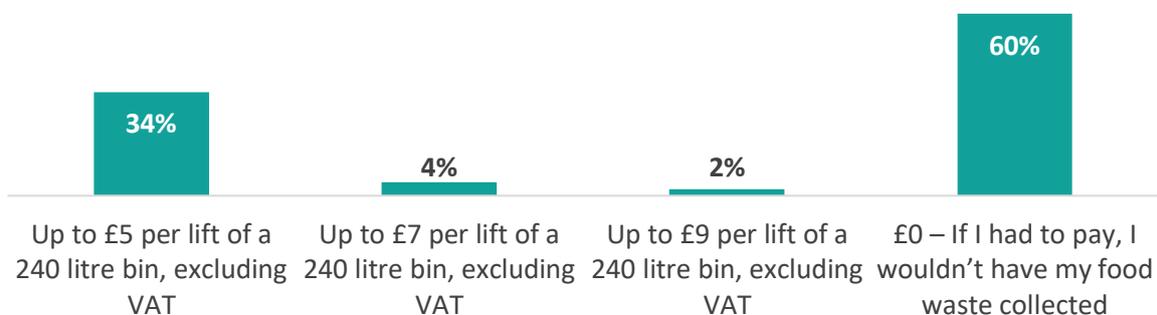
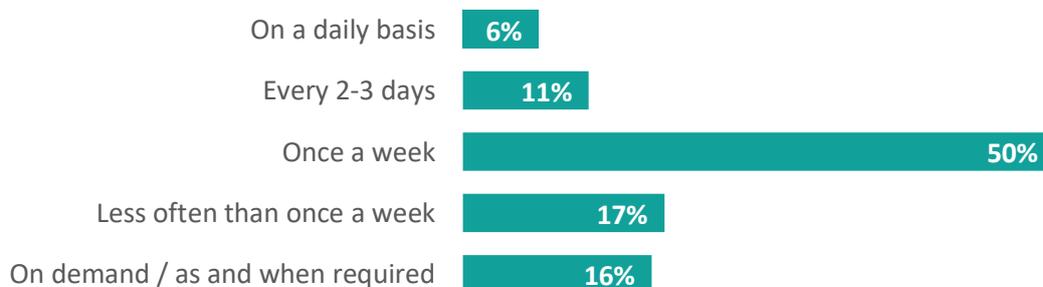
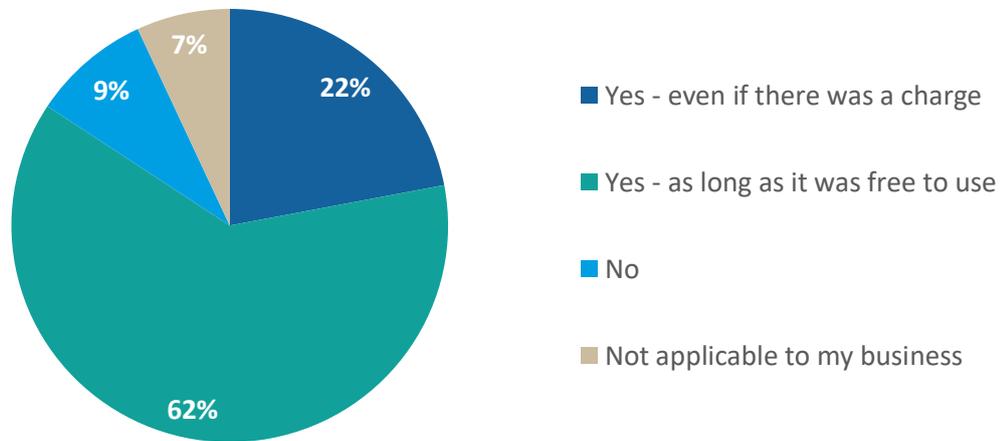


Figure 36: How often would you need the food waste collected?



When asked if their business would use a Commercial Recycling Centre the council is considering introducing, most businesses (84%) said 'yes' but 62% would prefer it to be a free service (Figure 37).

Figure 37: The council is considering introducing at least one Commercial Recycling Centre by 2025. Would you and other members of your business use this service?



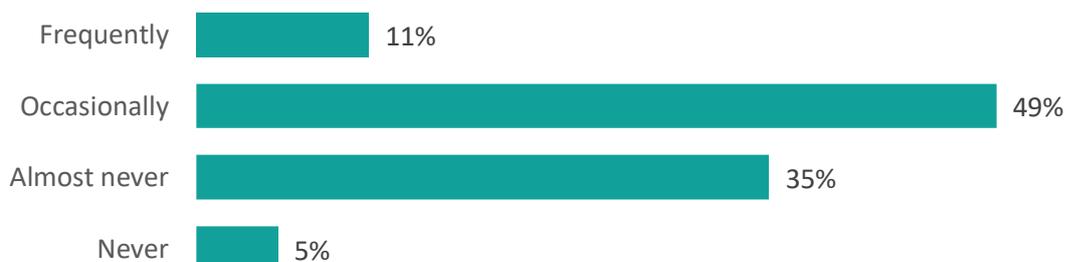
Communication and information

Section summary:

Two fifths of businesses that took part in the survey hardly had any contact with Herefordshire Council. The **council's website** was the **most used channel** for businesses to find out information about business recycling and waste services; however, most businesses preferred to receive the information **via emails**.

When it comes to engaging with Herefordshire Council, 60% (Figure 38) of the businesses reported to have contact with the Council either frequently (11%) or occasionally (49%). The rest never or almost never had contact with the council.

Figure 38: How often do you have contact with Herefordshire Council e.g. source information, pay for services, report an issue?



The most common cited source of information about business recycling and waste services provided by the council was the council's website (34%, Figure 39), followed by information received with their business rate (12%). A third of them felt that they had not seen or heard any information about this.

Most businesses preferred to receive information about business recycling and waste services via email (Figure 40) with 65% stating this. A quarter of them would like the council to send them a leaflet/pamphlet. Only 4% indicated that they were not bothered about receiving any information.

Figure 39: Where have you seen or heard advertisements or information about business recycling and waste services provided by Herefordshire Council?

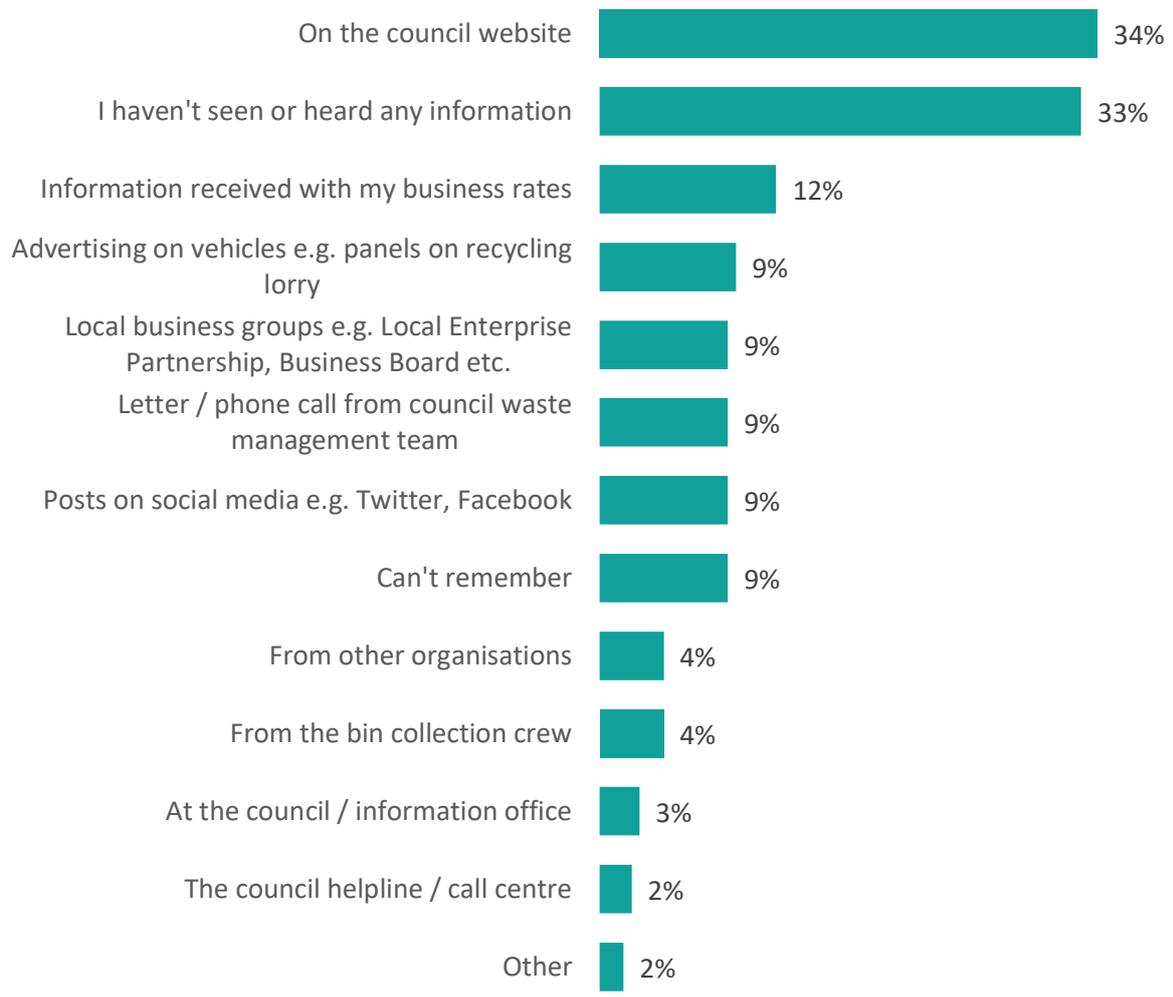


Figure 40: What would be your preferred way of seeking or receiving information about the recycling and waste services provided to businesses?



Appendix A: Resident and business questionnaires

Appendix B: Additional feedback received

Appendix A: Questionnaires

Have your say about the future of rubbish and recycling in Herefordshire...

About the research

Herefordshire Council would like to gather feedback from residents on the future of rubbish and recycling collections. The council's current rubbish and recycling contract is coming to an end in 2023. Since the current service was introduced, the government announced a new national resource and waste strategy and the council will have to make changes to ensure it meets new requirements.

There is a lack of certainty in the government's resource and waste strategy 2018, but the vision outlines that the council will have to do the following to ensure compliance:

1. To provide a weekly food waste collection service for every household.
2. To collect garden waste separately.
3. The government's preferred approach is that councils collect different recyclables separately to increase their quality e.g. in different containers.
4. The government's preferred approach is that no waste stream is collected less than every fortnight.

In addition, in 2019 the council declared a Climate Emergency and has an ambition to make changes to bring about a more sustainable county.

The survey will take 10 minutes to complete.

Who is managing the survey?

M.E.L Research, an independent market research company, have been commissioned by Herefordshire Council to carry out this survey on their behalf. They operate to the Code of Conduct of the Market Research Society <https://www.mrs.org.uk/standards/code-of-conduct>.

All information you provide to us will only be used for research purposes and you will not be personally identifiable in any analysis or reports. We will hold all information securely and strictly in line with the Data Protection Act 2018 and the General Data Protection Regulation (GDPR). You can find out more information about our surveys and what we do with the information we collect in our Privacy Notice, which can be accessed via our website at <https://melresearch.co.uk/page/privacypolicy>.

Q1 We are only looking to speak to residents who live in Herefordshire. Do you live in Herefordshire e.g. do you pay your Council Tax to Herefordshire Council?

- Yes
 No [END & N23]

If you are unsure, you can see which council you fall under by entering your postcode here: <https://www.gov.uk/find-local-council>

Q2 Are you responsible in some way for dealing with your household rubbish and recycling?

- Yes
 No [ALERT N22 OR END]

Q3 Please select the type of rubbish and recycling service you currently receive?

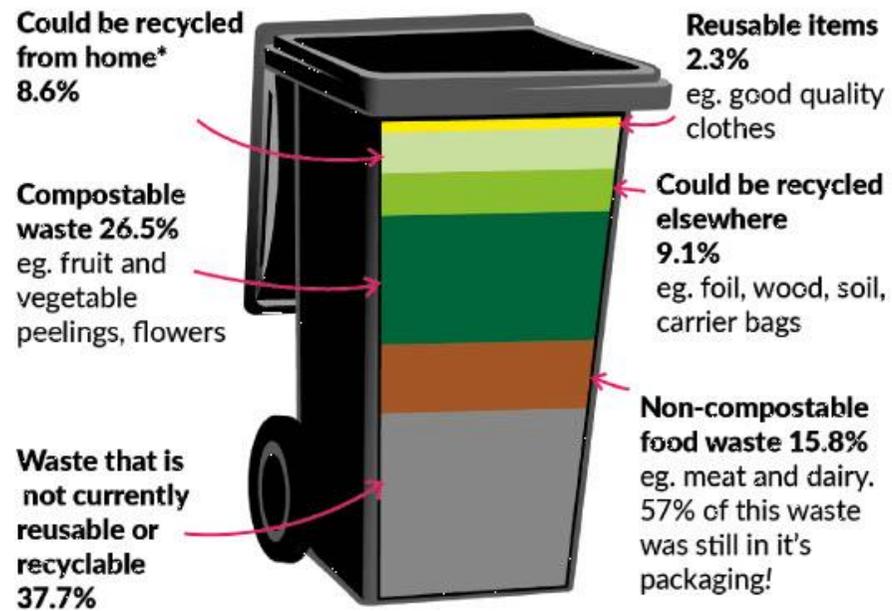
- Rubbish and recycling is collected from the boundary of my property (including those on an assisted collection)
 Rubbish and recycling is collected in a shared communal bin/container
 Rubbish and recycling is collected from a shared collection point at the end of the lane/road

Future rubbish and recycling collections

Q4 Thinking about the future of rubbish and recycling services please select the top 3 aspects, in order, which you think the council should prioritise.

- Follows Government guidance
- Produces high quality recycling materials
- Results in a high recycling rate
- Minimises the amount of carbon produced
- Minimises cost
- Prevents waste
- Improves local employment, economic and social opportunities
- High public acceptance of the rubbish & recycling service
- Provides value for money

In 2019, the council carried out an analysis on the types of materials that were being placed into the black bin. They found that on average the black bin contained nearly 9% of materials that can currently be recycled at home and a further 42% consisted of food waste.



Q5 To what extent to you agree or disagree that more needs to be done to reduce rubbish and increase recycling in Herefordshire?

- Strongly agree
- Somewhat agree
- Neither agree nor disagree
- Somewhat disagree
- Strongly disagree

We would now like to gather your feedback on the future of rubbish and recycling collections.

Q6 To what extent do you accept the need for the council to change the current rubbish and recycling collection?

- Very acceptable
- Slightly acceptable
- Neutral
- Slightly unacceptable
- Very unacceptable

Q7 If the council introduced a separate weekly collection for food waste, would you use it?

- Yes [\[GO TO Q9\]](#)
- Maybe [\[GO TO Q8\]](#)
- No [\[GO TO Q8\]](#)
- Don't know

Q8 Why wouldn't you use it or what concerns do you have? [\[GO TO Q10\]](#)

- Don't produce enough food waste
- No room to store container/s
- Worried about hygiene e.g. the smell
- It could attract pests
- Inconvenient / hassle
- Already compost
- Other, please describe

Q9 Do you have any concerns in using a weekly food waste collection? [ASK IF OPTION 1 IN Q7]

- Not producing enough food waste
- Not enough room to store containers
- Worried about hygiene e.g. the smell
- It could attract pests
- Inconvenient / hassle
- Already compost
- Nothing / no
- Other, please describe

The council is considering introducing a garden waste collection service. This may be a paid for service which would go towards covering the costs of running it. The council would provide a wheeled bin and collect biodegradable garden waste to be sent for composting every fortnight.

Q10 If there was a fee for collecting garden waste how much would you be prepared to pay for this service?

- Up to £40 per year
- Up to £50 per year
- Up to £60 per year
- £0 – If I had to pay, I wouldn't have my garden waste collected
- Not applicable e.g. I don't have a garden, don't produce garden waste, use another disposal method

The council has been considering different options for providing rubbish collection services in the future. It has needed to think about what needs to be achieved and has been gathering evidence, information and speaking to other councils to find out more about their experience to help with this. The council would now like to gather views from residents on two options.

Please remember that the council will need to make changes to ensure compliance with the government's policy which includes the following:

1. To provide a weekly food waste collection service for every household.
2. To collect garden waste separately.
3. The government's preferred approach is that councils collect different recyclables separately to increase their quality e.g. in different containers.
4. The government's preferred approach is that no waste stream is collected less than every fortnight.

Below identifies the best performing options. Please click here to see an example of a collection schedule for each option. [\[Pop out here for example collection calendars\]](#)

Option 1

Container	Material	Collection period
 240 litre	Recycling - Metal tins/cans, plastic pots, tubs, trays and bottles, glass bottles and jars	Once every 3 weeks
 240 litre	Recycling – all paper and cardboard	Once every 3 weeks
 240 litre	Garden waste*	Once every 2 weeks
 23 litre	Food waste	Weekly
 180 litre	General waste	Once every 3 weeks

Option 2

Container	Material	Collection period
   55 litre/box	<u>Separated dry recycling:</u> Red box - Metal tins/cans, plastic pots, tubs, trays and bottles Blue box - all paper and cardboard Green box - glass bottles and jars	Weekly
 240 litre	Garden waste*	Once every 2 weeks
 23 litre	Food waste	Weekly
 180 litre	General waste	Once every 2 weeks

*There could be a charge for this service

Q11 Which of the following two options would you prefer?

- Option 1
 Option 2

Q12 Can you tell us why you chose {Q11} ? [The text will pre populate from Q11 here] - this box will be on the same page so resident can scroll up to view again.

Q13 Is there anything that you feel the council needs to take into consideration for {Q11} for you personally?

- Residents who are unable to transport containers to the property boundary for collection
 Residents who live in more rural areas being able to easily transport containers to the end of lane/road for collection
 Materials being blown / falling out of boxes [only shown for option 2]
 Materials getting wet in the boxes [only shown for option 2]
 The provision of free liners for the food waste collection
 Households producing nappies and other absorbent hygiene products which may fill bins quickly
 Lack of space outside to store containers provided
 Lack of space inside the home to sort and store materials
 Confusion as to when containers get placed out for collection
 Confusion as to what materials go in each container
 Other, please describe
 Nothing / no

Current service use

Q14 Which of the following household waste and recycling collections do you currently use? *If you don't use a service, please select the 'no' response. Please tick one for each statement.*

	Yes	No
Black wheeled bin / sack for general rubbish	<input type="radio"/>	<input type="radio"/>
Green wheeled bin / clear sack for mixed recycling	<input type="radio"/>	<input type="radio"/>
Council purchased green sacks for garden waste	<input type="radio"/>	<input type="radio"/>
Pay for an independent garden waste bin collection service	<input type="radio"/>	<input type="radio"/>

Q15 How often do you place the following out for collection? *[Pre populated based on Q14] [Question not asked if Q2 = 2 communal collection]*

	Once a fortnight	Every four weeks	Other, please describe below
Black wheeled bin / sack for general rubbish	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Green wheeled bin / clear sack for mixed recycling	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Council purchased green sacks for garden waste	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Independent garden waste bin	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q16 You previously mentioned that you don't use your green wheeled bin / clear sacks for mixed recycling. Why don't you use this service? Please tick all that apply. *[If 'no' to Q14b] [Items will be randomised]*

- Animals get in the sacks
- I am too busy
- I've seen the crew mix the recycling together with the rubbish in the same vehicle
- Collection crew leave a mess after collection
- No space to store recycling / bins
- Collection is unreliable
- Crew make a mess
- Have just moved in
- Not sure if materials can be recycled so throw them into the rubbish bin
- Can't be bothered to clean the materials
- Not enough recyclable materials collected
- Don't have any information on the service
- I don't know what happens to the recycling
- Prefer to use the rubbish bin
- I can't be bothered / too much effort
- Don't see the point / benefit of recycling
- I don't believe it gets recycled / it all goes to landfill anyway
- No one else recycles so why should I?
- Don't produce enough to recycle
- Something else, please describe

Q17 What materials do you recycle in your green wheeled bin / clear sacks for mixed recycling? Please tick all that apply. *[Items will be randomised]*

- Food / drink tins
- Aerosol cans
- Metal jar lids
- Pet food pouches, crisp packets *[alert]*
- Batteries *[alert]*
- Paper e.g. newspapers, junk mail, catalogues
- Thin card e.g. cereal boxes, toilet roll tubes
- Corrugated / thick cardboard
- Plastic bottles e.g. milk, juice, shampoo bottles
- Plastic pots and tubs e.g. yogurt pots, margarine tubs
- Plastic trays e.g. ready meal trays, vegetable punnets
- Plastic film e.g. shopping bags, cling film, bubble wrap *[alert]*
- Tetra pack cartons e.g. juice, UHT milk cartons
- Glass bottles and jars
- Textiles e.g. clothes, shoes *[alert]*
- Polystyrene *[alert]*
- Nappies *[alert]*
- Kitchen towel / tissues *[alert]*
- Other, please describe

Communication and information

Q18 How often do you have contact with Herefordshire Council e.g. find information or find out about services, pay for services, report an issue?

- Frequently
- Occasionally
- Almost never
- Never
- Don't know

Q19 Where have you seen or heard advertisements or information about rubbish and recycling services provided by Herefordshire Council? *Please tick all that apply*

- On the council website
- The council helpline / call centre
- At the council / information office
- Letter / phone call from council waste management team
- A recycling leaflet / calendar
- From neighbours / friends
- From the bin collection crew
- Advertising on vehicles e.g. panels on recycling lorry
- Posts on social media e.g. Twitter, Facebook
- Can't remember
- I haven't seen or heard any information
- Other, please specify below

Q20 What would be your preferred way of receiving information about the rubbish and recycling services provided? Please select up to three options.

- The council to send information in my Council Tax bill
- The council to send me a leaflet / calendar
- On the council website
- Letter / phone call from council waste management team
- Text message
- Council App
- Receive an email communication
- I look out for information on the waste collection vehicles
- I prefer to research this myself e.g. online, talk to neighbours
- Don't know
- I'm not bothered about getting any information
- Social media
- Other, please specify below

Earlier on in the survey you said you placed the following materials in your green wheeled bin / clear sacks for mixed recycling. Please don't change your answers, but just to let you know that the materials that you selected are currently not accepted in your green wheeled bin / clear sacks for mixed recycling. **[materials will be listed below]**

About you

To make sure we are hearing from a wide range of people we would like to ask some questions about you. These questions are optional but answering them will help us better understand what you tell us.

Q21 How long have you lived in Herefordshire?

- Just moved here (under 6 months)
- 6 to 12 months
- 1 to 2 years
- 2 to 3 years
- 3 to 5 years
- Longer than 5 years
- Prefer not to say

Q22 What gender do you identify as?

- Female
- Male
- Prefer to self describe, please describe
- Prefer not to say

Q23 Which age group do you fall into?

- 16-24
- 25-34
- 35-44
- 45-54
- 55-64
- 65-74
- 75+
- Prefer not to say

Q24 What is your ethnic origin?

- English / Welsh / Scottish / Northern Irish / British
- Irish
- Gypsy, Irish or Roma Traveller
- Any other white background
- Mixed: White and Black Caribbean
- Mixed: White and Black African
- Mixed: White and Asian
- Any other mixed background
- Asian or Asian British: Indian
- Asian or Asian British: Pakistani
- Asian or Asian British: Bangladeshi
- Asian or Asian British: Chinese
- Any other Asian background
- Black or Black British: African
- Black or Black British: Caribbean
- Any other Black background
- Other: Arab
- Another ethnic group, please describe below

Q25 Are your day-to-day activities limited because of a mental or physical health problem or disability which has lasted, or is expected to last, at least 12 months?

- Yes, limited a lot
- Yes, limited a little
- No
- Prefer not to say

Q26 How many people normally live in your home, including yourself?

- 1 person
- 2 people
- 3 people
- 4 people
- 5 or more people
- Prefer not to say

Q27 Do you have children in the home (15 years or younger)?

- Yes
- No
- Prefer not to say

Q28 What type of property do you live in?

- Detached house or bungalow
- Semi-detached house or bungalow
- Terraced house or bungalow
- Purpose built block of flats
- Converted or shared flats
- Other, specify below
- Prefer not to say

Q29 What is your full postcode? This will not be passed back to the council.

We want to make sure that we get feedback from residents living in both rural and urban areas of the council area, so providing your full postcode will help us make sure we do this.

Q30 Finally, the council may want to gain further feedback from residents about their views on waste and recycling in Herefordshire. If you are interested, please provide your name and your preferred contact details. This information will be passed back to the council.

Yes, please - I confirm I am happy for my name and preferred contact details to be passed to the council.

No, thank you.

Name:

Contact details:

These are all the questions. Thank you for your time. Please press the submit button.

[N22] We are looking to speak to residents who have some involvement in waste and recycling in the household. Is there someone else in your home that can give us feedback?

[N23] Thank you, but we are only looking to get views from residents who live in Herefordshire.

Business rubbish and recycling survey

About the research

In December 2018, the government announced a new national resources and waste strategy. To meet the targets and approaches set out in the strategy Herefordshire Council will have to make changes to how it collects and disposes of the waste produced across the county.

Herefordshire has a diverse range of businesses with a varying degree of needs in respect of the waste they produce. Providing an increased range of commercial rubbish and recycling services, including commercial recycling centres, may provide greater opportunity for businesses in Herefordshire to improve the management of their waste. It is therefore important that the views and opinions of Herefordshire businesses are fully considered, prior to any future changes.

The survey will take 10 minutes to complete.

Who is managing the survey?

M.E.L Research, an independent market research company, have been commissioned by Herefordshire Council to carry out this survey on their behalf. They operate to the Code of Conduct of the Market Research Society <https://www.mrs.org.uk/standards/code-of-conduct>.

All information you provide to us will only be used for research purposes and you will not be personally identifiable in any analysis or reports. We will hold all information securely and strictly in line with the Data Protection Act 2018 and the General Data Protection Regulation (GDPR). You can find out more information about our surveys and what we do with the information we collect in our Privacy Notice, which can be accessed via our website at <https://melresearch.co.uk/page/privacypolicy>.

Q1 We are looking to speak to businesses who operate in Herefordshire. Can you please confirm that all or some of your business operations are in Herefordshire?

- Yes
 No [END N15]

About your business

Q2 Which best describes your business?

- Private sector
- Public sector
- Charity, voluntary service or third sector
- Other (please specify below)

Q3 Which of the following is your organisation's principal business activity?

- Agriculture, forestry & fishing
- Mining, quarrying & utilities
- Manufacturing
- Construction
- Motor trades
- Wholesale
- Retail
- Transport & storage (inc. postal)
- Accommodation, pubs & restaurants (eat in)
- Take away food outlets
- Information & communication
- Financial & insurance
- Property
- Professional, scientific & technical
- Business administration & support services
- Public administration & defence
- Education
- Health
- Arts, entertainment & recreation
- Other service activities, please describe

Q4 How many employees does your business have?

- Micro enterprises: 1 to 9 employees.
- Small enterprises: 10 to 49 employees.
- Medium-sized enterprises: 50 to 249 employees.
- Large enterprises: 250 employees or more.

Q5 How long has your business been trading for?

- <1 year
- 1 - 3 years
- 4 - 5 years
- 6 - 10 years
- 11 - 20 years
- 21+ years

Q6 Which of the below best describes your role?

- Chairman/woman
- Chief Executive / Managing Director
- Director
- Senior Manager
- Sole Trader
- Other, please describe below

Current services

Q7 How do you currently dispose of your business rubbish and recycling?

	Commercial bin contract with Herefordshire Council	Purchase commercial sacks from Herefordshire Council	Commercial bin contract with private waste company	Commercial sacks with private waste company	Other disposal method, please describe	Not applicable/ don't produce
General waste / rubbish	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Recycling	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Organic waste	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Hazardous / Industrial Waste	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Waste Electrical and Electronic Equipment (WEEE)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q8 Where and how do you store your rubbish and/or recycling? *Please tick all that apply*

	Inside a bin / container	In sacks [not in a bin/container]	In something else
Indoors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Outside on own land	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Outside on public land i.e. footpath or road	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other, please describe	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q9 Where do you put your rubbish and/or recycling on collection day? *Please tick all that apply*

	Inside a bin / container	In sacks [not in a bin/container]	In something else
Indoors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Outside on own land	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Outside on public land i.e. footpath or road	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other, please describe	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q10 What waste types does your business generate? *[Please tick all that apply]*

- Paper
- Thin card
- Corrugated cardboard
- Plastic bottles
- Plastic tubs / pots
- Plastic trays
- Plastic films
- Other plastics
- Glass bottles / jars
- Other glass items
- Metals tins / cans
- Other metal items
- Food waste
- Textiles
- Wood
- Garden waste
- Cooking oils
- Batteries
- Waste Electrical and Electronic Equipment (WEEE)
- Building materials
- Hazardous waste
- Other, please describe

Q11 Which materials do you recycle? *[based on materials selected in Q10]*

- Paper
- Thin card
- Corrugated cardboard
- Plastic bottles
- Plastic tubs / pots
- Plastic trays
- Plastic films
- Other plastics
- Glass bottles / jars
- Other glass items
- Metals tins / cans
- Other metal items
- Food waste
- Textiles
- Wood
- Garden waste
- Cooking oils
- Batteries
- Waste Electrical and Electronic Equipment (WEEE)
- Building materials
- Hazardous waste
- Other: {Q10a}

Opportunities

Q12 What materials would you like to recycle but currently do not or cannot? *[based on materials selected in Q10 and removing those already recycled in Q11]*

- Paper
- Thin card
- Corrugated cardboard
- Plastic bottles
- Plastic tubs / pots
- Plastic trays
- Plastic films
- Other plastics
- Glass bottles / jars
- Other glass items
- Metals tins / cans
- Other metal items
- Food waste
- Textiles
- Wood
- Garden waste
- Cooking oils
- Batteries
- Waste Electrical and Electronic Equipment (WEEE)
- Building materials
- Hazardous waste
- Other: {Q10a}

Q13 What prevents you from recycling any/more of your business waste?

- Do not produce any recyclable waste
- Do not generate enough recycling to justify separate collection
- There are no services available
- Recycling bins are not big enough
- Did not know services were available
- Do not have the external space for recycling bins
- Do not have the internal space for recycling bins
- It takes too much time/effort
- It is too costly for the company (more costly than the standard collection for disposal)
- Collections are not frequent enough
- Waste/recycling collections managed by head office
- Staff unwilling / staff buy-in
- Don't want to get tied into long contract
- High turnover of staff makes it difficult
- Already locked into existing contract
- Can't recycle the type of waste the businesses produces
- Nothing, I am doing as much as I can
- Other , please describe

Q14 What would encourage your business to recycle more than you do now?

- Higher charges for general waste collections
- Cheaper recycling collections
- Other financial incentives
- If more materials could be recycled
- More accessible recycling facilities
- Government legislation
- Because competitors are doing it
- Information on what happens to the recycling
- Pressure from customers
- Concern for the environment
- Ability to share services with other businesses
- Re-use opportunities
- Other, please describe

Q15 Are there any other issues or challenges that your business faces when dealing with rubbish and recycling?

Scoping future service delivery

Q16 Please state the level of importance you feel that the following statements are to your business...

	Very important	Fairly important	Not very important	Not at all important	Not applicable/ don't know
Promoting sustainable resource use across your business operations	<input type="radio"/>				
Managing waste safely and legally to deliver better environmental outcomes	<input type="radio"/>				
Making efforts to increase the amount of waste recycled	<input type="radio"/>				
Making efforts to increase the amount of waste diverted for re-use	<input type="radio"/>				

Q17 How likely or unlikely, would you and/or other members of your business be in using a food waste collection service if one was available and affordable?

- Very likely
- Fairly likely
- Fairly unlikely
- Very unlikely
- Don't know
- Not applicable (No food waste produced) **[GO TO Q21]**

Q18 Why do you say this? *[If Q17=fairly or very unlikely]*

Q19 Please tell us how much you would be prepared to pay for a food waste collection?
[SLIDER CONTROL]

- Up to £5 per lift of a 240 litre bin, excluding VAT
- Up to £7 per lift of a 240 litre bin, excluding VAT
- Up to £9 per lift of a 240 litre bin, excluding VAT
- £0 – If I had to pay, I wouldn't have my food waste collected

Q20 How often would you need the food waste collected?

- On a daily basis
- Every 2-3 days
- Once a week
- Less often than once a week
- On demand / as and when required
- Don't know

Q21 The council is considering introducing at least one Commercial Recycling Centre by 2025. Would you and other members of your business use this service?

- Yes - even if there was a charge
- Yes - as long as it was free to use
- No
- Not applicable to my business
- Not sure

Communication and information

Q22 How often do you have contact with Herefordshire Council e.g. source information, pay for services, report an issue?

- Frequently
- Occasionally
- Almost never
- Never
- Don't know

Q23 Where have you seen or heard advertisements or information about business recycling and waste services provided by Herefordshire Council? *Please tick all that apply*

- Local business groups e.g. Local Enterprise Partnership, Business Board etc.
- On the council website
- Information received with my business rates
- The council helpline / call centre
- At the council / information office
- Letter / phone call from council waste management team
- From other organisations
- From the bin collection crew
- Advertising on vehicles e.g. panels on recycling lorry
- Posts on social media e.g. Twitter, Facebook
- Can't remember
- I haven't seen or heard any information
- Other, please specify below

Q24 What would be your preferred way of seeking or receiving information about the recycling and waste services provided to businesses? *Please select up to three options.*

- Local business groups e.g. Local Enterprise Partnership, Business Board etc.
- The council to send me a leaflet / pamphlet
- Letter / phone call from council waste management team
- Information received with my business rates
- Council App
- Receive an email communication
- I prefer to research this myself e.g. online
- Social media
- Don't know
- I'm not bothered about getting any information
- Other, please specify below

Q25 Please can you provide your businesses full postcode? If you have multiple premises, please provide the one at which you are based. This will not be passed back to the council.

We want to make sure that we get feedback from business across the council, so providing your full postcode will help us make sure we do this.

Q26 Finally, the council may want to gain further feedback from businesses about their views on rubbish and recycling in Herefordshire. If you are interested, please provide your name and your preferred contact details. This information will be passed back to the council.

- Yes, please - I confirm I am happy for my name and preferred contact details to be passed to the council.
- No, thank you.

Business name:

Name:

Business email address:

Business telephone number:

[N15] Thank you for your interest in this survey, but we are only wanting to speak to businesses Herefordshire.

Appendix B: Additional feedback received

Independent Parish Council feedback

This topic was on our agendas for both the December 16th 2020 and the 13th January 2021. We recognise that the current consultation is focussed on the public but feel that there is a case for views from other sources such as local councils.

The Council believes that there should be another recycling centre north of the River Wye to serve parishes such as Breinton. Currently residents must travel to either Rotherwas or Leominster. This adds unnecessary waste miles, is environmentally insensitive and increases traffic particularly over the Grey Friars Bridge in Hereford. Herefordshire's new strategy from 2024 should include a north city facility.

The principle must be to make recycling easy. More local facilities would be a step in the right direction, but the waste collection process needs to be much better supported with clear, easily understood, comprehensive and upto date information that is available through several media/sources. The lack of attention to this, probably due to a decade of staff reductions, is in partway to blame for the truly appalling local statistics. If only 41% of waste is currently being recycled – compared to best in class @60% - then there has been no improvement in the last 15 years despite the energy from waste facility. The only bright spot appears to be that amount of household waste being generated has fallen from 92,000 tonnes in 2002 to 75,000 tonnes currently.

Currently labels saying things like 'widely recycled', 'check local recycling' and 'recycle with bags at larger stores', leave potential recyclers uncertain and unsure. Answers are not easy to find nor is an explanation of the many and various signs and symbols. Local residents, especially the elderly, have reported being worried that they are putting the wrong waste in the wrong place and that it will not be collected.

In addition to significantly greater and ongoing information, whatever new system is adopted it must cater for rural areas like parts of Breinton and elderly / infirm residents who simply cannot handle multiple, potentially heavy, bins or crates particularly if this involves trips to the kerbside down long drives. The system must be simple and durable. Observations from across the border in Powys show how much litter nuisance can be caused from uncovered receptacles and how far the wind can blow them if they are light/empty.

Finally, the Parish Council confirms its support for the direction being given by Westminster namely.

- We do expect weekly food waste collection service to households.
- We do expect garden waste to be collected separately.
- We do prefer separate recyclables collections – different containers etc.
- Nothing should be collected less frequently than every fortnight.
- There should be a drinks deposit scheme.

Independent letter from a resident

The rubbish and recycling with the two-bin system we have now works well and is simple for the public. This system is not broken so why change it and the cost the County more money and it's residents.

Visitors to our County congratulates the council for implementing such a simple and easy method of refuse collections. Parts of the country have three or four bins and coloured sacks and do not reach Herefordshire 75% of recycling rubbish.

My argument is Herefordshire's two bin system works exceedingly well and is not broken so why change this. If the council changes refuse contractor please, please keep the two-bin system.





Title of report: Mental Health Aftercare Arrangements as required under section 117 of the Mental Health Act 1983

Meeting: Cabinet

Meeting date: Thursday 29 July 2021

Report by: Cabinet Member, Health and Wellbeing;

Classification

Open

Decision type

Key

Notice has been served in accordance with Part 3, Section 9 (Publicity in Connection with Key Decisions) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Wards affected

All wards

Purpose

To approve the joint policy and standard operating procedure (SOP) for section 117 aftercare, which is required under the Mental Health Act 1983. People who have been detained in hospital for treatment of their mental health needs may require care and support after they leave hospital. This aftercare will be arranged by the council or the NHS and provided in a variety of ways, depending on people's needs.

Herefordshire Council and Herefordshire and Worcestershire Clinical Commissioning Group have a joint responsibility in law to make available appropriate aftercare services for people who have previously been detained in hospital for treatment under the Mental Health Act 1983. In practice, this responsibility applies only to aftercare for people who have been detained in hospital for more than 28 days.

Recommendation(s)

That:

- a) The draft joint policy and draft standard operating procedure for section 117 mental health aftercare are approved; and**

- b) The Acting Director for Adults and Communities, in consultation with the Cabinet Member for health and wellbeing and the Director for Children and Families is authorised to make all operational decisions to ensure implementation of the policy and procedure, agreeing any operational changes to the documents, including those arising from case law, as required for their implementation.**

Alternative options

1. Do nothing and continue to provide aftercare services without an appropriate and agreed policy or procedures in place. This is not recommended as there would be continuing risks that the council would fail to meet statutory obligations under the Mental Health Act 1983. The existing policy which will be superseded by this proposal is no longer current, and has been overtaken by various legislative developments and new case law, as well as changes in practice. It would also be very difficult to monitor compliance and ensure that aftercare services were delivered consistently to all those who are entitled to them. Failure to monitor aftercare services could also result in litigation against the council and/or CCG if we were found to have neglected or avoided our legal responsibilities. Without the proposed Standard Operating Procedure (SOP) and associated quality assurance panel arrangements the council would not have certainty as to the appropriate spending commitments arising from section 117.

Key considerations

2. The arrangements proposed in this paper relate to the care and support people may need to help with their mental health after they have come out of hospital. The law recognises that these aftercare needs may be particularly significant where someone has been detained in hospital for a period of time, more than 28 days. This applies to both adults and children and the care people need can be varied and may last for any length of time.

3. Section 117 of the Mental Health Act 1983, as amended, requires clinical commissioning groups (CCGs) and local authorities, in co-operation with voluntary agencies, to provide or arrange for the provision of after-care services to individuals detained in hospital for treatment under sections 3, 37, 45A, 47 or 48 of the Act who then cease to be detained. Section 3 concerns treatment of mental health needs and provides that someone can be detained for up to six months initially and that the detention can be renewed. The other eligible sections of the Act all form part of the criminal justice provisions and concern detention or transfer whilst detained. Section 37 being the most commonly used.

4. The great majority of people detained under the Mental Health Act 1983 are detained only for up to 28 days, under section 2 for assessment, and so are not eligible under section 117. Of those people who are eligible for aftercare, most have been detained for treatment under section 3. The relevant forms of detention are as follows;

Section 3	Detained in hospital for treatment
Section 37	Admitted to hospital by an order of the Court
Section 45A	Admitted to hospital by a direction of the Court
Section 47	Removal to hospital of a person serving sentence of imprisonment
Section 48	Removal to hospital of other prisoners

5. The Mental Health Act Code of Practice defines section 117 aftercare services as having the purpose of:
- a. meeting a need arising from or related to a person's mental health disorder at the time of their detention; and
 - b. reducing the risk of a deterioration of the person's mental health condition and so reducing the risk of a person requiring re-admission for treatment for mental disorder at the time of their original detention.
6. Generally, these duties have been understood and followed appropriately by Herefordshire Council and the CCG, but the existing policy does not outline clearly the responsibilities and expectations of all partners under section 117, as set out in the Mental Health Act 1983 and subsequently amended under the Care Act 2014.
7. Since the autumn of 2020, the council has been working with the CCG, HWHCT and Worcestershire County Council to review and develop a new section 117 policy, and Standard Operating Procedure (SOP). Work has also been undertaken to clarify arrangements for quality assurance purposes and maintaining a joint register of all individuals who are entitled to aftercare. The draft policy and associated SOP clearly set out the legal framework for aftercare, the duties imposed on health and social care, with details of how each agency is required to fulfil its obligations to people.
8. It is important to note that not every person who becomes eligible for section 117 aftercare services will actually need them at the point of being discharged, while others may decline an offer of aftercare support. This does not mean that the council or CCG no longer have a responsibility to provide aftercare services, if the situation changes over time. As a consequence there will always be some disparity between the numbers of people who are recorded as being entitled to aftercare, and the actual number who are receiving aftercare services.
9. As a result of the new arrangements, people will receive the benefit of;
- a. An agreed aftercare plan
 - b. Certainty that the agreed care and support will be arranged and funded
 - c. A review by health and/or social care with the person's involvement
 - d. Clear and concise information and advice

Individuals receiving aftercare services will be reviewed by NHS and or Social care professionals depending on their needs and their agreed discharge plan. Aftercare plans and services may alter over time, depending on any reduction or increase in need for after care services.

10. Aftercare services can be very wide ranging and may include nursing or residential care, Shared Lives placements or daytime services, as well as support arranged through direct payments. Currently, there are 126 people receiving aftercare services for whom Herefordshire Council is making a financial contribution. There are eight people under the age of 18 eligible for aftercare under section 117, six of whom are 16 years or above.
11. Charges cannot be made by the council for services provided to a person under section 117. Importantly however, any services provided to the person which do not relate to their mental health condition, for example assistance with a physical disability, would be provided under the Care Act 2014, and so a financial contribution may be required.
12. Although the CCG is responsible for the provision of clinical health aftercare services, most of this work is carried out by the local commissioned mental health provider; Herefordshire and Worcestershire Health and Care Trust (HWHCT). However, the CCG will make the final decision for the NHS with regard to services arranged under section 117.
13. The policy reflects the key elements of legislation that apply to people who are eligible under section 117 and so little of its detail is especially bespoke for Herefordshire. However it is required under the Mental Health Act to have a local joint statement of how the law is implemented. Some of the provisions of section 117 are complex in practice, so having a policy in place will ensure compliance with legislation and assist operational and commissioning staff for health and social care in making individual decisions. Some important aspects of the policy are:
 - a. Section 117 applies to people of all ages and so it is important that the policy is clear and enables staff from Children and Families Services to fulfil the council's duties. Where decisions about aftercare for children are being made, appropriate representation is involved throughout the whole process.
 - b. Ordinary Residence (OR) rules govern the responsibility for funding someone's care when they relocate between council areas. OR can be a complex and problematic issue under normal circumstances, but section 117 can complicate such cases further. It is essential that staff understand the implications of section 117 for OR and responsibilities will often continue when a person moves to a different area. However responsibilities can change if a person already subject to section 117 moves to a new area and is then subsequently detained in hospital under one of the relevant sections (see paragraph 4 above).
 - c. A person can be discharged from section 117 because they no longer require aftercare support, but this must be a joint decision between health and social care. The agencies should agree that the person's mental health care needs have

reduced to the point that the aftercare services are no longer required; the patient should be as fully involved as possible in this decision.

- d. Responsibility for funding aftercare services is joint between health and social care, but this section also covers the interface with continuing healthcare, funded nursing care as well as the Care Act 2014
 - e. Funding for aftercare services can be taken as a direct payment through a Personal Budget or, in the case of health funding, as a Personal Health Budget (PHB)
 - f. The s117 Care Plan will set out the after care arrangements and other related care and support needs, so that they are clear to the individuals receiving the care and support, providing a basis from which the individual's needs and care plans will be reviewed as set out in the Standard Operating Procedures.
14. The Standard Operating Procedure goes into greater detail in some areas not included in the policy and provides a framework for good practice in Herefordshire, in line with statutory duties. It aims to ensure that staff in both the NHS and the council, are aware of their responsibilities under Section 117, highlighting expectations around the planning and provision of aftercare services.
- a. Planning for aftercare services following discharge from hospital should commence at the earliest opportunity with a joint planning meeting taking place prior to discharge. The SOP identifies who should be involved and the process for making decisions,
 - b. In assessing needs under section 117, these cannot be seen in isolation and therefore other appropriate assessments such as continuing healthcare and strengths based assessment should be completed prior to determining aftercare needs.
 - c. Under the new arrangements, all those eligible will have an aftercare plan. The care planning procedure identifies the need to share the care plan across all involved agencies who are either commissioning or providing services.
 - d. The SOP provides guidance on how and when reviews of aftercare should take place and how they should be documented and shared.
 - e. Discharge from section 117 aftercare will be appropriate in some cases and must follow guidance and direction provided to ensure the correct procedures are followed by all agencies.
15. The Standard Operating Procedure also encompasses in more detail other parts of the Policy, so giving greater clarity around the legal framework and local procedures. Two additional elements are also covered relating to the funding of aftercare services and monitoring the effectiveness of aftercare services, including a joint register of people who are subject to section 117. These are highlighted in the document, but there will be separate terms of reference for both the monitoring group and the quality assurance panel.

16. A monitoring group is being established, comprising senior officers from the council, CCG and HWHCT. The group's purpose is to ensure the effectiveness and efficiency of section 117 aftercare services across the system, for all ages, and ensure compliance with the joint policy. The group's terms of reference are set out in annex 3 of the policy but some issues which the group will monitor include:
 - a. operational performance of section 117 services
 - b. the section 117 register, identifying trends, and recommending commissioning intentions
 - c. the continued effectiveness of the policy and SOP
 - d. compliance with the local policy and SOP, supported by periodical audit and review where appropriate.
17. A joint quality and assurance panel is established, meeting on a fortnightly basis to consider joint arrangements for aftercare plans and services. The panel will ensure that after care arrangements are appropriate, cost effective and comply with legal duties and responsibilities. Agreed terms of reference set out the purpose of the panel, who should attend and frequency of meetings. Specifically the panel will be responsible for considering all section 117 packages of care.
18. There are no procurement, human resources or specific ICT implications from the proposed new policy and SOP.

Community impact

19. In addition to meeting statutory obligations the approval and implementation of the proposed Policy and SOP will help to ensure that all people who are entitled to aftercare services will be part of the planning process and have the opportunity to express their wishes and preferences about the care and support they receive once they have been discharged from hospital.
20. The county plan outlines three key themes of Sustainability, Connectivity and Wellbeing. The provision of the Section 117 Policy and SOP will better enable people who have been detained under the Mental Health Act 1983 to be connected and involved in decisions that impact on their wellbeing as they continue their recovery after leaving hospital. Access to universal services and supporting and connecting people to their own communities will also contribute to the ambition to protect and improve the lives of vulnerable people
21. The introduction of a joint review and monitoring group will ensure the effectiveness and efficiency of section 117 aftercare services across the system, for all ages, and ensure compliance with the agreed policy. This will include the monitoring and review of operational performance in respect of section 117 services and, commission periodic reviews and audits of compliance with the local policy and SOP.

22. There are no specific implications of this decision for health and safety. The council and NHS partners each take steps to promote appropriate health and safety practice in commissioning and contract arrangements for services for people with mental health needs.
23. There are no specific implications of the proposed policy or SOP for the corporate parenting responsibilities of the council and its partners. However, there will be a small number of cases of young people looked after by the council or leaving care who are eligible for aftercare after a period of detention. The revised procedural arrangements will help ensure that young people receive the right aftercare, with appropriate arrangements for its funding and review

Environmental Impact

24. Herefordshire Council provides and purchases a wide range of services for the people of Herefordshire. Together with partner organisations in the private, public and voluntary sectors we share a strong commitment to improving our environmental sustainability, achieving carbon neutrality and to protect and enhance Herefordshire's outstanding natural environment.
25. Approving the joint Policy and Standard Operating Procedures would be expected to have a neutral environmental impact, focused as they are on information and guidance around council activity that is already taking place.

Equality duty

26. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to: –

- a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
27. An Equality Impact Assessment has been carried out to assess the impact of the Joint Policy and Standard Operating Procedure to consider how people subject to Section 117 aftercare arrangement may be affected by the introduction of these documents.
 28. Taking into consideration the Equality Act 2010 and the 9 protected characteristics of Age; Disability; Gender Reassignment; Marriage & Civil Partnership; Pregnancy & Maternity; Race; Religion & Belief; Sex; Sexual Orientation, The EIA found that there would be either a neutral or positive impact as a consequence of approving these

policy documents. For example, Children and young people under 18 years have very discrete needs and all arrangements need to take account of parental views, whilst ensuring that the child or young person's welfare is paramount. This will be reflected in the policy and SOP. Existing arrangements are focused on adults, so the revisions will ensure people under 18 are fully included in section 117 arrangements and their outcomes monitored.

29. A copy of the Equality Impact Assessment can be found at Appendix 3

Resource implications

30. In Herefordshire, the estimated annual cost to the health and care system overall in providing services to people who are entitled under section 117 is £9,059,000. Of this total, the council spends £4,125,000, providing services to customers. However, this spending will address all of people's needs, and not just those related to services under section 117 (see paragraph 5 above)
31. The council's spending is distributed broadly as follows:
- a. 84% of the costs are spent on some form of residential or nursing home placement or supported accommodation
 - b. 12% is provided to customers or their legal representative as a Direct Payment
 - c. The remaining 4% covers a range of services including transport and day care services
32. The proposed decision has no specific or immediate resources implications for the council, but will enable it in the future to monitor spending on aftercare services more closely. This monitoring will ensure that all spending is appropriate, and balance costs met under section 117 with spending on other support needs under the Care Act 2014 or other NHS funding streams such as Funded Nursing Care (FNC) or Continuing health care.
33. The arrangements will ensure that the balance of spending on section 117 aftercare services between the council and CCG is transparently fair and appropriate. In addition, they will ensure that for services provided under the Care Act and outside section 117, reasonable consideration can be given to any charging which may be appropriate. The arrangements for review under the policy and SOP will also ensure that spending continues only for as long as someone's need for aftercare services remains.

Legal implications

34. SECTION 117 of the Mental Health Act imposes an enforceable duty on Local Authorities and CCG's, on a joint basis, to provide and/or commission After Care Services to those that meet the relevant eligible criteria. By having a Joint Policy, this provides a clear understanding between the relevant parties as to the expectation and role of each party with regards to meeting SECTION 117 aftercare needs and any disagreement that may arise.

Risk management

35. Consideration is given to the risks / opportunities to the council if the recommendations are declined.

Risk / opportunity	Mitigation
<p><u>Risk if Policy and SOP are not approved</u></p> <p>Risk to customers Section 117 of the Mental Health Act 1983 places a joint responsibility of the local authority and Clinical Commissioning Group to provide services to people who have previously been detained in hospital under the Act. The intention of Section 117 is to assist recovery and help to prevent deterioration in mental health and further admissions to hospital. Without the joint policy and SOP, staff may neglect to assess needs appropriately and consequently provide services that do not meet the mental health needs of the person, which could lead to relapse and a return to hospital or, result in a legal challenge to the council.</p> <p>Legal and reputational.</p>	<p>The policy and Standard Operating Procedure, set out clearly the legal framework and provide guidance for staff, in children's' and adult services about the steps they should follow to ensure compliance with legislation and what actions have to be taken to involve the customer in the assessment process to ensure mental health care needs are met appropriate with a focus on recovery.</p> <p>Additionally the Quality Assurance Panel and the Review and Monitoring Panel, will ensure proper oversight of Section 117 arrangements monitoring quality and cost effectiveness.</p>
<p>If the joint Section 117 Policy and Standard Operating Procedure are not approved, there is a clear risk that some of the council's legal obligations could be neglected, misapplied or misunderstood. This could lead to challenge in the courts and litigation, especially if the council was found to have failed to meet its legal responsibilities under the Mental Health Act 1983</p>	<p>The policy and SOP clearly set out the legal responsibilities for the council with links to the overarching legislation such as the Mental Health Act 1983 and the Care Act 2014.</p> <p>The documents have been reviewed by legal departments of both council and CCG to ensure the documents are fully appropriate and compliant with legislation.</p>
<p>System Wide Risks; Section 117 of the Mental Health Act puts a joint responsibility on the local CCG and the local authority to provide aftercare services. In practise this also means working closely with the local mental health services provider. Without agreed policy and procedure, this could lead to differences of opinion between organisations about how regulations and</p>	<p>The joint Policy and SOP have been developed and written with cross agency involvement. Senior operational and commissioning officers from Herefordshire Council, Herefordshire and Worcestershire Clinical Commissioning Group, Herefordshire and Worcestershire Health and Care Trust and, Worcestershire County</p>

duties should be interpreted and implemented. Organisational;	Council have worked together to ensure system wide agreement.
The joint Section 117 Policy and Standard Operating Procedures provide guidance and instruction for council employees. Without these documents staff, especially those who do not regularly work with people who are subject to Section 117 aftercare arrangements, could inadvertently act inappropriately or illegally which may result in legal challenge and reputational damage.	The documents make very clear the expectations on staff to work within the legal framework and comply with locally agreed procedures. All staff who have any responsibilities around the implementation of Section 117 aftercare services will be expected to make full use of these documents so that professional and legal obligations are fully met.
<u>Risk if Policy and SOP are approved</u>	
Changes in the statutory framework through case law Changes to the Mental Health Act and to Section 117 can occur as a result of case law. This could lead to parts of the policy and SOP being out of date or incorrect.	The Section ii7 Monitoring Group will ensure that any changes to aftercare regulations as a result of case law will be identified as and when they occur and any subsequent amendments to the documents take place in a timely way.
Changes in Legislation There is likely to be a review of the Mental Health Act 1983 within the next two years which may have an impact on section 117 provisions.	The section 117 Monitoring Group will keep under scrutiny any Mental Health Act changes and ensure that the policy and SOP are updated to comply with any changes as they are implemented.

Consultees

36. The process of developing the joint Policy and Standard Operating Procedure has taken place over a number of months with cross agency involvement. This has enabled consultation of senior officers of the CCG and HWHCT and those agencies have also engaged with experts by experience who advise them. That consultation with health partners has helped shape the draft policy and SOP overall, rather than changing or influencing any particular section or aspect. .
37. A political group's consultation has been undertaken. There was a response from the Independents for Herefordshire group, recognising the importance of up to date and

clear policy and procedure; 'As we know from recent events courts will scrutinise and challenge any departures from what is written in law.'

38. Comments were received from the True Independents group, which were entirely supportive of the proposals.

Appendices

APPENDIX 1	Section 117: After-Care under the Mental Health Act 1983/2007 Herefordshire and Worcestershire Joint Policy
APPENDIX 2	Section 117: Aftercare under the Mental Health Act 1983/2007 Herefordshire Joint Standard Operating Procedure
APPENDIX 3	Section 117 Equality Impact Assessment

Background papers

None

Section 117: After-Care under the Mental Health Act 1983/2007 Herefordshire Joint Policy

This policy describes the statutory framework for managing and supporting persons to whom section 117 of the Mental Health Act 1983 applies across Herefordshire. The purpose of the policy is to:

- provide a consistent approach across Herefordshire and Worcestershire ICS; and
- clarify agreements for the funding of Section 117 between the CCG and the local authority.

This document is not exhaustive and it recognises that although correct at the time of distribution there are likely to be changes to national legislation/guidance/policy developments or case law. This document should NOT be used as a substitute for seeking legal advice when required.

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1.0 Introduction

- 1.1 Section 117 of the Mental Health Act 1983/2007 (MHA) places a joint duty on local NHS and local authorities with social services functions to provide or arrange for aftercare services for people that have been sectioned under the treatment sections of the Mental Health Act 1983, namely Sections 3, 37, 45A, 47 and 48 and then cease to be detained and leave hospital.
- 1.2 Section 117 aftercare services refers to services which have the purpose of
 - meeting a need arising from or related to the person's mental disorder; and
 - reducing the risk of a deterioration of the person's mental condition (and, accordingly, reducing the risk of the person requiring admission to a hospital again for treatment for mental disorder).
- 1.3 Section 117 gives considerable discretion to health and local authorities as to the nature of the services that can be provided. These include support with: management of medication and mental health needs; activities of daily living which enables a person to remain a full part of their community; employment services, supported accommodation and services to meet the person's wider social, cultural and spiritual needs.
- 1.4 Aftercare services only relate to those needs which arise directly from or are related to the person's mental disorder and help to reduce the risk of deterioration in the person's mental condition. It may be that the person also requires other support services in the community which are not part of their section 117 aftercare plan, and these should be provided accordingly under the relevant legislative provisions (e.g. the Care Act 2014).
- 1.5 Services should be provided in co-operation with the relevant voluntary agencies.
- 1.6 Identifying which elements of a person's care might be eligible under section 117 can be complex, especially when determining what is a health need and what is a social care need. Therefore, all those to whom this policy applies pursuant to paragraph 2.4 will work together to ensure that all identified aftercare needs are met.

2.0 Scope of Policy

- 2.1 This Policy should be read in conjunction with the Herefordshire Standard Operating Procedure and the relevant legislation and guidance
- 2.2 This Policy applies to people of all ages including children and young people who have been detained in hospital under the MHA under sections 3, 37, 45A and 47/48 of the Act and then cease to be detained and leave hospital. This includes patients granted leave of absence under section 17 and patients going on CTOs.
- 2.4 This Policy and any associated documentation applies to:
 - Herefordshire Council
 - Herefordshire and Worcestershire Clinical Commissioning Group
 - Herefordshire and Worcestershire Health and Care NHS Trust

3.0 Purpose of Section 117 and when it applies

3.1 The primary purpose of section 117 is to:

- meet a need arising from or in relation to a person’s mental disorder;
- reduce the risk of deterioration of a person’s mental condition; and
- reduce, therefore, the risk of a person requiring admission to hospital again for treatment for mental disorder.

3.2 Aftercare can be a vital component in a person’s overall treatment and care. As well as meeting immediate needs for health and social care, aftercare should aim to support a person in regaining or enhancing their skills. It is therefore important that section 117 aftercare is effectively managed and delivered to improve the outcomes for the person and their carers and families.

3.3 Section 117 aftercare provisions only apply to people who have been detained in hospital under one the following sections of the MHA.

Section 3	Detained for treatment
Section 37	Admitted to hospital by an order of the Court
Section 45A	Admitted to hospital by a direction of the Court
Section 47	Removal to hospital of a person serving sentence of imprisonment
Section 48	Removal to hospital of other prisoners

4.0 Ordinary Residence and Responsible Commissioner Guidance

4.1 No necessary assessment, care or treatment should be refused or delayed because of uncertainty or ambiguity as to which NHS commissioner or local authority is responsible for funding an individual’s health or social care provision.

4.2 Unless stated otherwise in the following sections, the overriding principle is that the originating authority or body with responsibility for commissioning section 117 services i.e. the authority or body where the patient is registered prior to their detention, is also the authority or body who is responsible for paying for the commissioned 117 aftercare services regardless of where the patient is treated or placed

4.3 Commissioning Responsibility: Local Authority

4.3.1 The duty on local authorities to commission or provide section 117 aftercare rests with the local authority for the area in which the person concerned was ordinarily resident immediately prior to that period of detention under the MHA

4.3.2 In relation to any additional care and support needs that an individual may have (which are not part of the Section 117 aftercare plan), if that individual is being provided with accommodation under Section 117, they are to be treated as being ordinarily resident for the purposes of the Care Act, in the area of the local authority which has the duty to provide aftercare. This is to ensure that the same local authority will be responsible for both.

4.3.3 If the person is subsequently detained before being discharged from section 117 aftercare, the responsible local authority becomes the authority in whose area the person is ordinarily resident at the time that period of detention commences. To quote the judgement in *R(Worcestershire County Council) v Secretary of State for Health and Social Care* [2021] EWHC 682 (Admin): “ Although any change in the patient’s ordinary residence after discharge will affect the local authority responsible for their social care services, it will not affect the local authority responsible for

commissioning the patient's section 117 aftercare. Under section 117 of the 1983 Act, as amended by the Care Act 2014, if a person is ordinarily resident in local authority area (A) immediately before detention under the 1983 Act, and moves on discharge to local authority area (B) and moves again to local authority area (C), local authority (A) will remain responsible for providing or commissioning their after-care. However, if the patient, having become ordinarily resident after discharge in local authority area (B) or (C), is subsequently detained in hospital for treatment again, the local authority in whose area the person was ordinarily resident immediately before their subsequent admission (local authority (B) or (C)) will be responsible for their after-care when they are discharged from hospital”.

- 4.3.4 Where a dispute arises between local authorities, the local authority that is meeting the needs of the person on the date that the dispute arises must continue to do so until the dispute is resolved. If no local authority is currently meeting the person's needs, then the local authority where the person is living or is physically present should accept responsibility until the dispute is resolved. The dispute resolution process to be followed by local authorities is set out in The Care and Support (Disputes between Local Authorities) Regulations 2014.
- 4.3.4 It should be noted that the rules for determining the responsible local authority applies to children and young people as well as adults.

4.4 Commissioning Responsibility: CCG

- 4.4.1 Where, after the 1 September 2020, a person is detained under the relevant section of the MHA, and is not already in receipt of section 117 aftercare, the responsible CCG for section 117 after discharge will be the 'originating CCG' defined as:
- Where a person is registered on the list of NHS patients of a GP practice, even if on a temporary basis, the CCG of which the GP practice is a member.
 - Where a person is not registered with a GP practice, the CCG in whose geographic area the person is "usually resident". This includes people of 'no fixed abode'. Appendix 2 of 'Who Pays?' Guidance (August 2020) provides more details on determining usual residence.
- 4.4.2 Where, at 1 September 2020, a person has been discharged from detention and is already receiving s117 aftercare, funded in part or whole by a CCG, that CCG will remain responsible for funding the aftercare – and any subsequent further detentions or voluntary admissions – until such point as the person is discharged from section 117 aftercare.
- 4.4.3 Where, at 1 September 2020, a person is detained in hospital funded by a CCG, that CCG will be responsible for funding the full period of detention and any necessary NHS aftercare on discharge – and any subsequent further detentions or voluntary admissions – until such point as the person is discharged from section 117 aftercare.
- 4.4.4 Where, at 1 September 2020, a person is detained in hospital funded by NHS England, the CCG which will be responsible for funding any further detention in a CCG-funded hospital setting and any necessary NHS aftercare (including any subsequent further detentions or voluntary admissions, until such point as the person is discharged from section 117 aftercare) will be the responsibility of the CCG in whose area the person was registered, or where not registered usually resident, at the start of the period of detention in hospital funded by NHS England.

- 4.4.5 Where, after 1 September 2020, a child or young person aged under 18 years is placed out of area under the Children Act 1989 and is subsequently detained under the MHA and becomes section 117 eligible on discharge, and is still detained on their 18th birthday, the CCG which will be responsible for funding the continued period of detention and any necessary NHS aftercare (including any subsequent further detentions or voluntary admissions, until such point as the person is discharged from section 117 aftercare) will be the originating CCG at the time of the care placement.
- 4.4.6 The CCG who is responsible for section 117 aftercare is not necessarily the responsible CCG for meeting other health needs. The CCG responsible for meeting other health needs (e.g. for physical health, FNC or CHC) will be the CCG in whose area the person is registered, or where not registered deemed to be usually resident.
- 4.4.7 Given Herefordshire and Worcestershire ICS proximity to Wales, there may be occasions where cross-border disputes arise between NHS commissioning bodies. Guidance on managing and resolving these are contained in paragraph 19 of the 'Who Pays?' Guidance (August 2020).
- 4.4.8 Where a dispute takes place between CCGs about responsibility for commissioning, the commissioners must agree that (a) one of them will take responsibility for arranging for assessment and planning for the person, and for arranging appropriate aftercare services; and (b) all costs are jointly funded pending resolution of the dispute. Once the dispute is resolved, the CCG which is no longer deemed responsible will be reimbursed. The dispute resolution process to be followed by CCGs is set out in Appendix 1 of 'Who Pays?' Guidance (August 2020).
- 4.4.9 Any person who is in receipt of section 117 aftercare and is subsequently detained under the MHA will remain the responsibility of the CCG who was originally responsible for section 117. Subsequent periods of detention prior to discharge of section 117 do not transfer commissioning responsibilities.

5.0 The Person's Rights

- 5.1 **Right to be engaged:** The person who is subject of detention under the Mental Health Act should be engaged in the process of reaching decisions about aftercare services, and decisions should be agreed with them. Consultation involves helping the person to understand the information relevant to decisions, their own role and the roles of others who are involved in taking decisions. Where a decision is made that is contrary to the person's wishes, that decision and the authority for it should be explained to the person using a form of communication that they understand. Carers and advocates should be involved where the person wishes or if the person lacks capacity to understand.
- 5.2 **Right to advocacy:** The person who is subject of detention under the Mental Health Act has the right to an advocate.

Independent Mental Health Advocate (IMHA) - Mental health service staff have a legal duty to ensure that everyone who qualifies (this includes any person detained under the MHA) is aware of their right to speak to an IMHA. This includes hospital managers, nurses, psychiatrists, administrators, social workers, approved mental health practitioners (AMHPs), community psychiatric nurses (CPNs) and ward managers.

Independent Mental Capacity Advocate (IMCA) - IMCAs are a legal safeguard for people who lack the capacity to make specific important decisions: including making decisions about where they live and about serious medical treatment options. IMCAs are mainly instructed to represent people where there is no one independent of services, such as a family member or friend, who is able to represent the person. The role of the IMCA is to support and represent the person in the decision-making process and ensure that the Mental Capacity Act 2005 is being followed.

- 5.3 **Right to aftercare as long as needed:** The duty to provide aftercare services continues as long as the person is in need of such services. In the case of a person on a CTO (section 17A), aftercare must be provided for the entire period they are on the CTO, but this does not mean that their need for aftercare will necessarily cease as soon as they are no longer on CTO.
- 5.5 Where eligible people have remained in hospital informally after ceasing to be compulsorily detained under the relevant section of the MHA, they are still entitled to aftercare under section 117 once they leave hospital.
- 5.6 **Right to decline aftercare services:** Eligible people are under no obligation to accept the aftercare services they are offered, but any decisions they may make to decline aftercare services should be fully informed. The principles of the Mental Capacity Act 2005 and best interest decision making guidance must be followed in all aspects of care planning in relation to aftercare needs where individuals lack the relevant decision making capacity.
- 5.7 An unwillingness to accept services does not mean that the individual does not need to receive services, nor should it preclude them from receiving services later under section 117 should they change their minds.
- 5.8 Where a person disengages with services or refuses to accept aftercare services, the entitlement does not automatically lapse. The named practitioner will liaise with all involved professionals (social worker / Responsible Clinician / GP etc.) to ensure that needs and risks are reviewed and, where possible, communication with the person should be maintained.

6.0 Section 117 and Children and Young People

- 6.1 Where a child or young person is detained in hospital and that is likely to be for at least 12 consecutive weeks, the authority or health body who arranged for the detention is required under section 85 of the Children Act 1989 to notify the responsible local authority. This duty ensures that the local authority is aware of any child or young person in such detention and can ensure they are being safeguarded and their needs are being met.
- 6.2 Discharge and aftercare planning must start as soon as possible after admission and must be child and young person focused and informed by an assessment of need. In relation to children and young people, the Mental Health Act Code of Practice 2015 recognises additional factors will need to be considered. This may include ensuring that the aftercare integrates with any existing provision made for children in care, care leavers and those with special educational needs or disabilities, as well as safeguarding vulnerable children.

- 6.3 Whether or not section 117 of the MHA applies, a child or young person who has been admitted to hospital for assessment and/or treatment of their mental disorder may be 'a child in need' for the purpose of section 17 of the Children Act 1989, and should be assessed accordingly.
- 6.4 When a child or young person with a statement of special educational needs, or an Education, Health and Care Plan (EHCP) is admitted to hospital under the Act, the local authority who maintains the plan should be informed, so that they can ensure that educational support continues to be provided. If necessary, the Education, Health and Care Plan may be reviewed and amended to ensure needs and outcomes remain appropriate.
- 6.5 In agreeing a section 117 aftercare plan, the local authority must also ensure that this is informed by, and reflected in, any other statutory and non-statutory assessment or plan for the child, such as Education Care and Health Plan, Early Help Plan, Child in Need Plan, Child Protection Plan, Looked After Care Plan or Leaving Care Pathway Plan, and where appropriate run concurrently with co-ordinated reviews. Whilst co-ordinating planning can be complex, for example where a young person is transitioning to adult health and social care services, this should never be a reason to delay discharge.

7.0 Health and Social Care Needs Assessment – Discharge Planning

- 7.1 Responsibility for undertaking appropriate assessments will be with the responsible Council for social care, and, in the case of patients who are the responsibility of Herefordshire and Worcestershire CCG, with Herefordshire and Worcestershire Health and Care NHS Trust or another Provider where they are commissioned by the CCG.
- 7.2 At the point of becoming eligible for section 117, each person must have their needs assessed and clarified as part of the appropriate care planning process and receive an assessment of their care and support needs. Aftercare planning must start as soon as possible after admission and should be person focused. The person's care and support needs should be considered at care planning meetings in the same way as any other patient. The differences should be that: -
- Contributors to the care planning process should be aware of the person's section 117 status and the additional statutory duty to provide aftercare services.
 - All the person's needs should be considered carefully, identifying which needs should be met under section 117, and which should be met as part of any previous or additional care package.
 - The care plan should identify which section 117 aftercare needs will prevent relapse and readmission to hospital and identify the support/interventions that are required to address those aftercare needs.
 - Where a person has multiple care plans in place, e.g. health care plan, Care Act support plan, Education, Health and Care Plan (EHCP), they must still have a section 117 aftercare plan that will be referenced in all other care plans as necessary.
 - Each person must be provided with clear information in an accessible format which explains their rights under section 117, the discharge process and how to complain should they wish to.

- 7.3 Each person who will be subject to section 117 must have a named practitioner who will be involved in all multi-disciplinary team and pre-discharge planning meetings.
- 7.4 Where there is a requirement to fund a package of care to meet section 117 aftercare needs, Section 8 below must be followed to agree funding responsibilities.

8.0 Funding Aftercare Plans

- 8.1 Services provided under section 117 are a joint duty and, though there are no set criteria on apportionment of funding within the MHA, there is a requirement to establish a jointly agreed policy for deciding funding arrangements. The bodies to which this policy applies acknowledge that section 117 services are not the automatic sole responsibility of either the Council or the CCG.

Annex 2 sets out the agreed joint funding arrangements for Herefordshire, as agreed between Herefordshire Council and Herefordshire and Worcestershire CCG.

- 8.2 Both local areas will establish arrangements for advising and supporting decisions relating to the joint provision of aftercare services.
- 8.3 Where the person chooses care and support which is more expensive than that which either the Council or the CCG has commissioned, the person, or a third party, will pay for the difference. Section 13 below specifically refers to accommodation.
- 8.4 During any period of section 17 leave from hospital, then section 117 aftercare arrangements will apply. It is essential that where a period of section 17 leave will directly result in discharge from hospital, then the relevant Council and the CCG must be informed of this arrangement in advance to ensure any funding arrangements are agreed and in place.
- 8.5 No CCG nor Council should unilaterally withdraw from an existing funding arrangement without a joint review of the person's needs, and without first consulting one another and informing the person about the proposed change of arrangement. Any proposed change should be put in writing to the person by the organisation that is proposing to make such a change. If agreement cannot be reached on the proposed change, the local disputes procedure should be invoked, and current funding arrangements should remain in place until the dispute has been resolved.

9.0 NHS Continuing Healthcare (Adults) and Continuing Care (Children)

- 9.1 NHS Continuing Healthcare (CHC) and NHS Continuing Care (Children) means a package of ongoing care that is arranged and funded solely by the NHS where the person has been found to have a 'primary health need'. Such care is provided to meet needs which have arisen because of disability, accident or illness.
- 9.2 The NHS Frameworks clarify that, where a person is eligible for services under section 117 these should be provided under section 117 and not under NHS continuing healthcare.

- 9.3 A person eligible for section 117 aftercare should only be considered for NHS continuing healthcare or NHS continuing care where they have physical health needs which are not related to their mental health aftercare needs. However, for adults, not meeting the criteria for full CHC funding does not preclude the CCG from having a joint funding arrangement with the Council to meet specific physical health care needs which do not fall within the eligibility of the Care Act. It is not, therefore, necessary to assess eligibility for NHS Continuing Healthcare if all the services in question are to be provided as aftercare services under section 117.
- 9.5 However, a person in receipt of section 117 aftercare services may also have, or later develop ongoing primary health care needs which may then trigger the need to consider NHS Continuing Healthcare or NHS Continuing Care for Children in addition to any section 117 support.

10.0 NHS Funded Nursing Care

- 10.1 NHS-funded nursing care (FNC) is a universal service available to people under section 117 and on the same criteria as to anyone else placed in a nursing home.
- 10.2 FNC is free at the point of delivery and is a set weekly amount paid to a care home for the nursing element of a placement. Funding is accessed via a specific assessment provided by the relevant CCG.

11.0 Local Authority Care and Support Planning under the Care Act

- 11.1 An assessment to determine eligibility for care and support under the Care Act 2014 will need to be undertaken. This will determine what needs can be met by the Care Act and identify any care and support needs that should be met by section 117 and/or continuing healthcare. Where needs are met under the Care Act 2014 then a financial assessment will have to take place and some charges may apply.

12.0 Direct Payments and Personal Health Budgets

- 12.1 Local authorities are obliged to offer a person the option of direct payments in place of the services currently received, subject to the conditions set out in section 31 of the Care Act 2014 and The Care and Support (Direct Payments) Regulations 2014. There are some limited circumstances where a person may not be given this choice and direct payments cannot be used to pay for permanent residential accommodation.
- 12.2 Where the person does not have capacity to request direct payments then an authorised third party may do so on their behalf subject to section 32 of the Care Act 2014. The local authority must consider that making direct payments to the authorised third party to be an appropriate way to discharge their section 117 duty and be satisfied that the authorised party will act in the best interests of the person when arranging the aftercare.
- 12.3 People eligible for aftercare services under section 117, and who are funded by a CCG, have a right to have a Personal Health Budget (PHB). The PHB may be taken as a direct payment (under The National Health Service (Direct Payment Regulations) 2013), a Third Party PHB or a Notional PHB, dependent upon prescribed criteria being met.

12.4 Where a person receives funding from a local authority and a CCG, they may be eligible, if all relevant criteria is met, to combine payments into a single Integrated Budget.

13.0 Accommodation Needs under section 117

13.1 Where accommodation is provided to an adult as an aftercare service it must not be charged for and this must be made clear in the aftercare plan. For the accommodation to be free of charge, the accommodation must be specialist or intrinsically linked to the section 117 aftercare being provided at the accommodation. In determining whether accommodation should be free of charge, commissioners will need to distinguish between the physical offer of accommodation and the section 117 aftercare services in place at that accommodation to support the person.

13.2 Where an aftercare plan includes the provision of funded accommodation the person can choose their preferred accommodation under The Care and Support and Aftercare (Choice of Accommodation) Regulations 2014 where the following criteria are met:

- The person is 18 or over;
- The person's preferred accommodation is suitable to meet their needs;
- The person's preferred accommodation is available;
- The provider of the preferred accommodation agrees to the commissioning local authority and CCG contractual terms and conditions; and
- Where the cost of the preferred accommodation is in line with Resource Allocation and Choice Policy of the CCG and respective Councils.

13.3 Where a person or a connected third party identifies accommodation that provides the same level of care and support as accommodation identified by the Council and/or CCG, but the cost is higher, then the person or a third-party can make a top-up or third party payment to cover these additional costs. However, in line with any other top-up or third party payment agreement, the Council must be sure that these additional costs can be met for the likely duration of the placement.

14.0 Reviewing Section 117 Aftercare Plans (co-ordination of reviews)

14.1 Section 117 aftercare plans will be reviewed periodically in the following circumstances:

Scheduled reviews will be held:

- within 3 months of discharge from hospital;
- at whatever agreed interval, but at least every 12 months;

Unscheduled reviews will be held:

- whenever the person moves to another local authority area;
- whenever there is information that indicates that the current plan is not meeting the person's mental health needs;
- at the request of the person or their formal representative; and
- whenever discharge from section 117 is being considered.

14.2 People may be subject to a review under other statutory arrangements and reviews will be co-ordinated as far as practicable to ensure a co-ordinated approach to planning and provision of services and to reduce the bureaucratic burden.

15.0 Complaints and Disputes

- 15.1 No necessary assessment, care or treatment should be refused or delayed because of a complaint or dispute as to which CCG or local authority is responsible for funding an individual's health or social care provision.
- 15.2 Any complaint by a person or their carer or representative with the quality and standard of the provision commissioned will be managed under the complaints procedure of the providing organisation in the first instance. Where the provider is distinct from the commissioning body, the complaint may subsequently be managed by the commissioning body. Once statutory complaints procedures have been concluded, any person has the right to complain to the Local Government and Social Care Ombudsman or the Health Service Ombudsman.
- 15.3 Any formal complaint in respect of the type or level of the joint commissioned service will be dealt jointly by the responsible commissioning bodies. All complaints in respect of Herefordshire will initially be considered under any arrangements established under section 8.2 above. Once statutory complaints procedures have been concluded, any person has the right to complain to the Local Government and Social Care Ombudsman or the Health Service Ombudsman.
- 15.4 Where there is a dispute between local authorities regarding where the person was 'ordinarily resident' before being detained, this will be determined by the process set out by the Care and Support (Disputes Between Local Authorities) Regulations 2014 (SI 2014/2820).
- 15.5 Where there is a dispute between separate CCGs regarding section 117 responsibility the updated NHS 'Who Pays Guidance (August 2020) should be referred to. In summary this requires:
- Local resolution at Director level;
 - STP / Integrated Care System resolution at Director / Executive level; and
 - Arbitration by NHS England.
- 15.6 Where a dispute takes place between CCGs about responsibility for commissioning, the commissioners must agree that (a) one of them will take responsibility for arranging for assessment and planning for the person, and for arranging appropriate aftercare services; and (b) all costs are jointly funded pending resolution of the dispute. Once the dispute is resolved, the CCG which is no longer deemed responsible will be reimbursed.

16.0 Authority to discharge section 117

- 16.1 A person can only be discharged from section 117 if **both** the responsible Council and Herefordshire and Worcestershire Health and Care NHS Trust, or an agent of another Provider, acting on behalf of Herefordshire and Worcestershire CCG, are satisfied that the person is no longer in need of such services by virtue of their mental disorder. Circumstances in which it is appropriate to end such services vary by individual and the nature of the services provided.
- 16.2 A person cannot be discharged from section 117 while they are subject to a CTO.

- 16.3 Where it is established following a review of section 117 eligibility that aftercare is no longer required and that the removal or cessation of aftercare services will not put the person at risk of readmission to hospital, this must be clearly documented giving reasons why it is not required and the person's section 117 eligibility should be discharged and recorded in the person's record.
- 16.4 Discharge planning must consider whether the person is eligible for other health and social care services.
- 16.5 Where consideration is being given to discharging a person from section 117, the person and / or their representative should be fully informed and involved in all stages of the process.
- 16.6 Discharge from community mental health services is not a discharge from section 117 aftercare. If a person with section 117 entitlement is discharged from the care of community mental health services the relevant Council and the CCG should be informed of this so they can undertake their own review of the person's current needs, and whether there should be a joint decision to discharge the patient from section 117.
- 16.7 In the case of Herefordshire and Worcestershire CCG the decision regarding whether or not a person continues to need aftercare services should be taken by the identified Responsible Clinician of Herefordshire and Worcestershire Health and Care NHS Trust or an agent of another Provider commissioned by the CCG.
- 16.8 Where there is difference of opinion between the social worker and the Responsible Clinician about the appropriateness of discharge, or where the person subject of section 117 or their representative or IMCA objects to the decision, this will be reviewed by Section 117 Panel for the local area. If the person subject to the section 117 disagrees with Section 117 Panel, they may follow the complaints process as set out in section 15 above.
- 16.9 Care services under section 117 should not be withdrawn solely on the grounds that:
- the person refuses the aftercare plan;
 - the person has been discharged from the care of specialist mental health services;
 - an arbitrary period has passed since the care was first provided;
 - the person is deprived of their liberty under the Mental Capacity Act 2005;
 - the person may return to hospital informally or under section 2; or
 - the person is no longer on supervised community treatment or section 17 leave

17.0 Out of Area Section 117 placements and Transfer of Responsibility

- 17.1 If the person moves to or is placed in another local authority area and becomes resident in that area, then section 117 eligibility remains with Herefordshire Council and Herefordshire and Worcestershire CCG until such time as section 117 is no longer required or the person becomes re-detained under the Mental Health Act, at which point the rules relating to a person's 'ordinary residence' applies.

17.2 Herefordshire Council and Herefordshire and Worcestershire CCG retain overall accountability and responsibility for reviewing section 117 aftercare provisions for a person, including any re-assessment of need and agreement to funding changes. Where these responsibilities are delegated to another area, responsibilities and expectations must be clearly set out and agreed.

18.0 Monitoring Compliance and Effectiveness

18.1 A Review and Monitoring Oversight Group will be established under this policy with senior representatives from all those to which this policy applies (the Group). The terms of reference for the Group are set out in Annex 4.

18.2 The overall purpose of the Group is to assure the effectiveness and efficiency of section 117 aftercare services across the system, for all ages, and ensure compliance with the agreed policy. In particular, the Group will:

- monitor and review the section 117 budget;
- monitor and review operational performance in respect of section 117 services;
- commission periodic reviews and audits of compliance with the local policy and SOP;
- review the section 117 register, identify trends, and recommend commissioning intentions;
- review the policy and SOP and recommend revisions;
- maintain oversight of national mental health policy and review impact on local section 117 policy and operational arrangements, and recommend changes

18.3 The Group will escalate concerns to Executives when required and report annually to the relevant Governance Programme Boards.

19.0 Section 117 Register

19.1 Herefordshire Council and Herefordshire and Worcestershire CCG have a joint responsibility to maintain a record of people entitled to section 117 aftercare.

19.2 On admission to hospital under one of the relevant sections of the Mental Health Act, the name of the person will be placed on the relevant Register to confirm entitlement to section 117 aftercare services.

19.3 The information held on the register will be agreed by the Review and Monitoring Group.

19.4 The partners will agree a Data Sharing Agreement which ensures that the relevant information is provided to maintain a Register and will ensure all information is kept up to date, in particular:

- the date section 117 aftercare ends; or
- if responsibility for section 117 aftercare is transferred to another authority.

19.6 Any changes in section 117 status will be recorded in the register, within 5 working days after receiving notice of the change.

20.0 References

Care Act 2014 <https://www.legislation.gov.uk/ukpga/2014/23/contents/enacted>

Care Act Guidance. Department of Health <https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance>

Mental Health Act 1983 as amended by the Mental Health Act 2007
<https://www.legislation.gov.uk/ukpga/1983/20/contents>

Mental Health Act Code of Practice
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/435512/MHA_Code_of_Practice.PDF

Mental Capacity Act 2005 <https://www.legislation.gov.uk/ukpga/2005/9/contents>

Mental Capacity Act Code of Practice <https://www.gov.uk/government/publications/mental-capacity-act-code-of-practice>

National Framework for NHS Continuing Healthcare and NHS-funded Nursing Care
October 2018 (Revised) <https://www.gov.uk/government/publications/national-framework-for-nhs-continuing-healthcare-and-nhs-funded-nursing-care>

Children and Young People's Continuing Care National Framework
<https://www.gov.uk/government/publications/children-and-young-peoples-continuing-care-national-framework>

Children Act 1989 <https://www.legislation.gov.uk/ukpga/1989/41/contents>

Children Act 2004 <https://www.legislation.gov.uk/ukpga/2004/31/contents>

Children & Families Act 2014 <https://www.legislation.gov.uk/ukpga/2014/6/contents/enacted>

SEND Code of Practice 0-25 year olds <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

NHS Who Pays Guidance – August 2020 <https://www.england.nhs.uk/wp-content/uploads/2020/08/Who-Pays-final-24082020-v2.pdf>

The Care and Support and Aftercare (Choice of Accommodation) Regulations 2014
<https://www.legislation.gov.uk/uksi/2014/2670/contents/made>

ADASS Section 117 Protocol (revised December 2018) <http://londonadass.org.uk/wp-content/uploads/2018/01/Section-117-Protocol-reviewed-Dec-2018.pdf>

The Care and Support (Disputes between Local Authorities) Regulations 2014
<https://www.legislation.gov.uk/uksi/2014/2829/contents/made>

DHSC position on determination of ordinary residence
<https://www.gov.uk/government/publications/care-act-statutory-guidance/dhscs-position-on-the-determination-of-ordinary-residence-disputes-pending-the-outcome-of-r-worcestershire-county-council-v-secretary-of-state-for>

Guidance on Personal Health Budgets for mental health
<https://www.england.nhs.uk/personal-health-budgets/personal-health-budgets-for-mental-health/>

Annex 1: Key Words and Phrases used in this Framework

Term	Definition
Care programme approach (CPA)	A system of care and support for individuals with complex needs which includes an assessment, a care plan and a care coordinator. It is used mainly for adults in England who receive specialist mental healthcare and in some CAMHS services. This approach is described in Chapter 34 of the Mental Health Act Code of Practice
Clinical commissioning group (CCG)	The NHS body responsible for commissioning (arranging) NHS services for a particular part of England from NHS trusts, NHS foundation trusts and independent sector providers. CCGs replaced primary care trusts from 1 April 2013. CCGs' commissioning plans are reviewed by the NHS Commissioning Board (NHS England). CCGs are generally responsible for commissioning mental healthcare, except for specialist care commissioned by the NHS Commissioning Board.
Community treatment order (CTO)	The legal authority for the discharge of a person from detention in hospital, subject to the possibility of recall to hospital for further medical treatment if necessary. People in the community are expected to comply with the conditions specified in the community treatment order.
Detention under the Mental Health Act (MHA) 1983/2007	Unless otherwise stated, being held compulsorily in hospital under the Mental Health Act for a period of assessment or medical treatment.
Education Health and Care Plan (EHCP)	Education, Health and Care Plan is a plan put together by professionals in education, health and social care to make sure children with Special Educational Needs and a Disability have a package of support to help them through to adulthood (until they are 25).
Hospital managers	The organisation (or individual) responsible for the operation of the Act in a particular hospital (e.g. an NHS trust, an NHS foundation trust or the owners of an independent hospital). Hospital managers have various functions under the Act, which include the power to discharge a person. In practice, most of the hospital managers' decisions are taken on their behalf by individuals (or groups of individuals) authorised by the hospital managers to do so. This can include clinical staff.
Human Rights Act 1998	The Human Rights Act 1998 sets out the fundamental rights and freedoms that everyone in the UK is entitled to.
Independent mental capacity advocates (IMCA)	An advocate able to offer help to people who lack capacity under arrangements which are specifically required to be made under the Mental Capacity Act 2005.
Independent mental health advocate (IMHA)	An advocate available to offer help to people under arrangements which are specifically required to be made under the Mental Health Act.

Learning disability	In the Mental Health Act, a learning disability means a state of arrested or incomplete development of the mind which includes significant impairment of intelligence and social functioning. Further guidance on the meaning of learning disability is provided in chapter 20 of the Code of Practice
Mental Health Act Office	The office established in each local authority to oversee and monitor MHA activity.
Named Practitioner	Any health professional or social worker who is named as the person with overall responsibility for the section 117 aftercare plan. This role is sometimes also referred to as: lead professional, key worker or care co-ordinator.
Responsible Clinician	A clinician approved by the Secretary of State with overall responsibility for a person's case whilst they are detained under a section of the Mental Health Act. A responsible clinician will always be appointed when a person is admitted to hospital under the Act and will therefore always be involved in planning discharge from hospital. A person may or may not have a responsible clinician following discharge under section 117, depending on their care plan.
Responsible local authority	The local authority responsible for commissioning section 117 aftercare for the person. As this is not always the local authority in whose area the person is ordinarily resident, absolute clarity about responsibility must be sought at the outset.
Section 17 leave	Section 17 of the Mental Health Act allows detained patients to be granted leave of absence from the hospital in which they are detained. Leave is an agreed absence for a defined purpose and duration and is accepted as an important part of a person's treatment plan.

Annex 2: Joint Funding Agreement between Herefordshire Council and Herefordshire and Worcestershire CCG

- A2.1 All funding decisions will be made on a case-by-case basis, with each party funding the totality of the element for which it has commissioning responsibility.
- A2.2 The mechanism for determining proportionality will be agreed by the Section 117 Overview and Monitoring Group.
- A2.3 Any agreement to fund arrangements differently from A2.1 may be agreed on a case-by-case basis.
- A2.4 There must be agreement between both parties, followed by written notification and subsequent written acknowledgement, ahead of any request for retrospective charges.
- A2.5 All section 17 leave will be funded by the CCG unless a prior agreement has been reached with the Council for another funding arrangement. Where section 17 leave is to a residential placement which, at the end of the section 17 leave period, is intended to become the long-term placement of the person as part of their section 117 aftercare plan, the funding arrangements and appropriateness of the placement must be agreed by the Council and CCG in advance of the section 17 leave commencing.
- A2.6 This agreement applies to children and young people.
- A2.7 This agreement does not apply to any funding arrangements between the Council and another CCG, or between the CCG and any other Council. In these circumstances, separate arrangements and protocols will apply.

Annex 3: Section 117 Review and Monitoring Oversight Group: Terms of Reference

Purpose of Group

The overall purpose of the group is to ensure the effectiveness and efficiency of section 117 aftercare services across the system, for all ages, and assure compliance with the Section 117: After-Care under the Mental Health Act 1983/2007 Herefordshire Joint Policy (the Policy) policy.. In particular, the Group will:

- monitor and review the section 117 budget;
- monitor and review operational performance in respect of section 117 services;
- commission periodic reviews and audits of compliance with the local policy and SOP;
- review the section 117 register, identify trends, and recommend commissioning intentions;
- review the policy and SOP and recommend revisions; and
- maintain oversight of national mental health policy and review impact on local section 117 policy and operational arrangements, and recommend changes.

Core Membership

Core members are:

- Lead for Mental Health, Learning Disability and Children, Herefordshire and Worcestershire CCG
- Senior operational representative from Herefordshire and Worcestershire Health and Care NHS Trust, representing NHS provision for AMH, LD and CAMH services
- Senior operational representative from the Council
- Senior social care commissioning representative from the Council
- Senior operational representative from children's services function of the Council
- Senior financial representative from the CCG, the Trust and from the Council
- Expert by Experience (identified by the CCG)

Other officers may be invited as required.

Chair

The meeting will be chaired by the Lead for Mental Health, Learning Disability and Children, Herefordshire and Worcestershire CCG.

A deputy will be nominated from one of the other core members.

Quoracy

For the meeting to be quorate, the following must be present:

- The Chair or Deputy
- One representative from Herefordshire Council
- One representative from Herefordshire and Worcestershire Health and Care NHS Trust

Frequency of Meetings

At least every 3 months

Reports for the Meeting

The Group will receive reports on the following for each meeting:

- A budget report covering committed and projected expenditure for the financial year for each organisation in respect of section 117 aftercare
- A summary report of the section 117 register including relevant trends (anonymised)
- Operational performance of the Trust and each Council for the metrics set out in the policy, and any others agreed by the Group, relating to section 117 aftercare services

Responsibility for producing reports will be agreed at the first meeting of the group.

Standing Agenda Items

The Group will consider the following items as a minimum at each meeting:

- The section 117 budget
- Operational performance
- Section 117 register trends
- Update on national policy and guidance

Reporting Arrangements

The Group will report annually to ICS Mental Health Programme Board (Herefordshire and Worcestershire). It is the responsibility of the Chair to arrange for an annual report to be written covering the activities of the Group.

Escalation Protocol

The Chair of the Group will raise directly with the relevant Executive Officers any immediate issue of serious concern relating to finance, operational performance or compliance with the policy and SOP.

The Chair of the Group will raise directly with the relevant Executive Officers where they consider that any organisation, as represented by its core member or nominated deputy, is not making an active and proportionate contribution to the Group.

Any member of the Group may escalate concerns about the function of the group and its effectiveness to their relevant Executive Officer.

Recording of Meetings

Record of attendance and notes of the meeting will be kept. Responsibility for recording the meeting and issuing notes will be agreed by partners at the start of each meeting.

Duration of Group

The group is established under the Policy. The group will therefore operate for as long as the Policy is operational. The terms of reference will be reviewed every 12 months.

Section 117: Aftercare under the Mental Health Act 1983/2007

Herefordshire Standard Operating Procedure

This document describes the statutory procedure for managing and supporting persons to whom section 117 of the Mental Health Act 1983 applies across Herefordshire. Staff must ensure they comply with these guidelines. The purpose of the procedure is to:

- provide guidance for consistent practice across Herefordshire in line with statutory duties and agreed policy;
- ensure that all staff are aware of their responsibilities under section 117; and
- provide guidance about when it is appropriate to discharge people from section 117 aftercare.

This document is not exhaustive and it recognises that although correct at the time of distribution there are likely to be changes to national legislation/guidance/policy developments or case law, or to local policy. This document should NOT be used as a substitute for seeking legal advice when required.

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Associated Policy or Standard Operating Procedures (the Policy)	Section 117: After-Care under the Mental Health Act 1983/2007 Herefordshire Joint Policy		

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1. Guiding Principles of the Mental Health Act Code of Practice 2015

The MHA Code of Practice provides a set of five guiding principles which should be considered when making decisions about a course of action under the Mental Health Act 1983/2007 (MHA):

- **Least restrictive option and maximising independence** - Where it is possible to treat a person safely and lawfully without detaining them under the Act, the person should not be detained. Wherever possible a person's independence should be encouraged and supported with a focus on promoting recovery wherever possible.
- **Empowerment and involvement** – A detained person should be fully involved in decisions about care, support and treatment. The views of families, carers and others, if appropriate, should be fully considered when taking decisions. Where decisions are taken which are contradictory to views expressed, professionals should explain the reasons for this.
- **Respect and dignity** – The person, their families and carers should be treated with respect and dignity and listened to by professionals. People taking decisions under the MHA must recognise and respect the diverse needs, values and circumstances of each patient, including their age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation, and culture. There must be no unlawful discrimination.
- **Purpose and effectiveness** - Decisions about care and treatment should be appropriate to the person, with clear therapeutic aims, promote recovery and should be performed to current national guidelines and/or current, available best practice guidelines.
- **Efficiency and equity** - Providers, commissioners and other relevant organisations should work together to ensure that the quality of commissioning and provision of mental healthcare services are of high quality and are given equal priority to physical health and social care services. All relevant services should work together to facilitate timely, safe and supportive discharge from detention.

Using the principles:

- These principles underpin a strength-based approach to practice. Strengths-based (or asset-based) approaches focus on a persons' strengths (including personal strengths and social and community networks) and not on their deficits. Strengths-based practice is holistic and multidisciplinary and works with the person to promote their wellbeing. It is outcomes led and not services led.
- All decisions must be lawful and informed by good professional practice. Lawfulness necessarily includes compliance with the Human Rights Act 1998.
- The principles inform decisions, they do not determine them. Although all the principles must inform every decision made under the MHA, the weight given to each principle in reaching a particular decision will depend on the context. That is not to say that in making a decision any of the principles should be disregarded. It is rather that the principles as a whole need to be balanced in different ways according to the particular circumstances of each individual decision.

2.0 Introduction

- 2.1 Section 117 of the MHA places a statutory duty on Clinical Commissioning Groups (CCGs) and Local Authorities to work together to provide after-care services for all persons who have been detained in hospital under a treatment section of the MHA (i.e. Sections 3, 37, 45a, 47 and 48). This includes all those subject to a CTO under the MHA. This duty is to consider the after-care needs of each person to whom section 117 applies. Processes must be in place to show that a full consideration of needs has taken place, and that a plan is in place to ensure those needs are met.
- 2.2 The responsibility for providing after-care services rests with the person's CCG and Local Authority.
- 2.3 There is no duty to provide particular services and the nature and extent to which these services are provided is, to a large extent, a matter of discretion for the individual authorities and commissioning bodies. However, if a person has been granted a conditional discharge (in relation to detention for treatment under section 37 or section 37/41 with restriction), the Court of Appeal has ruled that the local authority must take reasonable steps to fulfil the conditions concerned.
- 2.4 In order to fulfil their obligations, the CCG and the Local Authority must take reasonable steps to identify appropriate aftercare facilities for the person before his or her discharge from hospital.
- 2.5 The Care Act amends section 117 MHA and provides a definition of what comprises "after care services", as services which *(i) meet a need arising from or related to the person's mental disorder; and (ii) reduce the risk of a deterioration of the person's mental condition (and, accordingly, reducing the risk of the person requiring admission to a hospital again for treatment for the disorder).*
- 2.6 Needs that relate only to physical needs or disability or substance misuse and are not related to the mental health needs, are not subject to section 117.

3.0 Organisational Roles:

3.1 Local Authority - Herefordshire Council

- Herefordshire Council are the responsible local authority for jointly meeting section 117 needs with the CCG. Section 4.3 of the Policy defines that responsibility.
- Where responsible for meeting a person's section 117 needs, Herefordshire Council is responsible for providing, or arranging to be provided, the social care element of any agreed section 117 aftercare plan. A social worker or social care worker may also be the named practitioner in the plan.

3.2 Herefordshire and Worcestershire Clinical Commissioning Group

- Herefordshire and Worcestershire Clinical Commissioning Group is the responsible health body for jointly meeting section 117 needs with the relevant responsible local authority. Section 4.4 of the Policy defines that responsibility.
- Where responsible for meeting a person's section 117 needs, Herefordshire and Worcestershire Clinical Commissioning Group is responsible for arranging to be provided (commissioning) the health element of any agreed section 117 aftercare plan.

3.3 Herefordshire and Worcestershire Health and Care NHS Trust (the Trust)

- The Trust is the main commissioned health provider of mental health and learning disability community health services to those persons who may be eligible for section 117 care and who are registered with a GP practice which is a member of the Herefordshire and Worcestershire CCG, at the time of detention, or where not registered with any GP, were usually resident in that local area.
- The Trust is responsible for the direct provision of health services. Where a person is the responsibility of a CCG other than Herefordshire and Worcestershire CCG, then that responsible CCG must agree with the Trust which services it provides.
- The Trust is responsible for ensuring that each person who is eligible under section 117 has a named Responsible Clinician, where appropriate, and a health professional from the Trust may also be the named practitioner for the section 117 aftercare plan.

4.0 Overall Purpose of Section 117 Aftercare

4.1 After-care is the plan of care put in place when a person is discharged from hospital following treatment under sections 3, 37, 47 and 48 of the MHA.

4.2 The purpose of aftercare services is to
:

- Support the person to live in the community;
- Enable them to fully recover from the social and health impact of their mental disorder;
- Prevent their mental health deteriorating to the point they need to be readmitted to hospital.

4.3 After-care may include residential and community (non-residential) services.

4.4 All aftercare planning should follow the principles set out in section 1.0 above and follow the principles of strength-based practice.

5.0 Planning for Section 117 Aftercare

5.1 Planning for discharge from hospital and after-care arrangements should commence at the earliest point possible following admission to hospital. This will depend on the response to treatment, but should not be a last minute consideration at the point of discharge. There should be no delay in the allocation of a named practitioner from the local authority or the Trust which could have the effect of prolonging the person's stay in hospital. Should delays occur this should be raised with Senior Managers to ensure a speedy resolution.

- 5.2 The hospital manager where the person is detained must inform the relevant local authority and CCG that the person will be entitled to aftercare under section 117. This information must be sent to the Mental Health Act office. Section 117 after-care planning meetings should be convened and managed by the relevant ward staff.
- 5.3 Any Tribunal or hospital manager's hearing will expect indicative aftercare arrangements to have been considered and presented.
- 5.4 Aftercare planning should be undertaken using the principles of the CPA and lead by the named practitioner. This may be the Responsible Clinician, a community psychiatric nurse from the Trust or a social worker from the local authority. The named practitioner is responsible for co-ordinating the preparation, implementation and review of the care plan.
- 5.5 Section 117 after-care planning meetings will include all relevant parties who are or will be actively involved in the person's care once they are discharged from hospital.
- 5.6 The following should therefore be in attendance at the section 117 after-care planning meeting:
- the person
 - the person's Responsible Clinician, or where not available, whoever has been agreed to provide cover
 - any carer who will be involved in looking after them outside hospital (including, in the case of children and young people, those with parental responsibility)
 - a social worker from the responsible local authority;
 - in the case of a child in the care of the local authority, a social worker from the responsible local authority, or where a care leaver, the personal advisor
 - in the case of a person with a diagnosed learning disability or an autistic spectrum disorder and whose behaviour challenges services, a CCG commissioner from the Transforming Care team
 - in the case of a restricted patient, multi-agency public protection arrangements (MAPPA) co-ordinator
 - in the case of a transferred prisoner, the probation service
 - an independent mental health advocate, if the person has one
 - an independent mental capacity advocate, if the person has one, or anyone else with authority under the Mental Capacity Act 2005 to act on the person's behalf
 - the person's attorney or deputy, if the person has one; and
 - any other representative nominated by the person

5.7 The following may also be in attendance, subject to the circumstances and the person's consent:

- the person's nearest relative (if there is one) or other carers
- nurses and other professionals involved in caring for the person in hospital
- a practitioner psychologist registered with the Health and Care Professions Council, community mental health nurse and other members of the community team
- the person's general practitioner (GP) and primary care team (if there is one). If the person does not have a GP, they should be encouraged and helped to register with a practice
- a representative of any relevant voluntary organisations
- a representative of housing authorities, if accommodation is an issue
- an employment expert, if employment is an issue
- a representative of the education function of the Council, if the person is still in education
- the clinical commissioning group's appointed clinical representative (if appropriate)

5.8 The planning meeting will agree the lead organisation (the Trust or the responsible local authority) and named practitioner. Where there is a named practitioner already assigned to a person who will be section 117 eligible, that worker will be expected to co-ordinate the discharge planning.

5.9 Section 117 is the responsibility of all organisations and they must agree to accept the shared responsibilities and prioritise staff to deliver section 117 processes within a legal framework.

5.10 When a discharge date has been agreed, it is the responsibility of the hospital manager to notify the relevant local authority and CCG. This information must be sent to the Mental Health Act Office of the responsible local authority and will be held on section 117 register. The named practitioner must ensure that the person's GP receives a copy of the aftercare plan.

6.0 Assessment of Section 117 Needs

6.1 An assessment should follow the principles of strength-based practice, focusing on the person's own strengths and that of their family, social and community network.

6.2 A thorough assessment will involve consideration of:

- the person's wishes and feelings;
- continuing mental health care and support, whether in the community or on an outpatient basis
- the psychological needs of the person and, where appropriate, of their carers
- daytime activities, further education, training or employment
- appropriate accommodation
- identified risks and safety issues
- any specific needs arising from a co-existing physical disability, sensory impairment, learning disability or autistic spectrum disorder
- any specific needs arising from drug, alcohol or substance use (if relevant)

- any parenting or caring needs
- social, cultural or spiritual needs
- counselling and personal support
- assistance in welfare rights and managing finances
- involvement of authorities and agencies in a different area, if the person is not going to live locally
- the involvement of other agencies, such as the probation service or voluntary organisations (if relevant)
- for a restricted person, the conditions which the Secretary of State for Justice or the Tribunal has – or is likely to – impose on their conditional discharge, and
- contingency plans (should the person's mental health deteriorate) and crisis contact details.

6.3 In the case of a child or young people under 18 year, the assessment must include:

- their educational needs
- the views of those with parental responsibility
- if the person is looked after by the local authority, any arrangements in place to enable them to have contact with their family

6.4 An assessment of after-care needs should also include an assessment of all other support needs as well as those specifically around mental health support. This could include assessment for Continuing Health Care, assessment under the Care Act 2014 and, in the case of children and young people, assessment under the Children Act 1989 (children in need), Leaving Care Act 2000 (care leavers) and under Special Educational Needs and Disability Act 2001 (special educational needs).

7.0 Planning and commissioning care and support

7.1 A person's support plan may include services which meet needs which fall outside of section 117, such as physical health. Services may therefore be commissioned under section 117 (which are not chargeable to the person), and services provided under the Care Act 2014, for which the Council's usual charging policy will apply.

7.2 Care plans must clearly document which services are planned under section 117 provision, and which services are not subject to this provision.

7.3 The care plan ensures a transparent, accountable and coordinated approach to meeting wide ranging physical, psychological, emotional and social needs which are associated with a person's mental disorder. The care plan should set out the practicalities of how the person will receive treatment, care and support on a day-to-day basis, and should not place undue reliance on the person's carers. The plan should include:

- details of medical, nursing, psychological and other therapeutic support for the purpose of meeting individual needs promoting recovery and/or preventing deterioration
- details regarding any prescribed medications
- details of any actions to address physical health problems or reduce the likelihood of health inequalities, including arrangements for an annual physical health check

- details of how the person will be supported to achieve their personal goals
- support provided in relation to social needs such as housing, education, occupation, finances
- support provided to carers
- actions to be taken in the event of a deterioration of a person's mental health, and guidance on actions to be taken in the event of a crisis
- details of any areas of need which are critical to preventing behavioural disturbance, including guidance on how staff and carers should respond if behavioural disturbance does arise
- details of the named practitioner, who is responsible for co-ordinating the plan, and when it will be reviewed

7.4 The range of services which can be put in place under section 117 include:

- community mental health services which are part of the commissioned mental health services of the CCG
- social care services which are part of the commissioned social care services of the responsible Council
- services which are commissioned and purchased specifically for the person.

7.5 Where services are purchased specifically for the person, the responsible local authority and the CCG have a joint responsibility to commission and purchase these. Funding responsibility will be determined by the protocol set out in the Policy.

7.6 Section 117 aftercare plans must be recorded on the Person Record System of the Trust and the relevant Client Record Management Systems of the local authorities.

7.7 Copies of the plans must be made available to:

- the person
- the person's formal representatives
- where appropriate to do so, family members or carers
- any organisation which is contributing to the delivery of the plan

7.8 Where residential or nursing care provision under section 117 is being made available, the person's choice of home should be accommodated – see section 13 below.

7.9 Services may be provided as a Direct Payment to either the person or to a third party. Arrangements for direct payments must be in accordance with the Policy.

8.0 Review of Section 117 Aftercare

8.1 A review of section 117 aftercare should be organised by the person who is the named practitioner with responsibility for the aftercare plan.

8.2 Care plans for people receiving aftercare under Section 117 will be regularly reviewed.

8.3 Scheduled reviews will be held:

- within 3 months of discharge from hospital;
- at whatever agreed interval, but at least every 12 months;

8.4 Unscheduled reviews will be held:

- whenever the person moves to another local authority area;
- whenever there is information that indicates that the current plan is not meeting the person's mental health needs;
- at the request of the person or their formal representative;
- whenever discharge from section 117 is being considered

8.5 The review should include all relevant parties who been actively involved in the person's care:

- the person
- the person's named practitioner
- the person's Responsible Clinician, where appointed
- any carer who will be involved in supporting them outside hospital (including, in the case of children and young people, those with parental responsibility)
- in case of a child in the care of the local authority, a social worker from the responsible local authority
- in the case of a care leaver, the personal advisor from the responsible authority
- in the case of a child or young person in education, a representative from the education function of the responsible authority
- in the case of a restricted person, multi-agency public protection arrangements (MAPPA) co-ordinator
- in the case of a transferred prisoner, the probation service
- an independent mental health advocate, if the person has one
- an independent mental capacity advocate, if the person has one, or anyone else with authority under the Mental Capacity Act 2005 to act on the person's behalf
- the person's attorney or deputy, if the person has one; and
- any another representative nominated by the person
- a representative from any organisation which is providing services to support the person

- 8.6 The review and the process needs to be proportionate. Where the person is receiving services under other statutory provisions, the review should be aligned with reviews of these services so that the overall review of the person's care is co-ordinated and in order to minimise the bureaucratic burden on the person and their representatives.
- 8.7 The review must consider:
- the views and wishes of the person.
 - the appropriateness of services to meet current needs
 - whether the current plan is effectively reducing the risk of the person being readmitted to hospital
 - whether support is required under other statutory provisions (e.g. Care Act 2014)
 - whether the person can be discharged from section 117
- 8.8 If amendments to the care plan identify additional services to address the mental health needs, and these are not already funded, these will need to be agreed according to the arrangements set out in the Policy.
- 8.9 Any changes to care plans for section 117 should be recorded and electronic record systems should be updated.
- 8.10 Where it is recommended in the review that the person should be discharged from section 117, a report must be provided to the section 117 Panel setting out:
- the views and wishes of the person or their representative
 - the reason why the person no longer needs support in order to meet any needs arising from the mental health condition which lead to their original detention in a hospital for treatment
 - the reason why the person is not at risk of being readmitted to hospital
 - confirmation that discharge is supported by the Responsible Clinician
 - confirmation that discharge is supported by a social care manager from the Council
- 9.0 Section 117 and Section 17 Leave**
- 9.1 People subject to Section 17 leave under the Mental Health Act are covered by the section 117 criteria. For any extended periods of section 17 leave there should be a section 117 care plan to cover the period of leave and providing as necessary for:
- supply of medication
 - emergency contact
 - any necessary support
 - leave address and any care arrangements
 - duration of section 17 leave

9.2 Where section 17 leave is to be used to transfer a person to a residential or nursing placement, this should not occur before the Responsible Clinician has notified the CCG and the responsible local authority of the start and planned end date, and they have both agreed the appropriateness of the placement and all costings.

10.0 Discharge from Section 117

10.1 Once the person is no longer in need of aftercare services in respect of their mental health needs, they can be discharged from Section 117 after care. This means the person must:

- no longer need support in order to meet any needs arising from the mental health condition which lead to their original detention in a hospital for treatment; and
- not be at risk of a being readmitted to a hospital

10.2 Discharge from section 117 must always involve the person subject to Section 117 and where appropriate their carer.

10.3 Where discharge is considered, a review must be held (see section 8 above). All recommendations to discharge someone from section 117 must be ratified by the Section 117 Panel and a report submitted covering the matters set out in 10.1 above. This is to ensure that the CCG and Council are satisfied that the grounds for discharge are met.

10.4 Discharge from Section 117 is important in terms of the person's recovery and their expressed outcomes. Decisions about discharge should be based on the circumstances of each person subject to review and should be considered as part of every review.

10.5 A person's refusal to receive section 117 services is not grounds for discharge. A person remains eligible for as long as their mental health condition places them at risk of re-admission to hospital.

10.6 The person and their carers and any formal representative should always be advised before section 117 care plan commences, that section 117 status will be reviewed and can be discharged. When section 117 is discharged, the named practitioner should ensure that the person understands their revised status.

10.7 After-care services under section 117 should not be withdrawn solely on the grounds that:

- the person has been discharged from the care of specialist mental health services
- an arbitrary period has passed since the care was first provided
- the person is deprived of their liberty under the Mental Capacity Act
- the person has returned to hospital informally or under section 2, or
- the person is no longer on a Community Treatment Order or section 17 leave.

10.8 Aftercare services may be reinstated if it becomes obvious that they have been withdrawn prematurely where a person's mental health began to deteriorate immediately after they were withdrawn.

11.0 Responsibility for Funding Section 117 Aftercare

- 11.1 Funding of Section 117 aftercare is a joint responsibility between the responsible Council and CCG. Section 8 of the policy sets out how this is to be apportioned. Services must not be delayed pending any dispute or disagreement.
- 11.2 Section 8.1 of the Policy sets out the local arrangements for considering requests for funding of aftercare services.

12.0 Charging for Section 117 Aftercare

- 12.1 Section 117 services to the person cannot be charged for and are free at point of delivery. Services to carers however can be charged for under other relevant statutory provisions, subject to local policy on charging.
- 12.2 The responsible local authority and the CCG will not pay for services which are not normally funded by their respective organisations (e.g. food, clothing, household bills, rent) unless this is part of the assessed need met by full residential or nursing care. Other services attached to rent (which may include support services) are not classed as section 117 services and charges may therefore apply. The named practitioner will ensure the person subject to section 117 accesses all benefits to which they are entitled.
- 12.3 Where a person receiving aftercare under section 117 is also receiving services for another reason unrelated to their mental health, for example a physical disability, charges may be made for this part of their care, in accordance with the responsible local authority's charging policy.

13.0 Third Party/ Self Top Ups: Choice of Accommodation

- 13.1 If the person with section 117 aftercare has been assessed as requiring residential or nursing care, they or their family may express a preference for a particular residential or nursing accommodation (section 75 (6) of the Care Act). Reasonable steps should be taken to facilitate individual choice where this is compatible with the assessed need.
- 13.2 The following sequence of steps must be followed and it is essential that each stage is fully recorded and documented:
 - a) The responsible local authority's assessment identifies a need for residential or nursing care; provision is identified that can meet eligible needs at the local authority's "usual cost", and an offer of funding made accordingly.
 - b) If the person with section 117 aftercare expresses an alternative preference that meets the assessed needs and that is no more expensive than the local authority's (offered and available) choice, the authority will normally fund the person's choice under section 117.

- c) If the person with section 117 aftercare expresses an alternative preference that meets the assessed needs but is more expensive than the local authority's (offered and available) choice, then the authority will consider permitting the person or a third party to make up the difference between the cost of the authority's (offered and available) choice and the person's preference through a 'top up' payment, where it is evidenced that those additional costs can be met.
- d) For each 'top up' payment arrangement, confirmation must be sought of the person's agreement.
- e) It must be evidenced that the person and/or the third party making the 'top-up payment' understand that:
 - If the 'top up payment' funding source runs out it may be necessary, after assessment of need, to move the person to a lower cost placement.
 - If the person with section 117 aftercare is discharged from section 117 and meets the eligibility criteria for social care services, then usual financial arrangements will apply, which may include, following a financial assessment, being charged.

14.0 Continuing Healthcare and Section 117

- 14.1 A person's eligibility for services under section 117 should in general be considered before considering potential eligibility for CHC services. If all of the services which the eligible person requires are to be provided under section 117, there will be no need to conduct a CHC assessment.
- 14.2 Where a CHC assessment is additionally conducted for a person who is also eligible for Section 117 services, the CHC assessment should focus primarily on physical health needs which are not linked to the mental disorder. For further guidance on this issue, professionals should consult the National Framework.

15.0 Transfer to Another Local Area

- 15.1 If the person moves to another area, the named practitioner is responsible for ensuring the plan for the person's aftercare remains relevant and appropriate. To that end, the following must be undertaken:
 - the care plan must be reviewed;
 - transfer arrangement must be clear and include responsibility for commissioning and providing care (it should be noted that the commissioner of care can change, but this will not change responsibility for paying for the care, see section 4.2 of the Policy);
 - new roles and responsibilities should be set out; and
 - if there is any change to the Responsible Clinician and named practitioner, this must be clear and communicated to the person.
- 15.2 It should be noted these provisions also apply if the person transfers between Herefordshire and Worcestershire local authorities.

16.0 Access to Advocacy (Statutory Advocacy – IMHA and IMCA)

- 16.2 Section 130A of Mental Health Act 1983 established arrangements for statutory MHA advocacy. The Independent Mental Health Advocate (IMHA) Service provides advocacy for people who have mental capacity but who are subject to compulsory powers under the MHA. This includes people who are in a psychiatric hospital and others who are subject to either section.17A CTO or section 7 Guardianship. Anyone who is directly involved in a person's care or treatment can refer to the IMHA Service, as can the person themselves.
- 16.3 Under the Mental Capacity Act 2005, there has been a legal duty, since 2007, to refer people to the Independent Mental Capacity Advocate (IMCA) Service, where they have been assessed as requiring to move to new residential accommodation, as part of the section 117 MHA aftercare package, and if they are deemed to lack capacity and have no relatives or family whom it is appropriate to consult. This referral must be made before the aftercare plan is implemented.

17.0 References

Mental Health Act 1983/2007

<http://www.legislation.gov.uk/ukpga/2007/12/contents>

Mental Health Act Code of Practice

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/435512/MHA_Code_of_Practice.PDF

The Care Act 2014

<http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted>

Mental Capacity Act 2005

<http://www.legislation.gov.uk/ukpga/2005/9/contents>

Mental Capacity Act 2005 Code of Practice

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/497253/Mental-capacity-act-code-of-practice.pdf

National Framework for NHS Continuing Healthcare and NHS-funded Nursing Care (Revised)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/746063/20181001_National_Framework_for_CHC_and_FNC_-_October_2018_Revised.pdf

Annex A: Key Words and Phrases used in this Framework

Term	Definition
Care programme approach (CPA)	A system of care and support for individuals with complex needs which includes an assessment, a care plan and a care coordinator. It is used mainly for adults in England who receive specialist mental healthcare and in some CAMHS services. This approach is described in Chapter 34 of the Mental Health Act Code of Practice
Clinical Commissioning Group (CCG)	The NHS body responsible for commissioning (arranging) NHS services for a particular part of England from NHS trusts, NHS foundation trusts and independent sector providers. CCGs replaced primary care trusts from 1 April 2013. CCGs' commissioning plans are reviewed by the NHS Commissioning Board (NHS England). CCGs are generally responsible for commissioning mental healthcare, except for specialist care commissioned by the NHS Commissioning Board.
Community Treatment Order (CTO)	The legal authority for the discharge of a person from detention in hospital, subject to the possibility of recall to hospital for further medical treatment if necessary. Community persons are expected to comply with the conditions specified in the community treatment order.
Continuing Health Care (CHC)	CHC is a package of care for adults aged 18 or over which is arranged and funded solely by the NHS. In order to receive NHS CHC funding, a person has to be assessed by Clinical Commissioning Groups (CCGs) according to a legally prescribed decision making process to determine whether the person has a 'primary health need'. Similar provisions exist for children and young people.
Detention under the Mental Health Act (MHA) 1983/2007	Unless otherwise stated, being held compulsorily in hospital under the Mental Health Act for a period of assessment or medical treatment.
Hospital managers	The organisation (or individual) responsible for the operation of the Act in a particular hospital (e.g. an NHS trust, an NHS foundation trust or the owners of an independent hospital). Hospital managers have various functions under the Act, which include the power to discharge a person. In practice, most of the hospital managers' decisions are taken on their behalf by individuals (or groups of individuals) authorised by the hospital managers to do so. This can include clinical staff.
Human Rights Act 1998	The Human Rights Act 1998 sets out the fundamental rights and freedoms that everyone in the UK is entitled to.
Independent mental capacity advocates (IMCA)	An advocate able to offer help to persons who lack capacity under arrangements which are specifically required to be made under the Mental Capacity Act 2005.
Independent mental health advocate (IMHA)	An advocate available to offer help to persons under arrangements which are specifically required to be made under the Mental Health Act.

Learning disability	In the Mental Health Act, a learning disability means a state of arrested or incomplete development of the mind which includes significant impairment of intelligence and social functioning. Further guidance on the meaning of learning disability is provided in chapter 20 of the Code of Practice
Mental Disorder	Any disorder or disability of the mind. As well as mental illnesses, it includes conditions like personality disorders, autistic spectrum disorders and learning disabilities
Mental Health Act Office	The office established in each local authority to oversee and monitor MHA activity.
Named Practitioner	Any health professional or social worker who is named as the person with overall responsibility for the section 117 aftercare plan. This role is sometimes also referred to as: lead professional, key worker or care co-ordinator.
Responsible clinician	A clinician approved by the Secretary of State with overall responsibility for a person's case whilst they are detained under a section of the Mental Health Act. A responsible clinician will always be appointed when a person is admitted to hospital under the Act and will therefore always be involved in discharge planning. A person may or may not have a responsible clinician following discharge under section 117, depending on their care plan.
Responsible local authority	The local authority responsible for commissioning section 117 aftercare for the person. As this is not always the local authority in whose area the person is ordinarily resident, absolute clarity about responsibility must be sought at the outset.
Section 17 leave	Section 17 of the Mental Health Act allows detained persons to be granted leave of absence from the hospital in which they are detained. Leave is an agreed absence for a defined purpose and duration and is accepted as an important part of a person's treatment plan.
Tribunal	The First-tier Tribunal (Mental Health) called in the Code 'the Tribunal' was established under the Tribunals, Courts and Enforcement Act 2007. This is a judicial body which has the power to discharge persons from detention, community treatment orders, guardianship and conditional discharge.



Herefordshire & Worcestershire STP - Equality Impact Assessment (EIA) Form

Please read EIA guidelines when completing this form

Section 1 - Name of Organisation (please tick)

Herefordshire & Worcestershire STP		Herefordshire Council	x	Herefordshire & Worcestershire CCG	x
Worcestershire Acute Hospitals NHS Trust		Worcestershire County Council	x		
Worcestershire Health and Care NHS Trust	x	Wye Valley NHS Trust		Other (please state)	

Name of Lead for Activity	Richard Keble
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Details of individuals completing this assessment	Name	Job title	e-mail contact
	Richard Keble	Project Lead	Richard.keble@nhs.net
	Nathan Gregory	Associate Director	nathan.gregory3@nhs.net
Date assessment completed			

Section 2

Activity being assessed (e.g. policy/procedure, document, service redesign, policy, strategy etc.)	Title: Policy and SOP for section117 aftercare under MHA83			
What is the aim, purpose and/or intended outcomes of this Activity?	<ul style="list-style-type: none"> Establishing a single register of all eligible s 117 patients for Herefordshire and one for Worcestershire, which combined will provide a single STP register Drafting a section 117 policy, including criteria and protocols for joint funding arrangements Drafting standard operating procedure for Herefordshire and one for Worcestershire A commissioning needs assessment and market position statement in place for Herefordshire and for Worcestershire, including opportunities for STP wide commissioning 			
Who will be affected by the development & implementation of this activity?	x	Patient	x	Staff
	x	Carers	<input type="checkbox"/>	Communities
	x	Visitors	<input type="checkbox"/>	Other _____



	<input type="checkbox"/>		<input type="checkbox"/>	
Is this:	<input checked="" type="checkbox"/> Review of an existing activity <input checked="" type="checkbox"/> New activity <input type="checkbox"/> Planning to withdraw or reduce a service, activity or presence?			
What information and evidence have you reviewed to help inform this assessment? (Please name sources, eg demographic information for patients / services / staff groups affected, complaints etc.)	Reviewed policies and operating procedures of other local areas.			
Summary of engagement or consultation undertaken (e.g. who and how have you engaged with, or why do you believe this is not required)	<p>No engagement / consultation required with patients / carers. The activity is designed to put in place arrangements under MHA83 which are not in existence or fully implemented at present.</p> <p>As all s 117 is free at point of delivery, any changes to funding arrangements will not impact on patient, only on organisation funding. In some cases, funding under section 117 may cease, but this will be:</p> <p>[a] in line with statutory requirements [b] not retrospectively applied where it results in charging [c] will not result in withdrawal of service</p>			
Summary of relevant findings	N/A			

Section 3

Please consider the potential impact of this activity (during development & implementation) on each of the equality groups outlined below. **Please tick one or more impact box below for each Equality Group and explain your rationale.** Please note it is possible for the potential impact to be both positive and negative within the same equality group and this should be recorded. Remember to consider the impact on e.g. staff, public, patients, carers etc. in these equality groups.

Equality Group	Potential positive impact	Potential neutral impact	Potential negative impact	Please explain your reasons for any potential positive, neutral or negative impact identified
Age	X	x		<p>The implementation of the policy and SOP will ensure that there will be appropriate assessment and review of s117aftercare services which will take into account equality issues</p> <p>Children and young people under 18 years have very discrete needs and all arrangements need to take account of parental views, whilst ensuring that the child or young person's welfare is paramount. This will be reflected in the policy and SOP. Existing arrangements are</p>



Equality Group	Potential <u>positive</u> impact	Potential <u>neutral</u> impact	Potential <u>negative</u> impact	Please explain your reasons for any potential positive, neutral or negative impact identified
				<p>focused on adults, so the revisions will ensure people under 18 are fully included in section 117 arrangements and their outcomes monitored.</p> <p>Age will be included in register data, enabling commissioning to specifically take account of this</p> <p>Staff: New policy and procedures will have neutral impact as they do not impact on existing practice, but will alter the procedural steps</p>
Disability	x	x		<p>The implementation of the policy and SOP will ensure that there will be appropriate assessment and review of s117 aftercare services which will take into account equality issues</p> <p>Will ensure in Worcs that people with LD are included in section 117 arrangements and outcomes monitored.</p> <p>Data relating to other conditions will not be reported on the register and therefore cannot be aggregated or analysed through the register (see action plan)</p> <p>Learning disability will be included in register data, enabling commissioning to specifically take account of this.</p> <p>Staff: New policy and procedures will have neutral impact as they do not impact on existing practice, but will alter the procedural steps</p>
Gender Reassignment	x	x		<p>The implementation of the policy and SOP will ensure that there will be appropriate assessment and review of s117 aftercare services which will take into account equality issues</p> <p>Patients: This data will not be reported on the register and therefore cannot be aggregated or analysed through the register (see action plan) However, the policy and SOP will mean active and regular oversight of individual aftercare plans, which will ensure that specific needs</p>



Equality Group	Potential <u>positive</u> impact	Potential <u>neutral</u> impact	Potential <u>negative</u> impact	Please explain your reasons for any potential positive, neutral or negative impact identified
				<p>arising from gender re-assignment are included in plans.</p> <p>Staff: New policy and procedures will have neutral impact as they do not impact on existing practice, but will alter the procedural steps</p>
Marriage & Civil Partnerships	x	x		<p>The implementation of the policy and SOP will ensure that there will be appropriate assessment and review of s117aftercare services which will take into account equality issues</p> <p>Patients: This data will not be reported on the register and therefore cannot be aggregated or analysed through the register (see action plan)</p> <p>Staff: New policy and procedures will have neutral impact as they do not impact on existing practice, but will alter the procedural steps</p>
Pregnancy & Maternity	x	x		<p>The implementation of the policy and SOP will ensure that there will be appropriate assessment and review of s117aftercare services which will take into account equality issues</p> <p>Patients: This data will not be reported on the register and therefore cannot be aggregated or analysed through the register (see action plan)</p> <p>Staff: New policy and procedures will have neutral impact as they do not impact on existing practice, but will alter the procedural steps</p>
Race including Traveling Communities	x	x		<p>The implementation of the policy and SOP will ensure that there will be appropriate assessment and review of s117aftercare services which will take into account equality issues</p> <p>Ethnicity will be included in register data, enabling commissioning to specifically take account of this</p>



Equality Group	Potential <u>positive</u> impact	Potential <u>neutral</u> impact	Potential <u>negative</u> impact	Please explain your reasons for any potential positive, neutral or negative impact identified
				Staff: New policy and procedures will have neutral impact as they do not impact on existing practice, but will alter the procedural steps
Religion & Belief	x	x		<p>The implementation of the policy and SOP will ensure that there will be appropriate assessment and review of s117aftercare services which will take into account equality issues</p> <p>Patients: This data will not be reported on the register and therefore cannot be aggregated or analysed through the register (see action plan)</p> <p>Staff: New policy and procedures will have neutral impact as they do not impact on existing practice, but will alter the procedural steps</p>
Sex	x	x		<p>The implementation of the policy and SOP will ensure that there will be appropriate assessment and review of s117aftercare services which will take into account equality issues</p> <p>Gender will be included in register data, enabling commissioning to specifically take account of this</p> <p>Staff: New policy and procedures will have neutral impact as they do not impact on existing practice, but will alter the procedural steps</p>
Sexual Orientation	x	x		<p>The implementation of the policy and SOP will ensure that there will be appropriate assessment and review of s117aftercare services which will take into account equality issues</p> <p>Patients: This data will not be reported on the register and therefore cannot be aggregated or analysed through the register (see action plan)</p> <p>Staff: New policy and procedures will have neutral impact as they do not impact on existing practice, but will alter the procedural steps</p>



Equality Group	Potential positive impact	Potential neutral impact	Potential negative impact	Please explain your reasons for any potential positive, neutral or negative impact identified
Other Vulnerable and Disadvantaged Groups (e.g. carers; care leavers; homeless; Social/Economic deprivation, travelling communities etc.)	X	X		<p>The implementation of the policy and SOP will ensure that there will be appropriate assessment and review of s117 aftercare services which will take into account equality issues</p> <p>This data will not be reported on the register and therefore cannot be aggregated or analysed through the register (see action plan)</p> <p>Staff: New policy and procedures will have neutral impact as they do not impact on existing practice, but will alter the procedural steps</p>
Health Inequalities (any preventable, unfair & unjust differences in health status between groups, populations or individuals that arise from the unequal distribution of social, environmental & economic conditions within societies)	X	X		<p>This data will not be reported on the register and therefore cannot be aggregated or analysed through the register (see action plan)</p> <p>Staff: New policy and procedures will have neutral impact as they do not impact on existing practice, but will alter the procedural steps</p>

Section 4

What actions will you take to mitigate any potential negative impacts?	Risk identified	Actions required to reduce / eliminate negative impact	Who will lead on the action?	Timeframe
	Information on Register will not include all protected characteristics	Review Team established by Project will ensure case-base decisions take account of protected characteristics	CCG-led review team	From 1 April 2021, ongoing
	It will however still be available for reporting via patient record systems if required. All case-based practice is required to consider this characteristic and therefore the	Quality audit report will be undertaken at least annually on reviews by.	Operational lead for reviews	By 31 March 2022
		Commissioners in CCG and Councils will	Commissioners in CCG and Councils	From 1 April 2021 and iteratively as required



	<p>impact of this characteristic will be taken into account as part of care planning and reviews for the patient.</p> <p>Age, ethnicity and learning disability are not considered in analysis of trends and service impact</p>	<p>report on protected characteristics to inform commissioning intentions</p> <p>These will be included, where currently recorded, on register for first time and data obtained from existing patient record systems</p>		
			H&WHCT	From 1 April 2021
How will you monitor these actions?	Via Section 117 Panel to be established as part of Project			
When will you review this EIA? (e.g in a service redesign, this EIA should be revisited regularly throughout the design & implementation)	Every 3 years as part of review timetable for section 117 policy			

Section 5 - Please read and agree to the following Equality Statement

1. Equality Statement

1.1. All public bodies have a statutory duty under the Equality Act 2010 to set out arrangements to assess and consult on how their policies and functions impact on the 9 protected characteristics: Age; Disability; Gender Reassignment; Marriage & Civil Partnership; Pregnancy & Maternity; Race; Religion & Belief; Sex; Sexual Orientation

1.2. Our Organisations will challenge discrimination, promote equality, respect human rights, and aims to design and implement services, policies and measures that meet the diverse needs of our service, and population, ensuring that none are placed at a disadvantage over others.

1.3. All staff are expected to deliver services and provide services and care in a manner which respects the individuality of service users, patients, carer's etc, and as such treat them and members of the workforce respectfully, paying due regard to the 9 protected characteristics.



NHS
Herefordshire and Worcestershire
Health and Care
NHS Trust

NHS
**Herefordshire and
Worcestershire**
Clinical Commissioning Group

Signature of person leading & or completing the EIA	Richard Keble, Project Lead, H&W CCG
Date signed	
Comments:	
Signature of person approving the EIA	
Date signed	
Comments:	It is recommended that the lead of this project consults and shares this EIA for further input from the stakeholders and from the EAG group which sits with WHCHCT.



Herefordshire and Worcestershire CCGs Addendum to the Equality Impact Analysis

Human Rights Consideration:

NHS organisations must ensure that none of their services, policies, strategies or procedures infringes on the human rights of patients or staff. You should analyse your document using the questions provided to determine the impact on human rights. Using human rights principles of fairness, respect, equality, dignity and autonomy as flags or areas to consider is often useful in identifying whether human rights are a concern.

Can you please answer the following Human Rights screening questions:

	Human Rights	Yes/No	Please explain
1	Will the policy/decision or refusal to treat result in the death of a person?	No	Project will put in place policy and protocols for section 117 to ensure a strategic oversight of compliance with legal requirements. No inappropriate reduction or change in service to any patient is proposed
2	Will the policy/decision lead to degrading or inhuman treatment?	No	
3	Will the policy/decision limit a person's liberty?	No	
4	Will the policy/decision interfere with a person's right to respect for private and family life?	No	
5	Will the policy/decision result in unlawful discrimination?	No	
6	Will the policy/decision limit a person's right to security?	No	
7	Will the policy/decision breach the positive obligation to protect human rights?	No	
8	Will the policy/decision limit a person's right to a fair trial (assessment, interview or investigation)?	No	
9	Will the policy/decision interfere with a person's right to participate in life?	No	

If any Human Rights issues have been identified in this section please get in touch with your Equality and Inclusion lead who will advise further and a full Human Rights Impact Assessment maybe required to be completed.



Title of report: 2022/23 budget setting and consultation

Meeting: Cabinet

Meeting date: Thursday 29 July 2021

Report by: Cabinet member corporate strategy and budget

Classification

Open

Decision type

Non-key

Wards affected

Purpose

To recommend the approach for consultation to inform the 2022/23 budget and developing the medium term financial strategy (MTFS).

Cabinet is required to publish its timetable for making proposals to Council for the adoption of the MTFS, its capital budget and setting a revenue budget, and its arrangements for consultation of those initial proposals.

Recommendation(s)

That:

- a) the proposed timetable for the development and adoption of the Medium Term Financial Strategy and the 2022/23 budget be approved;**
- b) the approach for consulting on budget proposals for 2022/23 be approved; and**
- c) for a Citizens Assembly to be held in the late autumn to carry out a participatory budget process to inform ways of allocating the anticipated New Homes Bonus funding**

Alternative options

1. It is open to Cabinet to propose alternative timetable and consultation arrangements, but in doing so regard must be had to the council's budget and policy framework procedure rules and the legislative requirements for Council to approve a budget.

Key considerations

2. The council intends to adopt a longer-term approach to its strategic and financial planning, using the policy directions from the county plan to inform and direct priorities as demonstrated in the current medium term financial strategy (MTFS) agreed by full Council in February 2021.
3. The current MTFS focuses on the short term and immediate budget saving pressures following the global pandemic Covid 19. The updated MTFS will aim to address the longer term post Covid-19 recovery years and how expected available resources will be utilised in line with the council priorities as detailed in the council's county plan.
4. The MTFS is a key part of the council's integrated corporate, service and financial planning cycle and is intended to highlight at an early stage where the council may have financial challenges and the level of resources it is likely to have available. This provides greater flexibility and resilience in the development of strategic approaches to resourcing the priority activities and services.
5. Local government are asking for a multi-year spending review (covering 2022-23 to 2024-25) but it is generally accepted that a one-year spending round for 2022-23 could be confirmed later in 2021. There continue to be pressures and national reform, for example in health and care and potential local government fairer funding review that will underpin the MTFS.
6. There is a legal requirement that the council has to set an annual balanced budget that is approved by full Council; Cabinet is responsible for developing and proposing a balanced budget to Council. The budget and policy framework rules require Cabinet to publish a timetable for making proposals to Council for the adoption of the MTFS and budget, and its arrangements for consultation on initial proposals.
7. Having published the timetable for development of the budget proposals, it is a matter for the chairpersons of the scrutiny committees to take steps to ensure that the relevant committee work programmes include any such plan, strategy or budget to enable scrutiny members to inform and support the process for Cabinet making proposals to Council. This includes providing constructive challenge to the responsible Cabinet member on policy proposals and exploring options for future policy development.
8. The council has a responsibility to consult with residents and businesses on its annual budget. There is a statutory requirement under section 65 of the Local Government Finance Act 1992 to consult with representatives of business ratepayers on the proposed budget before its adoption.
9. It is proposed that consultation will start in August 2021. Online surveys and focus groups will be held. This engagement will be conducted in various formats; including face to face engagement hosted online. Where possible, existing groups and meetings will be utilised

supported by council officers. The outcome of the public consultation will be shared at the Cabinet meeting on 25 November 2021.

10. The utilisation of an online survey will be open to all and promoted through a mixture of digital and traditional communication channels. This will provide information and context to people and encourage engagement and feedback on the proposed budget and investment priorities. This approach is consistent with previous years. There will also be independent consultation on changes to the 2021/22 council tax reduction scheme targeting groups that may be affected by the changes.
11. The council is also considering using a participatory budget process, through a Citizens Assembly, to inform ways of allocating the anticipated New Homes Bonus funding.
 - a) Participatory budgeting is a form of citizen participation in which citizens are involved in the process of deciding how public money is spent. Local people are often given a role in the scrutiny and monitoring of the process following the allocation of budgets.
 - b) Careful consideration should be given towards ensuring that the citizens involved are given sufficient information and support to reach decisions that can be enacted. This helps avoid feelings of disenfranchisement which result from decisions not being acted on.
 - c) Participatory budgeting gives citizens real control over where a budget is spent. As such, budgets can be spent in a way which better reflects the strengths, needs and aspirations of the population and can be more effective.
12. Following engagement the executive will reflect on the draft budget considering the opinions of the various groups. Chairs of scrutiny committees will be provided with this timetable to enable them to determine how best to build challenge of the Cabinet's proposals into their work programmes. This approach is summarised in the table below based upon the council's current scrutiny arrangements. If there are any changes to the arrangements following adoption of a new constitution in October 2021 this timetable will still be adhered to:-

Action	When
Local consultation (3 weeks)	31 August – 17 September 2021
Independently led focus group consultation – this will include specific council tax reduction scheme consultation	August and September 2021
Online survey (5 weeks)	27 August – 4 October 2021
Social media consultation (5 weeks)	27 August – 4 October 2021
Spending review expected	November 2021
Cabinet – consultation results	25 November 2021
Adults and wellbeing scrutiny committee	10 January 2022
Children and young people scrutiny committee	11 January 2022

General scrutiny committee	14 January 2022
Cabinet post scrutiny	27 January 2022
Council budget setting	11 February 2022
Council council tax setting	4 March 2022

Community impact

13. Publication of the timetable and the proposals for consultation demonstrate compliance with the principles of the council's adopted code of corporate governance and in particular ensuring openness and comprehensive stakeholder engagement.

Environmental Impact

14. Herefordshire Council provides and purchases a wide range of services for the people of Herefordshire. Together with partner organisations in the private, public and voluntary sectors we share a strong commitment to improving our environmental sustainability, achieving carbon neutrality and to protect and enhance Herefordshire's outstanding natural environment.

Equality duty

15. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to –

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
16. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. Further equality implications will need to be considered alongside pre-existing and continuing consultations on any emerging specific service change proposals.
17. Methodology for engagement and consultation will be proactively considered to maximise the range of audiences; minimising the risk of overlooking opinions of groups of the Herefordshire population with protected characteristics.

Resource implications

18. Costs will be met from existing budgets this includes the outsourcing of consultation as followed in previous years. Digital engagement and consultation are cost effective mechanisms and utilising existing groups and meetings should minimise any costs.
19. The proposed timescales will allow the opportunity for the development of a shadow budget by opposition members. This is the same as in previous years.

Legal implications

20. Section 30(6) of the Local Government Finance Act 1992 provides that the council has to set its budget before 11 March in the financial year preceding the one in respect of which the budget is set.
21. The duty to consult on council tax implications is required under statute for non-domestic rate payers and is implied for domestic rate payers as part of the council's duty to act fairly. The scope of the consultation will determine: who should be consulted; how long the consultation should be open for; what questions need to be asked; and how answers should be evaluated so that the outcome of the consultation can be conscientiously taken into account when the ultimate decision is taken. Further consultation exercises may be required alongside pre-existing and continuing consultations on specific service change proposals.
22. The obligation to consult on budget proposals arise when the budget proposals are at a formative stage either because of a specific statutory obligation to consult on changes or if proposed savings impact on the council's ability to comply with its Public Sector Equality Duty responsibilities. Even where there is no express statutory duty to consult the courts may imply a duty to consult as part of a promise/past practice and/or a public's general duty to act fairly.
23. There are now minimum requirements of consultation expected by the courts, which have become known as 'Sedley criteria' endorsed by the Supreme Court involving the London Borough of Haringey in 2014. These are:
 - a) Consultation must be at a time when proposals are at a formative stage
 - b) Sufficient information must be given to permit an intelligent consideration and response
 - c) Adequate time must be given for consideration and response
 - d) The results of the consultation must be conscientiously taken into account in finalising any proposal.
24. Under s3 Local Government Act 1999 there is an obligation on local authorities to consult widely in order to determine how the Best Value duty should be fulfilled when reshaping services and consultation should provide for interested organisations, service users and wider community to put forward options in response to the council's savings proposals.
25. The type and scale of consultation must be proportionate to the potential impact of the proposal of decision being taken.

Risk management

26. It is a statutory obligation of the council to undertake consultation around its budget and MTFS. It is also a constitutional requirement of the council to propose and publish its timelines for how this is to be undertaken.
27. Not allowing appropriate time for consultation of key documents will increase the risk that the priorities and budget are not aligned to the views of the public. The proposed timetable above represents an achievable way of gauging public opinions.
28. All budget proposals contain a degree of risk. Whilst the council has a good track record of delivering requisite savings to date, the following are key risks.
 - a) Demand – further demands on the council's services.
 - b) Reputation – if stakeholder engagement is not managed effectively, any need for the council to take difficult decisions in response to the contraction of public expenditure will not be understood.
 - c) Delivery – the delivery of the agreed budget will need to be effectively managed.
29. These risks are mitigated through budget modelling, regular monitoring and feedback.

Consultees

30. None.

Appendices

None.

Background papers

None identified.



Title of report: Major contract performance update

Meeting: Cabinet

Meeting date: Thursday 29 July 2021

Report by: Cabinet member commissioning, procurement and assets

Classification

Open

Decision type

Non-key

Wards affected

All wards

Purpose

To update Cabinet on progress made following the Major Contract Performance Review reported to Cabinet on 24 September 2020. That report approved improvements to the council's major contracts for Public Realm services and Property and Facilities Management.

Recommendation(s)

That:

- a) Cabinet note the outcome of a whistleblowing investigation and, in line with the approved improvement plan, a contract management and commissioning resource is created in the corporate centre to provide capacity to support the delivery of the improvement plan using the Programme Management Office (PMO).**
- b) Cabinet approve the establishment of an improvement board to include senior officers and Cabinet members**

Alternative options

1. This is a factual report with updates on suggestions for improvements. The alternative option is not to implement some or all of the improvements suggested. This would result in reduced improvements to the performance of the major contract in place.

Key considerations

2. The findings of the Public Realms major contract performance review was reported to Cabinet on 24 September 2020 and with it Cabinet approved the recommended improvements, being:-
 - a. Build technical knowledge within the Council
 - b. Improve internal communication and education
 - c. Increase the involvement of the procurement team
 - d. Set up a contract management framework
 - e. Consider an appropriate Contract Management System (CMS)
3. On 5 October 2020 a whistleblowing investigation was commissioned to consider the management of the Hereford City Centre Transport Package. In summary the purpose of the Hereford City Centre Transport Package (HCCTP) is a series of works to improve the way residents and businesses travel around Hereford to reduce journey times, cut pollution and create a safer environment for all road users; the programme has also released land for development. There are two key elements – the City Link Road which was opened in December 2017 and the Transport Hub yet to be completed; along with some public realm elements.
4. The investigation concluded on 23 January 2021. Attached at Appendix A is the Hereford City Centre Transport Package internal investigation summary report. Its key findings include:-
 - a. Based on the 23 November 2017 cabinet member report total spend to that point was £34,160k with £6,490k remaining to spend on public realm works at Commercial Road, Blueschool and Newmarket streets, plus the transport hub.
 - b. Since the 2017 report there has been additional costs relating to land acquisitions. A further up to date Cabinet report was presented on 22 July confirming that insufficient funding remains to complete the remaining undelivered HCCTP projects.
 - c. Of concern are the number of compensation events, with costs beyond contracted amounts outlined in original governance. The contract and relationship with BBLP meant they were the key delivery agent. This puts a great deal of trust in BBLP without the value for money being tested beyond the original contract.
 - d. Also of concern is the cost of land acquisition beyond the business case estimate – by more than £5m. CPOs follow complicated legal processes and once started there will be a set entitlements based on land valuation and disturbance payments (sometimes only fully realised years later).
 - e. The report recommendations include further financial appraisal on BBLP spending, especially focusing on payment for quantity surveying, project leads and programme management and BBLP's value for money test when

commissioning third parties, reviewing procurement reports and / or evidence of quotes.

5. This further supports the previous report being that it is a corporate priority to improve the commissioning and contract management of the Public Realm Contract.
6. To address the required improvements it is proposed that a contract management and commissioning resource is created in the corporate centre to provide capacity to support the delivery of the improvement plan using the Programme Management Office (PMO).
7. The commissioning role does report to the monitoring officer and the contract management to the chief finance officer. The two new roles are providing expertise and additional capacity to support the Director and work with the existing team, who will continue with front line delivery.
8. In addition to this Cabinet is requested to approve the establishment of an improvement board to include senior officers and Cabinet members. The board and additional resource will review the current operating model and monitor the improvement plan. Minutes from Improvement board meetings will be published and reports will come back to Cabinet on an exceptional basis.

Community impact

9. To ensure the optimum performance of the major contract for public realm supports the delivery of the best value for money and community impact of the services the contract provides.
10. Herefordshire Council is committed to ensure that those making decisions and delivering services are accountable for them. To support effective accountability the council is committed to reporting on actions completed and outcomes achieved, and ensuring stakeholders are able to understand and respond as the council plans and carries out its activities in a transparent manner. External and internal audit contribute to effective accountability.

Environmental Impact

11. Herefordshire Council provides and purchases a wide range of services for the people of Herefordshire. Together with partner organisations in the private, public and voluntary sectors we share a strong commitment to improving our environmental sustainability, achieving carbon neutrality and to protect and enhance Herefordshire's outstanding natural environment.
12. Whilst this is a decision on reviewing a major contract in place, consideration is given to minimise waste and resource use in line with the Council's Environmental Policy when procuring works through the contract.

Equality duty

13. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to –

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 14 The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. As this is a report on the performance of an existing contract, we do not believe that it will have an impact on our equality duty.

Resource implications

- 15 The suggested improvements to improve the performance of the major contract for public realm will largely be resource implication neutral. Contract efficiencies can fund the resource implications of the recommendations proposed.
- 16 The contract provision is supported by council staff costs that total approximately £0.3m in revenue costs and £0.7m in capital costs, per annum. Council officers have agreed the proposed action plan and the cost of implementing this will be contained within existing budgets.
- 17 The role of the officers will be to implement the recommendations of the internal investigation and instigate a programme of improvement relating to the contract to ensure value for money.

Legal implications

- 18 There are no legal implications as a result of the proposed improvements discussed in this report.

Risk management

- 19 To improve the performance of the major public realm contract will reduce the risk of mismanagement and non-compliance with contract procedure rules. The monthly Performance Report - Risk Register does not sufficiently log actions related to risks. Each risk should be accompanied by a strategic plan, which is to either accept, mitigate or transfer the risk. These strategic plans should also be accompanied by

clear actions against each which are tracked and updated each month (even if there is no progress).

20 There is a need to build technical knowledge within the Council to reduce the risk of the Council being over reliant on Balfour Beatty for end-to-end delivery of its infrastructure, property and public realms works.

Consultees

21 None

Appendices

Appendix A Major Contract Performance Internal Investigation

Background papers

None identified



Hereford City Centre Transport Package – Internal Investigation

Summary Report

1. Purpose and focus of the review

The purpose of the Hereford City Centre Transport Package (HCCTP) is published on the council [website](#) – in summary it is a series of works to improve the way residents and businesses travel around Hereford to reduce journey times, cut pollution and create a safer environment for all road users; the programme has also released land for development. There are two key elements – the City Link Road which was opened in December 2017 and the Transport Hub yet to be completed; along with some public realm elements.

Concerns have been raised regarding the governance and financial aspects of the package, with the level of spend on the city link road potentially not leaving enough funds for the final element of the transport hub.

Therefore the Monitoring Officer and Section 151 Officer of the council have commissioned an internal investigation to examine the following points:

1. Clarify what decision making was in place to enable officers to commence the HCCTP, with what budget and deliverables.
2. Clarify what decision making was in place to award a works contract and purchase compulsory purchase order (CPO) land.
3. Clarify what decisions officers took via record of officer or non-key decisions.
4. Clarify the process used for approval and payment of compensation events on the works contract and CPO land payments.
5. Conclude what process has been followed to date, if there are any deviances from the governance arrangements at the time and what reasons there may be for this.
6. Confirm if there has been an overspend in the budget for the construction works and CPO land purchases.
7. Confirm if the original budget is still able to deliver the nine deliverables of the HCCTP.

In the course of conducting the investigation the following key lines of enquiry were established and will form the basis of the report:

Part 1: Governance of the package and where there has been a change in the programme examine the governance route.

Part 2: Understand the decision making process for compensation events and spend.

Part 3: Spend review, including activity against plan, land purchases and ability to complete the programme.

2. Summary Conclusions

The Hereford City Centre Transport Package has spanned ten years with a budget of £40,650k. The business case for the programme was comprehensively set out in a series of documents published on the council [website](#) dated 25 November 2015, which provided the information for Full Council agreeing a capital allocation on [5 February 2016](#) as part of the Medium Term Financial HCCTP – Internal Investigation

Strategy. An update on the package was via cabinet member report on [23 November 2017](#). A further update report is due.

Based on the 23 November 2017 cabinet member report a total spend to that point was £34,160k with £6,490k remaining to spend on public realm works at Commercial Road, Blueschool and Newmarket streets, plus the transport hub.

Since the 2017 report there has been additional costs relating to land acquisitions. Based on information provided for this report there remains **£4,326k** to spend on the transport hub and public realm. The original business case had these elements costing £5,456k, and more recently BBLP costed designs for the transport hub and public realm at c£9m – however this was rejected by the project team due to estimates being beyond budget. The update report due will no doubt address this issue.

Though the business case split costs between construction and land acquisition (along with professional fees and risk) the budget was used as a combined resource. If based on the business case the road construction underspent and the land acquisitions overspent.

Through the tracking of the governance there does not seem to be a breach of decision making considering the permissions granted and contract terms agreed. Record of officer decision is used to greater effect since the new constitution of May 2017 which provided increased clarity - therefore historic spend, or rather overspend on contracts, are not visible through record of officer decisions. Also, without financial amounts in report recommendations combined with the use of delegated authority giving powers to officers within an envelope of spend and planned activity, it is difficult to match actual spend against decisions.

Of concern are the number of compensation events, with costs beyond contracted amounts outlined in original governance.

The contract and relationship with BBLP (Balfour Beatty Living Places) meant they were the key delivery agent – this included their associate partner shaping the scheme in the business case which included recommending BBLP be directly awarded elements of site works and management of the construction company, along with leading the procurement of the contractor. All allowable within the previously agreed terms of the contract with BBLP.

The delivery of works by BBLP brings advantages in being a known partner with an existing relationship with the council, local knowledge and ability to mobilise quickly. However, this puts a great deal of trust in BBLP without the value for money being tested beyond the original contract. There are layers of funds in which BBLP were able to financially benefit from the scheme whether fees included on compensation events and subcontractors, potential for “gain” on gain share, project and programme costs or overheads on salaries – these are explored within the report.

Also of concern is the cost of land acquisition beyond the business case estimate – by more than £5m. CPOs follow complicated legal processes and once started there will be a set entitlements based on land valuation and disturbance payments (sometimes only fully realised years later). Though compensation to businesses would be difficult to predict at the start of the process this suggests that the costs may not have been fully valued at the time.

Recommendations:

1. Further financial appraisal on BBLP spending, especially focusing:
 - Payment for quantity surveying, project leads and programme management, spot checked against time sheets.

- Gain share benefit relating to this project and where “pain” in gain share would have been more appropriate than compensation events.
 - BBLP’s value for money test when commissioning third parties, reviewing procurement reports and / or evidence of quotes.
2. Lessons learnt on award of contracts being mindful of percentage fees (including fees on fees); gain: pain mechanisms, and shared risk formula.
 3. When an organisation (including associate partners) is commissioned to establish a business case they are excluded from bidding for consequential contracts due to impartiality, or at least very close review of what is being recommended followed by a transparent procurement process.
 4. On governance:
 - For all decisions that have a financial element to be included in the recommendations not just in the body of the reports.
 - Record of officer decision process to be via modern.gov to ensure record of consultation, process for sign off beyond email exchange, and ensure publication.
 - Consider process of contract change recorded through record of officer decision that is not over burdensome e.g. quarterly changes rather than every change.
 - Ensure practice of exempting part of a report rather than whole report when contain commercially confidential elements.
 - Payments to contractor and businesses are published through the decision making process as default, and only exempt with a demonstrable legal requirement, with confidentiality clauses only used when legally obliged.
 5. To review if additional financial and cost tests should be part of the Service Manager Review of the BBLP Annual Plan.
 6. Further examination of land acquisitions next to the original requirements outlined in the business case.



Title of report: Recovery and Investment Fund

Meeting: Cabinet

Meeting date: Thursday 29 July 2021

Report by: Acting Deputy Chief Executive, Chief finance officer

Classification

Open

Decision type

This is not an executive decision

Wards affected

Purpose

To recommend to Cabinet the approval in principle of the establishment of a Covid 19 Recovery and Investment Fund to support Herefordshire businesses.

This is recommended to investigate providing additional targeted funding opportunities for local business growth in support of delivering the County Plan. Any funding provided will be in addition to the support that is already established and available.

Recommendation(s)

That:

- a) **Cabinet approve further investigation into the establishment of a recovery and investment fund to support Herefordshire businesses post Covid 19.**
- b) **Cabinet approve the principles and objectives of investment for a Herefordshire Recovery and Investment fund as detailed in paragraph 13.**
- c) **Cabinet authorises the Acting Deputy Chief Executive, Chief Finance Officer, to develop the scheme details based on the principles set out within this report and report back with the final proposals.**

Alternative options

1. To not approve the establishment of a recovery and investment fund. This could be seen as a missed opportunity to support local businesses to recover and grow following the economic impact of the international pandemic Covid 19.

Key considerations

2. The Government has put forward an unprecedented package of support for businesses throughout the pandemic including the Coronavirus Job Retention Scheme, a range of government-guaranteed business loans and a significant package of direct business grants for businesses that are required to close, or which are severely affected by the restrictions put in place to tackle Covid-19 and save lives.
3. The Covid pandemic has created both a health emergency and an economic one. Practically all businesses and enterprises in Herefordshire are affected. Herefordshire Council is able to take a leading role in supporting the economy, support its growth and recovery, and address the challenges of responding to the current climate emergency.
4. Within Herefordshire large parts of our economy have been instructed to close for the majority of the last 16 months such as hospitality, tourism, culture, leisure and non-essential retail. There has been a significant onward impact on the supply chain to these sectors. Agriculture, manufacturing and construction sectors have also faced significant challenges in adjusting to different working environments, supply chain disruption and changing customer needs. The county has seen significant increases in those claiming unemployment benefits and thousands of local people furloughed through the Job Retention Scheme.
5. As national restrictions are reducing, Cabinet is asked to consider the creation of a Herefordshire Business Recovery and Investment Fund. The fund could help local businesses support the Council's strategic County Plan ambitions particularly in light of the economic impacts arising from the Covid 19 pandemic. The fund is anticipated to support key sectors through specialist land, buildings and facilities, enabling adjustments within sectors to respond to new opportunities such as green technology and transport, and adaptations in working patterns.
6. Access to bank finance becomes more problematic for business during crisis episodes. This is a combination of reduced supply of lending by banks coupled with suppressed demand from businesses who face uncertainty. Managing finances is likely to become hugely important for small companies, especially new start-ups.
7. Barriers to accessing finance change at different stages of business development. As part of its Covid response Government has provided access to a range of new funds that aim to provide a financial bridge to recovery (such as the Coronavirus Business Interruption Loan Scheme, the Bounce Back loan scheme and the Future Fund), but these are limited in scale.
8. It is not possible to forecast the specific demand for finance from businesses in the current climate without further investigation. Businesses may already be quite indebted because of taking on loans or credit to ensure survival during the pandemic, and so may be reluctant to take on more debt. Demand for equity investment has been traditionally low, through a mixture of limited supply of such finance and lack of

knowledge/expertise from local businesses to access these. The changing economic position and business funding requirements is likely to affect and change this which would lead to more demand.

9. Equity may become more attractive as a response to the Covid pandemic, or hybrid finance schemes such as mezzanine finance or convertible loans. Research will better assess demand for different products. In addition, how they sit alongside new and existing finance schemes offered by the market and Government.
10. A Herefordshire Recovery and Investment Fund could raise funds and provide further provision of finance to enable investments that could help support local businesses in key growth sectors that create jobs, underpin social enterprise, tackle climate change and unlock land. The Herefordshire Recovery and Investment Fund could aim to provide access to finance for businesses and for social investment, but also provide a return that itself that would be available for reinvestment.
11. The Herefordshire Recovery and Investment Fund should therefore focus on investment in sound, growing businesses, including some of the fund targeted at social enterprises. This social business aspect is important in that it can help mitigate future costs for the Council as well as be seen as an investment. Successful investment in this area would be a combination of returns and mitigated future costs. The Herefordshire Recovery and Investment Fund would also help support the delivery of the ambitions in the Herefordshire County Plan.
12. As the economy evolves, some sectors will contract and others will expand. The recovery fund will only work if it is enabling the growing sectors to create new jobs. This fund, if successful, will have a number of example beneficial financial impacts for Herefordshire directly as well as the broader national public purse as shown below, in addition to the significant social benefits and wellbeing benefits from being in work and feelings of contributing to society:
 - Increased council tax receipts
 - Increase the gross rateable value for non-domestic rates
 - Reduced reliance on benefit payments
 - Increased income and corporation tax receipts
 - Increased investment in Herefordshire
 - Increased spending on Council services
 - Increased investment in Herefordshire to recover the economy
13. It is important that the Cabinet agree the principles and objectives of the fund to enable further work to be appropriately tasked. Suggestions are provided below:

Fund Principles

- Support the councils aspiration for the county to become carbon neutral by 2030
- Promote biodiversity within Herefordshire

- Support new and growing small and medium sized businesses with sound prospects creating jobs and social value
- To be developed from detailed analysis of the local economy and strategic sectors

Fund Objectives

- Job creation
 - Provision of support for environmentally and economically sustainable businesses
 - Provision of support for social enterprises and local solutions
 - Delivery of both short and medium-term options
 - Delivery of potential return on investment and not grants
 - Targets full recovery of investments
 - Clear linkages to active support and advice to businesses
14. To complete this investigation a small project team needs to be created to identify the demand for this potential support and to deliver the Herefordshire Recovery and Investment Fund project if agreed. It is proposed that this team is led by an independent experienced programme director with access to external specialist advice as required. The focus of the project team will be to:
- Expand on the key objectives of the fund in line with Cabinet requirements to have an emphasis on addressing climate change.
 - Create rules and procedures needed to achieve good governance.
 - Manage risk, client and contractor relationships and impact on wider council policies and strategies; to include the risks and mitigation action associated with providing financial support.
 - Detail operational procedures for the Fund; this will include researching community banking and circle / crowd funding.
 - Detail criteria by which to assess funding options including how to impact assess the fund.
 - Advise on due diligence including any legal and/or regulatory requirements
 - Advise on monitoring arrangements required including investment recovery mechanisms
 - Advise on establishing the Fund and relevant launch documentation
 - Ensure that existing Herefordshire business support and advice programmes support the Herefordshire Recovery and Investment Fund
 - Develop a set of metrics to manage the fund

- Support with the structuring of funding packages
- Advise on the need for ongoing specialist support
- Provide financial modelling support to establish and monitor the fund

15. A further report will be presented to Cabinet to approve the establishment of the Herefordshire Recovery and Investment Fund, expected demand and associated costs and its operating arrangements, once the approval in principle has been received and the initial work listed above has been undertaken.

Community impact

16. A recovery and investment fund will enable financial support to be provided to local businesses and social enterprises ensuring a positive community impact through the creation and retention of local jobs and services.

Environmental Impact

17. Herefordshire Council provides and purchases a wide range of services for the people of Herefordshire. Together with partner organisations in the private, public and voluntary sectors we share a strong commitment to improving our environmental sustainability, achieving carbon neutrality and to protect and enhance Herefordshire's outstanding natural environment.

18. There is an opportunity to support the rebuilding of the Herefordshire economy in a way that is greener and more sustainable than before. Through our recovery and future economic growth activity, we will look to embed and promote a low carbon approach, helping both new businesses exploit the new economic opportunities that are being created and existing businesses to become more sustainable.

19. It is expected that the development of the business case for each request will seek confirmation of the minimisation of any adverse environmental impact and will actively seek opportunities to improve and enhance environmental performance.

Equality duty

20. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
21. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. The duty will be considered by the project team when investigating the establishment of the fund and its criteria and will be included in the next report to Cabinet.

Resource implications

22. The estimated cost of appointing a programme director and the external specialist advisors to enable the further work identified in this report is up to £100k, this will be funded from the recovery and investment fund earmarked reserve which currently totals £505k. This reserve was established whilst closing the 2020/21 accounts and is funded from a minimum revenue over provision adjustment identified by external audit.
23. As mentioned in paragraph 15, one of the outputs of the next phase will be to research the anticipated demand for this type of support from businesses in Herefordshire.
24. Part of these considerations will also consider options on how to operate the Herefordshire Recovery and Investment Fund, which are likely to include an external investment company and an internal team and the relative risks and rewards of these different models. Whichever option is preferred for operationalising these proposals there will need to be some form of day to day client arrangements within Council resources for example for reporting, risk management and governance reasons. All of this detail will be reported in the next update to Cabinet.

Legal implications

25. Once detailed proposals are determined the Council would seek legal advice in developing the proposed fund. This would include the council's powers to set up the fund, relevant considerations prior to investing or offering products through the fund (including the council's fiduciary duties in respect of public money and appropriate governance), changes to state aid rules post EU transition, and regulatory requirements. The legal advice would refer to the following which provide the ability to councils to enter into similar arrangements.
- The General Power of Competence (for lending, funding and other activities);
 - Section 12 Local Government Act 2003 (power to invest);
 - Local Authorities Land Act 1963 – acquiring, developing land and funding for certain third party developments;
 - The Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 – (treatment of receipts and capital treatment of certain loans).

Risk management

26. As mentioned at paragraph 15 above clarity on the funds operating arrangements will be included in the next report to Cabinet detailing the expected demand and financing options available and the risks and recommended mitigation measures.

Consultees

27. None

Appendices

None

Background papers

None identified



Title of report: Allocating the use of the Climate Reserve

Meeting: Cabinet

Meeting date: Thursday 29 July 2021

Report by: Cabinet member environment, economy and skills

Classification

Open

Decision type

Key

Notice has been served in accordance with Part 3, Section 9 (Publicity in Connection with Key Decisions) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Wards affected

(All Wards);

Purpose

This report sets out the Council's ambitious plan to lead the local response to the Climate & Ecological Emergency including the development of a new Herefordshire Climate & Nature Partnership and to allocate the use of the Council's dedicated climate reserve in order to accelerate the delivery of our net zero carbon and nature rich commitments.

Recommendation(s)

That:

- a) The council establishes a new countywide partnership, the Herefordshire Climate and Nature Partnership (as per the Terms of Reference in Appendix 2);**
- b) The Herefordshire Climate and Nature Partnership is included on the council partnerships register as a significant partnership;**
- c) That the new Herefordshire Climate and Nature Partnership develops and leads the delivery of an ambitious new Herefordshire Climate and Nature Strategy for Herefordshire to become net zero carbon and nature rich by 2030;**
- d) A new dedicated Delivery Director is recruited to accelerate the delivery of the Council's climate and nature projects;**

Further information on the subject of this report is available from
Ben Boswell, Richard Vaughan, Tel: 01432 261930, Tel: 01432 260192, email:
bboswell@herefordshire.gov.uk, Richard.Vaughan@herefordshire.gov.ukl

- e) **£50,000 be allocated and drawn down from the climate reserve to procure external communications resource to support the active promotion and engagement of the Herefordshire Climate and Nature Partnership;**
- f) **£40,000 be allocated and drawn down from the climate reserve to procure specialist consultancy support to develop a new Herefordshire Council Nature Strategy;**
- g) **£50,000 be allocated and drawn down from the climate reserve to procure specialist consultancy support to develop a new Building Retrofit Strategy and to undertake an options appraisal for accelerating building retrofit across the county;**
- h) **£220,000 be allocated from the climate reserve to establish a new Climate and Nature grant scheme to empower local community groups, organisations and parish councils to apply for funding, which the council will consider and award, to deliver carbon reduction and ecological enhancement projects across the county (as set out in Appendix 1);**
- i) **That delegated authority is given to Interim Director for Economy & Place in conjunction with Cabinet Member Economy and Environment and Section 151 Officer to draw down the full value of the climate reserve in year and to take all operational decision to deliver the above recommendations; and**
- j) **That Cabinet receives an annual report and project plan as part of a decision to draw down the following year's climate reserve.**

Alternative options

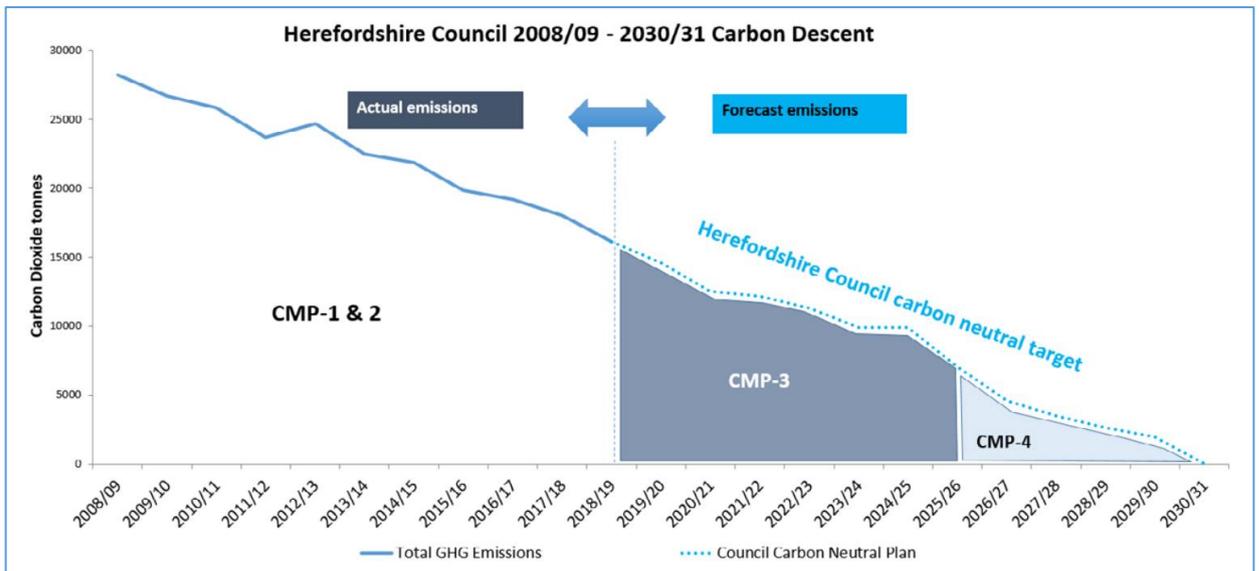
1. Not to establish a countywide partnership (rejected).
 - I. This is not recommended as the Council is only one part and is strongly committed to leading the required local response to the Climate & Ecological emergency which is a key objective in the County Plan and the executive response to the Climate & Ecological Emergency.
 - II. Partnership working will be essential to delivering countywide carbon neutrality as the Council's own carbon footprint represents less than 1% of Herefordshire's total carbon emissions.
2. Not to draw down and utilise the dedicated Climate Reserve in order to accelerate the delivery, engagement and communication of the Council's climate and ecology commitments (rejected).
 - I. This is not recommended as this dedicated reserve has been established to support the ongoing delivery of Council's declaration of a Climate and Ecological Emergency and to deliver the climate and nature commitments within the County Plan.
3. Not to draw down the dedicated climate reserve to support countywide carbon activity (rejected).

- I. This is not recommended as significant investment will be required over the next decade as the County works to achieve net zero carbon. The allocation of £220,000 from the dedicated climate reserve will ensure there is sufficient resource available to develop and facilitate new carbon reduction and biodiversity projects across the county via the climate grant scheme. This allocation includes up to £20,000 to resource the administration of this grant scheme which will be undertaken by the council's Delegated Grants team.
4. To directly allocate resources to the Climate and Nature Partnership (rejected).
 - I. This is not possible as the proposed partnership will not be a legal entity and the Council need to ensure that all activity is procured under the council's contract and financial procedure rules.
5. Not to draw down the dedicated climate reserve to procure the nature strategy (rejected).
 - I. This is not recommended as this is a key strategic objective to achieve the Council's Climate & Ecological Emergency ambitions. This seeks to develop a new holistic approach, working collaboratively with the Local Nature Partnership to address all aspects of its operations and estates.
6. Not to draw down the dedicated climate reserve to procure the specialist technical advice to develop a building retrofit strategy and to develop an options appraisal (rejected).
 - I. This is not recommended as this is a key strategic objective to achieve the Council's Climate & Ecological Emergency ambitions as over one-third of Herefordshire's carbon emissions are estimated to be from heating homes and other buildings.

Key considerations

Herefordshire Council Emissions

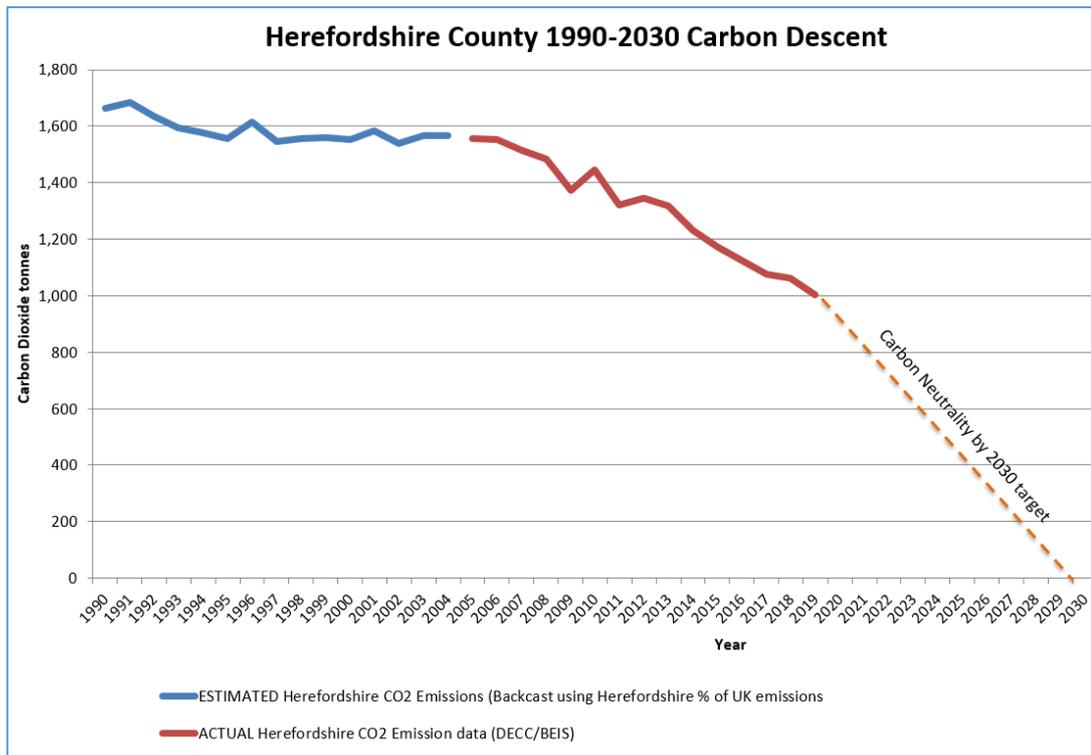
7. Since the publication of the Council's first Carbon Management Plan in 2011, Herefordshire Council has made excellent progress reducing emissions from the Council's operations and is currently delivering the third 5-year carbon management plan. This plan sets out the Council's route to zero carbon by 2030/31 and sets out an ambitious interim carbon reduction target of a 75% by 2025/26.
8. This plan and action plan are available on our website via the following links and our pathway to zero carbon is illustrated below.
 - I. <https://www.herefordshire.gov.uk/downloads/file/20530/carbon-management-plan-2020-21-to-2025-26>
 - II. <https://www.herefordshire.gov.uk/downloads/file/22295/carbon-management-action-plan-2021>



- In July 2020 the Council published its current annual performance report which reported a 49% reduction in 2019/20 and is currently forecasting a 59% reduction in emissions for 2020/21 which will be reported in our annual performance report later this year.

Countywide Emissions

- In 2013 the Council jointly developed the countywide carbon reduction strategy 'Re-energising Herefordshire'. This strategy, believed to be the first countywide carbon reduction strategy in the UK, brought together businesses, organisations and local strategic partners and commit to an 80% countywide carbon reduction target by 2050, based on a 1990 baseline.
- In June 2020 data published by the department for Business Energy and Industrial Strategy showed a 39.6% reduction in countywide carbon emissions for 2019 against the 1990 baseline year.



Climate & Ecological Emergency declaration

12. On 8 March 2019 Herefordshire Council declared a Climate Emergency following unanimous support for a climate emergency resolution at full council. This declaration was updated on 11 December 2020 when Herefordshire Council declared a Climate and Ecological Emergency (CEE) following support for a climate and ecological emergency resolution at Full Council.
13. On 26 September 2019, Cabinet approved the executive's response to the climate emergency resolution, setting out a number of actions and policy commitments including:
 - a) An accelerated reduction of the council's own carbon emissions and the aspiration to become net carbon neutral by 2030/31.
 - b) The council will work with strategic partners, residents and local organisations to develop a revised countywide CO₂ reduction strategy, aspiring for net carbon neutrality by 2030.
 - c) That the general scrutiny committee is invited to consider building into their work programme and/or establishing a task and finish group to:
 - i. Review the draft carbon management plan;
 - ii. Review partners' plans and strategies to recommend how best to develop a joint countywide strategy;
 - iii. Develop and propose a checklist of criteria for the development of new and review of existing council strategies to assess their suitability to deliver on carbon reduction.

Creation of a Dedicated Climate Reserve

14. At the Full Council meeting on 14 Feb 2020 a new dedicated climate reserve was established to resource and accelerate action to address the climate emergency.
15. Here an initial £200k of revenue funding from the new homes bonus grant was allocated with the commitment that all future dividend income from West Mercia Energy's (WME) operational surplus would be allocated to the reserve. At present the allocation within the climate reserve is £448,614 which will receive further contributions in future years.

Herefordshire Climate & Nature Partnership

16. In January 2020 the council established a Climate and Ecological Emergency Steering Group to:
 - a) Steer and oversee the development of a new collaborative countywide CEE Action Plan for Herefordshire; and
 - b) Establish a representative and publically accountable governance structure to oversee and support the delivery of the CEE Action Plan.
17. Throughout 2020, the Council has worked in partnership with a number of local organisations and stakeholders through the Climate and Ecological Emergency Steering Group to develop an initial action plan and a draft Terms of Reference for a new Climate and Nature Partnership. As part of this work, a review of other emerging countywide partnerships across the country was undertaken to help inform the development of the terms of reference.
18. In March 2021 the Council created the new Herefordshire Zero Carbon and Nature Rich website which included live and iterative action plans bringing together the combined actions of the steering group and other local partners, local case studies and an interactive map of the local groups and activity across the county.
 - I. <https://zerocarbon.herefordshire.gov.uk/>
19. The proposed Climate and Nature Partnership will jointly develop the new overarching Herefordshire Climate and Nature Strategy seeking to galvanise the activity of residents, businesses, communities and partners and sets out the vision for a thriving net zero-carbon nature-rich Herefordshire by 2030. The Partnership will supersede the Climate and Ecological Emergency Steering Group.
20. The partnership will be open to all Herefordshire based residents and organisations and will be overseen by a new Climate and Nature Partnership Board which is set out in Appendix 2.
21. The Terms of Reference have been reviewed to consider both the recommendations of the General Scrutiny Committee's Climate Emergency Task & Finish Group and the partnership working from the Climate and Ecological Emergency Steering Group. The proposed approach seeks to build on strong momentum across the county and follows best practice across the country.

Herefordshire Climate and Nature Partnership – External Communications Support

22. As engagement, education and behaviour change is essential to the success of the new Partnership the proposed recommendations include the provision of dedicated communication support. This will greatly extend the reach and impact of the partnership enabling them to communicate effectively with the residents, organisations and businesses of the County which will be a key part of achieving the net zero carbon and nature rich ambitions for the county.
23. The objectives of this dedicated communication support is to:
 - a) Establish a Climate and Nature PR plan for Herefordshire Council and the Herefordshire Climate and Nature Partnership Board
 - b) Engage and mobilise individuals and organisations countywide to sign up to the Partnership and to engage in the Action Plan
 - c) Utilise social media and other media channels to raise awareness of the goal for a zero carbon and nature rich county by 2030
 - d) Encourage residents, businesses, organisations, schools and colleges to take action to help achieve that goal
 - e) Generate local and national media coverage to highlight successful interventions
 - f) Generate new case studies and content for the zerocarbon.herefordshire.gov.uk
 - g) Create dedicated social media platforms to promote zero carbon and nature news stories, seek ideas and engagement.
 - h) Deliver behavioural change to help reduce carbon emissions and protect and enhance local biodiversity.
24. Timeline for External Communications Support:
 - a) Procurement of consultants – August 2021
 - b) Commissioning of consultants – September 2021
 - c) Contract duration – 12 months with option to extend.

Climate and Nature Grant Scheme

25. Recognising that local and community action is fundamental to addressing the climate and ecological emergency the proposal is to allocate £220,000 from the council's dedicated climate reserve to establish a new Climate and Nature Grant Scheme.
26. This will enable applicants to apply for financial resources on a business case basis for projects including technical/feasibility studies, carbon reduction and/or biodiversity enhancement projects.
27. This grant scheme will be utilised to empower and support community action on carbon reduction and nature recovery creating new projects as part of the countywide action plan.

28. The full eligibility details and proposed application process for this grant scheme are set out in Appendix 1.
29. All funding allocated will be subject to the Council's financial procedure rules, will be procured in line with the Council's contract procedure rules which will be overseen by Delegated Grants. Proposals for consideration can be put forward by member organisations of the Hereford Climate and Nature Partnership.

Nature Strategy

30. Whilst the council has already developed and completed a range of projects to conserve and enhance the biodiversity across the county and its operations, this proposal seeks to expand this by setting out a new clear strategic approach through the development of a new Nature Strategy.
31. This holistic strategy will bring together all aspects of Nature within the multifaceted and interlinked services that the Council provides, recognising that the majority of these services will link, influence or directly affect local biodiversity and the natural environment.
32. The Nature Strategy will build on existing activity and data sets to provide a strategic framework to support and assess new projects and actions; whilst recognising that there is currently a sparsity or limited availability of valid, accurate and current baseline data and information for the county.
33. The strategy will provide the local detail to support the national 'Nature Strategy' currently being written by the Department for Environment, Food and Rural Affairs (DEFRA) and likely to be launched in Q4 2021 that is being designed to sit alongside and interlink with the existing Climate Change Act. This will ensure that the council is best placed to demonstrate its local leadership on nature recovery and to support future funding applications to Government in respect of the Climate and Ecological Emergency.
34. In addition the Nature Strategy will consider the implication of new national policy and guidance on biodiversity net gain and the development of Nature Recovery Networks (NRN) both of which are anticipated through the introduction of the Environment Bill later this year.
35. Project areas identified in the Nature Strategy will be developed to flow from the forthcoming national Nature Strategy from DEFRA, but may consider topics/areas of interest such as:
 - a) Securing and implementing the appropriate management of the council assets to increase 'nature' value whilst securing their primary function (if not nature)
 - b) Achieving a biodiversity net gain on all projects and development (e.g. by use of DEFRA Biodiversity Metric)
 - c) Ensuring there is no net loss of 'nature' through projects and developments and that they are assessed using a national standard such as 'Natural Capital Assessment'

- d) Enhancing existing public open space and sites for multiple benefits and uses working within forthcoming planning reform requirements to secure 'nature at the heart of all development in the county'

36. Timeline for Nature Strategy:

- a) Procurement of consultants – August 2021
- b) Commissioning of Nature Strategy – September 2021
- c) Completion of First Draft – January 2022
- d) Delivery of final version – Spring 2022

Building Retrofit Strategy and options appraisal

- 37. As over one-third of Herefordshire's greenhouse gas (GHG) emissions are estimated to be from heating homes and other buildings, the proposed approach is to develop a new building retrofit strategy and to undertake an options appraisal to scope potential action plans to decarbonise buildings across Herefordshire.
- 38. The latest data from the Department for Business, Energy & Industrial Strategy (BEIS) in 2020 estimates that this can be broken down as follows:
 - I. 23% from heating fuel and electricity use in housing (domestic buildings);
 - II. 12% for heating and powering non-domestic buildings such as shops, offices and public buildings
- 39. As the estimated value of the works necessary in order to realise the county's zero carbon target by 2030 is likely to exceed £300 million it is essential that Herefordshire seeks innovative new solutions and leverages external funding opportunities to deliver this enormous challenge and economic opportunity.
- 40. The UK Green Building Council (UKGBC) describes how local authority leadership is essential to deliver carbon reductions in existing homes and buildings, as authorities can achieve more through collective action and better joining up of respective efforts on home retrofit.
- 41. The council proposes to take a leading role and to develop a strategic approach to tackle the problem and an initial step will be to commission a consultant to undertake:
 - I. Review of relevant background and baseline information, such as the Herefordshire Integrated Housing Stock Modelling database report (BRE, 2019);
 - II. Review of other best practice schemes countrywide (domestic/non-domestic/mix) and assessing in which align well to Herefordshire's requirements;
 - III. Appraisal of funding options and development of a 10 year finance plan to include the consideration of community municipal investment bonds;
 - i. Options appraisal in order to enhance local low carbon skills capacity and supply chain and Partner and stakeholder engagement (including supply chain) in order to inform the design of the strategy;
 - ii. Assessment strengths and limitations of local skills and the supply chain;

42. Timeline for Building Retrofit Strategy and options appraisal:
 - a) Procurement of consultants – August 2021
 - b) Commissioning of Strategy – September 2021
 - c) Completion of First Draft – January 2022
 - d) Delivery of final version – Spring 2022

Accelerating Delivery

43. As a key strategic priority for Herefordshire and in line with the Council's corporate project management framework the recommendation is it recruit a dedicated Project Director to accelerate the delivery of the Council's climate and nature projects.
44. This post will be funded corporately through existing corporate budgets.

Community impact

45. In accordance with the adopted code of corporate governance, Herefordshire Council is committed to promoting a positive working culture that accepts and encourages constructive challenge and recognises that a culture and structure for scrutiny are key elements for accountable decision making, policy development and review.
46. The resulting improvements in local air quality, improved public health and efficiencies from addressing the climate emergency will positively contribute towards the delivery of the council's corporate plan objectives of 'Securing better services, quality of life and value for money' and 'Enabling residents to live safe, healthy and independent lives.'
47. This proposal seeks to actively engage all residents, organisations and businesses across the county to contribute towards reduced carbon emissions and an enhanced natural environment. This will also help to improve the health and wellbeing of all residents through an improved local environment.
48. This proposal addresses the following key commitments within the Council Corporate Delivery Plan
 - a) EN3.1: Create a new countywide climate & ecological emergency partnership, strategy and action plan to improve biodiversity and achieve countywide carbon neutrality by 2030
 - b) EN4.2: Develop new domestic building retrofit programmes to further improve the energy efficiency of Herefordshire's housing stock, reducing carbon emissions, improving wellbeing and tackling fuel poverty
 - c) EN7.1: Develop & implement a new nature strategy to enhance and protect biodiversity across the Council's estate
49. The proposal strongly supports the wider County Plan's ambitions to:
 - a) Protect and enhance our environment and keep Herefordshire a great place to live
 - b) Support an economy which builds on the county's strengths and resources

Environmental Impact

50. The Council provides and purchases a wide range of services for the people of Herefordshire. Together with partner organisations in the private, public and voluntary sectors we share a strong commitment to improving our environmental sustainability, achieving carbon neutrality and to protect and enhance Herefordshire's outstanding natural environment.
51. This proposal seeks to deliver on the Council's Climate & Ecological Emergency declaration by working in partnership with strategic partners, residents and local organisations to develop and deliver new carbon reduction and nature enhancement projects to support the recently established Climate & Nature Partnership.
52. The strategy and associated action plan will deliver multiple positive environmental impacts which will positively contribute towards the delivery of the following commitment in the Corporate Delivery Plan:
 - a) Minimise waste & increase reuse, repair & recycling (EN1)
 - b) Improve and extend active travel options throughout the county (EN2)
 - c) Understand and support sustainable living (EN3)
 - d) Invest in low carbon projects (EN4)
 - e) Identify climate change actions in all aspects of the councils operations (EN5)
 - f) Seek strong stewardship of the county's natural resources (EN6)
 - g) Protect & enhance the county's biodiversity, value nature and uphold environmental standards (EN7)
 - h) Develop environmentally sound infrastructure that attracts investment (EC1)
 - i) Protect & promote our heritage, culture & natural beauty to enhance quality of life & support tourism (EC5)
53. The Nature Strategy, seeks to deliver a co-ordinated framework through which the council's operations and establishments can be managed. This will ensure that best environmental practice is adhered to within its own practice and upon its own estates, thereby setting a benchmark of high quality standards within the county. Environmental performance indicators within the framework will align with both the objectives set out within the County Plan as well as forthcoming environmental legislation to be delivered through both the Environment and Agriculture Bill.
54. This Building Retrofit Strategy relates to the formulation of a strategy and business case which will have significant positive environmental impacts for the county. As a part of this process consideration will be given to minimise waste and resource use in line with the Council's Environmental Policy during later construction phases

Equality duty

55. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to –

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 56. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying ‘due regard’ in our decision making in the design of policies and in the delivery of services.
- 57. The Terms of Reference for the proposed Climate and Nature Partnership have been developed with support from the Council’s equality team. The aim is to make the partnership as accessible as possible and attract applications from Herefordshire’s diverse communities.
- 58. Our providers will be made aware of their contractual requirements in regards to equality legislation and an Equality Impact Assessment will be required as part of the application process for the Climate and Nature Grant scheme. In addition the commissioning of the Building Retrofit Strategy, the Nature Strategy and External Communications Support will require consideration of equality issues and accessibility.

Resource implications

- 59. At the Full Council meeting on 14 Feb 2020 £200,000 of revenue funding from the new homes bonus and future dividends from West Mercia Energy operational surplus was allocated as a new dedicated climate reserve.
- 60. A further allocation of £248,614 was added to the reserve in October 2021 from the 2019/20 WME operational surplus and the current forecast for the 2020/21 operational surplus is £165k which will be allocated to the reserve in October 2022.
- 61. The grant scheme will be administered by the Council’s Delegated Grants team and will invite applications through the new partnership board for new carbon reduction and ecological enhancement projects across the county. The grant administration costs will be funded within the £220,000 budget allocation.
- 62. Project applications will be assessed by a dedicated grant appraisal panel comprising officers from the Sustainability & Climate Change, Built & Natural Environment, Delegated Grants and Finance teams.
- 63. In accordance with the Financial Procedure Rules, the Chief Finance Officer has consented to the use of the earmarked reserve and any necessary virements.

Funding streams (indicate whether base budget / external / grant / capital borrowing)	2021/22	2022/23	Future Years	Total
	£000	£000	£000	£000
Climate Revenue Reserve	335	25	0	360

TOTAL	335	25	0	360
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Revenue or Capital cost of project (indicate R or C)	2021/22	Future Years	Total
	£000	£000	£000
Climate & Nature Grant Scheme (R or C)	200	0	200
Climate & Nature Grant Scheme administration (R)	20	0	20
Nature Strategy (R)	40	0	40
Dedicated communications support (R)	25	25	50
Building Retrofit Strategy and options appraisal	50	0	50
TOTAL	335	25	360

Legal implications

64. The partnership will be set up in accordance with the terms of reference at Appendix 2 as a non legal entity overseen by the Climate and Nature Partnership Board.
65. There are no specific legal issues arising from this report which need to be brought to the attention of the Cabinet.

Risk management

<u>Risk / opportunity</u>	<u>Mitigation</u>
Reputation (both risk and opportunity) – There is a reputational risk of not establishing a new countywide partnership as set out in the County Plan	This proposal seeks to establish this partnership and considers the recommendation from the Climate Emergency Task & Finish Group of General Scrutiny Committee. The development of the new partnership will support the Council's commitment for Herefordshire to become net-zero carbon by 2030.
Climate Partnership - Resources (risk) – Without the allocation of additional resources there is a risk that the partnership will be ineffective and unable to lead a successful reduction in countywide carbon emissions.	This proposal seeks to resource enable countywide activity on carbon reduction and biodiversity enhancement through the creation of the new grant scheme. This will enable the partnership to undertake projects, research and simulate further carbon reduction and biodiversity action across the County.

Risk / opportunity	Mitigation
Communications Support – Without the proposed allocation of dedicated communications support to promote and engage residents there is a risk that the partnership is unable to successfully engage with all residents. This would negatively impact the Council’s ability to deliver the Climate & Ecological Emergency commitments.	Dedicated communications support is proposed within the recommendations
Nature Strategy - Delay in legislation and guidance/ delivery of national Nature Strategy.	The council may need to delay the delivery of its final version of its own Nature Strategy to ensure it fully aligns with national guidance coming forward.
Nature Strategy - Delay in required data collection and involvement of volunteers for survey work due to Covid -19	The council will seek to ensure the provision of up to date data where possible. Given the indefinite timescales of restrictions around Covid-19 it is recommended that the report will be progressed and updated as data becomes available.
Project Management Support – The additional allocation of dedicated Delivery Director will accelerate the successful delivery of the numerous climate and nature projects within the County Plan	Dedicated Delivery Director is proposed within the recommendations

Consultees

66. Political groups were consulted, the Ward Member for Central Ward made the following suggestion:
- a) Could we extend the objective on the grant scheme slightly to include provision for awards, so ‘Establish a Climate and Nature grant and award scheme’.
 - b) No further suggestions were received.
 - c) No objections were received.
67. This proposed Climate & Nature Partnership has been developed in partnership with the Climate and Ecological Emergency Steering Group which includes a range of key stakeholders including the Local Nature Partnership, Herefordshire Green Network and other community organisations.
68. The development of the proposed Nature Strategy will be developed in consultation across the Council, in conjunction with our public realm partner Balfour Beatty Living

Places, local/regional nature conservation groups and statutory national nature conservation organisations including Natural England, Forestry Commission and Environment Agency.

69. This proposal Building Retrofit Strategy has been developed in consultation with technical experts from the market via soft market testing as well as relevant internal stakeholders and Cabinet Member.

Appendices

- Appendix 1 – Climate and Nature Grant Scheme.
- Appendix 2 – Herefordshire Climate & Nature Partnership, Terms of Reference.

Background papers

- None identified

Please include a glossary of terms, abbreviations and acronyms used in this report.

- Climate and Ecological Emergency (CEE)
- The Department for Environment, Food and Rural Affairs (DEFRA)
- Herefordshire Climate and Nature Partnership (HCNP)
- Nature Recovery Networks (NRN)
- UK Green Building Council (UKGBC)
- Department for Business, Energy & Industrial Strategy (BEIS)
- Building Research Establishment (BRE)

Climate and Nature Grant Scheme

Aims

Herefordshire Council's new Climate and Nature Grant Scheme will seek project applications from community groups, organisations and parish councils to deliver carbon reduction and ecological enhancement projects across the county

Outcomes to be achieved through the grants scheme are as follows:

- Reduction in CO₂
- Increase in biodiversity
- Community engagement in action on climate and nature

This grant scheme seeks to support the delivery of the following key commitments within the Council Corporate Delivery Plan

- EN3.1: Create a new countywide climate & ecological emergency partnership, strategy and action plan to improve biodiversity and achieve countywide carbon neutrality by 2030
- EN7.1: Develop & implement a new nature strategy to enhance and protect biodiversity across the Council's estate

Applications will be invited for projects under three main themes –

- Carbon reduction – eg Community buildings, sustainable & active travel, waste reduction.
- Nature
- 'Other' smaller general theme for bold and ambitious projects outside of these categories.

Applicants are welcome to apply for more than one project, although it should be noted that allocation of funding will take into account the aim of achieving a good spread of funding across the county.

Project proposals will be scored and prioritised for funding based on how well the answers to the questions fulfil the objectives given for each theme.

Additional weighting will be given to projects that demonstrate how they are part of a wider carbon reduction/nature enhancement programmes and/or parish and neighbourhood plans.

Carbon reduction

Objectives:

1. Reduced use of fossil fuel energy in community buildings.
2. Reduction in transport emissions and promoting the use of sustainable and active travel (walking cycling, public transport etc.) modes in local communities.
3. Leveraging additional value (e.g. funding contributions or contributions in kind, e.g. volunteer time/expertise from other sources, collaboration between organisations, and/or evidence of local support).
4. Achieving wider and inclusive community engagement and behaviour change around climate change.

The value of a community building project will be greater if it can be used to raise awareness in the wider public about improvements which can be made to homes and other building e.g. by holding an open event and advice session.

Examples:

Energy conservation measures

- Draught proofing, insulation of walls, ceilings, roofs, floors and pipes and the replacement of doors or windows.

Energy efficiency measures

- Lighting upgrades, smart heating control units or infrared heating. We will prioritise these where they have been recommended on an energy survey.

Solar PV and/or battery storage system for solar PV

Solar PV and/or battery storage systems for solar PV where you can show that feasible energy conservation and efficiency measures have already been undertaken or you have a plan to undertake these, (e.g. funded by savings from the solar PV scheme). We will prioritise schemes where a significant proportion of electricity generated will be used on-site (either through daytime use of the building or through battery storage). *Buildings must be open to the whole community, for example village halls. Multi-purpose church halls and Scout and Guide buildings are eligible where clearly advertised as multi-purpose. Applicants should have a freehold or leasehold interest in the hall in place. If there is a lease in place there must be at least 21 years left to run on the lease.

Community car clubs

A local initiative that provides access to self-service, pay as you drive, low-carbon vehicles.

E-cargo bike loan scheme

A community asset that allows local people to 'try before they buy'.

Cycle parking

Reducing the barriers to the uptake of cycling in localities.

Nature

Objectives:

1. Reduced CO2 in the atmosphere, carbon sequestration and/or new or enhanced habitats for wildlife.

2. Additional value (e.g. funding contributions or contributions in kind, e.g. volunteer time/expertise from other sources, collaboration between organisations, and/or evidence of local support).
3. Achieving wider and inclusive community engagement and behaviour change around climate change.

This can include a variety of tree-planting and other nature-based solutions to help combat climate change and increase biodiversity.

Examples:

- Creation of wildlife corridors
- Tree planting
- Community orchard project
- Community allotment project
- Creation or enhancement of a community nature area
- Hedgerow planting and management

Applicants will need to demonstrate how their organisation has the capacity and resources to deliver your project and the plans for its long-term sustainability. Applicants will be encouraged to inform their local community about the project and incorporate ideas where appropriate.

Other Projects

Objectives:

1. Additional value (e.g. funding contributions or contributions in kind, e.g. volunteer time/expertise from other sources, collaboration between organisations, and/or evidence of local support).
2. Achieving wider community engagement and behaviour change around climate change.

This theme is for projects not fitting into our three main themes. Of interest are bold, ambitious and imaginative projects that are able to fulfil the above objectives to a high standard.

Examples:

- Community initiatives and events that promote sustainable lifestyle choices
- Waste reduction projects

Eligibility

Applicants must:

- Be a non-profit organisation based in Herefordshire OR a Herefordshire parish council.

Non-profit organisations could include registered charities, companies limited by guarantee, unincorporated associations or clubs, community interest companies, charitable incorporated

organisations, community benefit societies, social enterprises, established voluntary sector organisations and community shops with an appropriate legal structure (i.e. not profit-making).

Schools can apply for a grant for a project which is accessible to the community and not just for educational purposes.

Applications from informal community groups and local organisations are also encouraged provided they partner with an eligible non-profit organisation as listed above. The lead applicant must be the non-profit organisation and as such will be required to demonstrate an appropriate level of involvement in the project. Commercial businesses are **not** eligible to apply.

Applicants will need to:

- Have a written constitution or mission statement.
- Have an elected committee or representative steering group.
- Have a bank account.
- Be able to provide an up to date copy of their accounts and any relevant protection policies. Parish councils can signpost us to relevant online documentation and do not need to submit hard copies.

All applicants will need to join the Herefordshire Climate and Nature Partnership in order to be eligible for grant funding. The Partnership is free to join and open to all Herefordshire-based individuals and organisations who share the vision of a zero carbon and nature rich county by 2030 and commit to action to help achieve it.

Funding

The Climate and Nature Fund will be funded by Herefordshire Council.

The funding allocation will be notionally split evenly between carbon reduction and nature enhancement projects however the Council reserves the right to reallocate this across the themes based on applications and uptake.

Administration

The scheme will be administered by Herefordshire Council's Delegated Grants Team in consultation with the Project Management Office, Finance and the Sustainability and Climate Change team.

Advice for applicants

The Sustainability and Climate Change team can advise applicants on completing their application.

Grant Applications

Applicants will typically be able to apply for a grant of up to £15,000.

Grants of up to £5,000 will be able to include 100% of the project costs.

Grants of over £5,000 will be expected to demonstrate a level of match funding or in-kind contributions.

Assessment & Decision Making

Project applications will be assessed by a dedicated grant appraisal panel comprising officers from the Sustainability & Climate Change, Built & Natural Environment, Delegated Grants team, Finance team and a representative from the Climate & Nature Partnership Board.

Applications will be reviewed by the Delegated Grants (DG) Team before being circulated to the grant panel for assessment. Panel meetings will be held to discuss the applications and recommend a decision. The Grant Appraisal Form will be used to support the decision making process which is delegated to the interim Director for Economy & Place.

Offers

All terms and conditions of the grant will be included in a grant offer letter.
Applicants that have made an unsuccessful application will be notified in writing.

Monitoring

An end of project report with photographs must be submitted to the Council within three months of project completion.

Herefordshire Climate and Nature Partnership Board

Terms of Reference

Summary version

Vision: 'a thriving net zero-carbon nature-rich Herefordshire by 2030'.

Partnership: open to all Herefordshire-based individuals and organisations who share this vision and commit to action to help achieve it.

Board: 16 members, representing experts, community, emitters, and enablers. Board members serve 2 years, renewable once for total of 4 years. Chair elected by Board. Board 'owns' and steers the Action Plan. Board can commission Task Groups and Projects to help achieve the Action Plan. Board accountable to Partnership through annual Assembly.

Action Plan: live document, held on website, identifying priority actions needed and taken. Reviewed annually by Assembly.

Annual Assembly: open to all Partnership members. Reviews progress on Action Plan.

Task Groups: can be set up by Board to look in detail at specific areas of work.

Projects: can be proposed by any Partnership member, funding can be sought from public, private or voluntary sources.

Background

1. Herefordshire Council has declared a Climate and Ecological Emergency, and is committed to supporting a countywide response to the climate and ecological crisis with the aim of achieving countywide net zero-carbon and a thriving ecology by 2030.
2. To achieve these challenging goals, it is essential that everyone in the county works together. Volunteers and community groups have been working tirelessly for years to raise the profile of climate change and to make progress towards environmental sustainability. The council aims to further support this work.
3. In January 2020 the council established a Climate and Ecological Emergency Steering Group to
 - a) steer and oversee the development of a new collaborative countywide Climate and Ecological Emergency (CEE) Action Plan for Herefordshire and;
 - b) establish a representative and accountable governance structure to oversee and support the delivery of the CEE Action Plan from March 2021.
4. This document sets out the terms of reference for that proposed governance structure, the Herefordshire 2030 Climate and Nature Partnership (HCNP) and Board.

Vision and Purpose

5. The vision of the HCNP ('the Partnership') is a thriving net zero-carbon and nature-rich Herefordshire by 2030.

6. The purpose of the Partnership is to catalyse and coordinate new action to help achieve this vision, through steering and overseeing the implementation of Herefordshire’s Climate and Nature Action Plan (‘the Action Plan’).

The Partnership, the Board and the Action Plan

7. Membership of the Partnership is free and is open to any organisation committed to helping achieve the vision of a thriving net zero-carbon and nature-rich Herefordshire by 2030. Members have the responsibility to establish their own individual or organisational Action Plan, and to report annually to the Partnership on progress. In turn, members have the right to help shape the overall Action Plan, influence Projects, and shape the composition of the Board.
8. The role of the Board is to work collaboratively to:
 - c) Mobilise individuals and organisations countywide to sign up to the Partnership and to engage in the Action Plan.
 - d) Commission Projects to support implementation of the Action Plan.
 - e) Monitor progress on the Action Plan, including helping to develop up to date carbon and nature assessments for the county.
 - f) Review and update the Action Plan, by regularly reviewing progress and priorities, and drawing on examples of good practice from Herefordshire and elsewhere.
9. Further details on the Board’s membership and responsibilities are given below.
10. The Action Plan is an evolving document hosted on an accessible and interactive website. It sets out a positive vision for a thriving net zero-carbon and nature-rich Herefordshire. It identifies key challenges and areas for action including transport, waste, energy, buildings, food, land use and agriculture, and sets out priorities for action to address climate and nature impacts in each area.
11. Members of the Partnership are expected to use the Action Plan to help them identify ways that they can contribute to the vision of a net zero-carbon and nature-rich Herefordshire.
12. Members of the Board are expected to be creative and entrepreneurial in generating the widest possible engagement county-wide with the Action Plan. The Board is also responsible for ensuring that the evolving Action Plan is aligned with other relevant local and national strategies.

Constitution & Legal

13. The Partnership and Board are not legal entities. They do not directly control resources, employ staff, nor are they able to enter into contractual arrangements. They also shall not be regarded as statutory bodies.

Budget

14. The Board does not have a dedicated budget as it is not a legal entity.
15. The Board may seek to submit funding applications to other sources (public, private or voluntary) as opportunities arise. Any funding applications that are made on behalf of the Partnership will require approval from the Board and also a volunteer partner to act as project sponsor and accountable body.

Links with Herefordshire Council

16. Herefordshire Council will have one seat on the Board, to be held by the relevant Cabinet Member.
17. The Board can request council officers to present reports to board meetings. The Board can also advise the Council on what it can do to enable action by others. However the primary focus of the Board will be to mobilise countywide stakeholders to achieve the vision of the Partnership.
18. Herefordshire Council will provide the secretariat for the Board.

Partnership Membership and Responsibilities

19. Membership of the Partnership is free and is open to any individual or organisation committed to helping achieve the vision of a thriving net zero-carbon and nature-rich Herefordshire by 2030.
20. Partnership members will be asked to report annually to the Board on their own progress and contributions towards the Action Plan, and to review their own priorities and targets.
21. Partnership Members will be invited to an annual Assembly, convened by the Board, to participate in reviewing and updating the Action Plan overall – see para 56 for more details.
22. At that Assembly, Partnership Members can ask questions of the Board, and hold the Board accountable for progress on the Action Plan. If Partnership Members are not satisfied with the pace of progress, they can propose the replacement of one or more members of the Board, through simple majority vote.
23. Partnership Members will have the right to propose Projects for consideration by the Board.
24. The Board may remove a member from the Partnership if their actions are incompatible with commitment to the vision of the Partnership.
25. The Board may establish various categories of membership to acknowledge varying levels of commitment to the vision of Partnership.

Board Membership and Responsibilities

Membership

26. The membership of the Board needs to reflect the diversity of the Herefordshire community. It also needs to engage influential actors who are able to lead significant change. Consideration should be given to both the role that a person or organisation plays within Herefordshire, and the individual skills and experience that they can contribute.
27. The Board will comprise no more than 16 members at any one point in time.
28. The board will comprise representatives of four key types of organisation, seeking to achieve an even split between types, as shown in the table below:

Major emitters	Private or public sector organisations with a large carbon footprint.
Experts	Individuals and organisations with specialist nature and climate knowledge.

Enablers	Organisations with capacity to shape the actions of others e.g. through provision of vital infrastructure or services, through a regulatory role, or through an influencing role. NB one of these seats will be reserved for Herefordshire Council.
Community	Organisations that represent key sections of public opinion and/or key sectors of community action.

29. Board members should be individuals who:
 - a) can demonstrate a personal commitment to the vision of the Partnership;
 - b) can demonstrate the ability to engage others with the Partnership;
 - c) bring relevant expertise to the Board;
 - d) play a leadership role within their sector/organisation;
 - e) live and/or work within the county.
30. Members will be appointed for a term of 2 years, renewable once by the Board, for a maximum of four years in total.
31. Prospective Board members will be invited to submit a short application explaining how they fulfil the criteria outlined in para 298. Initial applications, for establishment of the Board in March 2021, will be assessed by the CEE Steering Group. Subsequent applications, when new vacancies arise, will be assessed by a sub-group established by the Board.
32. Board vacancies will be advertised as widely as possible via the Partnership, its website, and other communication channels.
33. There will be no remuneration paid to any Board members for the opinion and guidance they provide.

Equality, Diversity and Inclusion

34. The Board will have a 50/50 gender split, or as close to this split as practically possible.
35. The Board will reserve seats for at least 2 members under the age of 25, with provision for additional support provided by the secretariat to enable them to play a full role.
36. The Board will actively promote equality, diversity and inclusion in all its work, including through particularly encouraging the representation of under-represented groups on the Board and in the wider work of the Partnership.

Decision-making

37. Wherever possible, Board decisions should be made by consensus as reached through open debate and discussion. In circumstances where a formal vote is necessary, a majority decision will be required. In the event of a tie, the chair of that meeting will hold a casting vote.

Chairperson

38. The Chair will be elected by the Board members annually. Nominations for the role of Chair, and up to two Vice Chair/s, will be sought from Board Members. Board members can nominate themselves. Should more than one candidate be nominated a vote will take place involving the remaining board members and a secret ballot will be arranged by the secretariat on the basis

of one vote per board member. Responses will be returned to the secretariat who will act as returning officer and decide the process of verification. The nominee receiving the most votes will be elected Chair.

39. The Chair's term of office is one year, renewable once by the Board, up to a maximum of two years. The cabinet member for Economy, Environment & Skills will act as chair for the initial meetings until a chair is appointed.
40. The Chair has all the same responsibilities as the other Board members and is elected by fellow Board members, working as "the first among equals", i.e. sharing collegiate responsibility equally with other Board members, but taking the additional responsibility of steering the Board openly and fairly through its processes.
41. The role of the Chair is to ensure the Board fulfils its core functions as outlined in paragraph 8 above. To do this, the Chair must:
 - a) Take an active role in publicly promoting the Partnership and the Action Plan, and engaging new stakeholders;
 - b) Ensure that the Board is kept fully informed on and engaged with activities and progress relating to the Partnership and the Action Plan;
 - c) Steer the Board openly and fairly through its processes, ensuring that the views of all Board members are heard.
 - d) Ensure any appointments to the Board are managed in a timely, open and transparent manner.

Vice Chair/s

42. The Board can elect up to two Vice Chairs. Vice Chairs will be appointed from within the Board Membership. Nominations for any Vice Chair role will be sought from Board Members. Board members can nominate themselves. The Board should have due regard for gender balance and take the opportunity to seek the involvement of younger people. Should there be more candidates nominated than there are positions a vote will take place involving the remaining board members and a secret ballot will be arranged by the secretariat on the basis of one vote per board member. Responses will be returned to the secretariat who will act as returning officer and decide the process of verification. The nominee/s receiving the most votes will be elected Vice Chair/s. In the event of a tie the Chair will have the casting vote.
43. The Vice Chair's term of office is one year, renewable once by the Board, up to a maximum of two years.
44. The role of the Vice Chair/s is to support the Chair in the exercise of their duties in addition to their normal duties as Board members. They will stand in for the Chair in the event of the Chair's absence, and will be the first point of contact in the event that an urgent Board matter occurs whilst the Chair is not contactable.

Meetings

45. The Board will meet regularly: quarterly as a minimum, and more frequently by mutual agreement.
46. All meetings will be fully accessible and any reasonable adjustments considered when requested in order to enable full participation.

47. Responsibility for setting the agenda will sit with the Board Chair. Wherever possible the meeting agenda and papers will be circulated by the secretariat at least five working days before the board meeting, and will simultaneously be published on the Partnership's website.
48. Meeting minutes will be published on the Partnership's website once approved by the subsequent meeting. Draft minutes may be published earlier at the discretion of the Chair.
49. The Board may invite observers and/or expert contributors to attend and/or speak at meetings, under the guidance of the Chair.
50. Quorum for a board meeting will be a minimum of 50% of the Board membership at the time of the Board meeting, plus the Chair or a Vice Chair.

Secretariat

51. Herefordshire Council will provide the secretariat for the Board, including circulating agendas, preparing papers, and taking minutes, in consultation with the Chair of the Board. The Board is free to decide to source external secretariat support, but would need to finance this.

Task Groups

52. The Board will coordinate with and, wherever possible, work in partnership with existing networks to minimise potential duplication.
53. The Board can create or disband Task Groups to take on specific tasks as and when required. The Board will determine the role and required representation of any Task Group. Each such Group should have a nominated Chair who should regularly report to the Board, including for each quarterly meeting. These Groups may involve Partnership members and/or others as appropriate.

Annual Assembly

54. The Board will convene an Annual Assembly of all Partnership members at which it will:
 - a) Report on progress with mobilising individuals and organisations to sign up to the Partnership and to engage in the Action Plan.
 - b) Report on progress of any projects commissioned to support implementation of the Action Plan.
 - c) Report on activities and progress towards the goals of the Action Plan.
 - d) Review and update the Action Plan.
 - e) Answer questions from Partnership Members.

Projects

55. Any member of the Partnership has the right to propose one or more Projects to help achieve the vision of the Partnership. Project proposals can be submitted at any time and must be considered by the Board at the next available meeting. The Board can choose to approve, reject, or request amendments to a project proposal.
56. All project proposals that are to be funded from other sources must be supported by a majority of the Board, and must identify a suitable accountable body.

Relationships

57. The diagram below illustrates the relationship between the various elements of the Partnership.



Code of Conduct

58. All members and officers of the Board will sign their agreement to the Councils Code of Conduct to make explicit their commitment to the highest standards of conduct in dealing with the business of the Board.

Conduct of board business

59. All business of the Board will be conducted in accordance with The Seven Principles of Public Life as defined by the Committee for Standards in Public Life. They are:
- Selflessness: Holders of public office should act solely in terms of the public interest.
 - Integrity: Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.
 - Objectivity: Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.
 - Accountability: Holders of public office are accountable to the public for their decisions and actions and must submit themselves the scrutiny necessary to ensure this.

- e) Openness: Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for doing so.
- f) Honesty: Holders of public office should be truthful.
- g) Leadership: Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Conduct of Board members

60. Members commit to:

- a) Support the vision and purpose of the Partnership.
- b) Contribute their individual knowledge and expertise towards the Action Plan and the work of the Board and Partnership.
- c) Work co-operatively with other Board Members, the secretariat, and council officers in the best interests of the Board.
- d) Actively support equality, diversity and inclusion in the work of the Board.
- e) Act honestly, diligently and in good faith, noting that to do so may require taking professional advice.
- f) Follow Herefordshire Council's policy on accepting offers of money, gifts or hospitality.
- g) Follow Herefordshire Council's policy on register and declaration of interests.
- h) Avoid putting themselves in a position where there is a conflict (actual or potential) between their personal interests and those of the Board.
- i) Base their views on matters before the Board on an honest assessment of the available facts and representative engagement results, unbiased by partisan or representative views.
- j) Support Board decisions in public, while acknowledging that differences of opinion may arise in discussion.
- k) Refrain from making statements or expressing opinions on behalf of the Board, unless specifically authorised to do so.
- l) Respect the confidentiality of items of business which the Board decides should remain confidential.
- m) Honour the obligation on all members not to reveal to third parties the views expressed at meetings.
- n) Give priority, as far as practicable, to attendance at Board meetings and its committees or groups.

Conflicts of Interest

- 61. Herefordshire Council code of conduct for interests will apply and advice will be given on the interests individuals must declare, and will outline the process that Board members must follow for registering and declaring interests and explain the process for requesting an exemption. Board members should then complete a declaration of interests which will then be held by Herefordshire Council and published on the website.
- 62. All Board Members should take personal responsibility for declaring their interests before any decision is considered. A record will be kept of action taken in response to any declared interest

and where necessary this information will be recorded in the central register held by the Council.

63. The Board will adopt the Herefordshire Council policy on gifts and/or hospitality and will maintain a register of such gifts provided to individual Board members or the Board as a whole.

Transparency

64. In line with the principles of public life, it is important that there is transparency around the operation of the Board. The Board will work with Herefordshire Council in publishing information on the Board and its decision making processes, via the Partnership's website. This information will include:
- a) Profiles of Board Members, to be published within 10 working days of their election.
 - b) All Board meeting papers, to be published 5 working days in advance of the meeting.
 - c) Draft minutes, to be published within 10 working days following the meeting.
 - d) Final minutes, to be published within 5 working days following approval by the Board.
 - e) Any conflicts of interest reported, to be formally noted within the published minutes.
65. The default position should be that all Board papers are published. Where there is a need to keep a report private, the Board will use Herefordshire Council governance and finance arrangements when considering what constitutes justification for this.

Data Protection and GDPR

66. The council's data protection policies will be adopted:
<https://www.herefordshire.gov.uk/downloads/file/5493/data-protection-policy#:~:text=Herefordshire%20Council%20has%20a%20responsibility,its%20compliance%20with%20the%20Act.>

Terms of Reference Review

67. These terms of reference may be reviewed and modified at any time at the discretion of the Board.

