



# East Cambridgeshire District Council

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## Meeting: Operational Services Committee

Time: 4:30pm

Date: Monday 13 November 2023

Venue: Council Chamber, The Grange, Nutholt Lane, Ely, CB7 4EE

Enquiries regarding this agenda: Tracy Couper

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## Committee membership

**Quorum:** 5 members

### Conservative members

Cllr Christine Ambrose Smith

Cllr Martin Goodearl

Cllr Julia Huffer (Chairman)

Cllr Kelli Pettitt

Cllr Alan Sharp (Vice-Chairman)

Cllr Lucius Vellacott

### Conservative substitutes

Cllr Anna Bailey

Cllr James Lay

Cllr David Miller

### Liberal Democrat members

Cllr Christine Colbert

Cllr Kathrin Holtzmann

Cllr Mark Inskip (Lead Member)

Cllr Mary Wade

Cllr Christine Whelan

### Liberal Democrat substitutes

Cllr Chika Akinwale

Cllr Charlotte Cane

Cllr John Trapp

**Lead Officer:** Isabel Edgar, Director Operations

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## AGENDA

- 1. Public question time** **[oral]**  
The meeting will commence with up to 15 minutes of public question time.
- 2. Apologies and substitutions** **[oral]**
- 3. Declarations of interests** **[oral]**  
To receive declarations of interests from Members for any items on the agenda in accordance with the Members Code of Conduct.

**4. Minutes**

To confirm as a correct record the minutes of the meeting of the Operational Services Committee held on 18 September 2023

**5. Chairman's announcements**

[oral]

**6. ECSS half yearly report**

**7. ECSS Finance Report**

To Follow

**8. Quarter 2 – Waste performance monitoring and Street Smart highlights report**

**9. HVO procurement options update**

**10. Voluntary Community Action East Cambridgeshire (VCAEC) Update**  
[oral]

Presentation by VCAEC representative

**11. Budget monitoring report**

**12. Domestic Abuse policies**

**13. Environmental Crime Action Plan**

**14. Environmental Crime Fixed Penalty Notices – Fee setting review**

**15. Service Delivery Plans – 6 month performance monitoring**

Due to being large volume colour documents, the Performance Monitoring reports have been circulated separately to Councillors and Officers. Copies are available on the Council's website at [www.eastcambs.gov.uk/meetings/operational-services-committee-131123](http://www.eastcambs.gov.uk/meetings/operational-services-committee-131123) or from Democratic Services [democratic.services@eastcambs.gov.uk](mailto:democratic.services@eastcambs.gov.uk)

**16. Recommendation from Audit Committee 16 October 2023: Strategic Service Review (Waste & Recycling)**

**17. ARP Joint Committee minutes: 12 September 2023**

**18. Forward agenda plan**

**Exclusion of the public including representatives of the press**

That the press and public be excluded during the consideration of the remaining items because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the items there would be disclosure to them of exempt information of Categories 1 and 3 of Part I Schedule 12A to the Local Government Act 1972 (as amended)

**19. Mixed Recycling Contract – procurement update & delegation request**

**20. ECSS management accounts**

**21. ECSS Board meeting minutes**

To receive the minutes of the ECSS Board meeting held on 1 June 2023

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## Notes

1. Members of the public are welcome to attend this meeting. If you are visiting The Grange during normal working hours you should report to the main reception desk. If you come to an evening meeting please enter via the door in the glass atrium at the back of the building.

Admittance is on a “first come, first served” basis and public access will be from 30 minutes before the start time of the meeting. Due to room capacity restrictions, members of the public are asked, where possible, to notify Democratic Services ([democratic.services@eastcambs.gov.uk](mailto:democratic.services@eastcambs.gov.uk) or 01353 665555) of their intention to attend a meeting.

The livestream of this meeting will be available on [the committee meeting's webpage](http://www.eastcambs.gov.uk/meetings/operational-services-committee-131123) ([www.eastcambs.gov.uk/meetings/operational-services-committee-131123](http://www.eastcambs.gov.uk/meetings/operational-services-committee-131123)). Please be aware that all attendees, including those in the public gallery, will be visible on the livestream.

2. Public Questions/Statements are welcomed on any topic related to the Committee's functions as long as there is no suspicion that it is improper (for example, offensive, slanderous or might lead to disclosures of Exempt or Confidential information). Up to 15 minutes is allocated for this at the start of the meeting.

[Further details about the Public Question Time scheme](http://www.eastcambs.gov.uk/committees/public-question-time-scheme)

([www.eastcambs.gov.uk/committees/public-question-time-scheme](http://www.eastcambs.gov.uk/committees/public-question-time-scheme)).

3. The Council has adopted a 'Purge on Plastics' strategy and is working towards the removal of all consumer single-use plastics in our workplace. Therefore, we do not provide disposable cups in our building or at our meetings and would ask members of the public to bring their own drink to the meeting if required.

4. Fire instructions for meetings:

- if the fire alarm sounds, please make your way out of the building by the nearest available exit, which is usually the back staircase or the fire escape in the Chamber and do not attempt to use the lifts
- the fire assembly point is in the front staff car park by the exit barrier
- the building has an auto-call system to the fire services so there is no need for anyone to call the fire services

The Committee Officer will sweep the area to ensure that everyone is out.

5. Reports are attached for each agenda item unless marked “oral”.
6. If required, all items on the agenda can be provided in different formats (such as large type, Braille or audio tape, or translated into other languages), on request, by calling main reception on (01353) 665555 or e-mail: [translate@eastcambs.gov.uk](mailto:translate@eastcambs.gov.uk)

7. If the Committee wishes to exclude the public and press from the meeting, a resolution in the following terms will need to be passed:

“That the press and public be excluded during the consideration of the remaining item no(s). X because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item(s) there would be disclosure to them of exempt information of Category X of Part I Schedule 12A to the Local Government Act 1972 (as amended).”

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# East Cambridgeshire District Council

Minutes of a meeting of the Operational Services Committee  
held in the Council Chamber, The Grange, Nutholt Lane, Ely on  
Monday 18 September 2023 at 4:30pm

## **PRESENT**

Cllr Julia Huffer (Chairman)  
Cllr Christine Ambrose Smith  
Cllr Christine Colbert  
Cllr Martin Goodearl  
Cllr Kathrin Holtzmann  
Cllr Mark Inskip  
Cllr Kelli Pettitt  
Cllr Alan Sharp (Vice-Chairman)  
Cllr John Trapp (Substitute for Cllr Christine Whelan)  
Cllr Lucius Vellacott  
Cllr Mary Wade

## **OFFICERS**

Isabel Edgar – Director, Operations  
Maggie Camp – Director Legal and Monitoring Officer  
Tracy Couper - Democratic Services Manager  
Liz Knox – Head of Environmental Services  
Richard Garnett – Senior Environmental Health Officer  
Karen See - Senior Environmental Health Officer  
Anne Wareham – Senior Accountant

## **IN ATTENDANCE**

Lis Every – Chairman, East Cambridgeshire Community Safety  
Partnership  
Catherine Sutherland – Waste Development and Support  
Manager, ECSS  
Andrew Willy – Operations Manager, ECSS  
Melanie Wright – Communications Officer  
Lucy Flintham – Development Services Office Team Leader

### **17. PUBLIC QUESTION TIME**

No public questions were submitted.

### **18. APOLOGIES AND SUBSTITUTIONS**

Apologies for absence were received from Cllr Christine Whelan and Cllr John Trapp was acting as Substitute Member.

**19. DECLARATIONS OF INTEREST**

No declarations of Interests were made by Councillors.

**20. MINUTES**

It was resolved:

That the minutes of the meetings of the Committee held on 25 May and 19 June 2023 be confirmed as a correct record and be signed by the Chairman.

**21. CHAIRMAN'S ANNOUNCEMENTS**

The following announcements were made by the Chairman:

The next Parish Councils Conference would be held on 2 November 2023 and take the form of a drop-in session, with details to follow.

The roll-out of the annual delivery of black sacks throughout the District had commenced in the preceding two weeks.

Three successful Youth Fusion events had been held over the summer holiday period and the Health and Wellbeing Fair had taken place in early September 2023. These events had received positive feedback from both stallholders and attendees.

**22. COMMUNITY SAFETY PARTNERSHIP – UPDATE**

The Committee received a presentation by Lis Every Chairman of the East Cambridgeshire Community Safety Partnership (CSP) giving an overview of its structure and activities, a copy of which has been circulated to Members of the Committee.

The presentation covered the following areas:

- What is the CSP?
- Statutory and Non-Statutory Partners
- Operating arrangements – ‘how do we get things done?’
- Examples of activities/projects
- Collaborative Problem Solving & Task and Finish Groups

Ms Every highlighted that the CSP was unique within the County for its inclusion of non-statutory partner representatives from the Business Community, third sector (VCAEC), Health and Early Help Team. The CSP also provided ‘second strand’ funding for prevention advice to local communities. Ms Every referred to a spike in violent crime and disorder in a particular area of the District, which had resulted in a ‘deep dive’ and focus.

ECDC acted as the cornerstone partner, with Lead Officers Sally Bonnett and Lewis Bage, together with three posts of Emma Graves focussing on anti-social behaviour funded by ECDC, Harriett Sugg funded jointly by ECDC and the Police

and Crime Commissioner (PCC) to the end of the current year and Jo Andow funded by the PCC for 2 years. The CSP Board had recently decided to focus its funding on the retention of these three key officers.

Ms Every summarised recent activities of the CSP, which included:

- Toolkits to cover keys areas such as cyber-crime, safer streets, and speeding and bad driving
- Improved use of social media for communication
- Youth provision
- Safer streets project at Burwell
- Taking a knife to school re-enactment for schools groups

The Chairman thanked Ms Every for her presentation and commended the excellent community work of the CSP.

In response to questions by Members, it was reported that a 'highlights summary' on local crime statistics was circulated to Councillors and that consideration could be given to the provision of further information on 'hot spots' with regard to speeding, poor or unsafe driving.

### **23. FOOD SAFETY ENFORCEMENT POLICY**

The Committee considered a report, Y40 previously circulated, detailing the outcome of consultation on the draft Food Safety Enforcement Policy and containing the final draft version of the Policy.

The Senior Environmental Health Officer (Commercial) stated that the Policy would be reviewed in September 2024.

A number of questions relating to this item had been provided prior to the meeting from Members and these, along with answers provided by officers, were set out in Appendix 1 to these minutes.

In response to a further question by a Member, it was reported that Members of the Committee would be informed of the outcome of Corporate Management Team's consideration of the introduction of a centralised tracking process for the review of Corporate policies.

It was resolved (unanimously):

That the consultation feedback and amendments to the policy as a result of the feedback be noted and the final Food Safety Enforcement Policy attached at Appendix 2 to the submitted report be approved.

### **24. HEALTH AND SAFETY ENFORCEMENT POLICY**

The Committee considered a report, Y41 previously circulated, detailing the outcome of consultation on the draft Health and Safety Enforcement Policy and containing the final draft version of the Policy.

A number of questions relating to this item had been provided prior to the meeting from Members and these, along with answers provided by officers, were set out in Appendix 1 to these minutes.

In response to a further question by a Member on the timescale for the review of the complaints procedure, the Senior Environmental Health Officer (Commercial) reported that the current system contained an effective mechanism for the recording and resolution of complaints but it was hoped that the webpages could be revised by the end of the year to improve public awareness of and accessibility to this.

In response to a question by a Member, the Senior Environmental Health Officer (Commercial) explained the difference in the wording on the issuing of improvement notices in paragraphs 9.8 and 9.9 of the policy reflected the legislative position. Another Member queried the Member reporting mechanism for a summary of complaints and the Senior Environmental Health Officer (Commercial) stated that this was contained within the Service Delivery Plan each year.

A Member highlighted some minor typographical errors that needed correcting.

It was resolved (unanimously):

That the consultation feedback and amendments to the policy as a result of the feedback be noted and the final Health and Safety Enforcement Policy attached at Appendix 2 to the submitted report be approved.

## **25. BUDGET MONITORING REPORT**

The Committee considered a report, Y42 previously circulated, containing details of the latest 2023/24 financial position for Services under the remit of this Committee.

A number of questions relating to this item had been provided prior to the meeting from Members and these, along with answers provided by officers, were set out in Appendix 1 to these minutes.

In response to a follow-up question by a Member, the Senior Accountant explained the current position on Planning income. The Senior Accountant also agreed to clarify the projections further with the Planning Manager and provide a written response to Members of the Committee.

The Director Operations and Senior Accountant also responded to further questions from Members on the Budgetary position for Street Cleansing, Refuse and Recycling, and Agency staff.

It was resolved:

1. That the projected year end revenue overspend on Operational Services Committee of £195,000 when compared to its approved budget of £6,968,362 be noted.



2. That the projected Capital Programme outturn of £4,775,147, an underspend of £862,666 when compared to its revised Capital budget, be noted.

**26. ENVIRONMENTAL CRIME ENFORCEMENT POLICY 2023**

The Committee considered a report, Y43 previously circulated, containing a revised draft Environmental Crime Enforcement Policy to accord with current legislation and enforcement powers.

The Senior Environmental Health Officer explained that the Environmental Action Plan and fee setting policy for Fixed Penalty Notices would be submitted to the next meeting of the Committee.

A number of questions relating to this item had been provided prior to the meeting from Members and these, along with answers provided by officers, were set out in Appendix 1 to these minutes.

In response to a question by a Member as to what would constitute 'exceptional circumstances' for the consideration of prosecution of under 16s, the Senior Environmental Health Officer explained that this would normally include offensive graffiti.

A Member welcomed the impending review of the fee setting policy for Fixed Penalty Notices (FPNs) but expressed concern at the lack of FPNs served for dog fouling as this was an issue repeatedly referred to by the public. The Environmental Health Officer stated that this was due to the requirement for good quality evidence, without which FPNs could not be served. There were low numbers of formal complaints made direct to Environmental Health about dog fouling. However, Environmental Health worked with Parish Councils to undertake targeted monitoring of problem areas.

A Member referred to instances of motorbikes with the baffles removed causing noise nuisance. The Environmental Health Officer stated that this was a Police matter and also could be reported to the CSP as anti-social behaviour.

It was resolved (unanimously):

That the revised draft Environmental Crime Enforcement Policy attached at Appendix 1 to the submitted report be approved.

**27. ENVIRONMENT ACT IMPLEMENTATION**

The Committee received an oral update by the Director Operations on the current position with regard to implementation of the Environment Act.

The Director Operations reported that information still was awaited from Central Government and that little had changed since the Briefing Note circulated to Councillors in July 2023. DEFRA had been engaging with authorities since December 2022, but no further guidance had been issued in relation to the

proposed Transitional Arrangements (TA) that DEFRA were proposing to place the Council into. The RECAP partnership was still in agreement that they wished to implement weekly Food Waste collections. However, if ECDC was named in the Transitional Arrangements, while the Council could implement separate food collection, the TA meant that the authorities would not be provided with any central 'additional burdens' funding to do so. This was a very disappointing situation, and RECAP had written again to DEFRA in July to reassert their position, whilst RECAP and the separate Councils had written to local MPs in August on the issue. Legal advice also was being sought on options open to the partnership to challenge the TA proposal.

Members raised questions on the position taken by DEFRA and risks to the Council of upgrading the Fleet and reconfiguring rounds to accommodate weekly Food Waste collections, which were responded to by the Director Operations.

It was resolved:

That the oral update be noted.

**28. HYDROTREATED VEGETABLE OIL (HVO) PROCUREMENT**

The Committee considered a report, Y44 previously circulated, giving an update on the current position regarding implementation of the decision of the Committee in March 2023 on the use of HVO fuel in the ECSS Waste and Recycling Collection Fleet.

The Head of Street Scene explained the current situation and highlighted that a procurement exercise and trial of a storage tank at the depot on a trial basis were being progressed. In addition, alternative options would be considered for the smaller Street Cleansing fleet.

A number of questions relating to this item had been provided prior to the meeting from Members and these, along with answers provided by officers, were set out in Appendix 1 to these minutes.

A Member stated that they had wanted to propose an amendment to the recommendation to note the report, but the wording would not have been technically feasible at this stage, since it would have required further supporting information. However, Members of the Committee remained committed to using as much HVO as possible, within budgetary constraints, on environmental grounds. Therefore, Members requested that officers bring a report to the next meeting of the Committee to provide options and the financial implications to enable this objective to be achieved.

Members of the Committee concurred with this approach and some commented that it may be necessary to consider an increase in funding to enable the purchase of HVO to reduce carbon emissions for the benefit of the local community. Other Members queried if HVO usage might be more financially viable in rural rather than urban areas of the District.

The Chairman welcomed the proposal for a further report to enable the Committee to make an informed decision.

It was resolved:

1. That the prohibitive cost of a move to HVO for the ECSS Waste and Recycling Fleet at the present time be noted.
2. In the light of the ongoing procurement process, officers be requested to bring a report to the next meeting of the Committee on options for the usage of HVO in the short and long term.

**29. QUARTER 1 PERFORMANCE REPORT FOR WASTE & STREET CLEANSING SERVICES**

The Committee considered a report, Y45 previously circulated, detailing the quarter 1 Performance for Waste & Street Cleansing Services by ECSS for the period April to June 2023.

The ECSS Development Manager summarised the contents of the report and highlighted improvements across the overall performance of the Service.

A number of questions relating to this item had been provided prior to the meeting from Members and these, along with answers provided by officers, were set out in Appendix 1 to these minutes.

Follow-up questions and further questions/comments were raised by Members and responded to as follows:

A Member raised questions on the reduction in tonnage of recyclable waste and the ECSS Development Manager agreed to confirm the details of the figures.

Further questions were raised on the Street Cleansing schedules and processes and it was reported that these would be considered at the next ECSS Board meeting.

Members raised questions on the emptying of street bins and possibility of collecting recyclable goods from such bins and the ECSS Development Manager responded.

A Member queried the differing responsibilities between the District and County Councils for channel, drain and gully cleansing, which was explained by the ECSS Development Manager.

Members commended the more informative nature of the revised KPIs, which gave a better understanding of the current position and where improvements had taken place. It was considered that steps forward were being made in the move towards more satisfactory levels of performance.

It was resolved:

That the quarter 1 Performance Report for Waste & Street Cleansing Services by ECSS be noted.

**30. ANGLIA REVENUES PARTNERSHIP JOINT COMMITTEE MINUTES**

It was resolved:

That the Minutes of the ARP Joint Committee meeting held on 13 June 2023 be noted.

**31. FORWARD AGENDA PLAN**

The Committee received its Forward Agenda Plan. In the light of the above discussions and a request by a Member for an interim update on Environmental Plan implementation,

It was resolved:

That the Forward Agenda Plan be noted and the following items be added to the Agenda Plan for the November meeting of the Committee:

- Environmental Crime Fixed Penalty Notices – Fee setting review
- HVO procurement options update
- Environmental Plan update

**32. EXCLUSION OF THE PRESS & PUBLIC**

It was resolved unanimously:

That the press and public be excluded during the consideration of the remaining items because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the items there would be disclosure to them of exempt information of Categories 1, & 3 of Part I Schedule 12A to the Local Government Act 1972 (as amended).

**33. ECSS MANAGEMENT ACCOUNTS – THREE MONTHS TO JUNE 2023**

The Committee received a report containing a summary of the management accounts for the first quarter of the 2023/24 financial year.

A number of questions relating to this item had been provided prior to the meeting from Members and these, along with answers provided by officers, were circulated to Members of the Committee.

Further follow-up questions were asked by Members and responded to by officers.

It was resolved:

That the contents of the report be noted.

**34. ECSS PERFORMANCE MATTER**

The Committee received a report on an ECSS performance issue.

A question relating to this item had been provided prior to the meeting from a Member and this, along with answer provided by officers, was circulated to Members of the Committee.

A Member queried the reasons for the report being an Exempt item and this was explained by the Director Legal and Monitoring Officer.

It was resolved:

That the action taken by the Director Legal and Monitoring Officer on an ECSS performance matter be noted.

**35. ECSS BOARD MEETING MINUTES**

The Committee received the Minutes of the ECSS Board Meeting held on 1 June 2023.

It was resolved:

That the Minutes of the ECSS Board meeting held on 1 June 2023 be noted.

**36. OPERATIONAL SERVICES COMMITTEE 19 JUNE 2023 – EXEMPT MINUTES**

It was resolved:

That the Exempt Minutes of the meeting of the Committee held on 19 June 2023 be noted.

The meeting concluded at 6:41pm.

Chairman:.....

Date:



**Operational Services Committee  
18 September 2023  
Questions from Members of Committee**

**Item 7 – Food Safety Enforcement Policy**

Questioner	Question	Response
Cllr Vellacott	<p>Who were the 17 valid responses received from, in terms of the number of businesses and/or panel respondents?</p> <p>What is officers' professional opinion as to why only 2% of consultees responded?</p> <p>The report is comprehensive and well-written. Under 5.2.2 of the report, how will officers ensure wide distribution, including of this policy?</p> <p>Under 9.7 of the report, what measures are in place to ensure the problems identified by informal warnings do not escalate? Are there procedures to 'check back' on those warned?</p>	<p>This information was not gathered as part of the survey and all responses were anonymous.</p> <p>Over 800 emails were sent to businesses and appropriate stakeholders. It is disappointing to have had so few responses, how not unusual as engagement on these types of policies is generally lower as they tend to only impact a relatively few number of people and businesses.</p> <p>Once adopted we will notify stakeholders when the next food hygiene report letters are sent.</p> <p>Officers use their professional judgement as to whether a revisit is necessary. We can also ask businesses to send in photographs of improvements.</p>
Cllr Inskip	Paragraph 10.1 of the policy: How will the requirement to review the policy on an annual basis be tracked?	The new Policy template has an amendment and review date on the front cover. However, there is not currently a centrally managed process for tracking policy revision or updates. CMT will consider whether there is an

	<p>Paragraph 10.2 of the policy: Which circumstances will trigger a major review?</p>	<p>ongoing need for tracking and implement an appropriate method if required.</p> <p>The Food Standards Agency is currently working through several workstreams that may affect the way we engage with businesses, or the frequency of that engagement. Any changes brought in will need to be reflected in the Policy.</p> <p>We are also currently acting under a range of UK Regulations and Retained EC Regulations; if any are changed then a review will need to be carried out at that time.</p>
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**Item 8 – Health and Safety Enforcement Policy**

Questioner	Question	Response
Cllr Vellacott	<p>The report is comprehensive and well-written. Will this Committee receive an update when the SEHO reviews this policy annually?</p>	<p>It is not proposed that minor (non-material) reviews are brought back to committee. New regulations or national guidance would likely trigger a major review/refresh and in these cases they would be brought back through to committee.</p>
Cllr Inskip	<p>Paragraph 5.2.8 of the policy: How is the complaints procedure being implemented? And how will it be made easily accessible to both businesses and the public?</p> <p>Paragraph 8.2 of the policy: Typo ‘compliant’ instead of ‘complaint’</p>	<p>Following adoption of the Policy, the next steps are to rewrite the web pages that relate to food safety and health and safety, which will set out the new complaints process. This will be implemented as soon as possible and promoted on our website and through the appropriate stakeholder channels.</p> <p>Typo noted.</p>



	Paragraph 10.1 of the policy: How will the requirement to review the policy on an annual basis be tracked?	See above
	Paragraph 10.2 of the policy: Which circumstances will trigger a major review?	The regulatory framework for health and safety is fairly stable but any material changes would trigger a review.
Cllr Holtzmann	Is the wording in section 9.9 too loose? Given the risk of bodily harm, should we set the expectation for officers to act, especially as section 9.10 allows for additional considerations? Would inaction with regard to section 9.9 open up the council to legal repercussions?	The wording of the policy should reflect the legislation. In this case Section 22 of the Health and Safety at Work Act 1974 states that the officer <i>may serve</i> . Section 9.8 will need to be reworded as a consequence.

**Item 9 – Budget Monitoring Report**

Questioner	Question	Response
Cllr Vellacott	What is the total value of Disability Facilities Grant monies received by East Cambridgeshire District Council?  Do officers estimate that the overspend of £195,000 would be a worst-case scenario, given that the housing market may settle (with prices and mortgage rates lower than at present) before the end of the financial year?	The total value of capital DFG funding received in 2023/24 is £602,678.  As at September 2023 we are still forecasting £200,000 overspend
Cllr Inskip	What shortfall in Planning Service income against the forecast has there been for the first quarter of the current financial year?  Was there a Planning Service shortfall in income against the forecast in the last quarter of the previous financial year?	£300,000  £112,000

	<p>How many agency staff are currently employed by the Planning Service?</p> <p>How many vacancies current exist in the Planning Service? And are these being actively recruited to?</p> <p>When will the review of the Planning Service in quarter two be expected to conclude?</p> <p>Appendix 1: Does the underspend on Climate Change in the first quarter reflect any delays in the implementation of the Actions identified in the current Environment Plan?</p> <p>Appendix 1: Licencing shows a major variance for the first quarter compared to the profiled budget for the quarter. What is the cause of such a large variance?</p> <p>Appendix 2: Capital Budget Monitoring Refuse &amp; Cleansing Vehicles shows a significant variance with nearly £900,000. Does this mean there is no need for further capital expenditure on Refuse &amp; Cleansing</p>	<p>We currently have 2.5fte agency staff, the 0.5fte is funded by a Planning Performance Agreement (PPA) so no cost to the Council.</p> <p>2 vacancies and these are not actively being recruited to at present.</p> <p>It is aimed that it will conclude in December.</p> <p>The profiled budget on expenditure is split equally over 12 months. We are forecasting to come in on budget at year end.</p> <p>The reason that there is a large variance is due to carry forward of Animal Welfare income and the Multiple year Licences from different revenue streams from 2022/23. In addition, we have had payments in advance from new Taxi Companies in this area, and general expansion in the taxi revenue stream. (This will be part of the total multiple year licences roiled forward into 24/5 &amp; 25/6). Costs will increase for the remaining 23/24 period and into the 24/25 period due to additional resource being brought into the department to deal with the increased work levels.</p> <p>While this underspend is reported at this point, there is an ongoing review of fleet required for street cleansing, potential vehicle modifications and other small fleet requirements. We anticipate the proposals coming forward with an order being place in this financial year.</p>
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	Vehicles? Or that this will still be required, but in the next financial year?	Where the costs are not incurred in this year, we will be required to carry forward capital funding for vehicles.
Cllr Holtzmann	<p>Regarding 3.3. What are the 1.43 million pounds of CIL money budgeted for?</p> <p>Regarding 3.5. How many vacancies are currently in the Planning department? How many agency staff are we employing and how does this impact the Planning budget?</p>	<p>CIL is spent on items that are on the Council's Infrastructure List. The most up-to-date list is available on the Council's website. Specific allocations are approved by the Finance &amp; Assets Committee. Examples of projects approved for spend, where funding has not been fully released include, District Leisure Centre, Littleport Secondary School and Haddenham Recreation Ground.</p> <p>Any unspent funds at year end are transferred to Reserves.</p> <p>See above. Some 0.5 agency staff is covered by a planning agreement. Other agency costs are offset against budget for permanent staff. There are minor impacts to budget as a result, as agency staff tend to attract higher rates. This is managed along side any other budget pressures.</p>
Cllr Trapp	Which of the expenditures relate to payment to ECSS?	Management contract on Refuse Recycling, Refuse Collection & Street Cleaning.

Item 10 – Environmental Crime Enforcement Policy review

Questioner	Question	Response
<p>Cllr Vellacott</p>	<p>In Section 5, what alternative options are in place to discourage environmental crime committed by those under the age of 16?</p> <p>Will officers work with Parish Councils to identify problematic areas (such as the car park for Wicken Cemetery)?</p>	<p>The Environmental Crime Action Plan that will come to committee in Jan 2024 will look at options for promoting care of the environment and part of this can include how information will be disseminated to young persons. The Community Safety Partnership promotes many issues around the prevention of ASB involving young people and this includes environmental crime. The ASB team regularly engage with schools and undertake talks to primary and secondary school children on issues around graffiti and wider ASB issues. Fly tipping is not associated with persons under 16 in this district.</p> <p>The team have been involved in extensive work with certain PC's, attending meetings to discuss options for remote CCTV and closely liaising with them on the challenges faced. There has been success through the joint work with Soham Town Council and the sharing of CCTV footage which has in the main stopped the issue of fly tipping around the recycling bins in Fountain Lane Car Park. Officers will be happy to approach Wicken PC to discuss their individual concerns. With respect to dog fouling the Dog Warden has undertaken promotional events at playing fields where Parish Councils have reported problems with dog fouling and other dog control issues. During this last year weekend and early morning visits have been undertaken to recreation fields in 3 parishes to monitor and talk to dog owners.</p>

	<p>Will all enforcement officers be issued with protection such as body-worn CCTV?</p> <p>Will the 3-yearly review come back to this committee for consideration?</p> <p>In Appendix E, which criteria are used to determine the level of penalty applied for each type of offence? Why are the penalties towards the lower end of the scale as published by His Majesty's Government?</p>	<p>Body worn CCTV is already available for officers to use when it is deemed a requirement, although service of FPN's is mainly through evidence gathering after an incident has occurred. We do not have the staffing resource to do patrols of streets wearing body cams, for example to identify litterers in the act.</p> <p>Yes</p> <p>The various penalties were adopted at Committees in 2017 and 2018 and were set to the maximum allowable by the legislation at that time. The lower levels identified in the Appendix show the minimum and maximum levels councils must charge from 2023 and a report will be brought to the November committee to seek agreement on the new levels to be set.</p>
<p>Cllr Inskip</p>	<p>When did the council last review its scheme of penalty charges?</p> <p>For each of the Environmental offences listed in Appendix E of the policy, how many fixed penalty charges have been issued in the past 12 months?</p>	<p>Penalty fee levels were adopted at committee in 2017 and 2018, in accordance with the regulations at that time. Maximum penalty charges were adopted. There were no changes to the legislation until July 2023. A report will be brought to committee in Nov to outline proposed changes to all environmental crime penalty fees, which will consider the new maximum penalties that can be charged for certain offences.</p> <p>There were 18 FPN's served in 2022/23 as follows:</p> <ul style="list-style-type: none"> <li>• 5 for littering</li> <li>• 2 for fly tipping</li> </ul>

		<ul style="list-style-type: none"> <li>• 9 for breach of householder duty of care</li> <li>• 2 for commercial duty of care</li> </ul> <p>Although no dog fouling FPN's were served in the period 2022/23 an FPN for dog fouling was served in May 2023.</p>
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**Item 12 – HVO procurement update**

Questioner	Question	Response
Cllr Vellacott	<p>Do officers anticipate that a permanent HVO tank will be installed at ECSS Littleport Depot when commercially viable?</p> <p>Are the new HVO-capable vehicles also more efficient in terms of diesel use?</p>	<p>We are investigating all options at the moment as to how to make the use of HVO financially and environmentally sustainable for the service. To enable trials, we can place a tank in situ quickly. Going forward with a permanent solution, we are looking at the most advantageous geographical location of a tank, be that at the depot or with a local partner.</p> <p>The new vehicles as well as the refuse vehicles that are remaining in the fleet are all Euro 6 which will not result in significant savings. However, the new vehicles are fitted with software which reports on vehicle information including mpg, idling, changing gears and braking. These will be used by the Operational Management Team to identify things the driver can improve on to maximise fuel efficiency and therefore minimise carbon produced as much as possible.</p>

<p>Cllr Inskip</p>	<p>Is the Greater Cambridge and Huntingdon framework able to procure HVO at a low price per litre than the prices ECSS has established through its soft market testing?</p> <p>What is the anticipated cost of storage a facility to store sufficient HVO to run all ECSS vehicles on that fuel? And has a budget been earmarked to fund this facility?</p> <p>What is the likelihood that the pricing of HVO versus diesel within the next 12 months will meet the criteria agreed in March 2023 to enable a switch to HVO use?</p> <p>It the council continues to use diesel for the next 12 months, what reduction will it see in the authority's carbon emissions from other measures being pursued through its Environment Plan?</p>	<p>The procurement is commercially sensitive information and we are not privy to it. However, we understand, on average over the last 6 months, the cost of HVO to Greater Cambridgeshire has averaged at £1.64 per litre, in line with one of our recent quotes.</p> <p>For the purposes of a trial, it is confirmed the tank will be free of charge. Longer term costs will be factored into the Procurement and any potential new budget requirements will be requested of ECDC. No funds have been earmarked either by ECSS or ECDC at this stage.</p> <p>ECSS are exploring options with our neighbouring authorities to bulk purchase HVO as well as looking at storage at the depot (if this was the most suitable location). In the meantime, to facilitate an immediate switch to HVO should the price per litre drop, ECSS have arranged for a temporary tank to be available at the depot. Any future permanent solution at the depot will be subject to a capital procurement process which would require additional capital budget.</p> <p>There is significant demand in the market as more LA's move over to HVO. Therefore, the market is in flux and needs to respond to demand. A full procurement will give us certainty over costs going forward, but it is not possible to provide an opinion on likelihood of future market prices.</p> <p>The Waste collection fleet are the source of approximately four-fifths of the Council's emissions. This will remain the case if diesel continues to be used, though we are still anticipating a small reduction</p>
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		<p>in emissions from those vehicles as a consequence of the newer vehicles being procured being more energy efficient generally.</p> <p>Away from the fleet vehicles, other measures in the Environment Plan for the period 2023/24 are unlikely to have any significant effect on our emissions over the current year other than, if delivered, the deployment of additional solar panels on our estate. However, as electricity only currently accounts for c7% of our total emissions, additional solar panels will only make a relatively small reduction in that %, and consequently only a very small reduction in the Council's overall emissions."</p>
Cllr Holtzmann	In the carbon impact assessment, what consequences will arise from following the recommendations with regards to the planned cuts in carbon emissions as set out in the Environmental Plan 2023/24?	Please see previous response.

**Item 13 – Quarter 1 – Waste performance monitoring and Street Smart highlights report**

Questioner	Question	Response
Cllr Vellacott	<p>Are there any future events which the development team intend to attend, and will councillors on this committee be kept up to date as regards this?</p> <p>What improvements in communications have been made to reduce missed bin collections to their lowest</p>	<p>The team is planning on attending Soham Pumpkin Fair (30 September) Ely Apple and Harvest Fayre (7 October). The team will update Members of the Operational Services Committee other events that are confirmed.</p> <p>Each week a report is produced of all missed collections for the previous week. These are analysed for repeated</p>



	<p>level since Q1 2021? What improvements of this type would officers recommend be enacted in order to further improve this statistic into the future?</p>	<p>missed collections and highlighted with the collection crew. They are then required to confirm a successful collection has taken place for the next 6 weeks. This way of working was not in place prior to this year. We also know that the Council's CRM system, which is not waste management focussed, is not able to report only valid missed collections. All collections reported as missed are classed as valid (even contaminated or not out bins and bags etc). Further improvements to the number of missed collections are already planned with the new incab system, which will be able to differentiate between valid and not valid reports, as well as giving the Customer Services team real time information, enabling them to deal with a missed collection report appropriately. New properties and new assisted collections will be highlighted for a number of initial collections to the crews on their incab devices to avoid them being missed due to unfamiliarity with a round or area. The new system will also be able to report on trends, and the operational team can identify if missed collections are due to a crew issue which they can resolve. Newer vehicles bringing reliability to the fleet will mean fewer breakdowns, leading to reduced missed bins.</p>
<p>Cllr Inskip</p>	<p>Paragraph 5.5: What evidence is there that the reduction in total waste produced/collected is caused by a successful strategy of a shift of the management of waste to prevention, rather than for example a reduction in consumption resulting from the Cost of Living crisis and economic downturn?</p>	<p>There is no evidence at the moment, however, the reduction in ECDC's total waste tonnage was mainly attributed to the amount collected for recycling and composting. There was a very small increase in the amount of residual (black bag) waste collected. If the economic climate was responsible for less waste being produced, you would expect to see residual waste decrease also. As packaging reforms come into place,</p>

	<p>What was the reduction in total tonnage between 21/22 and 22/23?          What was the reduction in the recycling tonnage between 21/22 and 22/23?</p> <p>Prior to the current work to street cleansing schedules, how was this work planned?</p> <p>Once work on street cleansing schedules is complete, it be possible to provide information to residents to identify the day on which their road or street will be swept, as is already done by many other authorities?</p>	<p>anecdotally this could be seen as the reason for a reduction in recycling tonnage.</p> <ul style="list-style-type: none"> <li>• It would be worth considering in any future engagement with our residents what has an effect on the amount of waste they produce.</li> <li>• The RECAP partnership is also looking at carrying out waste compositional analysis of collected bins and bags and this could help explain more fully the reasons for the reduction in overall tonnage.</li> </ul> <p>2061.37 tonnes          21/22 = 32024.85          22/23 = 29963.48</p> <p>2524.29          21/22 = 19002.87          22/23 = 16478.58</p> <p>The district is grouped into zones, which determine the frequency and activity (cleanse, litterpick, mechanical sweep etc) used. Higher footfall areas such as city and larger village centres should receive a daily cleanse, and the more rural, quieter areas, a cleanse every 6 weeks. At the moment, street cleansing crews are given zones or areas to target and tasked with carrying out the activity within the specified frequency (which is referred to as schedule in the performance report). For the past few months, they have been handing in daily activity sheets to enable monitoring to be carried out to check the quality of the work meets the standard and frequency required.</p>
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		Currently the MoA is set up as an output agreement to ensure standards are met but not how they are achieved. The work currently being completed is to help identify whether the current output is achieving the requirements of the MoA. Once completed this information will be provided to the ECSS Board for further consideration.
Cllr Christine Whelan	<p>Point 5.3 Street Cleaning</p> <p>Are there details on which streets are being cleaned, have the dates of the cleaning been advertised to the public and how often is a street on the rota?</p>	<p>Please see the response to the question: <i>Prior to the current work to street cleansing schedules, how was this work planned?</i></p> <p>Information on cleansing frequencies is not currently provided, but when the review is complete and schedules agreed, we would like to provide residents with the information about the schedules.</p>
Cllr Holtzmann	<p>Regarding 5.3:</p> <p>How is the road cleaning schedule determined and how can residents find out when their street has been cleaned last and when it will be cleaned next?</p>	<p>Please see previous response. Residents can contact the ECDC/ECSS team for further information.</p>

**Item 15 – Forward Agenda Plan**

Cllr Holtzmann	<p>Will there be an interim update about the Environmental plan?</p> <p>Will there be regular updates about HVO procurement?</p>	<p>Currently the plan is only considered by Ops Committee on an annual basis.</p> <p>HVO procurement updates are included within the Project Street smart highlight report</p>
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**TITLE: ECSS Business Plan 2023/24 – Half Yearly Update**

Committee: Operational Services Committee

Date: 13 November 2023

Author: Director (Commercial)

Report No: Y80

Contact Officer: Emma Grima, Director (Commercial)  
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**1.0 ISSUE**

1.1. To receive a half yearly progress update on the East Cambs Street Scene (ECSS) Business Plan 2023/24 covering the period 1 April 2023 to 30 September 2023

**2.0 RECOMMENDATION(S)**

2.1. Members are requested to note the update.

**3.0 BACKGROUND/OPTIONS**

3.1. In accordance with the Shareholder Agreement ECSS is required to produce a half yearly update for noting by the Operational Services Committee, acting as the Shareholder Committee. The update includes the Strategic Risk Assessment, progress against the approved Business Plan 2023/24 and the current financial projections.

3.2. The half yearly update Report is provided at Appendix 1.

**4.0 ARGUMENTS/CONCLUSION(S)**

4.1. Operational Services Committee are requested to note the ECSS half yearly report.

**5.0 FINANCIAL IMPLICATIONS / EQUALITY IMPACT STATEMENT / CARBON IMPACT ASSESSMENT**

5.1. There are no additional financial implications arising from this report.

5.2. Equality Impact Assessment (EIA) not required.

5.3. Carbon Impact Assessment (CIA) not required

**6.0 APPENDICES**

6.1. Appendix 1 – ECSS Half Yearly Report

**Background Documents:**

ECSS Half Yearly Report

Shareholder Agreement





# EAST CAMBS STREET SCENE HALF YEAR UPDATE

1 April 2023 to 30 September 2023

## 1. INTRODUCTION

The purpose of this report is to provide the Operational Services Committee, acting as the Shareholder Committee, with an update in the following areas:

- Progress against the Business Plan 2023/24
- Strategic Risk Management
- Current Financial Position

## 2. PROGRESS AGAINST THE BUSINESS PLAN 2023/24

**Core Services:** ECSS provide a range of statutory and not statutory waste and street cleansing services to ECDC. The scope of the work broadly covers:

- Provision of the statutory domestic waste collection service including the collection of recycling, garden waste, food waste and general residual waste on the agreed schedules.
- Provision of ancillary services for domestic waste collection including bulky waste removals, bin/bag deliveries, missed bin collections, assisted collections and provision of bins to new developments.
- Provision of the statutory street cleansing service including scheduled street sweeping and litter picking of all adopted highways as appropriate.
- Provision of ancillary services for street cleansing such as removal of fly tips and graffiti (public and private land), provision and emptying of litter /dog waste bins,
- Provision of communications, policy and strategic support across waste education, government data returns, review of planning applications, development of new services in line with legislative requirements.

**Project Street Smart:** The 2023/24 Business Plan also set out an ambitious improvement programme to address both the acute issues and more systemic challenges ECSS has experienced throughout 2022 and early 2023. The improvement programme known as 'Project Street Smart' is centred around 4 themes:





## Core Services:

A revised range of key performance indicators were agreed as part of the 2023/24 business plan to provide transparency about service quality and service performance. From quarter 1 the service was still going through a period of change and stabilisation, the effects of which are reflected in the performance for the first 6 months. However, the performance compared to the previous year has seen a steady improvement and in fact has reached the same or better performance of that being achieved in Q1 2021.

## Health and safety – staff welfare

Description of Key Performance Indicator	Target	Q1	Q2
ECSS Accident Incident (AIR) score	4%	5%	1.52
No. reported monthly near misses	10 or more	2	0
Percentage of productive days	94% (sickness absence 6%)	93%	TBC

## Waste Collection

Description of Key Performance Indicator	Target	Q1	Q2
Refuse – Average no. of missed bins per 100,000 bins collected	15	57	45
Recycling – Average no. of missed bins per 100,000 bins collected	30	77	86
Green – Average no. of missed bins per 100,000 bins collected	30	98	87
No. of monthly service complaints	3	4 Average	5 Average
No. of monthly service compliments	No target	1	1

## Street Cleansing

Description of Key Performance Indicator	Target	Q1	Q2
Average monthly clean streets graded A on random inspection	95%	41%	75%
No. streets graded C or below for litter on random inspection	1%	8%	0%
No. reported fly tips per month	No target	150	128
No. reported incidents of graffiti per month	No target	15	3

Description of Key Performance Indicator	Target	Q1	Q2
Removal of offensive graffiti within 1 working day	98%	0%	0%
Removal of fly tipped waste within 2 working days	98%	59%	73%
No. overflowing litter bins reported per 100 bins emptied	3	0.30	0.91
No. overflowing dog bins reported per 100 bins emptied	1	2	3.91
No. of monthly service complaints	3	Average 4	0
No. of monthly service compliments	No target	1	0

### Communication, Education and Promotion

Description of Key Performance Indicator	Target	Q1	Q2
Increase in social media presence	Increase by 5%	27%	26%
School or Community groups engaged with	10 PA	0	0%
Number of local events attended	10 PA	1	6
Recycling rate	60% (annual)	60.8%	TBC (reported in arrears)
Overall waste tonnage reduction	1% (annual)	6%	+23%

Across all metrics of the Domestic Waste Collection services there are considerable improvements, and it has largely returned to an acceptable and high level of service. However there remain some challenges around the resourcing for the street cleansing service. Additional resources have been brought in to bring the cleansing and sweeping up to an acceptable level, but this area of the service requires further focus by the management team. A review of street cleansing is ongoing.

Other general service provision includes black sack delivery completed ahead of schedule, alongside delivery of calendars.

### Project Street Smart

Project Street Smart has provided a catalyst for significant change and improvements across the whole service, and continues to drive improvements at pace. There remains a significant work load for the next 6 to 12 months which will have profound positive impacts on quality, compliance and efficiencies across every area of the business.

## Project Street Smart Progress

### Workstream 1a – Powered by People (Customers)

Work Area	Description	6 Month Update
<b>Resident engagement</b>	<p>East Cambs residents are engaged and want to do the right thing, but there are key demographics we need to reach out to so they can do their part, including those living in flats, those renting their properties, young adults, and those living in higher levels of deprivation.</p> <ul style="list-style-type: none"> <li>Promote food waste reduction and recycling</li> <li>Behaviour change to reduce black bag waste</li> </ul>	<p>The campaign 'Fight Food Waste' is underway, with residents incentivised to make a pledge to win vouchers.</p> <p>Reusable wipes trial launched to target lower income families normally not able to purchase these kits.</p> <p>Attendance at family events with County Council colleagues with recycling games and information.</p>
<b>Schools and local groups</b>	<ul style="list-style-type: none"> <li>Relaunch of the successful Schools Programme.</li> <li>Promotion of the Waste Awareness programme for community groups.</li> </ul>	<p>While this remains an important strand of the education programme, the focus for the comms team has been on Project Street Smart more generally and therefore the team have not attended as many events as hoped.</p> <p>7 events attended 1 planned events</p>
<b>General Comms</b>	<p>Following the implementation of the round reconfiguration project, we will continue to keep residents updated on its progress, including the carbon saving we are achieving.</p> <ul style="list-style-type: none"> <li>Project Street smart will be weaved into our resident engagement strategy, including:</li> <li>Promotion of a green fleet</li> <li>Enhanced street cleansing service</li> <li>Increasing customer confidence in our services</li> <li>Readiness for the Resources and Waste Strategy</li> </ul>	<p>A comms plan has been devised and will commence in Q3. Chewing Gum campaign launched to change behaviour and reduce gum litter. Successful bid for funding from government for cleaning equipment and comms materials.</p> <p>Next Period: Arrival of new vehicles (schools competition to name them). Relevant press release as applicable when moving to HVO, launch of Love Your Street campaign</p>

Work Area	Description	6 Month Update
	With the Council bringing communication back in house, ECSS will work closely with the team to ensure high quality, valuable comms are delivered through a variety of communication channels.	including awareness days which will also be used to update residents on the street cleansing service review progress.
<b>Customer Journeys</b>	Implementation of the Waste digital system will enable us to review and improve: <ul style="list-style-type: none"> <li>• Customer interaction with the service</li> <li>• Communications between the customer and the service</li> <li>• Live service updates and comms</li> <li>• Reporting and service requests</li> </ul>	Specification, procurement of the product was achieved in Q1. A significant period of time over the summer has been spent on data quality as we have moved from a paper only process to a fully digital one. The new system was soft launched for all refuse crews in September and a full go live will happen alongside the delivery of the new vehicles in October/November.  Next Period: Q3 will see the development and configuration of the automated customer journeys, with a planned go live in Q4. The reporting function of the technology will also be fully utilised in Q3.

#### Workstream 1b – Powered by People (Staff)

Work Area	Description	6 Month Update
<b>Staffing Structures</b>	To implement the new staffing structures following consultation.	The consultation on the new Management Structure was concluded on 30 June. Transition to the new structure started on 1 July.  Most posts have been filled with the exception of Operations Supervisor and Chargehand. However all other key management personnel have been recruited and started during the August and October.
<b>Skills and Training</b>	Undertake a skills gap analysis for both front line and office staff.	A review of all front line staff skills, capabilities and training records has been completed and a

Work Area	Description	6 Month Update
	<p>Develop a continuous development plan for office staff including:</p> <ul style="list-style-type: none"> <li>• Leadership and People Management skills</li> <li>• Technology as an enabler</li> <li>• Data analysis and performance management skills</li> <li>• Project management skills</li> <li>• Health and safety best practice for Street Scene operations</li> <li>• Transport Management</li> <li>• Depot Management and specialist vehicle training</li> </ul> <p>Develop a continuous development for front line staff including:</p> <ul style="list-style-type: none"> <li>• Induction</li> <li>• Safe and environmentally aware enhanced driving operations</li> <li>• Health and Safety</li> <li>• Customer Service</li> <li>• Tool box talks</li> <li>• Ownership and problem solving</li> </ul>	<p>comprehensive updated suite of tool box talks covering all areas of the service has been developed and currently being delivered to all crews.</p> <p>An improved compliance training module has been developed for drivers and they have received a rolling programme of toolbox talks on all areas of compliance.</p> <p>A training matrix programme has been developed for Operations Supervisors and its delivery is underway.</p> <p>Where required, other adhoc training on policies, leadership and people and project management has also been delivered or is underway</p> <p>Next Period Finalise new induction programme. Improve manual handling training Improve driver assessments</p>
<p><b>Recruitment and Retention</b></p>	<ul style="list-style-type: none"> <li>• Develop and implement a new recruitment strategy, moving away from reliance on Agency staff, and taking a targeted approach to recruit locally and to target new demographics.</li> <li>• Introduce a career development programme for crews to progress from Loader to HGV Driver to Apprentice Supervisor.</li> </ul>	<p>A successful recruitment to replace agency across front line services was completed. The job description and advert were updated.</p> <p>Next Period: Career development programme to be developed.</p>

Work Area	Description	6 Month Update
<b>Culture and Wellbeing</b>	<p>Development and implement a communications and engagement programme with frontline staff. Focussed on:</p> <ul style="list-style-type: none"> <li>• Wellbeing</li> <li>• Health and Safety best practice</li> <li>• Customer care</li> <li>• Technology as an enabler</li> <li>• Introducing the Environment Act and impacts for the service</li> <li>• Coping at the sharp end</li> </ul>	<p>A health and wellbeing plan has been developed. Includes health screening, information of staying well etc.</p> <p>The Street Smart project has been communicated to all and updates of service development is provided at toolbox talks.</p> <p>Next Period Develop a crews quarterly newsletter and staff survey Develop the wellbeing programme Develop a suite of 'other training' customer care, coping at the sharp end etc.</p>
<b>HR Policies</b>	<p>Review and consult on HR policies to align with best practice and the needs of ECSS</p>	<p>Sickness policy updated and currently with union for comments.</p> <p>Next Period : Review and consult on all other HR policies to align with best industry practice.</p>

## Workstream 2 – Robust and Resilient

Work Area	Description	6 Month Update
<b>Fleet - Procurement &amp; wider vehicle management improvements</b>	<p>The procurement of the new recycling fleet due to the lead time (circa 28 weeks) will give a partial benefit during 2023/24 including:</p> <ul style="list-style-type: none"> <li>• lower carbon emissions</li> <li>• reduced running costs</li> <li>• greater service resilience</li> <li>• facilitate the adoption of technology</li> </ul> <p>Other areas;</p>	<p>10 RCVs ordered 28 March 2023. Delivery confirmed from 23 October.</p> <p>Sold 3 end of life vehicles and produced specification for new street cleansing vehicles. Introduced new fuel keys and monitoring of fuel use.</p> <p>Maintenance Contract reviewed. New KPI's and reporting established. Significant reduction in</p>

Work Area	Description	6 Month Update
	<ul style="list-style-type: none"> <li>• Enhancing driving skills</li> <li>• Improving maintenance turnaround</li> <li>• Reducing the reliance on hired vehicles</li> <li>• Exploring alternative fuel and reducing fleet costs</li> </ul>	<p>vehicle off road and improved turnaround of all planned maintenance.</p> <p>New maintenance contract arrangement for all small fleet, with local supplier.</p> <p>Exploring options and developing new specification for maintenance across fleet to replace existing contract due to expire 31 March 2024.</p> <p>HVO options explored. Currently cost prohibitive, and therefore further proposals to come forward to committee around costs.</p> <p>Next Period Finalise procurement for HVO (if agreed) Take delivery of new fleet and training.</p>
<b>Adoption of digital tools</b>	<ul style="list-style-type: none"> <li>• Introducing incab technology</li> <li>• Vehicle Driver telematics on the new fleet as a new standard moving forward</li> <li>• Developing internal KPI's to support a revised performance management regime</li> </ul>	<p>All drivers and loaders trained on using incab terminals (currently in refuse collection rounds only) Back office team fully trained on system with super users in place.</p> <p>Next Period: Driving efficiency program to be launched with Drivers and new KPI reporting to drive safer and more environmentally friendly driving.</p>
<b>Right sizing resources</b>	<p>A revised management structure to:</p> <ul style="list-style-type: none"> <li>• Improve and increase management resilience</li> <li>• Support the revised performance management regime</li> </ul>	<p>Management structure with additional resources implemented. New roles introduced include:</p> <ul style="list-style-type: none"> <li>• Development and Support Services Manager</li> <li>• Transport and Depot Manager</li> <li>• Operations Supervisor</li> </ul>

Work Area	Description	6 Month Update
	<ul style="list-style-type: none"> <li>• Create clearer accountability, ownership, and front-line management demarcations</li> <li>• Structure to accommodate emerging future operational growth (Environment Act 2021 impact)</li> </ul> <p>A revised operational structure to:</p> <ul style="list-style-type: none"> <li>• Reduce the reliance on Agency staff</li> <li>• Clarity on ways of working and accountabilities</li> <li>• Structure to accommodate emerging future operational growth (EA impact)</li> </ul>	<ul style="list-style-type: none"> <li>• Admin/Customer support</li> <li>• Depot Chargehand</li> </ul> <p>All new and existing job descriptions rewritten and issued.</p> <p>All existing crew vacancies recruited to.</p>
<b>Compliance Review</b>	<ul style="list-style-type: none"> <li>• Implement the findings of the Transport Management and Depot Audits.</li> </ul>	<p>All short and medium term findings of the Transport Management audit completed.</p> <p>Next Period: Longer term audit findings to be implemented. Review of transport management plan.</p> <p>External depot improvement proposals in development and being costed.</p>
<b>Medium term implementation plan for Environment Act</b>	<ul style="list-style-type: none"> <li>• Review and digitise waste collection and street cleansing rounds</li> <li>• Undertake a cost impact analysis for implementation of the Act</li> <li>• Increase waste management competencies and capabilities</li> <li>• Design a compliant operational delivery model that meets local needs</li> </ul>	<p>Waste Technology implemented.</p> <p>Next Period: ECDC to review requirements for service beyond May 2025 (end of MOA)</p>



### Workstream 3 – Safe and Green

Work Area	Description	6 Month Update
<b>Depot Investment and Management</b>	<p>Depot Infrastructure improvements</p> <ul style="list-style-type: none"> <li>• Provide a safer place for staff, and to operate from</li> <li>• Accommodate future management and operational upgrades</li> <li>• Reduce our operational carbon footprint</li> <li>• Improve the working environment for staff</li> </ul> <p>Operation Practices:</p> <ul style="list-style-type: none"> <li>• Review and upgrading of SSOW,</li> <li>• Revised transport management and compliance plan fit for future growth (EA)</li> <li>• Revised operational procedures to accommodate adoption of technology and future growth (EA)</li> <li>• Improve and establish new waste storage and handling practices.</li> </ul>	<p>Depot internal works 60% complete, including new crew mess, operations office, back office, meeting and training rooms. New electric heating (green energy tariff) replaced oil heating system.</p> <p>Next Period Toilets, showers and changing rooms to be completed, and back office team room.</p> <p>External depot improvements to be developed and costed.</p> <p>Review all depot operational and waste handling practices and create associated documentation and training.</p>
<b>Transport Management</b>	<ul style="list-style-type: none"> <li>• Prepare forecasting for vehicle replacements</li> <li>• Introduce Driver KPI performance</li> </ul>	<p>Vehicle replacement schedule completed. Vehicle cost analysis completed and maintained.</p>
<b>Environmental Practices</b>	<ul style="list-style-type: none"> <li>• Revised waste management processes focused on reducing waste</li> <li>• Review of other non-core operational programming and frequencies (smarter ways of working – right first time)</li> </ul>	<p>Review of litter and dog waste bin provision</p> <p>Next Period: ECDC to review requirements for service beyond May 2025 (end of MOA)</p> <p>Proposals for litter and dog waste collection schedules and changes to fee structures.</p>

<b>Street Cleansing review</b>	<ul style="list-style-type: none"> <li>• Review service quality, scheduling and working practices with Street Cleansing services;</li> <li>• Review equipment and vehicles</li> <li>• Establish minimum deployment levels and new management regime</li> <li>• Secure contract cleansing of for dual carriageways</li> </ul>	<p>Review Ongoing – assessment against MOA, working practices, and resources.</p> <p>New contract for dual carriage ways and other major A roads. Cleansing regime complete for 2023</p>
<b>Health and Safety refresh</b>	<ul style="list-style-type: none"> <li>• Consolidate our H&amp;S database Improve the visibility of our H&amp;S management and lines of communications</li> <li>• Develop a risk-based management intervention regime</li> </ul>	<p>New Health and Safety management system in place.</p> <p>Next Period: New health and safety communications campaign and encouraging reporting of near misses. Internal comms and newsletter to be developed.</p>
<b>Exploring green innovations</b>	<ul style="list-style-type: none"> <li>• Explore use of alternative fuels (HVO) or additives (SOLTRON)</li> <li>• Explore the introduction of electric pedestrian mechanical sweeper</li> <li>• Adoption of new recycling fleet and telematics to improve driving and reduce emissions and fuel consumptions</li> </ul>	<p>HVO supplier identified. Working with other Cambridgeshire LA's on procuring at scale. HVO tank location and installation prepared.</p> <p>Next Period: Review options for electric on street cleansing vehicles HVO contract Infrastructure requirements for HVO Vehicle additive for fuel efficiency for older fleet</p>

#### Workstream 4 – Commercially minded

Work Area	Description	6 Month Update
<b>Value for money review</b>	<ul style="list-style-type: none"> <li>• Review high spend contracts for VFM,</li> <li>• Benchmark current costs v local competitors</li> <li>• Introduce new KPIs for our maintenance contractor</li> <li>• Identify and encourage the use of local suppliers,</li> </ul>	<p>Maintenance Contract reviewed. New KPI's and reporting established. Significant reduction in vehicle off road and improved turnaround of all planned maintenance.</p> <p>New contract for small fleet with local supplier</p>

	<ul style="list-style-type: none"> <li>Review current external revenues streams, to improve efficiencies and maximise the commercial revenue opportunity</li> </ul>	<p>Quotes gathered from other Maintenance providers and currently under review.</p> <p>Next Period : Long term vehicle maintenance contract to replace existing due to expire 31 March 2024.</p>
<b>Back office Process review</b>	<p>Revised structure and improved resilience in order to;</p> <ul style="list-style-type: none"> <li>Streamline processes,</li> <li>Introduce more automation, real time tracking and customer reporting and reduce double handling.</li> <li>Introduce revised internal KPI tracking regime</li> <li>Remove paper from back-office process as much as possible.</li> </ul>	<p>Review of use of CRM and improved close time process and communicating information to customers in a timely way</p> <p>Next Period: Integration with waste management system and CRM to improve customer reporting, automation of tasks, and reduction in all paper processes.</p> <p>Implement bin deliveries, bulky waste collections and street cleansing regimes on Waste Management system.</p>
<b>Commercial collections /Cleansing feasibility study</b>	<ul style="list-style-type: none"> <li>Undertaking an internal gap analysis and feasibility study on commercial and schools waste collections</li> <li>Market research and local demand opportunity to identify potential commercial street cleansing opportunities (e.g. large commercial outlets, leisure centres, construction sites etc)</li> <li>Review demand and current opportunities for commercial graffiti removal/cleansing on private land/property</li> </ul>	<p>Currently on hold to be revisited following ECDC review of service specification and MOA.</p>
<b>Joined up working</b>	<ul style="list-style-type: none"> <li>Share best practice between ECSS and ECTC. Identify ways of working to improve cost control and identify cashable efficiencies.</li> </ul>	<p>Next Period: Review ways of working, enhanced contracting and management across the Commercial group.</p>



### **3. STRATEGIC RISK MANAGEMENT**

The approved ECSS Business Plan 2023/24 includes Risk Management. The Risk Management Plan has been amended to reflect changes within the delivery of the service and the ongoing uncertainties in the macro economic environment.

Generally risks have increased across the register to reflect the ongoing uncertainty regarding resources and financial pressures within the service, as well as there being no clear guidance from Government about the implementation of the Environment Act 2021.

There is an improved differentiation between the ECSS contract and ECDC client arrangements, while this has not yet come fully into effect the risk remains high. It is anticipated that with the new governance arrangements in place these risks will return to an expected level.

Finally the existing MOA was created in 2018 and set out the Councils requirements as the time. Between this period and now, there have been both service and cost changes that are not necessarily reflected in the 'contractual' arrangements. The MOA is due to expire in March 2025 and ECDC will be reviewing its requirements for a statutory waste and street cleansing service beyond 2025.

The Board of Directors continue to monitor risks on an ongoing basis.

Inherent Risk							Residual Risk				Monitoring
Risk No.	Risk Description	Effect	Owner	Likelihood	Impact	Score	Key Controls	Likelihood	Impact	Score	Notes
<b>Legislative/Policy</b>											
1.	Changes and/or delays to changes in legislation relating to Waste and Environmental Management	<p>Changes to the types of services provided by ECSS</p> <p>Increase in costs dependent of service model</p> <p>Potential delays in vehicle procurement – current replacement regime might have to go ahead despite not knowing the requirements of legislation. Or significant additional costs for maintenance, vehicle down time, and increase hire costs are likely.</p>	MD	5	4	20	<p>Continuous monitoring of changes to legislation and government guidance through liaison with DEFRA, RECAP Partnership, ebuletins, consultations, LGA Knowledge Hub. The RECAP partnership is working together to mitigate impacts with partner authorities</p> <p>Significant changes in Legislation due to announced in relation to the Environment Act 2021. LA's are awaiting guidance from DEFRA. However changes are anticipated to be implement from 2025.</p> <p>The Councils Waste Champion Cllr and Observer on the ECSS board is briefed and engaged with strategic planning of any changes.</p> <p>When the Government publishes the requirements they will need to be considered immediately by ECDC. If legislative changes are required ahead of the MOA expiry in 2025 then an amended Business Plan or Exit Strategy may need to be approved by the Board of Directors and submitted to Council.</p>	5	3	15	<p>This is a known risk.</p> <p>ECDC Officers are actively engaging with DEFRA and MPs and ECSS Board is being kept up to date with announcements.</p> <p>Following announcements to changes to the implementation of the Environment Act 2021 by the Prime Minister in September, ECDC will be required to review its options.</p> <p>A waste service review will be underway in November for further consideration by the Council ahead of any changes to ECSS service delivery model.</p>

2.	Changes in the Councils delivery mechanism for Waste and Street Cleansing services (e.g out source /inhouse)	ECSS would cease to operate	MD	5	5	25	<p>The Council is currently operating under a memorandum of agreement that runs to 2025. And would be required to provide notice to end the contract.</p> <p>Any new MOA would need revision to ensure it remained fit for purpose and reflect the service provision required of the council.</p>	4	5	20	<p>ECDC will be required to review its waste collection strategy at least 1 year ahead of the MOA expiring, to enable mobilisation of a new service or to contract out the service etc. Until this review is carried out this risk has been increased.</p> <p>ECSS has delivered a significant improvement plan through Project Street Smart and has demonstrated the capability of the company to make improvements and return to expected performance levels.</p>
3.	<p>Non - Compliance with Regulatory frame works and Guidance:</p> <p>Health and Safety Legislation Waste and Environmental Management Transport Management</p>	<ul style="list-style-type: none"> <li>• Fines</li> <li>• Legal Challenge</li> <li>• Dangerous practices</li> <li>• Staff or public safety endangered or injured</li> <li>• Cease and desist</li> </ul>	Di	4	5	20	<p>Audit of Depot and Transport operations recently undertaken (February 2023) improvements identified and nearly complete.</p> <p>New H&amp;S Management system in place, review of all COSHH and generic risk assessments</p> <p>Infrastructure improvements to Littleport Depot including cctv, drainage, surfacing, lighting</p> <p>Review of all SSoW complete and issued.</p> <p>'O'licence operations moved to ECSS and vehicle maintenance contract novated to ECSS.</p> <p>Training delivered to all staff via tool box talks.</p>	3	3	9	<p>This risk has dropped significantly following the improvement programme. Due to the nature of the highly regulated service, this risk will always remain high on ECSS monitoring regime.</p>

							New management structure in place, and recruited to key compliance roles.				
<b>Governance</b>											
4.	Inadequate governance arrangements and lack of clarity on roles of ECSS and ECDC could lead to poor decision making that undermines the operation of ECSS.	Impact on the operation of ECSS  Impact on spending	MD	3	4	12	Shareholder Agreement  Articles of Association  Rights of Observers  Memorandum Of Agreement  New quarterly reporting regime implemented for ECSS board and papers provided to Operations Committee  New arrangements in place for ECSS Director role and separation of ECDC Client Director role.  October 2023 MOA amendments proposed by Board and agreed by Council	2	4	8	Arrangements to separate client and contract functions at Director level will commence November 2023. Further changes to project street smart will be required to allow for ECDC to solely manage the strategy and policy requirements for ECDC.
5.	ECSS is wholly owned by ECDC and so is subject to the controls and decision-making process for matters that are outside of the Business Plan.	The speed of decision-making process may have an impact on ECSS ability to operate effectively.	MD	3	4	12	Shareholder Agreement  October 2023 – Updated MOA proposal agreed	1	4	4	The Shareholder Agreement provides for the ability of extraordinary meetings of the Shareholder Committee to be called to consider urgent business and where necessary make recommendations to Full Council.
<b>Economic</b>											
6.	ECSS is not a Profit making Company and therefore the	Negative cash flow Operating insolvently Overspends	FM	5	5	25	ECSS/ECDC Finance Manager Briefings	4	5	20	2022/23 has had significant financial impacts. 2023/24 Management fee increased however there remains overspend



	management fee does not allow for unexpected costs.						<p>Board review of Management Accounts</p> <p>Forecasting of market fluctuations :</p> <ul style="list-style-type: none"> <li>• Fuel</li> <li>• Materials Commodities</li> <li>• Inflation</li> </ul> <p>October 2023 – Updated MOA proposal agreed</p>				<p>forecast of £80,066k at year end. This is a best case scenario and dependent on vehicle deliveries happening on time and fuel costs remaining lower than budgeted.</p> <p>New mechanism to report over/underspends and request additional management fee.</p> <p>KPI's updated with appropriate tolerances and targets to avoid unnecessary fines levied by ECDC</p> <p>There remains financial pressures for ECSS as currently many variable costs sit entirely with ECSS (eg fuel costs) Staffing costs are also higher than planned due to sickness and agency cover</p> <p>A zero base costing for ECSS will be carried out in preparation for any new service requirements. A full review of the MOA will also be required.</p>
7.	Recruiting and Retaining staff in a competitive market leads to salary increase, reliance on agency, lack of skills within the service.	<p>The national shortage of HGV drivers has meant significant reliance on agency workers and high rates of pay.</p> <p>High turnover of staff. Services are cancelled where there is not enough staff leading to pressure on others</p>	Di	4	4	16	<p>'Grow our own scheme introduced for HGV drivers</p> <p>Continuing professional development for staff identified</p> <p>HR policies under review</p> <p>All JD's reviewed and salary's evaluated</p>	3	2	6	<p>This will be monitored and reviewed as part of Project Street Smart</p>

		High sickness					New recruitment scheme using specialists and more targeted recruitment where appropriate.  Skills Gap analysis completed and training underway				
<b>Operational</b>											
12.	Inadequate management of Operation, contracts can lead to poor performance and overspends	This could impact on ECSSs ability to operate within the regulatory framework, meet the KPI's set out in the business plan, leading to poor quality of service, increase costs.	Di	3	4	12	Management Structure and Skills gap review completed and implemented.  New monitoring and reporting regime in place to identify issues early  Improved financial reporting of	2	4	8	Structure and recruitment will take a few months to bed in, therefore the service will need to remain vigilant to performance and costs
13.	Adequacy of organisational resources to deliver the required business outcomes.	Could lead to not being able to deliver the Business Plan or requirements set out in MOA	Di	4	5	20	Resources identified when recommending the Business Plan for Board and Operations Committee approval.  Business plan for 2023/24 notes review of resources to be addressed  10x RCVs order. Delivery due October 2023  Review of Street scene resourcing to be reported to board October 2023	4	5	20	<i>Awaiting street scene review.</i>  Resource allocation with in the Business plan have remained largely static since the inception of the MOA and not fully factored in growth in the district or service Changes since 2018. A full review of the MOA is required to ensure it is still fit for purpose.

#### 4. FINANCIAL

The table below details the latest management accounts for 2023/24:

	Actual to September 2023	Business Plan to September 2023	Variance	2023-24 Forecast	2023-24 Business Plan	Variance
<b>INCOME</b>	2,251,665	2,249,141	2,524	4,492,678	4,489,363	3,316
Staffing Costs	1,337,218	1,233,465	103,753	2,633,145	2,456,703	176,441
Non-Staffing Costs	1,045,277	1,016,331	28,946	1,939,600	2,032,660	(93,060)
<b>EXPENSES</b>	2,382,495	2,249,795	132,699	4,572,744	4,489,363	83,381
<b>Profit (Loss)</b>	<b>(130,830)</b>	<b>(654)</b>	<b>(130,176)</b>	<b>(80,066)</b>	<b>(0)</b>	<b>(80,066)</b>

Staffing costs are higher as the use of agency staff to cover staff absences caused by sickness and/or vacancies has been higher than budgeted. This is forecast to continue in the second half of the year, and coupled with additional management costs compared with budget will mean an estimated overspend of £176k on staff for the full year.

For the first half of the year, non-staff costs have been £29k higher than budget where underspends against budget on fuel costs (caused by the lower price of diesel) have helped offset higher than anticipated costs of hiring replacement vehicles for some of the older vehicles where it was deemed uneconomical to continue repairing them.

In the second half of the year, the delivery of the new refuse collection vehicles will greatly reduce the overall expenditure on repairs and hire of replacement vehicles. A saving on the procurement of black sacks this year compared to budget will also contribute to a net underspend of £93k.



**TITLE: QUARTER 2 2023/24 PERFORMANCE REPORT FOR THE WASTE AND STREET CLEANSING SERVICES**

Committee: Operational Services Committee

Date: 13 November 2023

Author: Waste Development and Support Manager

Report No. Y82

Contact Officer: Catherine Sutherland  
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ECSS Depot, Littleport

**1.0 ISSUE**

1.1. To provide the Members with the Quarter 2 performance report for the delivery of the waste and street cleansing services by East Cambs Street Scene Ltd (ECSS).

**2.0 RECOMMENDATION(S)**

2.1. Members are requested to note the performance of service delivery for quarter 2 (July – September) 2023/24.

**3.0 BACKGROUND/OPTIONS**

3.1. Waste collection, recycling and street cleansing are all services provided by East Cambs Street Scene Ltd. The trading company was set up on April 1st 2018.

3.2. The Council continues to operate these services through ECSS and is committed to provide high levels of performance and service delivery, delivering best value for money under the Memorandum of Agreement and through the Service Delivery Plan.

3.3. Key Performance Indicators of the service provided by ECSS ensure performance levels are managed and monitored.

3.4. The Key Performance Indicators were changed in April 2023 following approval by Members of both the Operational Service Committee and ECSS Board through the 2023/24 ECSS Business Plan. This was in order to give stakeholders a more accurate and clearer record of the performance of the service.

3.5. Members will note an improving performance of the waste collection service. The performance of the street cleansing service is still not optimal and is under review.

**4.0 PERFORMANCE UPDATE(S)**

4.1. The tables below highlight the performance for quarter 2 against the KPIs highlighted within the business plan:

## Health and safety – staff welfare

Description of Key Performance Indicator	Target	Q1	Q2
ECSS Accident Incident (AIR) score	4%	5%	1.52%
No. reported monthly near misses	10 or more	2	0
Percentage of productive days	94% (sickness absence 6%)	93%	93% (sickness absence 7%)

## Waste Collection

Description of Key Performance Indicator	Target	Q1	Q2
Refuse – Average no. of missed bins per 100,000 bins collected	15	57	45
Recycling – Average no. of missed bins per 100,000 bins collected	30	77	86
Green – Average no. of missed bins per 100,000 bins collected	30	98	87
No. of monthly service complaints	3	4 Average	5 Average
No. of monthly service compliments	No target	1	1

## Street Cleansing

Description of Key Performance Indicator	Target	Q1	Q2
Average monthly clean streets graded A on random inspection	95%	41%	75%
No. streets graded C or below for litter on random inspection	1%	8%	0%
No. reported fly tips per month	No target	150	128
No. reported incidents of graffiti per month	No target	15	3
Removal of offensive graffiti within 1 working day	98%	0%	0%
Removal of fly tipped waste within 2 working days	98%	59%	73%
No. overflowing litter bins reported per 100 bins emptied	3	0.30	0.91
No. overflowing dog bins reported per 100 bins emptied	1	2	3.91

No. of monthly service complaints	3	Average 4	0
No. of monthly service compliments	No target	1	0

## Communication, Education and Promotion

Description of Key Performance Indicator	Target	Q1	Q2
Increase in social media presence	Increase by 5%	27%	26%
School or Community groups engaged with	10 PA	0	0
Number of local events attended	10 PA	1	6
Recycling rate	60% (annual)	50.2% (Q4 22-23)	60.8% (Q1)
Overall waste tonnage reduction	1% (annual)	6%	+23%

Appendix 1 is a visual summary of the service performance and is referred to by slide number in the following section.

## 5.0 COMMENTARY ON PERFORMANCE

### 5.1. Health and safety – staff welfare

Slide 1: The accident incident rate (%) is based on the number of incidents divided by number employees for the month.

There were four reported incidents and accidents. Two were related accidents resulting in a minor ankle injuries due to an operative's misjudgement. A minor road traffic accident due to a third party's fault (very minor cosmetic damage on vehicle) caused the third.

An operative experienced a needlestick injury whilst collecting a black bag. The operative was seen at the hospital and given all clear for any infectious diseases being caused. The residents in the area have been written to (it was not clear which property had presented the bag).

No near misses were reported. The operational management team continue to work to create a proactive culture of health and safety.

Slide 2: Sickness absence TBC

### 5.2. Waste and recycling collections

Slide 3: The number of missed collections continues to decrease. The service has under achieved its new stretch target of 30 missed bins per 100,000 on recycling and green waste and 15 per 100,000 on refuse.

Overall, missed refuse collections have decreased further with the implementation of incab software. It is important to highlight that despite this, there was an

increase in one month's missed collections due to increased sickness and annual leave and reliance on staff (agency and ECSS street cleansing drivers) unfamiliar with collections. The resilience of the service remains an area of priority for ECSS through Project Street Smart

Slide 4 shows performance against the previous KPI which is no longer reported on but provides Members some further context. Of the 698 bins and bags that were missed, 94% of them were recovered within the target of 1 working day.

### 5.3. **Street Cleaning KPIs**

Slide 5: The graph on the left shows the quality of the cleansing work. The management team are targeted with inspecting 10 locations each week within each of the 3 zones in the District that have been attended to by a cleansing team. The inspection must take place within one day of that cleanse. Where a grade of less than an 'A' standard is found, the road will be revisited to bring it up to the required standard. There is a corresponding response time dependant on the zone and the grade it was found to be.

The graph on the right shows the number of random streets inspected (irrespective of cleansing activity) in zone 4 that has a level of litter graded 'C' or below. Long term, ECSS aims to ensure that nowhere in the District falls below a grade C for litter, with the ultimate aim to use our data and data systems to proactively deploy resources to improve localised service delivery.

A smaller number of inspections were completed by the management team this quarter. Annual leave and the knock-on effect as other members of the team cover their work has reduced the amount of available time for proactively monitoring performance.

Slide 6 shows the number of reported instances of graffiti. Of the three reported instances, one was offensive. It was not on private land and the team cleared it within three working days.

Slide 7 shows that the number of reported fly tips reduced, and that ECSS cleared over 70% of them within target.

Slide 8 shows that we achieved our target of no more than 3 reported overflowing litter bins. We under achieved the target of 1 overflowing dog bin. All overflowing bins were emptied quickly.

The street cleansing service has again been affected by the need to prioritise other areas during times of staff absence, e.g. Drivers of the mechanical sweepers have been diverted to driving waste and recycling collection vehicles, meaning scheduled work was not completed. The current review of ECSS' street cleansing provision due to be noted by the next ECSS Board will further explain this and provide recommendations on what may be needed to ensure a robust and resilient service.



#### 5.4. **Project Street Smart**

Appendix 2 is the project's Highlight Report. Please note this is for September only as Q1's Highlight report covered the period up to August.

#### 5.5. **Recycling rate and waste tonnage reduction**

As previously highlighted, this performance figure is reported one quarter in arrears. Slide 9 shows the quarter 1 (2023-24) performance (60.8% recycling rate), which achieves the target.

Overall waste has increased, but this can be explained by the increase in garden waste tonnage (Q1 covers the Spring-Summer season).

#### 5.6. **Communications, Education and Promotion**

The Development Team attended six events this quarter including a Youth Fusion event in Soham, and Ely Green Fair.

The RECAP FightFoodWaste challenge was launched, as well as the reusable wipes trial.

The Love Your Street Campaign is now in the final stages of design and Members can be updated in next quarters Committee meeting. Work has begun on an internal communications plan for ECSS employees.

The Chewing Gum campaign continued to run with signage and stencilling appearing in Ely with positive feedback from the public. It ends in quarter 3 with the machines purchased being built into the street cleansing service provision.

The number of Facebook followers for the East Cambs Recycles page increased by 26% and now has 155 followers. The page has been promoting the above campaigns as well as general recycling messages from partners.

### **6.0 FINANCIAL IMPLICATIONS / EQUALITY IMPACT STATEMENT / CARBON IMPACT ASSESSMENT**

6.1 There are no additional financial implications arising from this report.

6.2 Equality Impact Assessment (EIA) not required.

6.3 Carbon Impact Assessment (CIA) not required.

### **7.0 APPENDICES**

1 Slide deck - Performance Dashboard.

2 Project Street Smart highlight report.

3 Project Street Smart Risk Register

#### **Background Documents:**

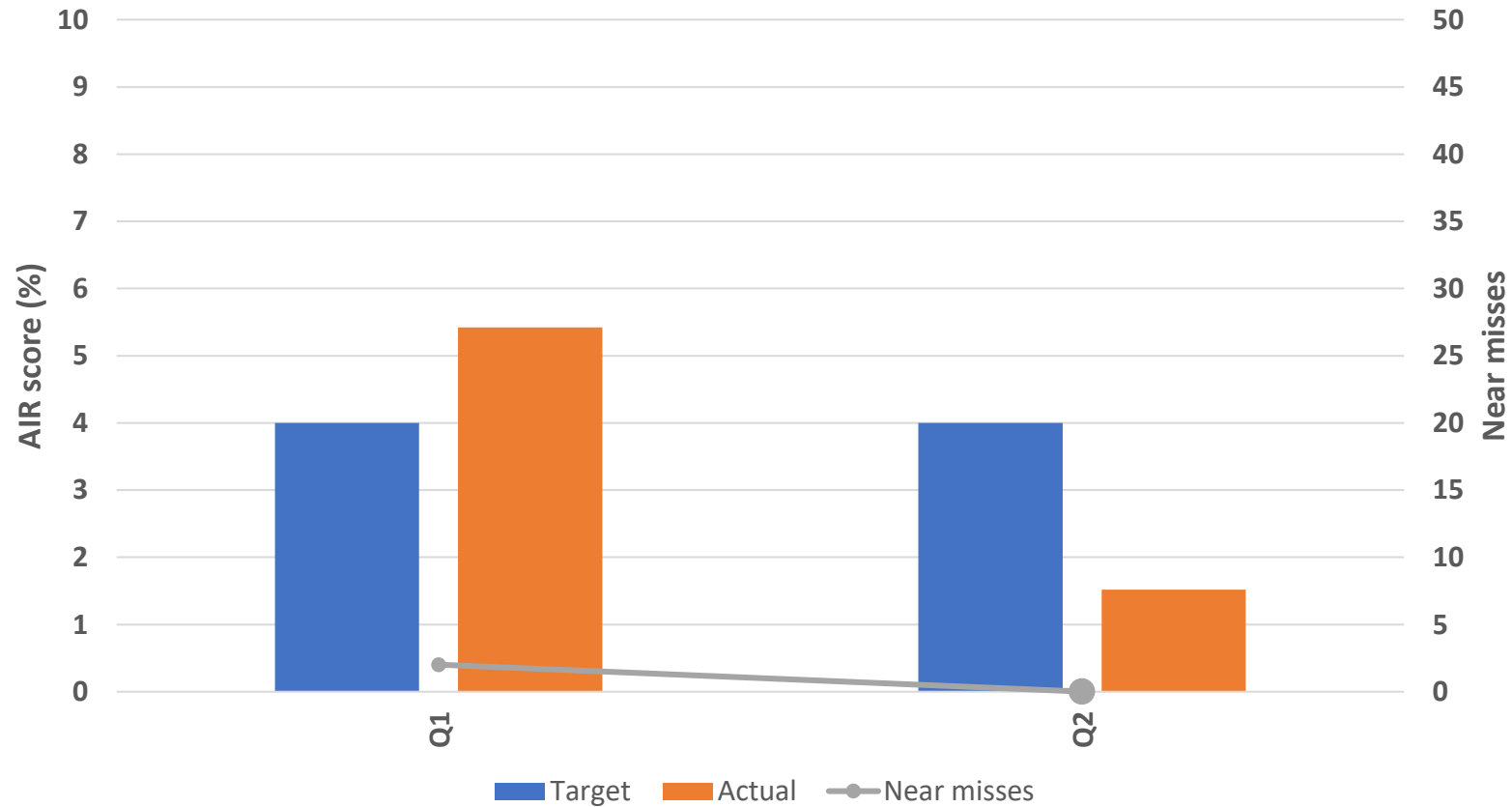
None





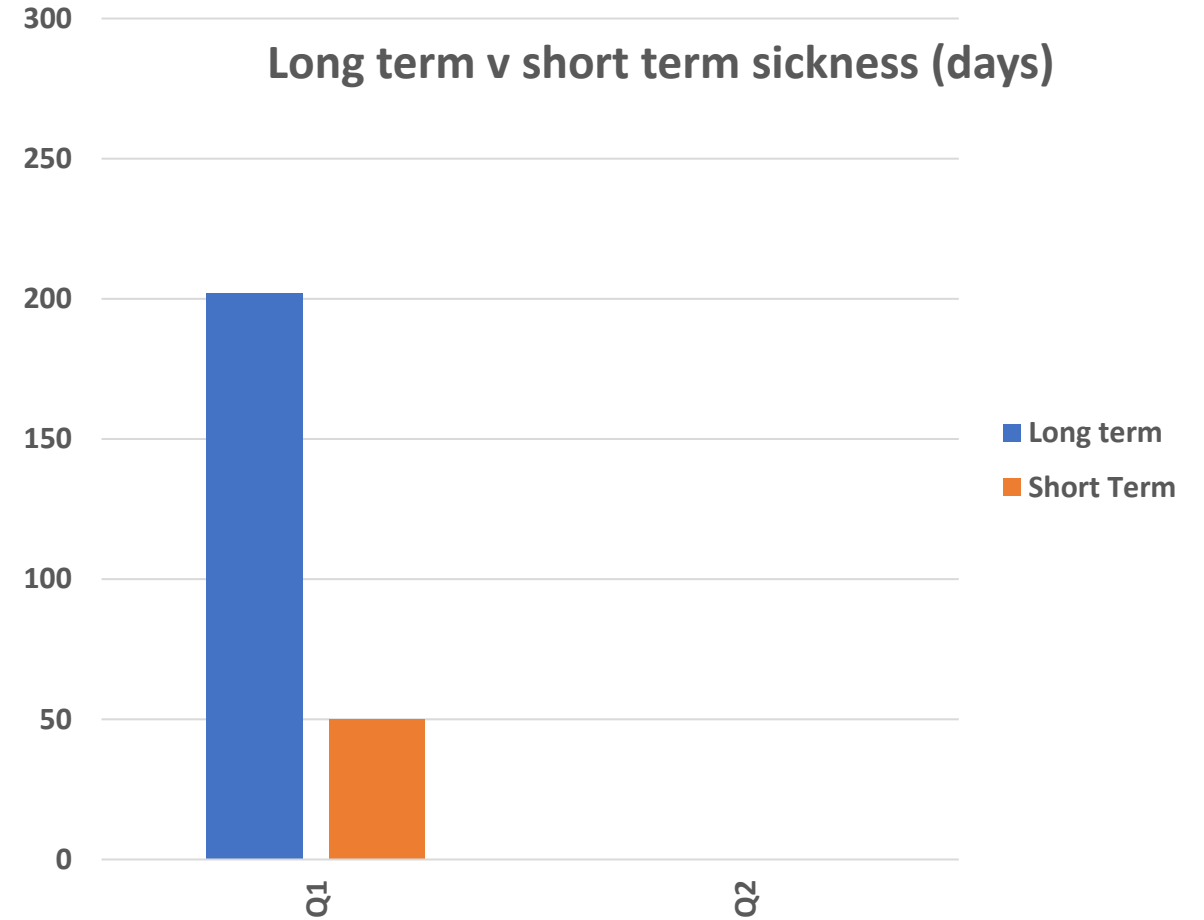
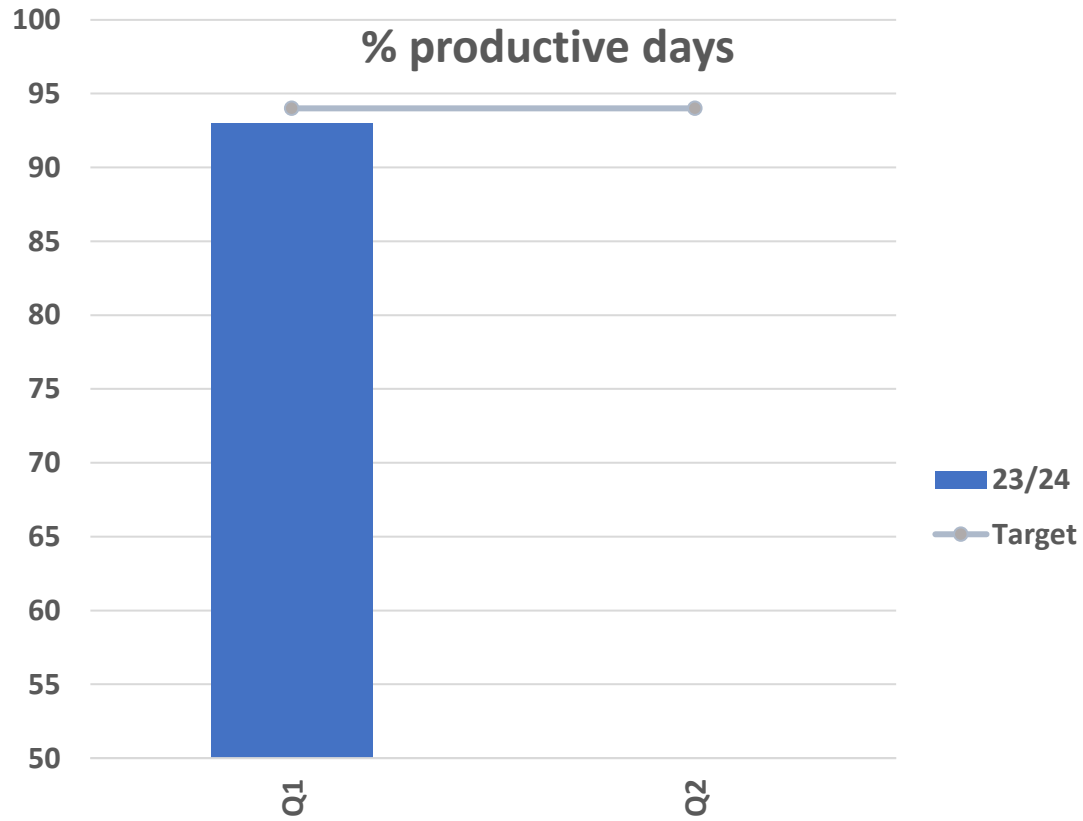
# Health and Safety – staff welfare

## Accident Incident Score, near misses



# Health and safety – staff welfare

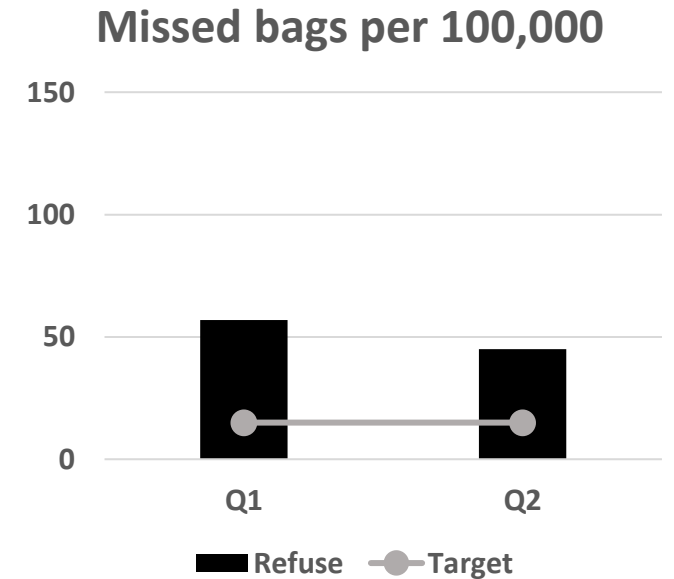
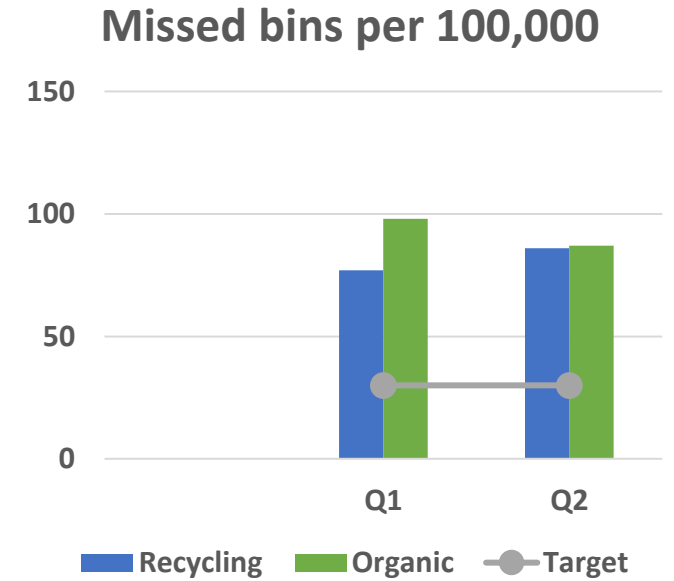
## Staff sickness





## Cleaner, Greener East Cambridgeshire

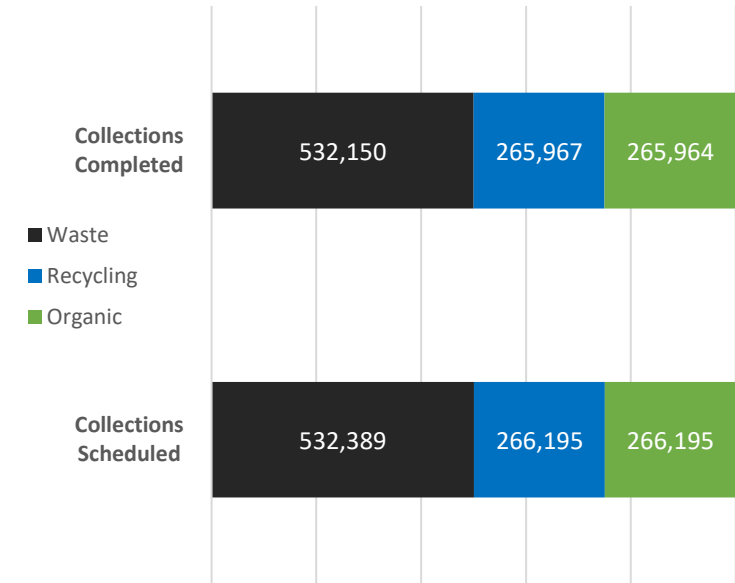
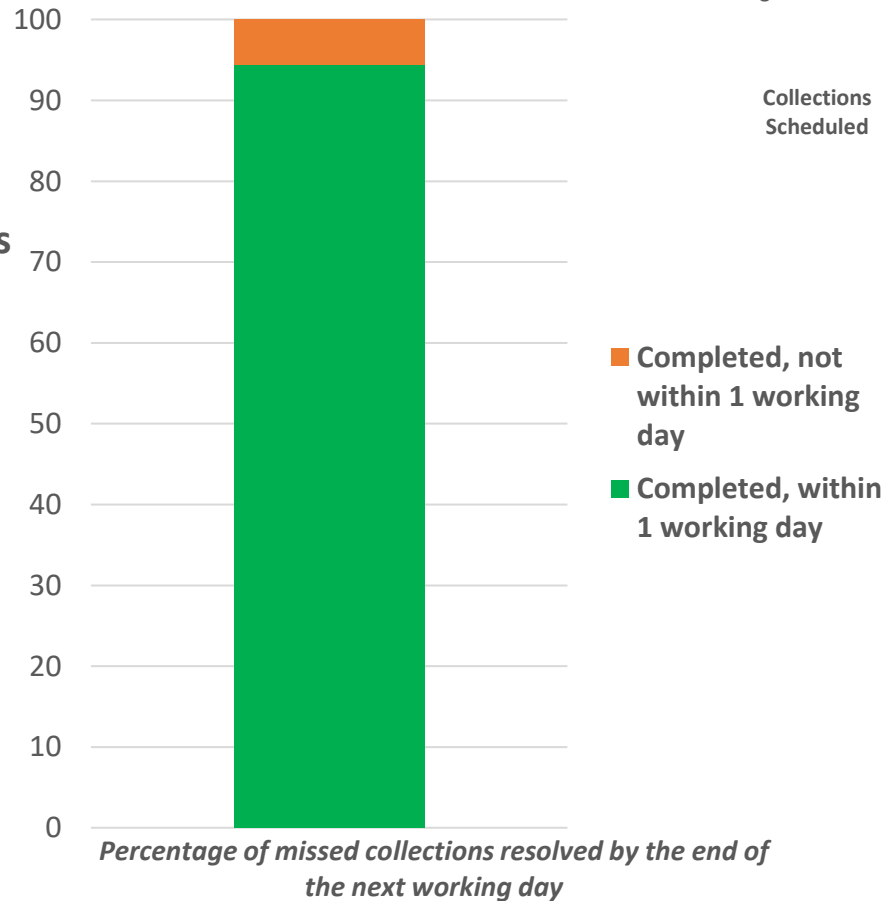
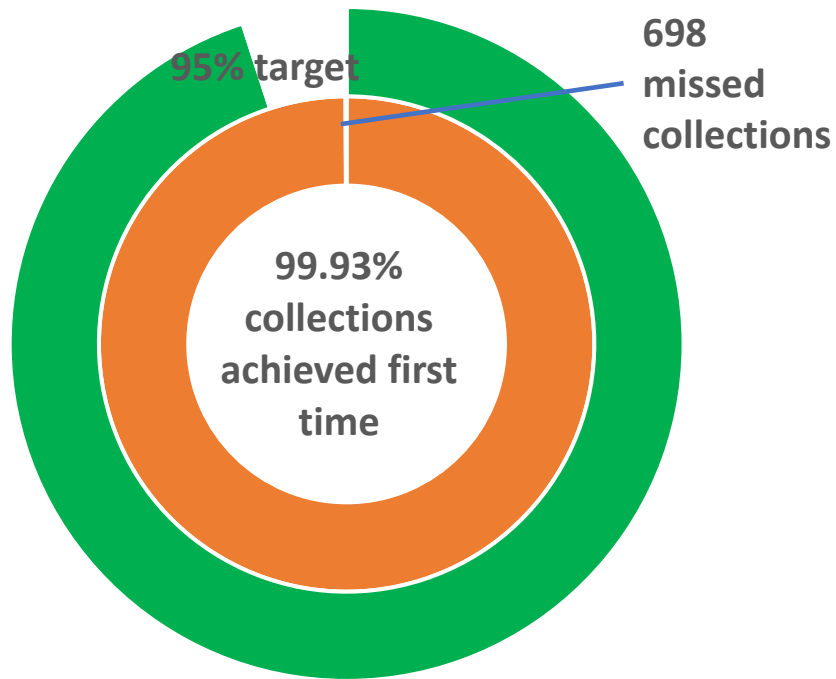
Keep the environment of East Cambridgeshire, clean and presentable





## Cleaner, Greener East Cambridgeshire

Keep the environment of East Cambridgeshire, clean and presentable

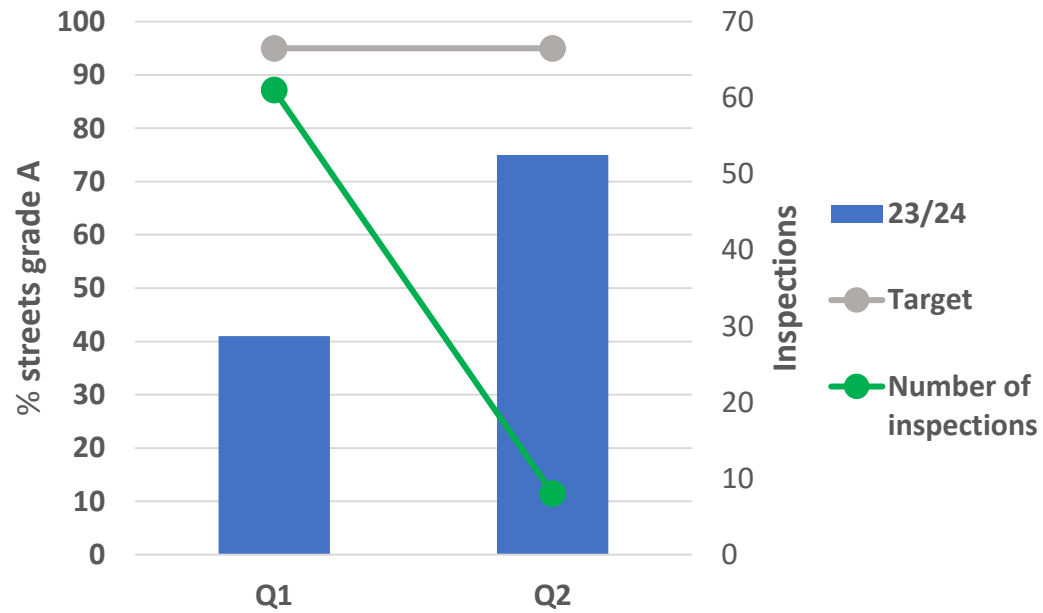




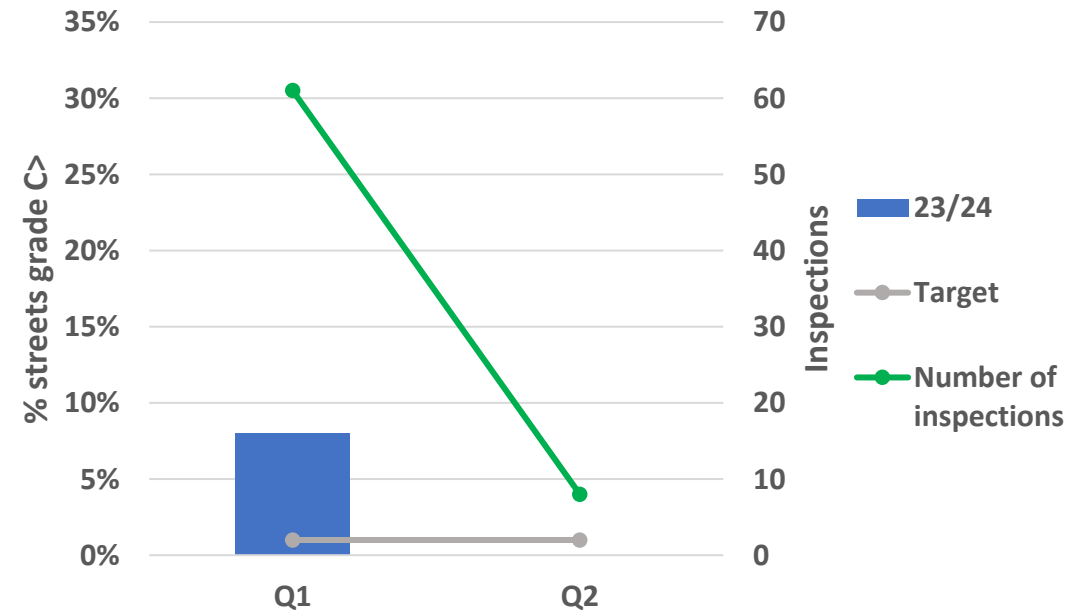
# Cleaner, Greener East Cambridgeshire

Keep the environment of East Cambridgeshire, clean and presentable

Average monthly clean streets graded A on random inspection



No. of streets graded C or below for litter on random inspection

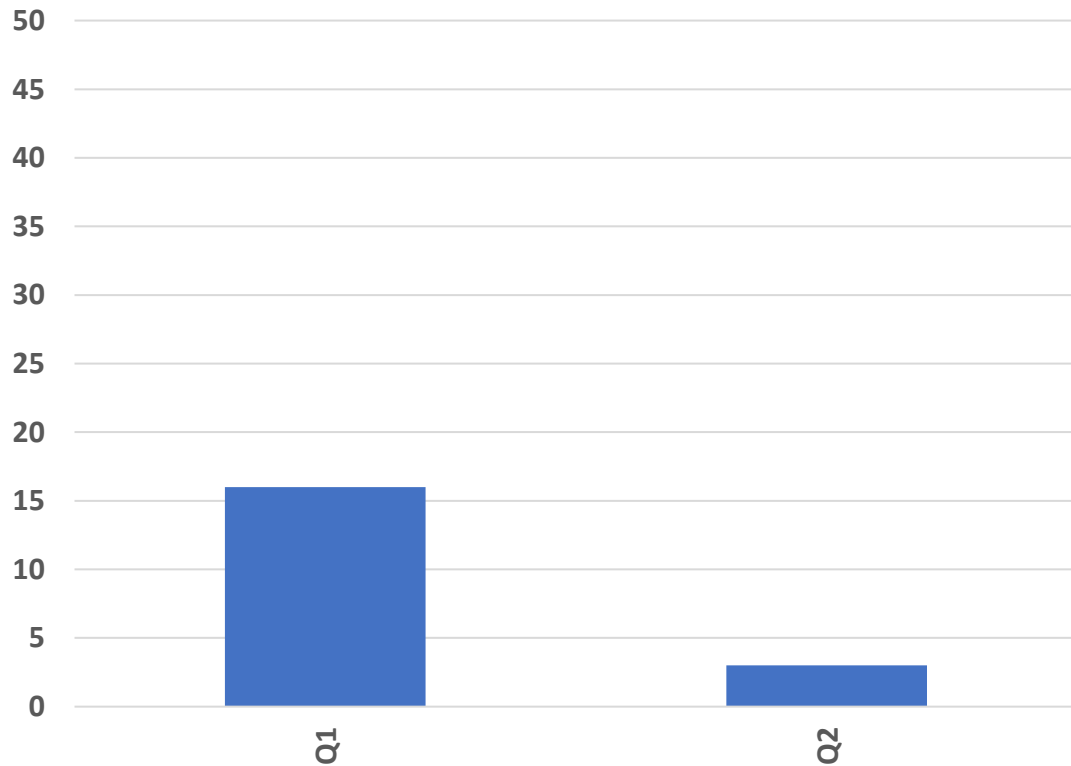




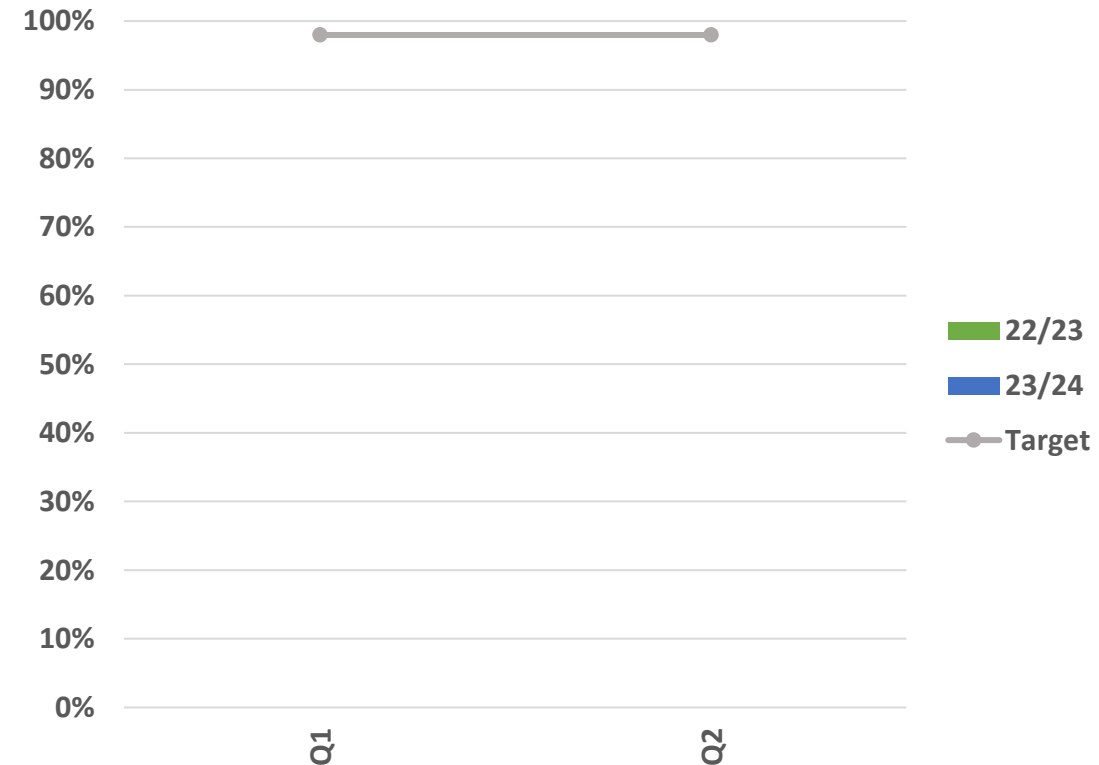
## Cleaner, Greener East Cambridgeshire

Maintain a clean and presentable environment by removing graffiti and fly tipped waste from the district

No. reported incidents of all graffiti per month



Successful removal of offensive graffiti within 1 working day



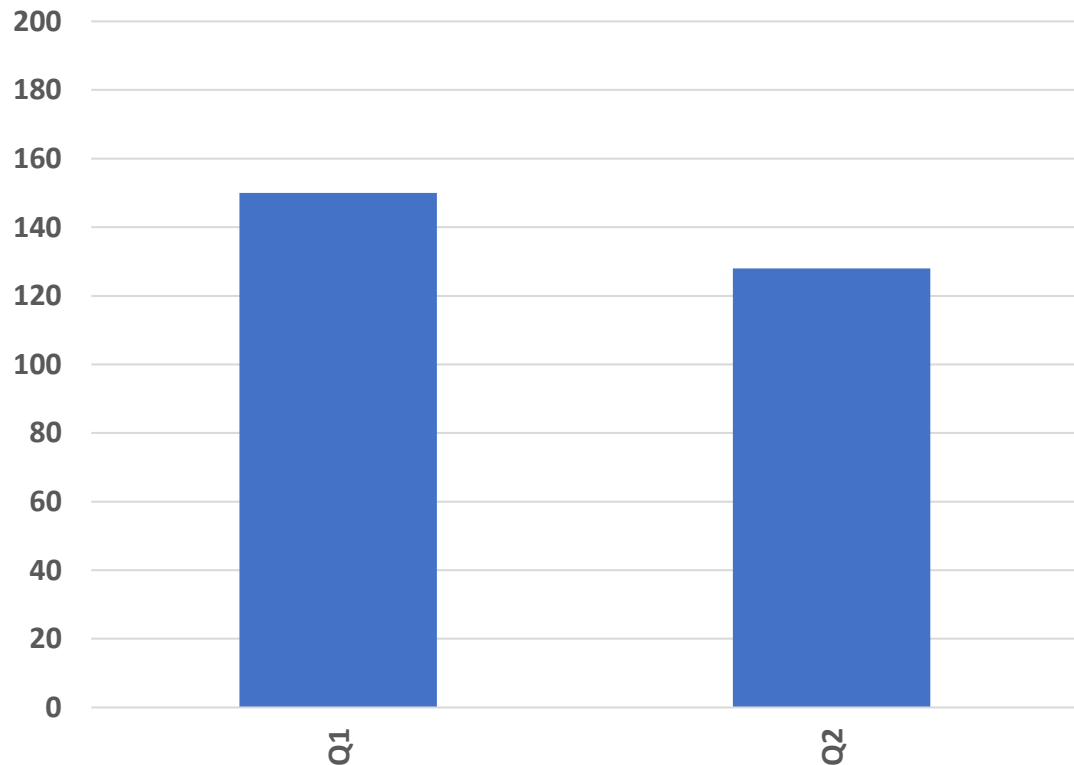




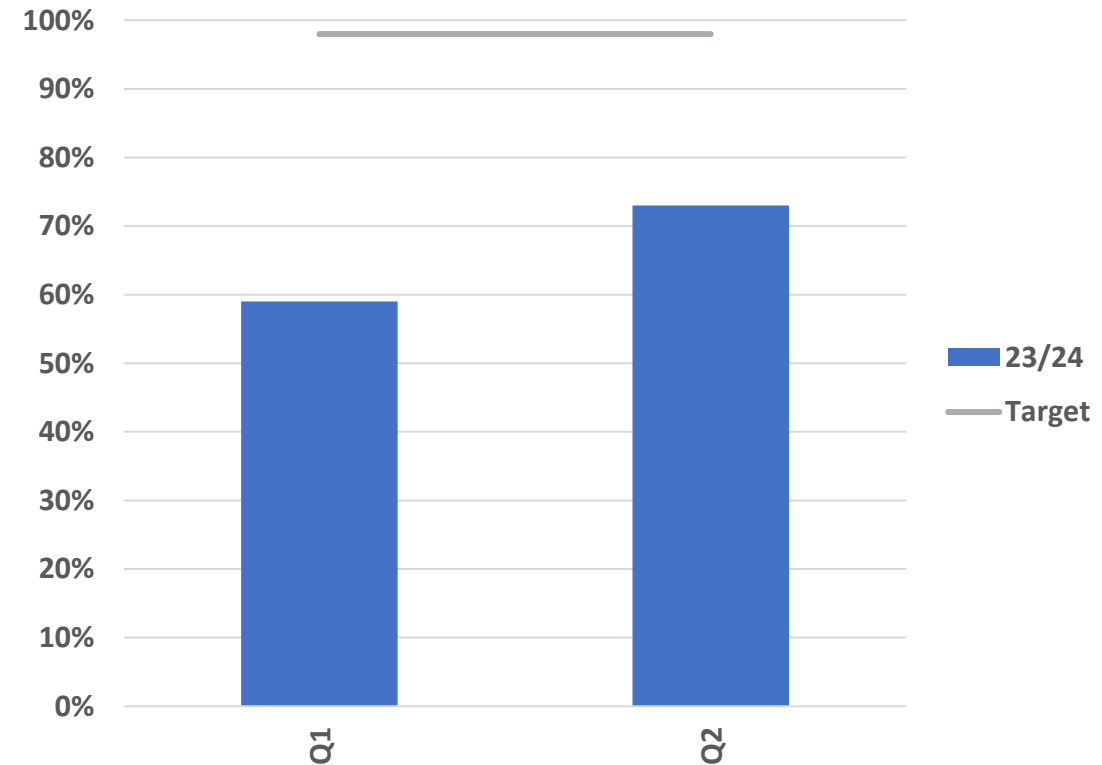
## Cleaner, Greener East Cambridgeshire

Maintain a clean and presentable environment by removing graffiti and fly tipped waste from the district

No. reported incidents of fly tips per month



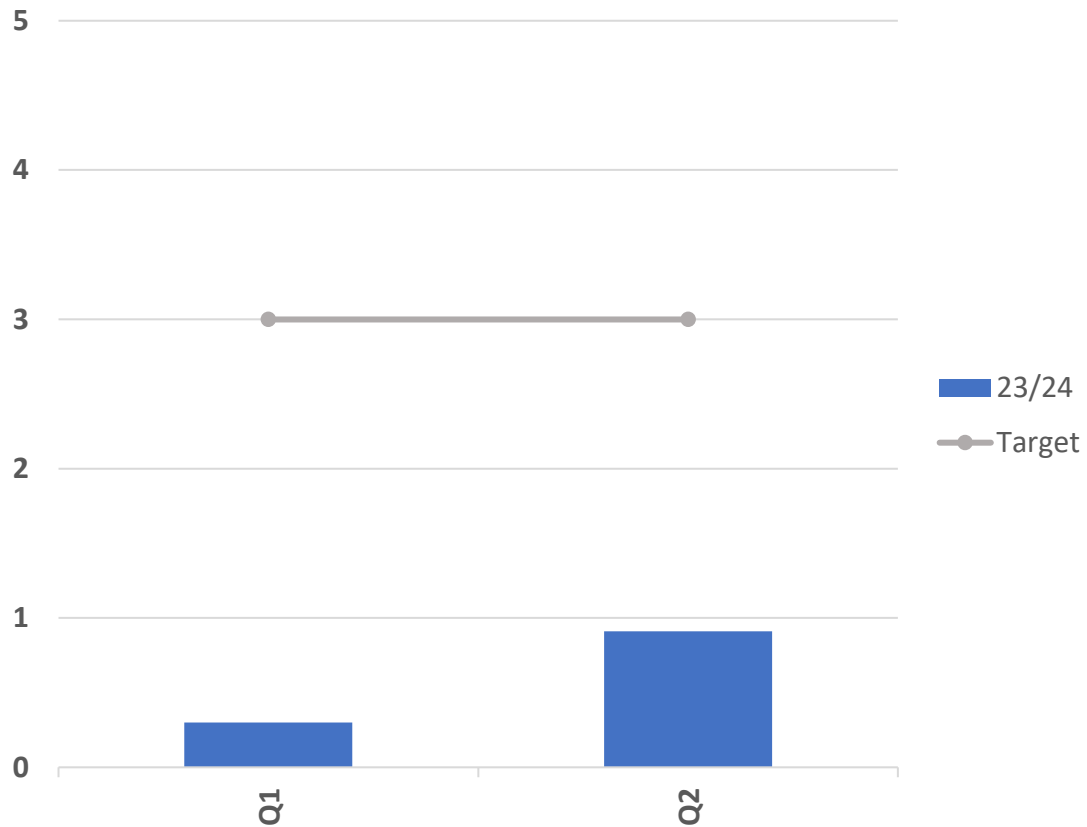
Successful removal of fly tips within 2 working days



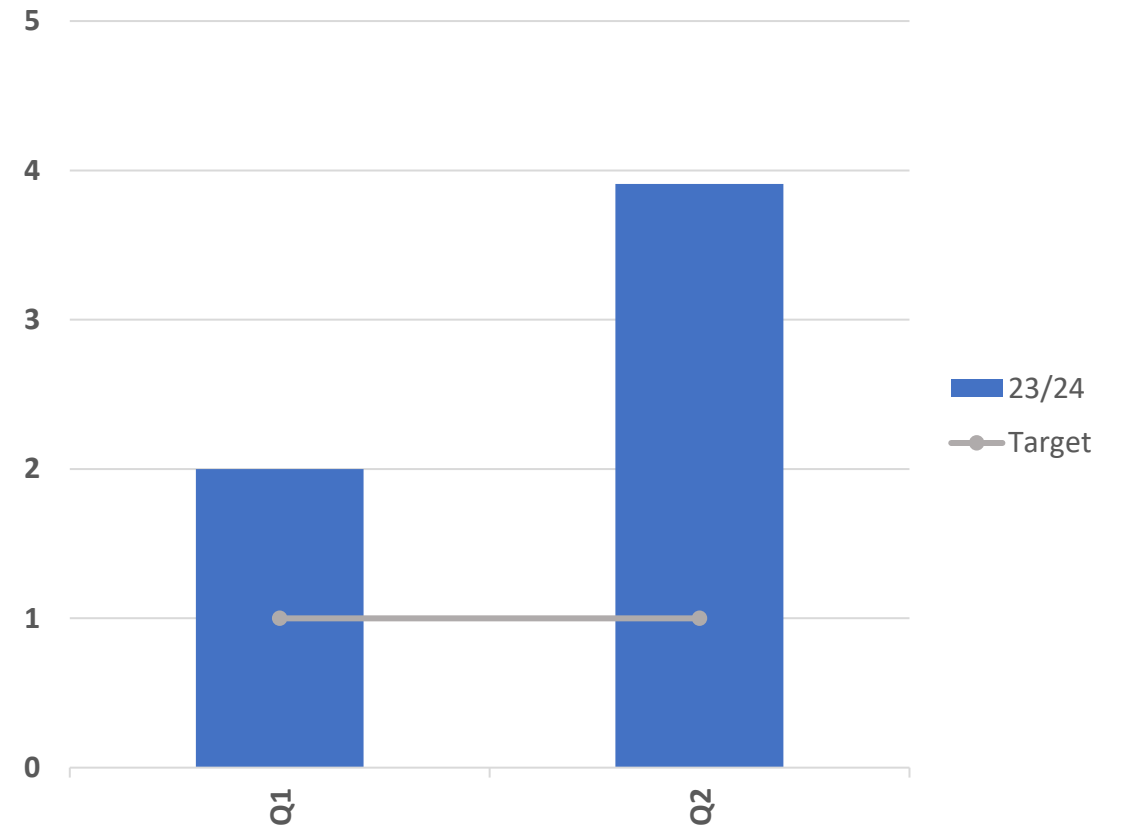


## Cleaner, Greener East Cambridgeshire *Overflowing street bins (per 100 bins)*

### Litter bins



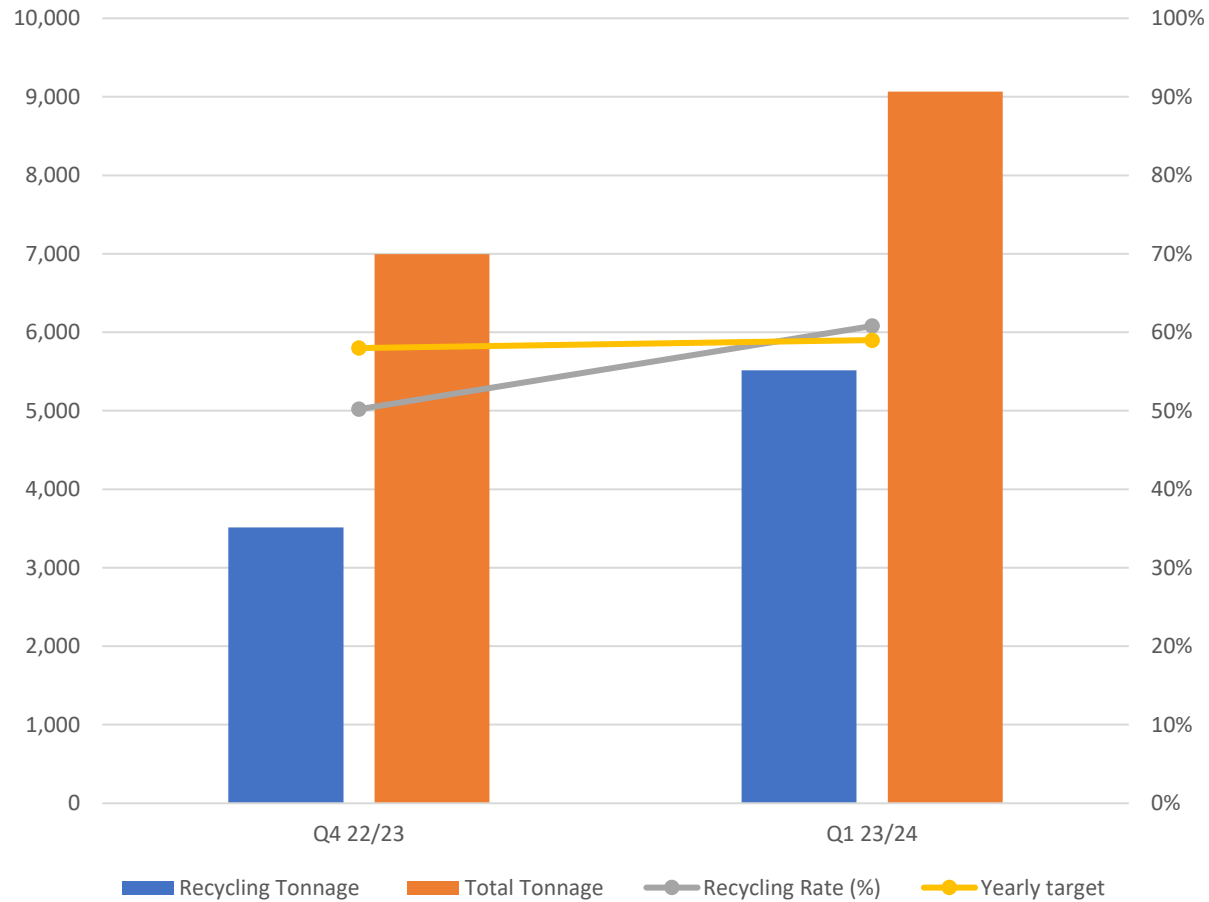
### Dog bins





## Cleaner, Greener East Cambridgeshire


Reduce waste sent to landfill wherever possible, maximising the district's recycling rate:





# Highlight Report

October 2023

Project Name	Street Smart	Programme	Waste	
Project Manager	Liz Knox	Project Executive	Isabel Edgar	

**Purpose: To provide a progress update on the project**

**Period Covered: September 23-24**

## Overall Project Status

**G**

These significant project milestones have either been completed or are on track: Stage one (refuse) of the implementation of the new incab technology has been completed. Delivery of the new recycling and green waste fleet remains on target.

The use of more carbon efficient fuel, internal communication plan and review of street cleansing projects remain underway but their completion dates are slightly delayed: The Committee requested further exploration of the options for using Hydrotreated Vegetable Oil (HVO) be brought back to them in November. The review of street cleansing report is due to be brought to the ECSS Board for October. The internal communications plan is now due for completion in November.

## Budget Status

**N/A**

There is no specific budget for the project, but at each Board / Committee ECSS will provide a budget health check for the service.

## Schedule Status

**A**

Some activities have been delayed but should not impact on the delivery of the project:

- Review and agree minimum staffing level for delivery of service. This is dependent on the below being completed:
- Street cleansing schedules finalised and rounds being established. Further recording and mapping of street cleansing has been required to establish the current service against the requirements of the MoA. Once understood, a service that is fit for the future can be recommended to Board / Committee. This work is to be completed in **October**.
- The internal communications plan (including staff health and wellbeing survey) is still in development. The plan has been delayed for two months until **November** whilst key new management personnel embed into their new roles.
- HVO is not being used as expected. This is due to the cost of HVO being above the financial limit agreed by the Operational Services Committee. A further review was presented to Committee in September and Officers were asked to look at options within the budget for progressing its use. ECSS continues to be in talks with suppliers to be ready for if and when a decision to use HVO is taken. It is important to note that while there has been a significant decrease in the cost of diesel, HVO

remains very high due to demand. Currently all savings achieved on diesel fuel are being used to offset overspends in other areas of the service.

#### Work Completed

G

- O License approved and service fully compliant.
- New management structure implemented: Transport & Depot Manager, permanent Ops Manager in post.
- Depot Infrastructure improvements are nearing completion – new crew mess, operations office and training / meeting rooms in use.
- Refuse incab software in use. Work on Recycling and green waste rounds underway as well as full integration with ECDC's CRM system.

#### Risks and Issues

G

See Appendices 1 and 2.

#### Forward Plan

G

##### Next Period Milestones

- New RCV fleet arriving (green waste and recycling) from October 23<sup>rd</sup> over 2 week delivery schedule.
- Additional Customer Operations and Support Administrator in post.
- Completion of Depot Infrastructure improvements.
- Street cleansing review completed and report produced, which will include a proposal for fleet replacement, and any changes to the minimum staffing level to deliver the service.
- Partial utilisation of HVO progressed as well as continuous monitoring of cost.
- Staff health and wellbeing survey finalised.

**Appendix 3 – Street Smart Risk Register**

Inherent Risk								Residual Risk				Assurances	Actions			
Risk No.	Risk Description	Cause	Effect	Owner	Likelihood	Impact	Score & RAG	Key Controls	Likelihood	Impact	Score & RAG	Sources of assurance over key controls	Actions	Owner	Target Date	Action RAG
<b>CUSTOMER PERSPECTIVE</b>																
1	Failure to report performances against Business Plan, lack of monitoring of internal performances	Unclear or inadequate data collection methodology Data unavailable Lack of resources, ownership or skills Poor communication	Poor performances and service quality Low staff engagement Negative image Reputational damage	WDSM	2	3	6	Monthly and Quarterly Performance Reports Performance data Issues and KPI presented during project meetings Bartec's reports	1	2	2	Operational Services Committee meetings Fortnightly project meetings and internal team meetings where feedback is provided Bartec adopted	Deadline met to present reports WDSM to present KPI Bartec's report functionalities promptly looked into	WD SM		
2	Restructuring is delayed or level of resources against Business Plan is amended	Members engagement/consultation process requires more time than expected Consultation has different output than expected	Reliance on temporary staff or further adjustment to resource levels required Inadequate level of resources to deliver service Reputational damage Overspending in the longer term	D-O HoW	3	3	9									
3	Round data clearance results in low quality, unreliable data which impacts service delivery	Round reconfiguration errors, inability to identify errors Failure to track rounds or rounds capacity originally not adequate Multiple Master Round spreadsheet copies used	Inability to validate level of resources required for service delivery Project timeline affected Disruption to service or inefficient service provided Customer complaints	OM	3	3	9	Data sanity checking from team and data owner identified Crews to monitor/validate round data Master Rounds' spreadsheet updated	2	3	6	Master Round spreadsheet Crews rounds copies Internal team meetings	Crews rounds copies are evaluated and used to amend Master Round spreadsheet. Only one copy of Master Round in use and kept in shared folder. Copies archived.	OM		

Inherent Risk								Residual Risk				Assurances	Actions			
Risk No.	Risk Description	Cause	Effect	Owner	Likelihood	Impact	Score & RAG	Key Controls	Likelihood	Impact	Score & RAG	Sources of assurance over key controls	Actions	Owner	Target Date	Action RAG
4	UPRN and LLPG out of sync or not linked affecting Bartec's adoption and ultimately customer experience	Format of current data Timing of sync Poor IT consultation Late stakeholder consultation Internet limitations	Inability to adopt Bartec or automation/integration processes compromised depending on severity of issue/ case  Changes required to current data  Overspending	ITM	2	4	8	IT to check opportunities to change format, harmonise format with Bartec's requirements  Understand dimensions of issue and/or occurrence (case scenarios)  Integration meetings and early stakeholders' engagement	1	3	3	Bartec Project Meetings  IT processes/data agreements  Automation and Integration Agreement	PID actions followed up and updated  CSM and WDSM regularly consult IT M  Documents signed	WD SM		
5	Lack of clarity on sickness absence reporting/data entering and/or management impacts available resources and decision making	Sickness absence tracker is not a synthetic tool for data analysis or performance tracking  Inadequate skills  Lack of training or clarity on policy requirements and roles	Poor operational management decisions  Inadequate level of resources to deliver service affecting business performances  Delays or disruption to service  Overspending or over-reliance on temporary staff/ inefficiencies  Pressure on staff	WDSM OP	2	4	8	Create synthetic dashboard for KPI analysis and as a predictive/analytical tool for operations management  Clarify roles and sickness policy  Ensure data entering is consistent  Ensure staff training and tool ownership	4	3	7	Sickness Absence Dashboard  Sickness Absence Policy  Internal team meetings  Project Team meetings	Data are checked and errors addressed  Sickness Absence Policy Procedure established  Data entering procedures established	WD SM		
6	O'Licence application not approved within expected timeline, affecting compliance	Additional time or changes requested for approval	Business operating illegally or under fines/legal challenges  Reputational loss	TM	3	3	9	Interim operating license requested while application is processed	2	2	4	Gantt Chart Monthly Meetings with CCC  Interim operating Licence and regular updates	Gantt Chart's compliance actions monitored against timeline  Actions of Meetings with CCC monitored through fortnightly Project Meetings	TM		



Inherent Risk								Residual Risk				Assurances	Actions			
Risk No.	Risk Description	Cause	Effect	Owner	Likelihood	Impact	Score & RAG	Key Controls	Likelihood	Impact	Score & RAG	Sources of assurance over key controls	Actions	Owner	Target Date	Action RAG
7	Bartec does not provide the expected service improvements and impacts negatively on the customer	Poor quality data provided Systems not tested adequately Failure to train staff, lack of hypercare	Disruption to service Increase in complaints Negative image	WDSM OM	3	4	6	Regular project meetings with supplier Engage all staff early in the project Compare data in both databases and run tests in the live system Support drivers through go live period Ensure all users have access to Collective following training sessions	2	3	6	Project Plan and Risk Register Regular project group meetings Relevant documents are updated	Project plan in folder and shared with all team members Regular meetings booked in with project team Testing booked in Training sessions booked	WD SM		
8	Recruitment failure, resulting in increased time to hire or/and insufficient resources to deliver service	Roles not adequately advertised (e.g. basin, timeline, salary..) Inadequate expertise of applicants	Insufficient resources Reliance on temporary staff Increased pressure on current staff Service disruptions	HRM HoW	2	3	6	Updates over recruitment process/monitoring of applications received. Checks of positions advertised and over process of advertising (format, where..), with recruitment strategy developed. Market analysis	1	2	2	Project meetings Roles' salary benchmarked and follow up with HR	Folders of recruitment ads shared Consultations held	Ho W		
9	Poor street cleansing review affecting service level and quality	Street cleansing schedules not recorded, insufficient information for decision making MoA baseline data not matching current data Standards of service or street cleansing grading unclear	Resources inefficiently used Poor quality of service Lack of consistency or lack of agreement on requirements Customer complaints, negative image of service provided	OP WDSM	3	4	12	Cleansing KPI sheet Level of service required to include proposal for fleet replacement and any change to minimum staffing levels MoA	2	3	6	Team meetings and development of forms. Crews' engagement and feedback. Operational Services Committee Meeting Projects meetings	Street cleansing activities to be recorded and analysed. To be mapped and reported to  Issues and decisions logged	WD SM, OM		

Inherent Risk								Residual Risk				Assurances	Actions			
Risk No.	Risk Description	Cause	Effect	Owner	Likelihood	Impact	Score & RAG	Key Controls	Likelihood	Impact	Score & RAG	Sources of assurance over key controls	Actions	Owner	Target Date	Action RAG
10	Increased cost of SLA	<p>Single supplier</p> <p>Increased fleet</p> <p>Lack of maintenance diversification</p> <p>Lack of vehicles' KPI or follow up and/or poor transport management decisions</p> <p>Inadequate skills or training</p>	<p>Financial loss</p> <p>Compromised quality and effectiveness of maintenance solutions</p> <p>Vehicles off road and fleet service issues not addressed resulting in service disruption and increased pressure on staff/resources</p>	<p>TM</p> <p>HoW</p>	2	4	8	<p>SLA review and diversification of maintenance solutions/ providers</p> <p>On site workshop</p> <p>Monthly Vehicles' KPI review</p> <p>Transport Management Consultant to lead on proposals and review with HoW and D-O</p> <p>O'Licence compliance training to be arranged for relevant staff</p> <p>Hiring of Depot Transport Manager</p>				<p>Monthly SLA meetings with CCC, follow up reported to Project meetings</p> <p>Financial modelling of on-site solution and cost controls.</p> <p>Maintenance solutions review and reduced fleet numbers through hire</p> <p>O'Licence compliance training arranged</p>	<p>Transport Management Consultant writes proposals and provides updates</p> <p>On site fitter/s recruited</p> <p>Deadline met for training completion and staff can highlight compliance or vehicles' KPI issues</p>	TM		

**Key to risk owners (above):**

D-O Director, Operations

HoW Head of Waste Services

OM Operations Manager

WDSM Waste Development & Support Manager

TM Transport Manager/Consultant

ITM IT Manager

HWDSM Head of Customer Services

HRM Human Resources Manager

## Risk Register Heat Map

### Summary of Residual Scores for Corporate Risks

Impact	Very High	5					
	High	4		4, 5, 10	7, 9		
	Medium	3		1, 8	2, 3,	6	
	Low	2					
	Negligible	1					
			1	2	3	4	5
			Very rare	Unlikely	Possible	Likely	Very Likely
<b>Likelihood</b>							

**Red scores** – in excess of the Council's risk appetite. Action is needed to redress, with regular monitoring. In exceptional circumstances residual risk in excess of the risk appetite can be approved if it is agreed that it is impractical or impossible to reduce the risk level below 16. Such risks should be escalated through the management reporting line to Corporate Management Team, Resources and Finance Committee and Council.

**Amber scores** – likely to cause the Council some difficulties (risk score 5 to 15) – six monthly monitoring.

**Green scores** (risk score 1 to 4) – low risk, monitor as necessary.

Code	Title
1	Failure to report performances against Business Plan, lack of monitoring of internal performances.
2	Restructuring is delayed or level of resources against Business Plan is amended.
3	Round data clearance results in low quality, unreliable data which impacts service delivery.
4	UPRN and LLPG out of sync or not linked affecting Bartec's adoption and ultimately customer experience.
5	Lack of clarity on sickness absence reporting/data entering and/or management impacts available resources and decision making.
6	O'Licence application not approved within expected timeline, affecting compliance.
7	Bartec does not provide the expected service improvements and impacts negatively on the customer.
8	Recruitment failure, resulting in increased time to hire or/and insufficient resources to deliver service.
9	Poor street cleansing review affecting service level and quality.
10	Increased cost of SLA.

**TITLE: HYDROTREATED VEGETABLE OIL OPTIONS**

Committee: Operation Services Committee

Date: 13<sup>th</sup> November

Author: Head of Street Scene

Report No: Y83

Contact Officer: Liz Knox

Add name & role Head of Street Scene

Add email address, phone number, Room No. The Grange, Ely

**1.0 ISSUE**

1.1. To provide members with costed options, short and long term for the introduction of the use of Hydrotreated Vegetable Oil in the RCV waste fleet

**2.0 RECOMMENDATION(S)**

2.1. To note the report.

**3.0 BACKGROUND/OPTIONS**

3.1. At the September Operational Services Committee members were provided a report advising that due to the differential cost between diesel and HVO it was not financially beneficial to move to HVO for the RCV waste fleet.

3.2. Despite favourable cost per litre for diesel over the first 6 months of this financial year, the savings made and predicted for the remainder of the year have been accounted for to cover an overspend in other areas of the service, therefore not available for a trial of HVO in one of the RCV's

3.3. A procurement exercise has been undertaken to seek a source of HVO at the best market price. This has provided a figure £1.71 per litre, 43p per litre above diesel (as of 25.10.23). This price will fluctuate depending on the price of fuel when purchased.

3.4. To run 1 RCV on HVO will cost £449 per month more than running on diesel. Our current provider for diesel has an HVO tank at Waterbeach which has sufficient capacity to allow one of our fleet to fuel with HVO on site.

3.5. ECSS do not have sufficient budget to cover any additional cost for fuel in this financial year. As a short-term option, funding has been requested and agreed to be allocated to the trial from the council's environment fund to run 1 of the new RCV expected October/ November on HVO. This will reduce carbon emissions by at least 90% for that vehicle. The additional cost to the end of March 2024 would be approximately £2245.

- 3.6. It is anticipated that with the arrival of the ten new RCV's there will be reduced demand on the fleet maintenance budget. The introduction of in cab technology (Bartec and DE Connect) enables efficiencies of rounds and better monitoring of driver behaviour, reducing fuel usage and demand on the fuel budget.
- 3.7. To maintain the reduction in carbon emissions the trial will continue and HVO purchased when possible within the budget allocated for 24/25. If the cost of HVO is favourable the use will be extended to additional vehicles.
- 3.8. The current tank provider has indicated that if commitment could be given to additional vehicles using HVO, the provider will be able to convert an additional diesel tank to HVO. We will explore funding/subsidy opportunities for the use of HVO with Cambridgeshire and Peterborough Combined Authority, who have made a commitment to support Cambridgeshire Authorities to move to HVO.

#### **4.0 ARGUMENTS/CONCLUSION(S)**

- 4.1. The council recognise the need to act fast to reduce our net emissions, of the Council's fleet vehicles, the waste collection vehicles used 270,000 litres of diesel in 2020/21 and emitted 860 tCO<sub>2</sub>e (when well to tank is factored in), and therefore responsible for over two-thirds of the council's entire emissions.
- 4.2. The Council remains committed to reducing its net emissions as quickly as possible, however the rising cost of HVO does not make this a financially viable option within the present budget. Despite favourable cost per litre for diesel over the first 6 months of this financial year, the savings made and predicted for the remainder of the year are being used to offset overspend in other areas of the service.
- 4.3. To move the whole waste collection fleet, 16 RCV to run off HVO for the remainder of this financial year would require an estimated increase of £7185 per month costing an additional £35,925.
- 4.4. This clearly demonstrates that there is an additional financial cost to the council to reach its goal of net zero by 2030.
- 4.5. The cost of trialling one of the new RCV's due in November for the last 5 months of this financial year will cost an additional £2245 (if HVO prices remain at £1.71 per litre) and result in 15tCO<sub>2</sub>e savings. This will demonstrate the Council's commitment to moving to a cleaner fuel, at the same time keeping additional cost to a minimum during this financial year.
- 4.6. The trial will enable us to see what if any impact the use of HVO has on fuel economy and maintenance of the vehicle it is used in.
- 4.7. If members were to support the move for all 16 RCV'S onto HVO in 24/25 at this time there would be an additional cost of £86,221 (if cost per litre remained at £1.71). ECSS would continue to work with our neighbouring authorities to procure the most favourable options available to drive the price per litre as low as possible. This cost would need to be covered by an uplift in the management fee.

**5.0 FINANCIAL IMPLICATIONS / EQUALITY IMPACT STATEMENT / CARBON IMPACT ASSESSMENT**

5.1. The table below provides cost for 1 and 16 RCV's looking at the additional budget required for both covering for 23/24 from November and for the next financial year 24/25. Cost to cover the HVO trial for one vehicle will be covered by funding provided from the Environment Plan Budget. If the cost of diesel in 24/25 stabilises and HVO is affordable ECSS will continue with the trial and when possible increase the number of RCV's within the trial.

Number RCV's	Additional cost for HVO (approx.) per month	Additional cost (approx.) to end of March 2024	Additional cost (approx.) 24/25
1	£449	£2245	£5388
16	£7185	£35925	£86,221

5.2. Should the Council wish to pursue the use of HVO beyond the current arrangements agreed at Committee in March 2023, the long term financial cost will have to be considered as part of the budget setting process relating to the Management Fee paid to ECSS in 24/25.

5.3. Equality Impact Assessment (EIA) not required.

5.4. Carbon Impact Assessment (CIA) not required already provided for report presented to Operations Committee 27<sup>th</sup> March 2023.

**6.0 APPENDICES**

None





**TITLE: BUDGET MONITORING REPORT**

Committee: Operational Services Committee

Date: 13<sup>th</sup> November 2023

Author: Director, Finance

Report No: Y84

Contact Officer: Ian Smith

Director, Finance

Tel: (01353) 616470

E-mail: [ian.smith@eastcambs.gov.uk](mailto:ian.smith@eastcambs.gov.uk)

Room 104, The Grange, Ely

**1.0 ISSUE**

1.1 This report provides Members with details of the financial position for services under the Operational Services Committee.

**2.0 RECOMMENDATION(S)**

2.1 Members are requested to note that Committee is currently projecting a £407,000 yearend overspend on revenue, when compared to its approved budget of £6,968,362.

2.2 Members are further requested to note that the Committee has a projected capital programme outturn of £3,747,641. This is an underspend of £1,890,172 when compared to its revised budget.

**3.0 BACKGROUND/OPTIONS**

3.1 Under Financial Regulations each policy committee is required to consider projections of financial performance against both its revenue and capital budget on a quarterly basis.

3.1. This is the second quarterly report for the 2023/24 financial year and details actual expenditure incurred and income received as of 30<sup>th</sup> September 2023 and the current projection as to the year-end position.

**Revenue**

3.2. The revenue budget for each service that falls under the stewardship of this Committee has been reviewed with appendix 1 detailing the current variance and forecast outturn for each service line.

3.3. The significant variances of actual spend compared to profiled budgeted spend at the end of September, where no variance is forecast for yearend, are detailed in the table on the next page:

<b>Service</b>	<b>Variance £</b>	<b>Explanation</b>
Community Infrastructure Levy (CIL)	(£2,811,813)	CIL transactions are treated as a revenue income or expense during the year, but any balance on the account at yearend is transferred to reserve.
Community Projects & Grants	£12,712	Section 106 expenditure will be reconciled at the end of the financial year.
Health – Admin & Misc.	(£186,957)	External grants were rolled forward into 2023/24. These remain unspent at the current time.
Licensing	(£98,472)	Income has been received from two taxi companies in relation to three-year licences, some of this will be rolled forward at yearend, so it is accounted for in line with the length of the licence.
Marketing and Grants	(£22,644)	Grants available for town councils have not yet been requested.
Tree Preservation	£18,042	Section 106 expenditure will be reconciled at the end of the financial year.

- 3.4. The net revenue expenditure for this Committee at yearend is forecast to be £7,375,362. This reflects a forecast £407,000 overspend when compared to the approved budget. This is the combination of six forecast variations on service lines, as detailed in the table below.

<b>Service</b>	<b>Forecast Outturn Variance £</b>	<b>Explanation</b>
Building Control	£15,000	This is a consequence of reduced building regulation income in the first six months of the year.
Customer Services	(£5,000)	The underspend reflects vacancies in the Team during the first six months of 2023/24.
Environmental Issues	£32,000	This represents our share of the expected costs to procure a new Materials Recycling Facility (MRF) contract from September 2024.

Homelessness	(£50,000)	External grants from DLUHC and CCC has been both rolled forward and received in 2023/24. Because of this funding, there is an expectation that staff will be diverted to work on these projects causing an underspend in the main staffing budget.
Planning	£400,000	Quarter two showed very weak fee income, again due to the slowdown in the housing market and the unwillingness of housebuilders, particularly small to medium size firms, to bring forward plans for new housing. This means we receive less large fee-paying planning applications which we rely on for the bulk of our fee income. We are still busy with a large volume of small applications, but the individual fees are small. There has also been a drop off in the number of applications for house extensions which is again as a result of the difficulty households are having in accessing finance. We are managing a large backlog of major applications and trying to secure additional income through the use of Planning Performance Agreements outside normal fee income as part of a strategy to progress these stalled projects. This together with some anticipated major applications being submitted within the next few months may mean that fee income increases in the coming months.
Travellers	£15,000	Rental income is down against the budget. This will be reviewed when the budget is set for 2024/25.
Refuse Recycling / Refuse Collection	£0	ECSS is currently forecasting an overspend of £47,000, this at the end of the first quarter. They have been asked to find mitigating actions to come in on budget at year end.

3.5 It should be noted that the Local Government pay award (from 1<sup>st</sup> April 2023), has not yet been agreed, but is now expected to be higher than the 4% built into the

budget in February 2023. Until a final agreement is in place, the additional cost is being shown as a separate line on the Finance and Assets report.

## **Capital**

- 3.5. The revised capital budget for Operational Services stands at £5,637,813; including £956,307 of slippage brought forward from 2022/23 and a reduction of £5,793 on Disability Facilities Grant spend, where the capital element of the grant received from the County Council is lower than predicted in the budget.
- 3.7 The forecast outturn position for Committee is £3,747,641, an underspend of £1,890,172. The main elements of the underspend are in relation to:
- The purchase of Waste vehicles where the price agreed for the ten refuse collection vehicles is lower than that included in the budget. See report to Committee on the 27<sup>th</sup> March 2023. While this underspend is reported at this point, there remains the potential that some of this may be utilised following a review of small fleet requirements within ECSS.
  - The purchase of Waste bins, which was built into the budget as a contingency if the Government's Strategic Waste Review progressed, but this will not now happen in 2023/24.

## **4.0 ARGUMENTS/CONCLUSION(S)**

- 4.1. The current forecast is that the Committee's net revenue position will be an overspend of £407,000 at the end of the financial year.

## **5.0 FINANCIAL IMPLICATIONS / EQUALITY IMPACT STATEMENT / CARBON IMPACT ASSESSMENT**

- 5.1. There are no additional financial implications arising from this report other than those detailed above.
- 5.2. An equality Impact Assessment (INRA) is not required.
- 5.3. A Carbon Impact Assessment (CIA) is not required.

## **6.0 APPENDICES**

- 6.1. Appendix 1 – Revenue budget monitoring report – 30<sup>th</sup> September 2023.
- 6.2. Appendix 2 – Capital budget monitoring report – 30<sup>th</sup> September 2023.

### **Background Documents:**

Council Budget approved by Full Council on the 21<sup>st</sup> February 2023





## CAPITAL BUDGET MONITORING 2023/24

Capital	Published Budget 2023-24 £	Slippage from 2022-23 £	Approved Additions £	Revised Budget 2023-24 £	Actual at 30th September 2023 £	Forecast Outturn £	Variance between Revised Budget & Forecast £
Conservation Area Schemes - 2nd round		27,506		27,506		0	(27,506)
Refuse & Cleansing Vehicles	2,775,000			2,775,000	4,194	1,912,334	(862,666)
Waste - Wheelied Bins	1,040,000			1,040,000	17,202	40,000	(1,000,000)
Mandatory Disabled Facilities Grants	697,299	928,801	(5,793)	1,620,307	325,158	1,620,307	0
Empty Properties, Discretionary DFGs, Minor Works, Home Repair Asst.	75,000			75,000	37,380	75,000	0
Vehicle Etc. Replacements	100,000			100,000	70,006	100,000	0
Leisure Centre				0	(18,038)	0	0
<b>Total</b>	<b>4,687,299</b>	<b>956,307</b>	<b>(5,793)</b>	<b>5,637,813</b>	<b>435,902</b>	<b>3,747,641</b>	<b>(1,890,172)</b>

SOURCES OF FINANCING	Published Budget 2023-24 £	Slippage from 2022-23 £	Approved Additions £	Revised Budget 2023-24 £	Variations £	Forecast Outturn £
Grants / Contributions (DFG)	608,471	404,111	(5,793)	1,006,789		1,006,789
Capital Receipts	203,828	552,196		756,024	(27,506)	728,518
Borrowing	3,775,000	0		3,775,000	(2,662,666)	1,112,334
Section 106 / CIL	100,000	0		100,000	800,000	900,000
<b>Capital Funding Total</b>	<b>4,687,299</b>	<b>956,307</b>	<b>(5,793)</b>	<b>5,637,813</b>	<b>(1,890,172)</b>	<b>3,747,641</b>





**TITLE: Domestic Abuse Policies**  
Committee: Operational Services Committee  
Date: 13<sup>th</sup> November 2023  
Author: Housing Options Team Leader  
Report No: Y85

Contact Officer: Sarah Burton – Housing Options Team Leader  
[Sarah.burton@eastcambs.gov.uk](mailto:Sarah.burton@eastcambs.gov.uk), 01353 665555  
Room No.103, The Grange, Ely

**1.0 ISSUE**

1.1. To consider and approve Supporting Residents Experiencing Domestic Abuse and Employee Domestic Abuse Policy.

**2.0 RECOMMENDATION(S)**

2.1. Members are requested to:

1. Approve the Residents Domestic Abuse Policy as set out in Appendix 1.  
and
2. Approve the Employee Domestic Abuse Policy as set out in Appendix 2.

**3.0 BACKGROUND/OPTIONS**

3.1. East Cambridgeshire District Council has a responsibility and a commitment to ensure that all residents and employees affected by domestic abuse are supported in a non-judgemental and sympathetic manner. In line with Domestic Abuse Housing Alliance (DAHA) The Council has pledged:

- To put in place and embed a policy to support residents who are experiencing domestic abuse.
- To make information about national and local domestic abuse support services available on our website and in various other places which are easily accessible to residents and staff.
- To put in place a policy and procedure on domestic abuse, to support members of staff who may be experiencing domestic abuse.
- Appoint 'champions' within The Council to support staff experiencing domestic abuse.

3.2. There are two main aims of this policy:

- To support residents and staff, in confidence, within a safe environment where people feel supported and able to make disclosures regarding domestic abuse and have access to the appropriate advice and support.

- To continue to work with partner agencies in tackling domestic abuse.

#### **4.0 ARGUMENTS/CONCLUSION(S)**

- 4.1. The Supporting Residents Experiencing Domestic Abuse policy is provided at Appendix 1 and the Employee Domestic Abuse Policy is provided at Appendix 2.
- 4.2. If the policies are approved, they will be emailed to all staff and members. The current training programme is being reviewed and both staff and members will be informed of when the training sessions will be held.

#### **5.0 FINANCIAL IMPLICATIONS / EQUALITY IMPACT STATEMENT / CARBON IMPACT ASSESSMENT**

- 5.1. There are no additional financial implications arising from this report.
- 5.2. Equality Impact Assessment (EIA) not required.
- 5.3. Carbon Impact Assessment (CIA) not required

#### **6.0 APPENDICES**

- Appendix 1 – Residents Domestic Abuse Policy
- Appendix 2 – Employee Domestic Abuse Policy

#### **Background Documents:**



# **Policy for supporting residents that are experiencing domestic abuse**

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**Written by Housing Options Team Leader**

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**Published in October 2023**

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**Revision due in October 2025**

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## 1. Introduction

- 1.1. East Cambridgeshire District Council is committed to ensuring that all residents affected by domestic abuse are supported in a sympathetic and sensitive manner and that employees act in a non-judgemental way.
- 1.2. This policy sets out the level of service we aim to provide.
- 1.3. At all times it is the council's intention to increase the safety of those experiencing domestic abuse and housing security, and for perpetrators to be held accountable for their behaviour.
- 1.4. For the purposes of this policy, the statutory definition of abuse applies and incorporates behaviours of violence as well as other forms of abuse, including economic abuse and coercive control.
- 1.5. The council has signed an agreement with Cambridgeshire County Council to work within their Adult Safeguarding Policy guidelines and procedures. More information can be found on the Cambridgeshire County Council website [www.cambridgeshire.gov.uk/residents/adults/keeping-safe/adult-safeguarding-and-mental-capacity/adult-safeguarding](http://www.cambridgeshire.gov.uk/residents/adults/keeping-safe/adult-safeguarding-and-mental-capacity/adult-safeguarding).

- 1.6. The council has a corporate policy regarding safeguarding and therefore this Domestic Abuse Policy should be read in conjunction with our Child and Adults at Risk Safeguarding Policy, which provides an overarching approach to the council's response to all safeguarding matters.
- 1.7. In addition, the Lettings Social Housing Providers Anti-Social Behaviour Policy and the Cambridgeshire and Peterborough Safeguarding Adults Board Multi-Agency Safeguarding Policy ([www.safeguardingcambspeterborough.org.uk/adults-board/cpsabprocedures/cpsabsafeguardingpolicy/](http://www.safeguardingcambspeterborough.org.uk/adults-board/cpsabprocedures/cpsabsafeguardingpolicy/)) are related policies.

## 2. Statutory definition of domestic abuse

- 2.1. The Domestic Abuse Act 2021 defines that a behaviour of a person A towards another person B is 'domestic abuse' if:
- A and B are each aged 16 or over and are personally connected to each other
  - the behaviour is abusive
- 2.1.1. The behaviour is abusive if it consists of any of the following:
- physical or sexual abuse
  - violent or threatening behaviour
  - controlling or coercive behaviour
  - economic abuse
  - psychological, emotional or other abuse
- It does not matter whether the behaviour consists of a single incident or a course of conduct.
- 2.2. Economic abuse means any behaviour that has a substantial adverse effect on B's ability to:
- acquire, use or maintain money or other property
  - obtain goods or services
- 2.3. The domestic abuse definition includes the situation where Person A aims their behaviour at Person B even if the conduct is directed at someone else, for example, B's child.

## 3. Who can experience domestic abuse?

- 3.1. The Domestic Abuse Act 2021 defines two people as 'personally connected' if:
- they are, or have been, married to each other
  - they are, or have been, civil partners of each other
  - they have agreed to marry one another (whether or not the agreement has been terminated)
  - they have entered into a civil partnership agreement (whether or not the agreement has been terminated)
  - they are, or have been, in an intimate personal relationship with each other
  - they each have, or there has been a time when they each have had, a parental relationship in relation to the same child
  - they are relatives
- 3.2. A person has a parental relationship in relation to a child if:
- the person is a parent of the child
  - the person has parental responsibility for the child

## 4. Support

- 4.1. We will treat all reports of domestic abuse with respect, empathy and confidentiality and we will listen to the needs and wishes of the survivor in agreeing a course of action.
- 4.2. We take a client-centred or survivor approach to those experiencing domestic abuse and will always make the safety, dignity and well-being of the person the priority.
- 4.3. All reports of domestic abuse will be investigated in accordance with Cambridgeshire County Council's Adult Safeguarding Policy guidelines and procedures, our Anti-Social Behaviour Policy and our Child and Adults at Risk Safeguarding Policy.
- 4.4. Each case will be different. We will always place an individual's needs at the forefront of any support we provide by working in a trauma informed way. This will include (but not be limited to) physical needs, mental needs, well-being, communication needs and each of the nine characteristics of the Equality Act (2010).
- 4.5. We can refer the person to other agencies that provide specialist support and guidance.
- 4.6. Domestic abuse is a criminal offence and we will encourage people to report it to the police, whether they are the victim of abuse or a witness to abuse. In an emergency, always call 999.

- 4.7. We can also refer domestic abuse victims to courses, such as the Freedom Programme, which "examines the roles played by attitudes and beliefs on the actions of abusive perpetrators and the responses of victims and survivors. The aim is to help them to make sense of and understand what has happened to them."
- 4.8. We are part of the Cambridgeshire and Peterborough Domestic Abuse and Sexual Violence Partnership, which offers support, services and information to survivors of domestic abuse. It consists of many key agencies in the area, such as (but not limited to) East Cambridgeshire Community Safety Partnership, the police and Cambridgeshire County Council.

## 5. Multi-agency working

- 5.1. We recognise that no single organisation will have a complete picture of the life of a family or individual living with domestic abuse but may have insights that are crucial to their support and safety.
- 5.2. We recognise the importance of working collaboratively with other agencies to provide support to victims of domestic abuse and to contribute to an effective co-ordinated community response.
- 5.3. Examples of other partners include (but are not limited to):
- the police
  - specialist domestic abuse support agencies
  - Independent Domestic-Based Violence Advocates (IDVAs)
  - legal advisory services
  - victim support services
  - education
  - social care
  - Learning Disabilities Partnership (LDP)
  - Gypsy Traveller Liaison Officer(s) (where required)
  - other housing partners (further details about information sharing and consent is provided in section 6 of this policy)

- 5.4. Some employees throughout the council receive enhanced training and are Domestic Abuse Support Champions. They are available to offer support and advice to colleagues in relation to good practice. Their role is also to raise awareness of domestic abuse and ensure other employees know how to access support.
- 5.5. Members of our Housing Community Advice team, Environmental Health teams and the Communities and Partnerships team also attend multi-agency working groups and panels on a regular basis, as well as share information internally between teams.
- 5.6. Partnership groups include:
- Cambridgeshire and Peterborough Safeguarding Partnership
  - Domestic Abuse Sexual Violence (DASV) Partnership
  - Multi Agency Public Protection Arrangements (MAPPA) Senior Management Board
  - Sub Regional Homeless Leads Group
  - Multi Agency Risk Assessment Conference (MARAC)
  - Cambridge Perpetrator Panel
  - East Cambridgeshire Domestic Homicide reviews
  - East Cambridgeshire Community Safety Partnership (CSP) Problem Solving Group, Adults
  - East Cambridgeshire Community Safety Partnership (CSP) Task and Finish Group

- Officers take advantage of opportunities to participate in regional and national discussion forums through attendance at regional Domestic Abuse Housing Alliance (DAHA) events and through participation in the National Housing Federation's Domestic Abuse core group.
- 6. Information sharing and consent**
- 6.1. We will only share information with other agencies with the consent of the person experiencing any domestic abuse, or if:
- the information is required for the protection of children
  - we are required by law to share the information
  - there are legal reasons to protect a person without capacity
- 6.2. As stated in the Cambridgeshire and Peterborough Safeguarding Adults Board Multi-Agency Safeguarding Policy any decisions made by professionals that affect the person experiencing domestic abuse should be proportionate and take into account their wishes (where known) as closely as possible. However, any wishes of the individual cannot undermine the council's legal duty to act.
- 7. Housing**
- 7.1. Our team recognise the importance of the Whole Housing Approach (WHA) [www.dahalliance.org.uk/innovations-in-practice/whole-housing-approach/what-is-the-whole-housing-approach](http://www.dahalliance.org.uk/innovations-in-practice/whole-housing-approach/what-is-the-whole-housing-approach) to ensure access to a range of housing options and initiatives, which give choice to people experiencing domestic abuse regarding relocation or remaining in their existing accommodation.
- 7.2. Our team receive domestic abuse awareness training and is also trained in completing Domestic Abuse, Stalking and Honour-based Violence (DASH) risk assessments.
- 7.3. The Housing team will offer advice and support to assist those experiencing domestic abuse to identify possible ways of resolving their housing situation.
- 7.4. Victims of harassment, violence or abuse may get preferential banding for housing in accordance with the council's Lettings Policy. In addition, the Lettings Policy ([www.eastcambs.gov.uk/sites/default/files/LETTINGS%20POLICY%20%2005.07.21\\_0.pdf](http://www.eastcambs.gov.uk/sites/default/files/LETTINGS%20POLICY%20%2005.07.21_0.pdf)) recognises the impact that economic control can have on an individual's finances and has a case-by-case approach to debt incurred as a result of domestic abuse or harassment.
- 7.5. We can help with access to emergency accommodation or access to refuge services where required.
- 7.6. The Housing team hold a Safe at Home budget, which may be available to provide additional home security to those wishing to remain in their own home. Other financial support (such as access to Rent Deposit Scheme) may be available to people wishing to relocate.
- 7.7. Each case will be assessed on an individual basis, including consideration of the risks. Where appropriate, we will seek specialist advice, for example, from the Independent Domestic Violence Advisory (IDVA) Service.



<b>8. Joint tenancies</b>	<b>9. Taking action</b>	<b>10. Repairs and security</b>	<b>11. Perpetrator management</b>
<p>8.1. Where a victim of domestic abuse loses their secure tenancy as a result of the abuse, the Domestic Abuse Act 2021 requires local authorities to grant another secure tenancy to the victim if they rehouse them.</p> <p>8.2. Granting a sole tenancy to the original property will depend on</p> <ul style="list-style-type: none"> <li>• the person’s housing needs</li> <li>• whether it would be considered safe for them to remain there</li> </ul> <p>8.3. Decisions will be made in consultation with the victim and other professionals, such as the Independent Domestic Abuse Advisory Service, with risk and client wishes in mind.</p> <p>8.4. The victim should always seek advice and support to be fully informed of their options and to avoid losing their tenancy. It is important to let the Housing team know about this, especially in situations where someone wants to remain in the area.</p>	<p>9.1. The council have signed an agreement with Cambridgeshire County Council to work within their Adult Safeguarding Policy guidelines and procedures.</p> <p>9.2. We can refer victims to access advice on their options and may be able to provide support when taking legal action against the person perpetrating the domestic abuse.</p>	<p>10.1. In some circumstances, we may be able to offer extra security measures at the property through our ‘Safe at Home’ budget.</p> <p>10.2. We will also refer people to other initiatives, such as 24/7 locks who can also provide assistance.</p>	<p>11.1. When supporting someone experiencing abuse, we will take account of their wishes and not assume that they wish the matter to be reported to the police, or that they want a shared living arrangement to end.</p> <p>11.2. If the survivor wishes to remain with the perpetrator, any decisions around support will be based on the specific risks associated with the situation. The Housing team are trained in Domestic Abuse, Stalking and Honour-based Violence (DASH) risk assessments and are encouraged to refer to the specialist Independent Domestic Violence Advisory Service where there are concerns, to ensure safety planning is in place.</p> <p>11.3. Where it is appropriate for enforcement action to be taken (for example, reporting to the police, or action against a tenancy), council employees will do so.</p> <p>11.4. It is also recognised that, the Housing team may be expected to support a perpetrator with their housing.</p> <p>11.5. There is no blanket policy to prevent perpetrators from accessing social housing via the Home-Link allocation system, although the Lettings Policy does allow exclusions based on behaviour.</p>



	<b>12. Prevention and awareness</b>	<b>13. Related legislation and regulations</b>	<b>14. Related documents</b>
<b>11.6.</b> Any decisions to exclude someone, will be on a case by case basis and informed by the level of risk to associated parties if an exclusion was to exist.	<b>12.1.</b> The council is committed to learning from good practice and providing appropriate training for frontline employees. This will include domestic abuse awareness for all council training for key roles and the introduction of Domestic Abuse Support Champions throughout the council.	The Domestic Abuse Act 2021	Internal Domestic Abuse Employee Policy (HR)
<b>11.7.</b> Where counter allegations of harm exist, the council will work with specialist domestic abuse and partner agencies to identify the primary perpetrator and to ensure support is provided to the victim.	<b>12.2.</b> We will actively seek to raise awareness of domestic violence and abuse and encourage anyone that is experiencing it to engage with support services.	Anti-Social Behaviour, Crime and Policing Act (2014)	Lettings Policy
<b>11.8.</b> The council will also ensure that information and support is available to perpetrators who wish to address their behaviour. This can include signposting to Respect and other specialist services for further advice.	<b>12.3.</b> We are committed to achieving Domestic Abuse Housing Alliance (DAHA) accreditation and seek to learn and improve services through the accreditation process.	Care Act (2014)	<b>Child and Adults at Risk Safeguarding Policy</b>
<b>11.9.</b> The council will work to rehouse perpetrators, when appropriate, to allow victims and children to stay in their property.	<b>12.4.</b> We will raise awareness of domestic abuse through information shared on our website, our social media platforms and with relevant partners and agencies.	Civil Partnership Act (2004)	Cambridgeshire and Peterborough Safeguarding Adults Board Multi-Agency Safeguarding Policy
		Clare’s Law (2017)	
		Crime and Security Act (2010)	
		Data Protection Act (2018)	
		Domestic Abuse Crime and Victims Act (2004)	
		Equality Act (2010)	
		Family Law Act (1996)	
		Female Genital Mutilation Act (2003)	
		Forced Marriage (Civil Protection) Act (2007)	
		Homelessness Act (2002)	
		Housing Act (1996) as amended	
		Protection from Harassment Act (1997)	
		Serious Crime Act (2015)	

## 15. Equality and diversity

- 15.1. As a council, we are committed to delivering services that narrow the gap in outcomes between disadvantaged groups and the wider community, and to ensuring that protected groups are included and have their voices heard (see our website for more information) [www.eastcambs.gov.uk/east-cambs-district-council/single-equality-scheme](http://www.eastcambs.gov.uk/east-cambs-district-council/single-equality-scheme).
- 15.2. We are also obliged to comply with the Equality Act (2010) and the Public Sector Equality Duty [www.gov.uk/government/publications/public-sector-equality-duty](http://www.gov.uk/government/publications/public-sector-equality-duty).
- 15.3. We believe that all people are entitled to be treated with dignity and respect and we are determined to ensure that everyone entitled to use our services receives fair and equitable treatment.
- 15.4. One way that we can achieve this is by ensuring that those who do not use English as a first language (including users of British Sign Language) still have equal access to our services through the provision of interpretation and translation services.
- 15.5. We are committed to working with our partners and communities to promote good relations and to combat prejudice, discrimination and harassment.
- 15.6. An equality impact assessment has been carried out for this policy.

## 16. Complaints

- 16.1. Complaints will be addressed in line with our complaints procedure. The responding officer may discuss the complaint with the Domestic Abuse Lead or one of the council's Domestic Abuse Support Champions to ensure the matter is viewed through an informed domestic abuse lens.
- 16.2. The complaints procedure is available on our website [www.eastcambs.gov.uk/customer-services/customer-feedback-and-complaints](http://www.eastcambs.gov.uk/customer-services/customer-feedback-and-complaints).

## 17. Review

- 17.1. This policy and its procedures will be reviewed every 2 years. However, earlier reassessment may be required if there are changes in operations and/or legislation.

End of document



East Cambridgeshire  
District Council

# Domestic abuse employee policy

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Written by Housing Options Team Leader

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## 1. Introduction

- 1.1. East Cambridgeshire District Council (ECDC) commits to ensuring that we will support all employees affected by domestic abuse in a sensitive manner and in a non-judgemental way.
- 1.2. This applies to everyone who is experiencing, or has experienced, domestic abuse. Employees have the right to raise the issue with the council effectively and empathetically. We will treat it in confidence. However, there are some limited circumstances where confidentiality cannot be assured, as outlined in section 4 of this policy.
- 1.3. This policy sets out ways the council will support people affected by abuse and hold persons causing harms to account for their actions. The council has a Corporate Safeguarding Policy which provides an overarching framework for all safeguarding matters.
- 1.4. This Domestic Abuse Employee Policy can be read with our Child and Adults at Risk Safeguarding Policy (<https://intranet.eastcambs.gov.uk/sites/default/files/Child%20and%20Adults%20at%20Risk%20Safeguarding%20Policy%202022.pdf>). The council also has an agreement to work with Cambridgeshire and Peterborough Safeguarding Partnership Board and to work within their Safeguarding Policy guidelines and procedures. The council also has a specific Policy for Supporting Residents Experiencing Domestic Abuse.

## 2. Definition of domestic abuse

- 2.1. Domestic abuse refers to abusive behaviours which take place between two people aged over 16 who are personally connected to each other. This includes people who are, or have previously been married, in civil partnerships or in relationships; or have a child together; or are relatives.
- 2.2. The 2021 Domestic Abuse Act states that abuse can be a single incident, but is often a pattern of behaviours, and it takes many forms:
- physical
  - emotional
  - psychological
  - sexual
  - financial
- 2.3. This definition also includes honour-based abuse, female genital mutilation and forced marriage, and is clear that victims are not confined to one gender, religion or ethnic group.
- 2.4. What constitutes domestic abuse is commonly misunderstood, and it is important to remember that no single act defines it. There are a wide range of activities and behaviours that amount to domestic abuse which are often dangerous and can be life-threatening.

2.5. Some examples of domestic abuse are controlling behaviour, coercive behaviour, harassment and stalking.

### 2.5.1. Controlling behaviour

This is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape, and regulating their everyday behaviour.

### 2.5.2. Coercive behaviour

This is an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish or frighten their victim.

### 2.5.3. Harassment

This is a crime involving behaviour that takes place more than once and the perpetrator's actions must have an unwanted effect on the victim.

Under the Protection from Harassment Act 1997, it is an offence for a person to pursue a course of conduct that amounts to harassment of another person, and that they know (or ought to know) amounts to harassment.

The Act defines harassment and states: "References to harassing a person include alarming the person or causing the person distress." A 'course of conduct' in the case of harassment of a single person must involve conduct on at least two occasions.

### 2.5.4. Stalking

There is no specific legal definition of stalking. However, it is helpful to know that in cases of stalking there is a pattern of unwanted, fixated and obsessive behaviour which is intrusive. It can include harassment that amounts to stalking or stalking that causes fear of violence or serious alarm or distress.

### 3. Aims of policy and guidance

- 3.1. Through the application of this policy and the associated supporting guidance the council aims to:
- support our employees and contribute to tackling domestic abuse
  - ensure that all employees who ask for support in addressing domestic abuse issues are able to access appropriate advice and support
  - offer guidance on steps to take, measures to put in place and how to respond when an employee discloses abuse
  - set out steps that are easy to follow and helps you choose the best resources for you and your team
  - signpost to external organisations that offer advice and support to employers and employees
  - ensure that all managers can access guidance on how to support and assist employees asking for support in relation to domestic abuse and are aware of how to support and advise employees who may be perpetrators of domestic abuse
  - provide confidence to employees seeking assistance that their situation will be handled empathetically and confidentially

- respond constructively, compassionately and sympathetically with cases of domestic abuse - we want to create a safe space for all employees, to feel confident in disclosing abuse
  - help managers to be aware to the signs of abuse and be confident in how to respond to that situation
- 3.2. You can speak in confidence to your line manager, a member of the HR team, Mental Health First Aider, buddy or Domestic Abuse Support Champions. They can provide initial support and signpost you to resources. They can help you with any disclosure conversations you would like to have with colleagues
- 3.3. It is your choice whether you feel more comfortable talking to either your line manager or a HR representative. You might choose to talk to both.

### 4. Confidentiality

- 4.1. Where an employee discusses with their line manager, an alternative line manager, a HR contact or Domestic Abuse Support Champion that they are experiencing domestic abuse, confidentiality will usually be maintained as far as possible. The information is only recorded with HR if the employee wants it to be.
- 4.2. There are, however, some circumstances in which confidentiality cannot be assured. These circumstances occur where:
- children/adults are at risk of serious harm
  - there are concerns about children or vulnerable adults
  - a high risk to safety has been identified
  - we need to act to protect the safety of members of the public, including other colleagues
- 4.3. The manager needs to be satisfied that appropriate steps are being taken to protect any dependent children or vulnerable adults. If they are not satisfied, they should make a referral to the Cambridgeshire and Peterborough Safeguarding Partnership Board and the employee should be made aware of this fact.
- 4.4. If a person causing harm may be placing their partner or family member(s) in genuine danger, then this may be reported to the police. This will be subject to prior discussion with the employee, wherever it is reasonably practicable to do so. Personal data will be stored in accordance with GDPR guidelines.
- 4.5. Managers have a duty to maintain a secure environment for all employees and this could be made easier if colleagues are aware of potential risks. However, it is essential that you agree with the individual concerned what information to tell colleagues. Managers should remind employees that this information is confidential. Any unauthorised breaches of this could be subject to disciplinary action being taken.
- 4.6. The consequences of breaching confidentiality could have serious effects for the person experiencing domestic abuse. Statistics have shown that the risk of serious assaults, permanent injury and threat to life taking place is highest when a victim decides to leave home or immediately after. Therefore, it is important to not underestimate the danger or assume that the fear of abuse is exaggerated.



## 5. Legal obligations

5.1. The council understands that all of its employees have the right to feel safe within their working environment. The council recognises its legal responsibilities in promoting the health, safety and well-being of its employees in line with the:

- Health and Safety at Work Act 1974
- Serious Crime Act 2015
- Human Rights Act 1998
- Local Government Act 2000
- Crime and Disorder Act 1998
- Domestic Violence, Crime and Victims Act 2004

## 6. Support for employees

6.1. The council will provide support to employees who are or have experienced domestic abuse or who are supporting a friend or family member who has experienced domestic abuse. Those providing support should address the issue sympathetically ensuring that the employee is aware that support and assistance is available where requested.

6.2. The council will create an environment which supports disclosure and reassures employees that they will be listened to and supported. Employees should also be aware that, typically, an individual who is experiencing domestic abuse will experience abuse for a considerable time before feeling able to disclose this to someone.

6.3. Managers are expected to signpost and encourage employees to access the sources of support available to them. These may include access to counselling, referral to appropriate domestic abuse services and discussing any safeguarding concerns.

6.4. Other support options that will be considered on a case-by-case basis are:

- temporary or permanent changes to working times and patterns
- changes to specific duties, for example, to avoid potential contact with an abuser
- measures to ensure a safe working environment, for example, changing a telephone number to avoid harassing phone calls
- using other existing policies, including flexible working

6.5. The council recognises that employees may need to take time off from work to make arrangements or attend relevant appointments, including attending medical appointments and counselling, attending legal proceedings and arranging housing or childcare. Where appropriate, managers should support the use of paid special leave in line with the council's Managing Attendance and Stress at Work Policy.

6.6. Employees should be provided time during work to contact any support service they require.

6.7. All advice, information and support will remain confidential. No information or documentation will be disclosed without the express consent of the employee, unless there is a risk of immediate harm or threat to life, in which case a referral to the appropriate child or adult safeguarding hub of the relevant borough may be necessary.

6.8. In cases where a safeguarding concern has been identified or an incident of domestic abuse with the employee may conflict with their job role or responsibilities, the HR team must be informed.

## 7. Perpetrators of domestic abuse

- 7.1. The council will treat all employees who disclose perpetrating domestic abuse sensitively and fairly. Advice should be sought from the HR team in all circumstances.
- 7.2. Domestic abuse is in contravention of the Employee Code of Conduct and may be subject to disciplinary action, which, if proved, may lead to dismissal. Where a perpetrator makes a disclosure of committing domestic abuse, a risk assessment must be completed, considering:
- the nature of the disclosure
  - job role – the impact of the employee’s actions on their duties and responsibilities
  - any safeguarding issues that arise
  - the employee’s work location
  - the impact on the victim or his/her dependents
  - whether the employee has voluntarily sought help to deal with the issue
- 7.3. Employees who disclose having perpetrated domestic abuse will be offered advice and support regarding appropriate services available.
- 7.4. All employees should be aware that domestic abuse is a serious matter that could also lead to criminal convictions.
- 7.5. In cases where both the victim and the perpetrator of domestic abuse work in the council, advice should be sought from the HR team immediately and the appropriate action will be taken.
- 7.6. All advice, information and support provided by managers and the HR team will remain confidential. No information or documentation will be disclosed without the express consent of the employee, unless:
- there is an immediate risk of harm or threat to life, in which case a referral to the appropriate child or adult safeguarding hub of the relevant borough may be necessary
  - a disciplinary process has been initiated, in which information will be shared in line with the disciplinary policy

## 8. Spotting the signs

- 8.1. Abuse is often associated with physical violence, but it takes many forms. It is important to raise awareness to enable colleagues to spot it.
- 8.2. There is an increasing public awareness of psychological, emotional, financial, and other coercive forms of domestic abuse. Employers can play a role in educating their employees about domestic abuse.
- 8.3. If most work meetings happen virtually, all symptoms of abuse, particularly physical, may be masked. It also may reduce the potential for employers and work colleagues to notice changes in behaviour. This may include nervousness or a new reticence to engage in conversation. By identifying that an employee is experiencing difficulties at an early stage, this will lead to appropriate help being offered. This in turn could mean that the employee can access support quickly to keep safe.
- 8.4. Managers should have a sensitive and non-judgmental approach when dealing with employees who have experienced domestic violence or abuse.
- 8.5. Indications that something might be wrong can be symptomatic of other issues such as ill-health. Team leaders and managers should be looking out for these signs more generally. It should not be assumed that these signs relate to domestic abuse. If there is a supportive atmosphere in the workplace - whether in the office, in the district or through online team activity - then it is more likely employees are going to feel comfortable disclosing abuse.
- 8.6. Employers should also be aware that people can be subject to domestic abuse whilst at work. Signs that an employee might be experiencing domestic abuse can include unexplained injuries or change in the way they dress. They could also include substance abuse, fatigue or decreased productivity. There may also be frequent lateness, absence, long hours at work for no reason or changes in behaviour. It may include tearfulness, irritability, defensive behaviour. It could include the partner or ex-partner stalking the employee around the workplace, flowers or gifts sent for no clear reason. Please note that this is not an exhaustive list.



## 9. Raising awareness

- 9.1. The council is committed to not tolerating abuse against anyone. It is essential that the working environment promotes the view that such abuse is unacceptable. It will not be condoned, nor should it be made the subject of jokes or graphics. The council will aim to raise awareness through the following measures:
- preparation and distribution of information publicising the issue and the council's policy
  - training for all employees through the council's e-learning platform
  - briefings for other appropriate employees, in particular, front-line and customer contact centre employees
  - inclusion of issues relating to domestic abuse in relevant in-house training sessions and as part of the induction

## 10. Duties and responsibilities

### 10.1. Line managers

- 10.1.1. It is possible that a manager may become aware that an employee is experiencing domestic abuse through associated issues, such as attendance management or poor performance. Therefore, they have a crucial role to play in enabling employees experiencing domestic abuse to seek help. The role of the line manager includes the following points:
- identify employees experiencing difficulties because of domestic abuse, for example, using regular one to one meetings, fostering an open-door culture that enables team members to disclose sensitive issues
  - provide support in the first instance; this includes giving specific advice on the options available, but also recognising the limitations of their role (managers are not professional counsellors or experts)
  - protect confidentiality in all instances, bearing in mind the circumstances outlined in section 4 of this policy
  - refer the individual to the appropriate internal or external source of help and support
  - be aware of what support is available and explore these options with the employee (a list of support agencies are included in section 13 of this policy)

### 10.1.2. In addition, line managers must:

- ensure that the safety of all employees in the team is protected
- enable the affected employee to remain productive and at work during a difficult period in their domestic life; this may include using the organisation's special leave policies and procedures
- have a non-judgemental approach and work based on believing the employee so that they feel supported
- maintain a supportive environment
- respect the employee's boundaries and privacy

10.1.3. The duty of a manager is not to deal with the abuse itself but to make it clear (through a workplace policy and its associated guidance) that employees will be supported and to outline what help is available.

10.1.4. It may be that a risk assessment needs to be completed/updated for the employee. Support can be given by the Health and Safety Advisor and the HR team.

10.1.5. However, if the employee does not want you to contact other agencies, you must follow their wishes, unless there is a safeguarding concern as outlined in section 4 of this policy.

### 10.2. Employees

- 10.2.1. All employees of the council have a responsibility to support survivors of domestic violence and abuse.
- 10.2.2. Employees are responsible for seeking further advice and guidance where they are unclear about the application of any aspect of this policy or associated guidance. We will respond to everyone's circumstances on a case-by-case basis and support them via a co-ordinated community response as needed.

## 11. Training

- 11.1. A corporate domestic abuse training plan for the council was agreed in July 2023.
- 11.2. The purpose of the training plan is:
- to help meet the council's commitment to raising awareness of and tackling domestic abuse in any form
  - to enable all council employees to have the awareness, confidence and support to enable them to recognise and respond appropriately to incidents of domestic abuse involving customers or colleagues in their personal lives
  - to encourage and promote the development of Domestic Abuse Support Champions within the council, who can help raise awareness and act as a reference point for colleagues seeking advice
- 11.3. The training plan sets out tiered training for different roles within the council, including e-learning, online and face to face resources, depending on a person's role.

## 12. Equal opportunities

- 12.1. The council is fully committed to taking effective action to eliminate discrimination and to advance equality of opportunity and foster good relations in all that we do as an employer, a service provider and as a community leader.
- 12.2. We believe that all people are entitled to be treated with dignity and respect. We are determined to ensure that both our employees and everyone entitled to use our services receive fair and equitable treatment.
- 12.3. One way that we can do this is by ensuring that those who do not use English as a first language (including if they are a user of British Sign Language), still have equal access to our services through the provision of interpretation and translation services.
- 12.4. We are committed to working with our partners and communities to promote good relations and to combat prejudice, discrimination, and harassment.
- 12.5. In addition, in terms of supporting people experiencing domestic abuse, the council recognises that a person's intersectional needs will impact on their experience and the support required. The council promotes a range of resources and information via the Intranet, which can support employees and access to the champions' specialist advice.

## 13. Support agencies

- 13.1. If you or someone else is in immediate danger, you should call 999.
- 13.2. Other key organisations that you might find helpful are:
- National Domestic Violence Helpline 0808 2000 247
  - Cambridge Women's Aid 01223 361214 (07730 322098 emergency out of hours) [www.cambridgewa.org.uk](http://www.cambridgewa.org.uk) (provides an outreach service for women who are experiencing domestic abuse in Cambridge City, East Cambridgeshire and South Cambridgeshire)
  - Men's Advice Line 0808 8010 327 (for men experiencing domestic abuse)
  - National LGBT+ Domestic Violence Helpline on 0800 999 5428 (for a person experiencing the domestic violence in a same-sex relationship)
  - police 101 (if it is not an emergency) or 999 (in an emergency if your personal safety is threatened)
  - Respect 0808 802 4040 [www.respect.uk.net](http://www.respect.uk.net) (if you are concerned because you think you might be hurting someone or demonstrating abusive behaviour)
  - trade unions are also able to provide support to their members suffering from domestic abuse

- the recognised trade union at ECDC: UNISON 01223 457047 [unison@cambridge.gov.uk](mailto:unison@cambridge.gov.uk)
  - GMB Union 01223 458208 [gmb@cambridge.gov.uk](mailto:gmb@cambridge.gov.uk)
  - council's Designated Safeguarding Officers
- (<https://intranet.eastcambs.gov.uk/sites/default/files/Designated%20Safeguarding%20Officers.pdf>)

End of document

**TITLE: Environmental Crime Action Plan 2023/24**

Committee: Operational Services Committee

Date: 13<sup>th</sup> November 2023

Author: Senior Environmental Health Officer

Report No: Y86

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## **1.0 ISSUE**

1.1. To adopt an Environmental Crime Action Plan.

## **2.0 RECOMMENDATION(S)**

2.1. Members to approve the draft Action Plan for 2023/24 and beyond.

## **3.0 BACKGROUND/OPTIONS**

3.1. East Cambridgeshire's 2023 to 2027 Corporate Plan identifies the priority to reduce environmental crime across the district and secure prosecutions.

3.2. An Environmental Crime Action Plan was proposed, requiring approval by December 2023.

3.3. In September 2023 Members approved the new Environmental Crime Enforcement Policy which reflected this focus and identified the range of enforcement tools at the council's disposal to address environmental crime.

3.4. The Environmental Crime Enforcement Policy 2023 sets out a robust and consistent approach to tackling local environmental issues through education, engagement, and enforcement as part of a wider approach, to improve public spaces and the quality of life for everyone.

3.5. It is important to consider the Environmental Crime Enforcement Policy and the updated Fixed Penalty Notice (FPN) charging proposals, alongside the Environmental Crime Action Plan.

## **4.0 ARGUMENTS/CONCLUSION(S)**

4.1. The Government's ASB Action Plan launched in March 2023 provided for tougher penalties for environmental crime, in the form of increases to the upper limit of fixed penalty notices (FPN's). It also provided a commitment to increase transparency of national data, through production of league tables on fly tipping. All authorities are encouraged to quality assure their data, so it is vital that our statistics are accurate and reflect what is happening on the ground.

- 4.2. In 2021-22 622 illegal waste deposits were identified in East Cambridgeshire. 2022-23 saw a 16.88% drop in deposits to 517. There were 18 FPN's served in 2022-23 which resulted in payments being made of £3590.00.
- 4.3. Costs in serving FPN's vary depending on complexity of case and investigation requirements. A straightforward FPN may take 3 hours work to reach the point of service, whereas a complex case could take 30 hours work, so costs for officer time alone could range from £130 to £1300. Prosecution costs again vary but the most recent case East Cambridgeshire District Council took forward for prosecution included a request for costs of £942 to be considered. The Court awarded the council £400 in costs.
- 4.4. The main aims of the Action Plan are to:
1. Educate those who live in and visit the district about good waste management, litter control, dog control and other local environmental quality issues.
  2. Engage with residents, businesses and visitors about their relevant duties and responsibilities in terms of good waste management, litter control, dog control and other local environmental issues and clearly inform all on what constitutes an offence.
  3. Undertake any investigatory and enforcement action as necessary, in a consistent, proportionate, and transparent manner.
  4. Target those who directly damage the environment through careless or wilful acts of improper waste handling, imposing higher penalties to help deter those more likely to offend.
  5. Celebrate the successes and the projects that contribute to improving the local area.
  6. Reduce the incidents of environmental crime thereby reducing council costs in investigation and clearance.
- 4.5. The draft strategy and action plan, when read alongside the Enforcement Policy, sets out the overarching approach to tackling environmental crime. There is information on how the council intends to prevent environmental crime; how it intends to use intelligence to target resources effectively and efficiently; how and when it will use enforcement powers to encourage behaviour change and punish offenders; and, how the council will re-assure those who care about the environment that East Cambridgeshire District Council takes its environmental responsibility seriously.
- 4.6. The document identifies the importance of linking with the ECSS 'Love your Street' campaign, to strengthen messaging and to provide support to residents to help them play their part in tackling unacceptable behaviours relating to environmental crime.
- 4.7. Once agreed, the Action Plan will be published in a format that meets corporate branding requirements.

## **5.0 FINANCIAL IMPLICATIONS / EQUALITY IMPACT STATEMENT / CARBON IMPACT ASSESSMENT**

- 5.1. There may be increased cost to the council if more prosecution cases proceed to court. This may be balanced by the income from payment of fixed penalties and the option for charging higher penalties for the more serious incidents. There may be increased costs with the adoption of specific promotional campaigns or future purchase of deployable CCTV units, but this may result in reduced incidents of fly tipping and a decrease in council costs.
- 5.2. Equality Impact Assessment (EIA) not required.
- 5.3. Carbon Impact Assessment (CIA) completed. In summary, the CIA concluded as follows:

The threat of higher penalty charges and increased promotions aimed at informing the public and businesses on the risk of incorrect disposal of their waste may decrease the number of fly tips and littering that occurs within the district, thereby decreasing the number of officer inspections (and corresponding decrease in vehicle usage) required to investigate dumped waste and supporting a decrease in the associated vehicle movements required to clear and dispose of the waste. A reduction in environmental crime will also deliver an increase in the quality of the local environment, a reduction in associated environmental pollution and contamination and associated improvements in public perception of the local environment.

## **6.0 APPENDICES**

Appendix 1 - East Cambridgeshire Draft Environmental Crime Policy and Action Plan 2023/24

### Background Documents:

East Cambridgeshire Environmental Crime Enforcement Policy 2023.

HM Govt Anti-Social Behaviour Action Plan 2023

Environmental Protection Act 1990

Anti-Social Behaviour Act 2003

ASB, Crime and Policing Act 2014

All associated Regulations including:

The Environmental Offences (Fixed Penalties) (England) Regulations 2017,

The Environmental Offences (Fixed Penalties) (Amendment) (England) Regulations 2023  
SI 2023/770

## Appendix 1

### East Cambridgeshire Draft Environmental Crime Policy and Action Plan 2023/24

#### Contents

Introduction
Scope
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Reassurance
Environmental Crime Action Plan 2023/24 and beyond

#### **Introduction**

East Cambridgeshire District Council's Corporate Plan 2023-2027 identifies a priority to reduce environmental crime across the district, with an action to develop a targeted Environmental Crime Action Plan and secure prosecutions.

This strategy and the accompanying actions detail how environmental crime will be addressed to deliver this vision.

The recently adopted Environmental Crime Enforcement Policy 2023 sets out a robust and consistent approach to tackling local environmental issues through education, engagement, and enforcement as part of a wider approach, to improve public spaces and the quality of life for everyone.

To meet this aim and to link the Enforcement Policy and the updated Fixed Penalty Notices (FPN) with this Environmental Crime Action Plan the following objectives have been identified:

- Educate those who live in and visit the district about good waste management, litter control, dog control and other local environmental quality issues,
- Engage with residents, businesses and visitors about their relevant duties and responsibilities in terms of good waste management, litter control, dog control and other local environmental issues and clearly inform all on what constitutes an offence.
- Undertake any investigatory and enforcement action as necessary, in a consistent, proportionate, and transparent manner.
- Target those who directly damage the environment through careless or wilful acts of improper waste handling, imposing higher penalties to help deter those more likely to offend.
- Celebrate the successes and the projects that contribute to improving the local area.

#### **Scope**

The scope of this strategy covers waste and local environmental quality issues relating to both public and private land. These issues affect the environmental, social, and economic well-being within East Cambridgeshire, add to people's fear of crime and so have an impact on the quality of life of those who live, work, and visit the area.

Our Environmental Crime Enforcement Policy identifies four priority areas for consideration. They are:

1. Fly tipping waste offences
2. Waste presentation requirements
3. Street scene offences
4. Anti-social behaviour related environmental crime.

This strategy and action plan, when read alongside our Enforcement Policy, sets out our overarching approach to tackling environmental crime. There is information on how we intend to prevent environmental crime; how we intend to use intelligence to target our resources effectively and efficiently; how and when we will use our enforcement powers to encourage behaviour change and punish offenders; and, how we are going to re-assure those who are passionate about our environment that East Cambridgeshire District Council takes its environmental responsibility seriously.

## **Prevention**

Most people want to care for the environment and behave in an entirely appropriate way. Some people want to care for the environment but need assistance in understanding what their responsibilities are. A minority of people care for neither the environment nor their neighbours. The approaches to prevention of environmental crime are intended to change behaviour of the latter two groups as detailed below:

### Awareness Raising and Education

Awareness raising and education are fundamental to the operation of any enforcement work. It is vital that a balance is struck between enforcement, engagement, and education.

The community must know and understand what standards are expected of them so that they can operate to these levels. The council aims to continue to carry out this element by providing consistent advice and guidance about relevant duties and responsibilities through face-to-face operations, leaflets, the council's website, local press, specific campaigning and working alongside our partners and stakeholders.

### Partnership Working

There are many individuals and community organisations who provide considerable support to the role of keeping public areas clean, thereby improving the overall appearance of our streets, towns, villages, and countryside. We recognise the importance of community engagement and working with our partners to secure improvements in all areas that fall under the banner of environmental crime. This ranges from strengthening links to external organisations within the voluntary sector, for example Neighbourhood Watch and VCAEC, to working with the Police and the Environment Agency on targeted patrols of our roads and stopping and checking potential waste carriers for compliance. The Environmental Health Team will continue to work closely with other departments and ECSS, ensuring they have the right part to play in delivering this strategy.

## **Intelligence**

Intelligence lies at the heart of how the council delivers responsive services and interventions, it helps target resources and enables the council to take account of local and governmental objectives of required levels of performance and value for money principles.

One of the most important factors in successful environmental crime reduction planning is information and understanding in the following:

- An accurate picture of service delivery
- The nature and extent of the problems
- The trends and main threats to success.

An intelligence led service is concerned with the proactive deployment of resources to reduce environmental crime and situations that are detrimental to the quality of life of communities.

We must ensure that both strategically and tactically all information that may impact on decision making is accurate and clearly outlined.

## **Enforcement**

This strategy relates directly to the recently adopted Environmental Crime Enforcement Policy. This details our range of powers and identifies how officers apply their enforcement options in a consistent and fair manner.

As with engagement, enforcement is important in supporting the community volunteers and providing them with the reassurance that there is a resource dedicated to identifying environmental crime. It is important for residents to know that formal action, including prosecutions will be progressed should people choose to act illegally.

Training is provided to ensure all authorised enforcement officers have the skills and knowledge required to undertake their enforcement duties and to ensure a fair and consistent approach is taken.

Although the responsibility for a large proportion of environmental enforcement does fall to Local Authorities the council will also work closely with other public bodies to ensure that issues are dealt with effectively, these will include the Police, Housing Providers, the Highway Authority, and the Environment Agency (EA).

East Cambridgeshire District Council regularly liaises with the EA who are responsible for investigating larger fly-tips and those near watercourses, or where organised crime may be involved. The EA are also responsible for permitting and investigating issues relating to waste management facilities.

The council will seek to prioritise work on specific issues, and will approach enforcement work in a structured way, targeting the predominant issues affecting the environment. They will actively use data, held by the council as well as from local knowledge, to target the areas to address.

East Cambridgeshire District Council will ensure that:

- enforcement is carried out in a fair and equitable way.
- assist businesses and others in meeting their legal obligations.
- focus on prevention rather than cure but taking firm action against those who knowingly break the law.

The council recognises the importance of ensuring that all enforcement decisions are consistent, proportionate, clearly explained and relate to recognised standards to ensure the public is adequately protected. It is important to note that the council can only take formal enforcement action where there is evidence to support the action i.e. witness statements, photographic evidence etc.



Prior to taking any enforcement action the council will consider the appropriateness of informal approaches such as verbal advice or warning letters. Community protection warnings and notices have proved very successful in tackling issues such as burning of inappropriate materials on construction sites, waste accumulations around domestic properties etc.

## **Reassurance**

The council aims to reassure residents and visitors that we take environmental crime seriously. There are several ways the council can reassure residents:

### Raising Awareness

Awareness raising and education are fundamental to the operation of any enforcement work. It is important that the council understands the concerns of the community. It is also key that clear information on individual responsibility is provided to all, to support individuals and businesses to comply with the law. The council aims to achieve this by providing consistent advice and guidance about relevant duties and responsibilities, via face-to-face operations, the council's website, press releases, specific campaigning and joint work alongside our partners and stakeholders. Simple, clear messages help to reassure people that what they are doing is lawful and that action is taken against those who do not comply.

### Campaigns

SCRAP campaign – use of standardised branding and messaging across the county on vehicles and advertising/messaging for a consistent approach. The campaign has close links with the RECAP county group where updates and best practice around fly tipping prevention and detection is shared.

Love Your Street campaign - developed by ECSS to identify opportunities to combine messages around environmental crime enforcement and to seek to reduce the amount of fly tipping, littering, dog fouling etc through adoption of a range of educational initiatives and social media campaigns designed to encourage residents to love their street and create a cleaner, greener East Cambridgeshire.

Environmental Action Days – local area walkabouts in conjunction with Police, Housing Providers, the Housing and Community Services Team and the Fire Authority

Animal welfare - supporting the outreach programs run by Woodgreen and/or the RSPCA providing specific advice and guidance on the importance of picking up after your dog and other responsible dog ownership initiatives.

Link in with the Anti-Social Behaviour (ASB) promotions in schools, to explain the impacts issues such as littering and improper waste disposal can have on the environment.

National campaigns: Several organisations deliver national marketing campaigns about environmental crime by various means, including television, radio, the press, and through supply of promotional material. These organisations include Keep Britain Tidy, the Chewing Gum Task Force, DEFRA, and the Environment Agency.

### Social Media

The use of social media to communicate key messages is a useful tool for educating residents and local businesses. The council's Facebook and Twitter account provides a route to inform many, of the work being done by the team and to publicise our successes in respect of the informal and formal actions being taken. There will be close correlation with the communications

contained within the ECSS Facebook pages and information will be shared to ensure consistency of messages.

Monitoring and Reporting

Council officers will report to the Committee on the progress of the actions in the attached plan. The council will also publish their performance in specific areas, for example number of FPN's served and prosecutions taken can be published on the council's website.

**Action Plan for 2023/24 and beyond**

Prevention	Priority area links	Targeted actions and timescales	Who	Monitoring and reporting
Promote awareness of good waste management practice through our website, social media, direct engagement etc.	1,2,3 and 4	<p>Update the Environmental Crime pages on the council website. By Jan 2024.</p> <p>Increase the profile of environmental crime within the council's social media pages, to provide local data and information. Ensure messages are linked to the ECSS pages and the Cambridgeshire Let's SCRAP fly tipping campaign. By Jan 2024 and ongoing.</p> <p>Continue to use existing resources. For example, a construction waste advice leaflet is sent out when planning permission is granted for all new developments. Ongoing.</p> <p>Investigate options for including information on household waste duty of care with promotions and leaflets provided by ECSS. One example is to consider the inclusion of specific guidance on householder duty of care within the waste collection calendar roll outs. By Dec 2024.</p> <p>Investigate options for providing additional waste duty of care information to contractors working on grant funded disabled adaptations. Introduce a</p>	<p>Domestic Team</p> <p>Comms Team</p> <p>ECSS</p>	Progress to be reported to committee annually.

		<p>requirement to provide documentation on waste disposal arrangements under the new Framework. By March 2024.</p> <p>Investigate options for providing a bespoke consultancy/advice service to small businesses, to help guide them through the complex waste regulation requirements. The aim being to educate and support them with their future compliance, to avoid potential FPN's and/or prosecution. By March 2025.</p>		
Re-visit the Let's SCRAP Fly Tipping campaign.	1 and 2	<p>Promote the campaign through the local press, social media pages and our website. Contact all City, Town and Parish Councils and provide campaign literature on request. By Feb 2024 and ongoing.</p> <p>Link to the corresponding social media information produced by the Comms Team. By Jan 2024 and ongoing.</p>	<p>Domestic Team</p> <p>RECAP Group</p> <p>Comms Team</p>	<p>Progress to be reported to committee annually.</p> <p>Number of PC's contacted and number who take up campaign material.</p>
Display signs and posters at litter, dog fouling and fly tipping hotspots as informed by local intelligence and other data that identifies higher risk areas.	1,2 and 3	<p>Contact all City, Town, and Parish Councils to request updates on sign requirements (new positions and replacement of existing signs in a poor condition etc). Feb 2024.</p> <p>Review current fly tipping hot spot areas and install warning signs if not already in place. June 2024 and ongoing.</p>	<p>Domestic Team</p> <p>PC's</p> <p>ECSS</p> <p>The public</p>	<p>Progress to be reported to committee annually.</p> <p>Number of new and replaced signs.</p>
In conjunction with the ASB team engage with schools to raise awareness of the impacts of littering and other ASB issues.	3 and 4	<p>Link into the existing schools ASB educational program. Officers to attend schools alongside the ASB officer, to promote the importance of preventing littering amongst younger persons. Ongoing.</p>	<p>Domestic Team</p> <p>ASB Officer</p> <p>Schools</p>	<p>Progress to be reported to committee annually.</p> <p>Number of schools attended.</p>
Engage with fast food outlets in	1,2,3 and 4	<p>Identify fast food takeaways for active</p>	<p>Domestic Team</p>	<p>Progress to be reported to</p>

response to litter and business waste management concerns.		engagement, to increase businesses understanding of good waste disposal methods (including liquid waste disposal) and in littering prevention. March 2024 – Sept 2024.	Food safety team Anglian Water	committee annually. Number of food businesses contacted. Number of positive interventions.
Promote responsible dog ownership.	3 and 4	In conjunction with ECSS identify an area with higher prevalence of dog fouling and adopt a targeted awareness and monitoring campaign (e.g Keep Britain Tidy “We’re Watching You” campaign). Undertake analysis of the impact. Note that resource will be required for KBT campaign material. By June 2024.	Domestic Team ECSS PC’s Comms	Progress to be reported to committee annually. Evidence to show impact.
Engage with private landlords on waste management requirements in larger shared housing, and the rules around correct disposal of household waste items.	2, 3 and 4	Develop information specifically for landlords of Houses in Multiple Occupation (HMO’s) that sets out their role in managing their tenants to ensure household waste is properly disposed of. By March 2024.  Provide advice on how landlords must treat household items and waste left by occupiers at the end of a tenancy. By March 2024.	Domestic Team Housing and Community Services ECSS	Progress to be reported to committee annually. Material produced and number of LL’s contacted.

Intelligence	Priority area links	Targeted actions and timescales	Who	Monitoring and reporting
Liaise with City, Town and Parish Council’s and local businesses to share CCTV and intelligence images of fly tipping	1 and 2	Continue to work alongside those that operate their own CCTV cameras, using the evidence to enforce against those who deposit waste illegally. Ongoing.	Domestic Team City, Town, and Parish Councils.	Numbers of FPN’s. Update reports for website quarterly.  Data to show change in behaviours and occurrences (if applicable)
Ensure that internal reporting systems and processes are	1 and 3	Investigate methods for more accurate recording of waste deposits so that multiple reports of 1 fly	CRM ECSS	Progress to be reported to committee annually.

<p>aligned so that recorded figures for fly tipping, dog fouling etc incidents and enforcement and/or clearance actions are accurate.</p>		<p>tip are not counted as multiple fly tips. By May 2024.</p> <p>Investigate online reporting options for situations where a customer has previously reported a fly tip, but it has not yet been cleared, so that appropriate actions are taken and the fly tip report is not double counted. By May 2024.</p> <p>More accurate data sharing systems to be adopted between Domestic Team and ECSS to assist with accurate modelling of scale and extent of issues. For example, dog fouling clearance requests go straight to ECSS whereas dog fouling complaints are dealt with by the Domestic Team. By May 2024.</p>	<p>Domestic Team</p>	
<p>Join with other local authorities and the EA in a county waste crime group to share best practice and to share and improve intelligence.</p>	<p>1 and 2</p>	<p>Continue to attend the County RECAP meetings, where data is shared and information on cross border offences can be used to understand the extent of the problem and to identify areas of best practice. Ongoing.</p>	<p>Domestic Team</p>	<p>Updates to be provided to committee annually.</p>
<p>Progress the work already undertaken on the options for purchase of remote deployable CCTV.</p>	<p>1</p>	<p>Submit a report outlining the options available for CCTV, to comply with Data Protection, GDPR and image quality requirements.</p> <p>Continue to liaise with PC on most appropriate and cost-effective options, identifying resource implications and potential grant funding for both PC's and DC, for installation and costs of monitoring</p>	<p>Domestic Team</p> <p>PC's</p> <p>ASB team</p>	<p>Report identifying options and resources required, to committee by March 2024.</p>

		and safe storage of the images produced.		
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Reassurance	Priority area links	Targeted actions and timescales	Who	Monitoring and reporting
Publicise successful prosecutions and results for all cases	1, 2, 3 and 4	Updates on ECDC social media and website. Use of local media. Ongoing	Comms Domestic Team	Numbers of FPN's, prosecutions and other enforcement actions. Website updated quarterly. Reporting via local media of successful prosecutions. Ongoing.
The council will produce accurate figures on numbers of fly tips being reported to publicise current trends.	1	Updates on ECDC social media and website. Use of local media. Ongoing	Comms Domestic Team	Progress to be reported to committee annually.
The council will publicise their involvement in campaigns and their achievements.	1, 2, 3 and 4	Updates on ECDC social media and website. Use of local media. Ongoing	Comms Domestic Team	Progress to be reported to committee annually.

Enforcement	Priority area links	Targeted actions and timescales	Who	Monitoring and reporting
Issue FPN's and CPN's where such actions are supported by our Env Crime Enforcement Policy.	1, 2, 3 and 4	Update procedures in line with the new Env Crime Enforcement Policy, the updated penalty fee policy, and the updated RIPA Guidance. Ensure all actions continue to comply with the CPIA and the DPA e.g clarification on use of dashcam footage. By April 2024	Domestic Team Legal	Numbers of FPN's Numbers of CPW's and CPN's Website updated quarterly. Data to show current trends in number of incidents. To be reported to committee annually.

Vigorously pursue nonpayment of FPN's, forwarding all such cases through to Legal for consideration of prosecution.	1,2 and 3	Ongoing	Legal  Domestic Team	Number of cases successfully prosecuted following non-payment of FPN. Website updated quarterly. Reported to committee annually.
In line with our Env Crime Enforcement Policy pursue prosecutions for the more serious offences.	1, 2, 3 and 4	Ongoing	Domestic Team  Legal	Number of cases forwarded for prosecution reported to committee annually. Successful prosecutions reported on website and local media.
Work closely with the Planning Enforcement Team to address fly posting.	2	Update info on website.  Info to be provided at SAG on fly posting regulations.  If fly posting is either identified by a resident complaint or because of an officer identifying excess posters in an area, such cases will be jointly considered. Agreement to be reached on the most appropriate course of action, for example verbal warning, an FPN or a CPW/CPN.	Planning Enforcement  Domestic Team	Data on number of complaints and actions taken to be reported annually.
Work closely with the ASB team to address all environmental crime related ASB concerns.	4	Update info on website ensuring clear links to related sites that provide information and advice on environmental crime. By June 2024.  In conjunction with the Police, the ASB team, other community safety partners and ECSS, review opportunities for expansion of PSPO's within the district, where there are direct links to environmental crime and robust evidence supports	Domestic Team  ASB Team  Police  ECSS	Progress to be reported annually.

		such measures. For example, littering from vehicles, early presentation of waste. By April 2025.		
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## **ECDC Carbon Impact Assessment (CIA) (updated June 2021)**

Please complete all areas of this form and return to Richard Kay for approval.

Please see separate guidance note for more information on how to complete this form.

**Important Note:** This full CIA does not need adding to your committee report. However, the answer to Q10 of this CIA should be the exact words you do add to your committee report. Therefore, please make sure your response to Q10 is clear, is what you want to be made public and can be read as a 'stand alone' paragraph(s).

### **SECTION 1: Proposal Details**

#### **1. Proposal name (eg the title of the report to Committee):**

Adoption of Environmental Crime Action Plan

#### **2. Please indicate who the decision maker will be (eg name of Committee, or Full Council):**

Operational service committee

#### **3. Please provide a brief description of the proposal including the proposed outcomes:**

The draft Env Crime strategy and action plan, when read alongside the Enforcement Policy, sets out the overarching approach to tackling environmental crime. There is information on how the council intends to prevent environmental crime; how it intends to use intelligence to target resources effectively and efficiently; how and when it will use enforcement powers to encourage behaviour change and punish offenders; and, how the council will re-assure those who care about the environment that East Cambridgeshire District Council takes its environmental responsibility seriously.

#### **4. Project or Proposal end or completion date (if applicable):**

2023/24 and beyond

### **SECTION 2: Proposal Impact**

#### **5. Now consider whether any of the following aspects will be affected**

**(Note: the questions are split into any impact on the Council and then any impact on the wider District)**

:

Aspect	Likely carbon impact			Commentary <i>Please explain why it is likely to have this effect</i>
	+ve	-ve	neutral	
<b>Buildings Energy</b>				
Will the proposal have an impact on the <b>COUNCIL's</b> energy consumption via buildings (consider electricity, gas, oil & heating of buildings/water)? If the proposal involves the acquisition or sale of a building or equipment, in the commentary box explain energy efficiency been considered?			x	

Will the proposal have an impact on the <b>DISTRICT's</b> energy consumption via buildings (consider electricity, gas, oil & heating of buildings/water)?			x	
<b>Travel</b>				
Will the proposal have an impact on the <b>COUNCIL's</b> energy consumption via travel (e.g. petrol/diesel usage)?	x			The threat of higher penalty charges and increased promotions aimed at informing the public and businesses on the risk of incorrect disposal of their waste may decrease the number of fly tips and littering that occurs within the district, thereby decreasing the number of officer inspections required to investigate dumped waste and supporting a decrease in the associated vehicle movements required to clear and dispose of the waste.
Will the proposal have an impact on the <b>DISTRICT's</b> energy consumption via travel (e.g. petrol/diesel usage)?	x			As above
<b>Water</b>				
Will the proposal have an impact on the <b>COUNCIL's</b> water usage?			x	
Will the proposal have an impact on the <b>DISTRICT's</b> water usage?			x	
<b>Renewable Energy</b>				
Will the proposal have an impact on the <b>COUNCIL's</b> creation or use of renewable energy?			x	
Will the proposal have an impact on the <b>DISTRICT's</b> creation or use of renewable energy?			x	
<b>Embodied Carbon (sometimes referred to as embodied energy)</b>				
Does the proposal include the construction of buildings or other significant infrastructure, or the significant production of equipment (eg a vehicle)?  Will measures be included to procure buildings/infrastructure/ products which are known to			x	n/a

have a lower embodied carbon content?				
<b>Natural Environment</b>				
Are there any further ways in which your proposal will have an impact on the natural environment? For example, biodiversity, tree planting, land management etc.	x			A reduction in environmental crime will also deliver an increase in the quality of the local environment, a reduction in associated environmental pollution and contamination and associated improvements in public perception of the local environment.

**SECTION 3: Actions**

**6. Have any of the above impacts identified been quantified and if not, is this possible as part of the project?**

Impact of the introduction of the action plan will be monitored using data on number of fly tips and/or number of FPN's and prosecutions.

**7. Can any negative carbon impacts identified be justified as appropriate or necessary when considering other benefits of the project?**

n/a

**8. What steps, if any, will you take to reduce any negative carbon impact of the project?**

n/a

**9. Carbon impacts should be monitored as the project progresses. If you have identified any impacts, what information will you use to manage this process?**

Data on number of fly tips will continue to be monitored and any reductions or increases identified.

**10. Provide an overall summary to be included in your covering report.**

The threat of higher penalty charges and increased promotions aimed at informing the public and businesses on the risk of incorrect disposal of their waste may decrease the number of fly tips and littering that occurs within the district, thereby decreasing the number of officer inspections required to investigate dumped waste and supporting a decrease in the associated vehicle movements required to clear and dispose of the waste.  
A reduction in environmental crime will also deliver an increase in the quality of the local environment, a reduction in associated environmental pollution and contamination and associated improvements in public perception of the local environment.

**11. Officer details and assessment approval**

*Please complete your details and return for approval*

Assessment completed by:	Karen See
Service Lead sign off:	
Date Initial Assessment completed:	18 <sup>th</sup> Oct 2023
<b>Approval</b>	
Date approved by Richard Kay together with any additional comments:	

**TITLE: Environmental Crime Fixed Penalty Notices Charging Structure 2023**

Committee: Operational Services Committee

Date: 13<sup>th</sup> November 2023

Author: Senior Environmental Health officer

Report No: Y87

Contact Officer: Karen See, Senior EHO

[Karen.see@eastcambs.gov.uk](mailto:Karen.see@eastcambs.gov.uk)

01353 616358

SF308 The Grange, Ely

## **1.0 ISSUE**

1.1. To adopt new financial penalties for Fixed Penalty Notices (FPN's).

## **2.0 RECOMMENDATION(S)**

Members to approve.

- (1) Adoption of the matrix and associated Environmental Crime FPN Charges contained in Appendix 1 and 2 of the Report, to allow individual charges to be levied up to the maximum penalty levels contained in the Environmental Offences (Fixed Penalties) (Amendment) (England) Regulations 2023, and
- (2) Remain with the current policy of no percentage reduction for early payment of all environmental crime penalties.
- (3) A date for implementation of the new penalty charges of January 2024.

## **3.0 BACKGROUND**

- 3.1. FPN's are a civil enforcement sanction and are used by Local Authorities as an alternative to prosecution for certain offences such as fly tipping, dog fouling, littering, graffiti, fly posting etc.
- 3.2. A fixed penalty is not a fine. Payment of the penalty by the recipient discharges their liability to conviction for the offence for which the FPN was issued. It does not constitute an admission of guilt but removes the possibility of the creation of a record of criminal conviction.
- 3.3. Primary legislation and their associated regulations such as The Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016 and the Environmental Offences (Fixed Penalties) (England) Regulations 2017 allowed Local Authorities to set their own penalty charges, within maximum and minimum parameters, as

laid down by Statute. They also allowed Local Authorities to offer reduced charges for early payment of FPN.

- 3.4. The Council's current adopted charging structure and those set by the new regulations is as follows:

<b>Environmental Offence</b>	<b>ECDC adopted Fixed Penalty Charge.</b>	<b>Range set by Regulations (prior to July 2023).</b>	<b>Range set by The Environmental Offences (Fixed Penalties) (Amendment) (England) Regulations 2023</b>
Illegal Waste Deposit	£400	£120- £400	£120 - £1000
Failure to produce a waste carriers' licence or waste transfer documentation	£300	£180 - £300	No change
Breach of householder duty of care	£200 (default charge)	£120 - £400	£120 - £600
Abandoning a vehicle	£200	£120 - £200	No change
Nuisance parking	£100	£60 - £100	No change
Alarm noise	£80	£50 - £80	No change
Littering	£150	£65 - £150	£65 - £500
Graffiti	£150	£65 - £150	£65 - £500
Fly Posting	£150	£65 - £150	£65 - £500
Unauthorised distribution of free literature on designated land	£150	£65 - £150	No change
Breach of the Public Space Protection Order (e.g. failure to clear up dog fouling)	£80	£80	No change

Members agreed in 2017 and 2018 not to adopt discounts for early payment of penalty charges, therefore the table above has not included the lesser penalty amounts allowed by the previous Regulations, and about which the new Regulations are silent.

- 3.5. From 31<sup>st</sup> July 2023 the upper limit of fixed penalty notices for littering, graffiti and fly posting offences increased from £150 to £500; for household waste duty of care offences from £400 to £600; and for fly tipping offences from £400 to £1,000. Penalties for other offences remain unchanged.
- 3.6. A charging policy that recognises the impacts of environmental crime and which robustly tackles those who continue to damage the environment by failing to properly dispose of their waste is key.
- 3.7. The council must use its enforcement powers in a manner which is proportionate to risk, expedient and efficient as well as consistent and fair.
- 3.8. As previously agreed by Members in 2017 and 2018 the adoption of the maximum charge levels for all offences with no reduction for early payment would on the face of it seem appropriate. The cost to the Council of investigating incidents, prosecution case management, and clearing fly tips is significant.
- 3.9. There is however a risk when charging the max fixed penalty for every incident where the evidence is sufficient to allow us to do so, and not offering a discount

for early payment, that greater numbers of people refuse to accept the FPN and opt for their case to be heard through the Courts. This will significantly impact the resources required by the local authority in taking such prosecutions.

- 3.10. Penalty charges must be set at a level where the perpetrator learns from their actions, is appropriately punished, but ultimately accepts responsibility and pays for the charge, thereby discharging their responsibility to attend court. It would be counterproductive for all charges to be at levels which persons are unable to afford, and which encourages persons to take their case to court.
- 3.11. Fixed penalty charge levels are irrelevant to any fine likely to be imposed by a Court, as at the point of sentencing the court must consider the Sentencing Council Guidelines. They must consider all mitigating circumstances including an individual's financial status. In some case fines can be considerably lower than the original FPN.
- 3.12. Some other local authorities have taken the approach of setting tiered bands for level of penalty charge, but with a focus on the amount of waste fly tipped. The risk with a policy that adopts a blanket approach would be 2 bags of hazardous waste such as asbestos being fly tipped would have to attract the same penalty as 2 bags of inert waste.
- 3.13. One option is to adopt a penalty charge structure which allows the enforcement officers to consider the motive of the offender as well as the degree of harm. This can be achieved with a penalty matrix that identifies the range of charges that are appropriate for different scenarios and setting the charge accordingly, on a case-by-case basis but remaining within formal bands.
- 3.14. The adoption of a matrix will formalise the parameters of the penalty structure and aid consistency of decision making. The proposed matrix is produced in Appendix 1. The table in Appendix 2 summarises the banding of levels to be charged.
- 3.15. There is no saving to the council in offering a reduced charge for early payment. The council costs are the same if the perpetrator pays early or at the end of the payment period. It could however be argued that an early payment discount may encourage more people to pay the FPN, particularly if the penalty charges being levied have significantly increased. The 2022/23 recovery rate for payment of FPN's at East Cambridgeshire, even without the early payment option, is currently high at 91%.
- 3.16. The council does offer in certain circumstances a payment plan option and take up of this facility has proved successful in recovering the full payment amount in most cases.
- 3.17. It will be key to maintain an overview of the number of non-payments and impact on resources with adoption of higher penalties and continuing without the option for reduced early payment. The option to implement further changes in the future remains.

- 3.18. The proposed introduction date for adoption of the new penalty charges is January 2024. This will allow time for the administration changes to be implemented and to provide an opportunity to advertise the new penalties, to warn potential offenders of the risks they will be taking for failing to comply. A January implementation will provide an opportunity to target information and promotions on post-Christmas fly tipping offences.

#### **4.0 ARGUMENTS/CONCLUSION(S)**

- 4.1. East Cambs has had a good response to payment of FPN's in their current format. In 2022/23 18 FPN's were issued and paid. Those currently outstanding are paying via a payment plan ranging from £20 per month for a £400 fly tipping fixed penalty to £100 per month for 3 FPN's of £200 each, therefore totalling £600, that was accepted by a resident under the householder waste duty of care offence. Both examples of payment plan agreements relate to individuals of limited means.
- 4.2. Taking these example cases to Court because of non-payment of the new proposed maximum penalties of £600 for each householder duty of care offence (which would result in a £1800 penalty charge in the above example) and £1000 for the fly tipping offence may result in a lower court fine being applied. This is anticipated as the original non-payment would likely be because of un-affordability claims. Council's do not receive court fines, only costs agreed as appropriate by the Court. The risk for councils with such a scenario is that a blanket use of the maximum penalty charge may increase the numbers opting for prosecution, thereby increasing council legal costs, and reducing any penalty income.
- 4.3. The proposal for consideration is that individual cases and the charge penalty to be applied should be viewed on a case-by-case basis, up to the maximum level, but within parameters set by the Local Authority which are transparent and proportionate to the circumstances. For example, identification of a business making a profit from the practice of fly tipping and/or the waste being hazardous or large scale, would attract the highest penalty of £1000 compared to a householder who fly tips smaller scale and inert items of household waste next to a bin attracting a likely penalty of £400.
- 4.4. A further example of the need to consider whether a blanket approach of applying the maximum penalty charge is appropriate, is in the relationship between littering and dog fouling penalties. Up to £100 for failing to pick up after your dog, compared to £500 for any item of litter dropped, may seem disproportionate. A blanket approach to setting the maximum fixed penalty would not allow degrees of harm and individual culpability to be considered.
- 4.5. The council will continue to prosecute the most serious or repeat offenders rather than serve an FPN.
- 4.6. Any level of early payment reduction would increase the burden on the council, in monitoring and administration of the different payments being received relating to the two different time periods. It also seems incongruous that having considered



the environmental harm caused and the culpability of the individual offence we are then suggesting if they can afford to pay early, there is a lesser penalty charge.

- 4.7. To provide clarity for the public on the Council's policy, should the view be that early repayment reductions are now applicable, would require its application to all penalty charges where this option is expressly offered within existing regulations, including those offence penalties that have not been increased by the 2023 Regulations.

## **5.0 FINANCIAL IMPLICATIONS / EQUALITY IMPACT STATEMENT / CARBON IMPACT ASSESSMENT**

- 5.1. There may be increased cost to the council from taking more prosecution cases to court. This may be balanced by the income from payment of fixed penalties and the option for charging higher penalties for the more serious incidents.
- 5.2. Equality Impact Assessment (EIA) not required.
- 5.3. Carbon Impact Assessment (CIA) completed. The threat of higher penalty charges may decrease the number of fly tips and littering that occurs within the district, thereby decreasing the number of officer inspections (and corresponding vehicle usage) required to investigate dumped waste and supporting a decrease in the associated vehicle movements required to clear and dispose of the waste. A reduction in environmental crime will also deliver an increase in the quality of the local environment, a reduction in associated environmental pollution and contamination and associated improvements in public perception of the local environment.

## **6.0 APPENDICES**

Appendix 1 - Fixed Penalty Notice Charge Matrix  
Appendix 2 - Fixed Penalty Notice Charges.

### Background Documents:

Environmental Protection Act 1990

Anti-Social Behaviour Act 2003

ASB, Crime and Policing Act 2014

The Environmental Offences (Fixed Penalties) (England) Regulations 2017,

The Environmental Offences (Fixed Penalties) (Amendment) (England) Regulations 2023 SI 2023/770

## Appendix 1 – Fixed Penalty Notice Charge Matrix

### Step 1 - Consideration of culpability factors

LEVEL	DESCRIPTION EXAMPLES
Maximum	Where the individual has intentionally and seriously breached, or seriously and flagrantly disregarded the law and knew their actions were unlawful.
Medium	Breach committed through an act or omission which a person exercising reasonable care would not commit.
Minimum	Person has taken reasonable care but is not fully compliant with Regulation standards.

### Step 2 - Consideration of harm outcomes

LEVEL	EXAMPLES
High	<p>High likelihood of harm</p> <ul style="list-style-type: none"> <li>• Serious adverse effects on environment and/or having widespread impact due to the nature and/or scale of the waste.</li> <li>• Waste deposited in the road causing a road safety hazard.</li> <li>• Graffiti of an offensive nature.</li> </ul>
Medium	<p>Medium likelihood of harm</p> <ul style="list-style-type: none"> <li>• Adverse effect on environment</li> <li>• Medium risk of an adverse effect on individuals for example hindering a farmer's access to fields, or impacts on users of a Byway etc.</li> </ul>
Low	<p>Low likelihood of harm</p> <ul style="list-style-type: none"> <li>• Low risk of an adverse effect on environment.</li> <li>• Unsightly and likely to be viewed negatively by the public, but low level of harm.</li> </ul>

Step 3 - Use of culpability and harm to provide a point scale for the fixed penalty range.

	CLASS OF HARM		
CULPABILITY	HIGH	MEDIUM	LOW
MAXIMUM	5	4	3
MEDIUM	4	3	2
MINIMUM	3	2	1

Step 4 - The scale point is then used to provide the penalty banding as below:

1. < £100 but refer to Step 6 below
2. £101 - £200
3. £201 - £400
4. £401 - £600
5. £600 - £1000

Step 5 – Charges shall be set to the maximum point within each band (or at the maximum allowed by the regulations, if the banding maximum calculated results in a level higher than that permitted). If there are relevant mitigating circumstances a downward adjustment within the banding will be considered.

Step 6 - If the banding calculation falls within Level 1 then alternative action, rather than a FPN is likely to be applicable, for example a warning (either verbal or written), education, providing the individual with the option for immediate removal and making good etc.

Step 7 - Fixed Penalty Notices will not be a suitable sanction in all circumstances, either due to the nature of the incident, insufficient evidence being available etc. There will also be occasions where prosecution is considered the correct option. All decisions as to the most appropriate course of action will be in accordance with the guidance contained within the Environmental Crime Enforcement Policy 2023.

Step 8 – East Cambridgeshire’s Public Space Protection Order (PSPO) – Dog Fouling remains in place until January 2025 and identifies the FPN level to be £80. An increase in the FPN charge to a maximum of £100 will be proposed when the PSPO is renewed.

Appendix 2 – 2023 Fixed Penalty Notice Charges

<b>Environmental Offence</b>	<b>Range of fixed penalty notice charge</b>
Illegal Waste Deposit	£400 - £1000
Failure to produce a waste carriers' licence or waste transfer documentation	£300
Breach of householder duty of care	£400 - £600
Abandoning a vehicle	£200
Nuisance parking	£100
Alarm noise	£80
Littering	£150 - £500
Graffiti	£150 - £500
Fly Posting	£150 - £500
Unauthorised distribution of free literature on designated land	£150
Breach of the Public Space Protection Order (failure to clear up dog fouling)	£80

## ECDC Carbon Impact Assessment (CIA) (updated June 2021)

Please complete all areas of this form and return to Richard Kay for approval.

Please see separate guidance note for more information on how to complete this form.

**Important Note:** This full CIA does not need adding to your committee report. However, the answer to Q10 of this CIA should be the exact words you do add to your committee report. Therefore, please make sure your response to Q10 is clear, is what you want to be made public and can be read as a 'stand alone' paragraph(s).

### SECTION 1: Proposal Details

#### 1. Proposal name (eg the title of the report to Committee):

Environmental Crime Fixed Penalty Notices Charge Structure 2023

#### 2. Please indicate who the decision maker will be (eg name of Committee, or Full Council):

Operational services committee

#### 3. Please provide a brief description of the proposal including the proposed outcomes:

FPN's are a civil enforcement sanction and are used by Local Authorities as an alternative to prosecution for certain offences such as fly tipping, dog fouling, littering, graffiti, fly posting etc.  
From 31st July 2023 Regulations were introduced to raise the upper limit of fixed penalty notices for littering, graffiti and fly posting offences from £150 to £500; for household waste duty of care offences from £400 to £600; and for fly tipping offences from £400 to £1,000. Penalties for other offences remain unchanged.  
The proposal is to adopt a matrix to enable higher penalty charges to be applied, and to provide a means by which the council can apply the higher penalty charges to the more serious environmental offences, the aim being to reduce the incidences of environmental crime.

#### 4. Project or Proposal end or completion date (if applicable):

To be adopted from 1<sup>st</sup> Jan 2024.

### SECTION 2: Proposal Impact

#### 5. Now consider whether any of the following aspects will be affected

(Note: the questions are split into any impact on the Council and then any impact on the wider District)

:

Aspect	Likely carbon impact			Commentary <i>Please explain why it is likely to have this effect</i>
	+ve	-ve	neutral	
<b>Buildings Energy</b>				
Will the proposal have an impact on the <b>COUNCIL's</b> energy consumption via buildings (consider electricity, gas, oil & heating of buildings/water)? If the proposal involves the acquisition or sale of a building or equipment, in the commentary box explain energy efficiency been considered?			x	

Will the proposal have an impact on the <b>DISTRICT's</b> energy consumption via buildings (consider electricity, gas, oil & heating of buildings/water)?			x	
<b>Travel</b>				
Will the proposal have an impact on the <b>COUNCIL's</b> energy consumption via travel (e.g. petrol/diesel usage)?	x			The threat of higher penalty charges may decrease the number of fly tips and littering that occurs within the district, thereby decreasing the number of officer inspections required to investigate dumped waste and supporting a decrease in the associated vehicle movements required to clear and dispose of the waste.
Will the proposal have an impact on the <b>DISTRICT's</b> energy consumption via travel (e.g. petrol/diesel usage)?	x			As above.
<b>Water</b>				
Will the proposal have an impact on the <b>COUNCIL's</b> water usage?			x	
Will the proposal have an impact on the <b>DISTRICT's</b> water usage?			x	
<b>Renewable Energy</b>				
Will the proposal have an impact on the <b>COUNCIL's</b> creation or use of renewable energy?			x	
Will the proposal have an impact on the <b>DISTRICT's</b> creation or use of renewable energy?			x	
<b>Embodied Carbon (sometimes referred to as embodied energy)</b>				
Does the proposal include the construction of buildings or other significant infrastructure, or the significant production of equipment (eg a vehicle)?			X	No
Will measures be included to procure buildings/infrastructure/products which are known to have a lower embodied carbon content?			x	No

Natural Environment				
Are there any further ways in which your proposal will have an impact on the natural environment? For example, biodiversity, tree planting, land management etc.	x			A reduction in environmental crime will also deliver an increase in the quality of the local environment, a reduction in associated environmental pollution and contamination and associated improvements in public perception of the local environment.

**SECTION 3: Actions**

**6. Have any of the above impacts identified been quantified and if not, is this possible as part of the project?**

Impact of the introduction of a new fee policy will be monitored using data on number of fly tips and/or number of FPN's and prosecutions.

**7. Can any negative carbon impacts identified be justified as appropriate or necessary when considering other benefits of the project?**

n/a

**8. What steps, if any, will you take to reduce any negative carbon impact of the project?**

n/a

**9. Carbon impacts should be monitored as the project progresses. If you have identified any impacts, what information will you use to manage this process?**

Data on number of fly tips will continue to be monitored and any reductions or increases identified.

**10. Provide an overall summary to be included in your covering report.**

The threat of higher penalty charges may decrease the number of fly tips and littering that occurs within the district, thereby decreasing the number of officer inspections (and corresponding vehicle usage) required to investigate dumped waste and supporting a decrease in the associated vehicle movements required to clear and dispose of the waste.  
 A reduction in environmental crime will also deliver an increase in the quality of the local environment, a reduction in associated environmental pollution and contamination and associated improvements in public perception of the local environment.

**11. Officer details and assessment approval**

*Please complete your details and return for approval*

Assessment completed by:	Karen See
--------------------------	-----------

Service Lead sign off:	
Date Initial Assessment completed:	18 <sup>th</sup> Oct 2023.
<b>Approval</b>	
Date approved by Richard Kay together with any additional comments:	



**TITLE: Service Delivery Plans – 6 month Performance Update**

Committee: Operational Services Committee

Date: 13 November 2023

Author: Director (Operations)

Report No: Y88

Contact Officer: Isabel Edgar, Director (Operations)  
[isabel.edgar@eastcambs.gov.uk](mailto:isabel.edgar@eastcambs.gov.uk), 01353 616301, The Grange, Ely

**1.0 ISSUE**

1.1. To receive an update on the Service Delivery Plans 2023/24

**2.0 RECOMMENDATION(S)**

2.1. Members are requested to note this update report

**3.0 BACKGROUND/OPTIONS**

3.1. The Service Delivery plans for 2023/24 were approved by Operational Services committee on 27 March 2023 (agenda item 10) for the following Services:

- a. Building Control
- b. Communities and Partnerships
- c. Communications
- d. Customer Services
- e. Environmental Services
- f. Housing and Community Advice
- g. Information Technology
- h. Leisure Services
- i. Licensing
- j. Planning
- k. Waste Services

**4.0 ARGUMENTS/CONCLUSION(S)**

4.1. In Appendices 1 -11, an update is provided against performance targets for each Service area. Where a service is performing over or below target, a narrative has been provided.

**5.0 FINANCIAL IMPLICATIONS / EQUALITY IMPACT STATEMENT / CARBON IMPACT ASSESSMENT**

5.1. There are no additional financial implications arising from this report.

5.2. Equality Impact Assessment (EIA) not required.

5.3. Carbon Impact Assessment (CIA) not required

**6.0** **APPENDICES** (printed separately)

- a. Building Control
- b. Communities and Partnerships
- c. Communications
- d. Customer Services
- e. Environmental Services
- f. Housing and Community Advice
- g. Information Technology
- h. Leisure Services
- i. Licensing
- j. Planning
- k. Waste Services

**Background Documents:**

[Service Delivery Plans 2023/24](#)

**TITLE: Strategic Service Review (Waste and Recycling)**

Committee: Operational Services Committee

Date: 13 November 2023

Author: Director (Operations)

Report No: Y89

Contact Officer: Isabel Edgar, Director (Operations)  
[isabel.edgar@eastcambs.gov.uk](mailto:isabel.edgar@eastcambs.gov.uk), 01353 616301, The Grange, Ely

## **1.0 ISSUE**

1.1. Strategic review of the Councils future waste and recycling service.

## **2.0 RECOMMENDATION(S)**

2.1. Members are requested to:

2.2. Approve a Strategic Service Review of the Waste and Recycling Service, including potential delivery models.

2.3. Approve a member working group as set out in section 4.3 and nominate 3 members to act on behalf of the committee.

2.4. To note the timeline of the review and subsequent implementation

## **3.0 BACKGROUND/OPTIONS**

3.1. The Council currently delivers all statutory waste collection and street cleansing services through a Memorandum of Agreement (MOA) with East Cambs Street Scene. A wholly owned company of the Council.

3.2. Following a review by the Chief Executive relating to the Corporate Risk Register, a number of recommendations were considered by Audit Committee relating to the existing MOA and the Councils waste service beyond the expiry of the MOA in 2025. The Audit Committee approved the recommendations set out in the report to request Operational Services Committee to undertake a review of the Waste and Recycling service and prepare a project plan for implementation by 2025.

3.3. Many Local Authorities have had to postpone decisions relating to domestic waste collection services due to delays in guidance being issued by Central Government relating to the implementation of the Environment Act 2021.

3.4. Changes imposed by the implementation of the Act are expected to bring new burdens funding to support Councils to comply with the new requirements. At the time of writing, DEFRA are now briefing Councils on the new 'Simpler Recycling' regime to be implemented over the next 3 years.

3.5. The MOA expires in March 2025 and therefore the Council needs to review its service requirements to ensure that it is still fit for purpose.

#### **4.0 ARGUMENTS/CONCLUSION(S)**

- 4.1. The scope of the Strategic Service review will need to be fully worked up, however in summary the Review needs to consider the requirements of the emerging Environment Act 2021 and options around improving the refuse collection service and enhancing the recycling service (dry mixed recycling, garden waste and food waste). The review should also consider Street Cleansing options and the delivery of model of the overall Street Scene service (e.g in-house, contract out to third party etc).
- 4.2. When the above is understood, then resources, vehicles, and rounds/schedules can be overlaid to understand the best value and environmentally sustainable service. Other opportunities can then be considered such as, closer working between streets and open spaces, policies, fees and charges etc.
- 4.3. Given the high profile nature of the Waste and Recycling Service a cross party member working group is proposed and be made up of 3 Members to help shape and inform the options for consideration by the Operational Services Committee. The terms of reference for the working party are set out in Appendix 1.
- 4.4. Any changes to the Service will require a significant lead in time for mobilisation prior to March 2025. Therefore the following project timeline will enable options to be considered in a timely manner:

<b>Activity</b>	<b>Date</b>
Options Appraisal Development	November 2023 to January 2024
Options Short List	January 2024 (Ops Services Committee)
Option Recommendation	March 2024 (Ops Services Committee)
Final Service Option Adoption	April (Full Council)
Mobilisation	April 2024 – March 2025

#### **5.0 FINANCIAL IMPLICATIONS / EQUALITY IMPACT STATEMENT / CARBON IMPACT ASSESSMENT**

- 5.1. A budget of up to £30,000 has been estimated to undertake the Strategic Service Review. This fund will be used to secure specialist advice and modelling on different waste collection methodologies to inform the Review.
- 5.2. This budget will be drawn from the Major Projects reserve allocation for 23/24.
- 5.3. Equality Impact Assessment (EIA) this will be required when options for the Waste and recycling service considered by the Operational Services Committee
- 5.4. Carbon Impact Assessment (CIA) this will be required when options for the Waste and Recycling service are considered by the Operational Services Committee

#### **6.0 APPENDICES**

Appendix 1 – Waste Service Review Members Working Party Terms of Reference.

Background Documents: [Audit Committee Report](#)

## WASTE SERVICE REVIEW WORKING PARTY

### 1.0 CONSTITUTION

- 1.1 The Waste Service Review Working Party, appointed by Operational Services Committee, shall comprise 3 elected Members: 2 Conservatives and 1 Liberal Democrat. The Chairman of Operational Services Committee will chair the Working Party.
- 1.2 The Working Party will be a 'task and finish' member body and will report to the March 2024 Operational Services Committee.

### 2.0 OBJECTIVES

- 2.1 To review the existing domestic waste and recycling collection service provision for the district and make proposals on ensuring it remains a cost effective and high quality service.
- 2.2 To review the existing street cleansing service and make proposals to ensure it delivers a cost-effective and high quality service.

### 3.0 TERMS OF REFERENCE

- 3.1 The Working Party's terms of reference shall be to:
- review the existing domestic waste and recycling service to determine any changes to service required to achieve:
    - Compliance with emerging environmental legislation
    - Improved service quality and safety
    - Increased recycling rates for dry mixed recycling, food waste and garden waste and a reduction in refuse.
  - review the existing street cleansing service to determine service levels for quality and scheduling.
  - consider potential service delivery models.
  - make recommendations to March 2024 Operational Services Committee.

### 4.0 OPERATION OF THE WORKING GROUP

- 4.1 The Working Party will agree a programme of work and a frequency of meetings that reflects the priorities it identifies.
- 4.2 The lead officer for the Working Party will be Director, Operations
- 4.3 All meetings will be minuted.



**BRECKLAND COUNCIL**  
**EAST CAMBRIDGESHIRE DISTRICT COUNCIL**  
**EAST SUFFOLK DISTRICT COUNCIL**  
**FENLAND DISTRICT COUNCIL**  
**WEST SUFFOLK DISTRICT COUNCIL**

**At a Meeting of the**

**ANGLIA REVENUES & BENEFITS JOINT COMMITTEE**

**Held on Tuesday, 12 September 2023 at 10.00 am**  
**Virtual Meeting via Teams**

**PRESENT**

Cllr Paul Ashton (Chairman)	Cllr James Lay
Cllr Diane Hind (Vice-Chairman)	Cllr Sarah Suggitt (Substitute Member)
Cllr Jan French	

**In Attendance**

Sam Anthony	- Head of HR & OD (Fenland)
Lorraine King	- Head of Benefits & Council Tax Billing (ARP)
Rachael Mann	- Director (Resources & Property) (West Suffolk)
Adrian Mills	- Head of ARP
Lorraine Rogers	- Acting Chief Finance Officer & S151 Officer (East Suffolk District Council)
Matthew Waite-Wright	- Head of NNDR Recovery & Enforcement (ARP)
Ian Smith	- Director, Finance (East Cambs)
Julie Britton	- Democratic Services Officer (BDC)

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**23/23 MINUTES**

The Minutes of the meeting held on 13 June 2023 were agreed as a correct record.

**24/23 APOLOGIES**

An apology for absence had been received from Councillor Cowen (BDC). Councillor Suggitt was in attendance as his substitute.

A further apology had been received from Alison Chubbock, the Assistant Director of Finance & S151 Officer (BDC).

Joao Santos a member of the public from Iliffe Media Publishing, was also in attendance to observe the meeting.

**25/23 URGENT BUSINESS**

None.

**26/23 DECLARATIONS**

None declared.

**27/23 PERFORMANCE REPORT (STANDING ITEM)**

Matthew Waite-Wright, Head of NNDR Recovery & Enforcement (ARP)

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provided Members with a detailed overview of the Joint Committee Performance Report for the end of June 2023 Quarter 1 position.

He was pleased to report that in terms of fraud & compliance, the £1.3m target had been exceeded by £52,470.

Overall, all partner Councils combined were on target in all areas except for East Suffolk who was slightly behind target in respect of council tax collection. All targets were closely monitored and the position at the end of Quarter 2 was awaited.

The Chairman, Councillor Ashton, asked if East Suffolk's recovery rates were recovering or getting worse and if there was any further information available to show how Quarter 2 was progressing. He also asked if this was having an effect on all partners.

Members were informed that there had been no improvement since June and at the end of August, East Suffolk was still slightly behind their council tax collection target. However, compared to the same quarter last year, East Suffolk's collection rates were above target, benefiting from the Energy Rebate Scheme.

The Chairman was not surprised that during a cost-of-living crisis such difficulties were appearing and asked if he could have further discussions with the Head of NNDR Recovery & Enforcement (ARP) and Lorraine King, the Head of Benefits & Council Tax Billing (ARP) at some point after this meeting.

**MW-W**

The number of days to process Housing Benefit for Fenland District Council and West Suffolk Council for Quarter 1 was just outside of the 10-day target, higher than the previous year. This had been mainly due to the additional workload from administering the Council Tax Support Fund plus two alternative Energy Schemes. All three had been implemented at extremely short notice and at the busiest time of the year. These Schemes had since ended.

In terms of fraud & compliance, Councillor French said that she had asked on a number of occasions whether information on prosecutions could be provided and if such matters were widely publicised as putting such information into the public arena could discourage future fraudulent claims.

The Head of NNDR Recovery & Enforcement (ARP) explained that there were a number of criminal prosecutions that were still on-going, but obviously cases could not be named, however, when a good result had been reached, ARP liaised with each partners Communications Team for possible publication. It was noted that Single Person Discount (SPD) was the main area of fraud.

It was agreed that such information would be reported in future taking into account data protection rules and regulations.

In response to a concern raised by Councillor Hind in terms of further explanation for West Suffolk Council's 'red' indicator for processing Housing Benefit claims, members were informed that as explained earlier, this was being actioned. West Suffolk was just outside of the 10-day target and focus days were being planned to concentrate on getting new Housing Benefit claims more up to date and improve the processing times going into Quarter



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2 to hopefully get them back on target.

Councillor Lay had been very pleased with the sentencing of the Soham fraudster who had been found guilty of fraud against the Anglia Revenues Partnership and for the way it had been reported in the local newspaper by Illiffe Media Publishing Ltd. Councillor Lay, who also sat on the Citizens Advice Bureau for the West Suffolk area, advised that over the last 3 months he had noticed more and more people suffering hardship and somewhere along the line this would be highlighted in ARP's performance figures.

Adrian Mills, the Head of ARP advised that the operational impact to deliver the Government schemes in Quarter 1 could not be under-estimated, but the direction of travel was improving.

The Service updates as of June 2023 were then provided.

It was noted that the Enforcement fees that had been collected would be distributed in the usual way amongst the 5 partners.

In terms of Benefits, ARP was now automating 97% of changes in Universal Credit and had become a reference site for other supplier sites.

Work was continuing on the change of address automation project in terms of Council Tax and ARP Teams were working closely with the supplier to further develop the functionality.

The Chairman asked if this would include people moving to different districts. Members were informed that the technology was not there at the moment but hopefully it would be in the future.

Councillor French asked if new builds caused any issues and mentioned one of her constituents who was having problems registering their new home for Council Tax.

The Head of NNDR Recovery & Enforcement (ARP) explained the process that had to be followed. He was not aware of any specific problems but asked for the details of this individual customer to be forwarded to him so that this could be followed up.

Referring to Non-Domestic Rates (NDR), a new NDR Valuation List came into effect on 1 April 2023 where every property had been assigned a property value.

There had been a high volume of work undertaken in terms of ARP Systems and Digital and it was noted that historic database records that were no longer required were being deleted.

In terms of Fraud & Compliance, the Head of NNDR Recovery & Enforcement (ARP) was pleased to report that the Cambridgeshire Fraud Hub was now operational, and work continued to commence fraud work for Broadland and South Norfolk. Additionally, the implementation of agreements with Lincolnshire County Council were awaited regarding progressing SPD fraud with their seven district councils.

Referring to the Better Customer Experience Programme Members were informed that a new automated Council Tax moves (change of address form)

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project was still on-going. Two move types were already live with further expansion due following a software update. These changes would hopefully improve collection rates and also cut down on paper applications.

The report was otherwise noted.

**28/23 WELFARE REFORM UPDATE (STANDING ITEM)**

Lorraine King, Head of Benefits, Council Tax Billing & Systems (ARP), presented the report.

The following updates were provided:

At paragraph 2.1.15, DWP had been running a 2-year grant offer competition for future help to claim support from 2024 on a non-profit basis. The deadline for applications was 28 July 2023 and it was anticipated that DWP would have some news on this competition soon therefore the results would be publicised at some point in December.

At paragraph 2.1.16, under the summary of the current position on the expansion of Universal Credit, and at one of the liaison meetings, the Head of Benefits was made aware that Breckland and Cambridgeshire Councils had been included in the July 2023 tranche for migration of tax credit only cases. This meant that all five councils within the Partnership were making a start on their migration cases. Further updates were awaited.

At the end of April 2023 East Suffolk, Fenland and West Suffolk CEOs received notification that DWP would start to issue migration notices to households claiming tax credits only in July 2023. An issue was raised that Breckland and East Cambridgeshire had not been notified and this had been identified by DWP and improvements to the process were being put in place moving forward.

It was noted that ARP had been providing local authority feedback via these liaison meetings by providing input in terms of the migration notices such as who should sent these notices out, how they should be sent and what information they should include – this was quite a key piece of work for ARP to be involved in and Members would be kept updated.

The report was otherwise noted.

**29/23 ARP FINANCIAL PERFORMANCE (STANDING ITEM)**

In the absence of Alison Chubbock, the Assistant Director of Finance & S151 Officer (BDC), Adrian Mills, the Head of ARP, presented the annual quarterly performance report as of 30 June 2023.

The forecast at this stage of the year showed a small underspend against the budget of £49k for the whole of ARP, further information could be found in Appendix A of the report.

Members were asked to note that at the date of this report, the national pay award had not been determined for local government. The forecast currently assumes the budgeted pay award for each council as shown in the table at section 1.2 of the report. Each 1% change in the actual award would increase/decrease the forecast and Members would be kept informed as new

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information became available.

Members' attention was drawn to the Government's New Burdens' funding that had been received to offset the costs incurred for delivering the two energy alternative energy schemes that ARP administered.

A further £90,000 in funding from government departments was expected but this would be subject to a successful audit process of the scheme; therefore, this figure had not been included.

The budget for 2023-24 included an efficiency target of £100k, rising to £200k in future years. The efficiency savings for this year had already been achieved and steps were already underway to ensure that the increased target was achieved for the forthcoming financial year.

Referring to Appendix A of the report, in terms of the transformation funding, it was noted that a further investment of approximately £25k was anticipated to identify unrated properties; the exact value would be known following a procurement exercise. It was expected that the budget would be spent by the end of the year. If all the identified expenditure goes through in 2023/24 there would be £70k remaining for future projects.

Attention was drawn to the table at section 1.4 of the report. The table highlighted the share of the forecast outturn for each partner based on the ARP Joint Committee agreement. The agreement had different cost and income sharing splits for three areas of the budget, and as a result of the variances in the differing budget areas (such as Enforcement) the out-turn share for some partners was a surplus and for others was a cost.

These figures were anticipated to change not least because of the new additional New Burdens funding already mentioned but also other factors that would be forthcoming as the year progresses. Members would be kept informed.

The report and appendix were otherwise noted.

**30/23 FRAUD AND COMPLIANCE TEAM TARGET REVIEW**

The Head of NNDR Recovery & Enforcement (ARP) presented the report.

He was pleased to report that the current target of £1.3m for identified fraud had already been achieved in Quarter 1 by collecting just over £1.35m; therefore, required reviewing, hence the proposed recommendation to increase the performance target to £2.8m.

The largest element of the fraud identified was in Single Person Discount (SPD) awards. Across the partnership, the collection funds for the 2023/24 financial year included just over £48 million awarded in SPD. A 3% target of identifying fraud in this area was approximately £1.4 million. When considering past performance and the likely level of SPD, it had been considered that a 3% target, although quite stretching was achievable.

The Chairman asked if this target figure was realistic.

Members were informed that 3% was a reasonable figure and the reasoning behind this was explained.

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The Head of ARP stated that National Fraud Authority Bodies had estimated for several years now that 3% was the likely level of SPD fraud.

Councillor French asked what checks and balances were in place to identify new claimants and existing claimants to make sure that they actually were entitled to SPD.

The Head of ARP explained the process used by the in-house Team.

Councillor Suggitt asked if there was anything in place to prevent such fraud happening in the first instance by checking the application process and, if there was a better way for data to be shared.

The Head of NNDR Recovery & Enforcement (ARP) explained that once an SPD application was made credit checks were undertaken to check the validity of that application by using credit agencies, and other data. This would then be followed by an annual review using external data to verify their liability.

The Head of ARP reassured Members that every application was checked but the Team had to rely on data as and when it became available so there was a slight delay but was processed immediately once the data had been received.

Councillor James asked how ARP was monitoring the change in properties from residential to commercial use.

Members were informed that in terms of domestic properties being used for Air B&B for example, and whether it should attract business rates, this did form part of the credit searches and therefore such properties could be identified. However, this was a growing issue mainly due to the cost-of-living crisis as more people were making their properties available for such a use, but the Team accessed available data with checks and balances to identify any discrepancies.

Councillor Lay suggested that Members could help in some way by being the eyes and ears in their towns and villages.

The Head of NNDR Recovery & Enforcement (ARP) was grateful for the offer and stated that any referral of suspicious activity regarding Council Tax or Business Rates would be well received and investigated accordingly.

The Chairman pointed out that if a domestic property was classed as a business, it would not be entitled to normal bin collections either.

Councillor Hind asked for the differences to be explained in terms of having to pay business rates and provided some examples.

Members were informed that if someone converted their garage and installed sinks, chairs and provided parking spaces to set up a hairdressing business for example, this would be subject to business rates. It all depended on the individual circumstances. To follow up on this matter, Members were also informed that through lockdown many businesses received grants for business rates with some people applying because they were running a business from home, leading to such premises becoming liable for business

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rates.

Councillor French asked a question about charging Council Tax on empty homes.

The Head of NNDR Recovery & Enforcement (ARP) explained that if the property was owned by a charity which many social housing landlords and housings associations were, properties were entitled to be empty for six months before council tax charges were levied. This was government legislation.

The recommendation to increase the performance target for the Fraud & Compliance Team was proposed and seconded, and it was:

**RESOLVED** that the performance target for the Fraud & Compliance Team be increased from £1.3m to £2.8m per annum.

**31/23 FORTHCOMING ISSUES (STANDING ITEM)**

Nothing to report.

**32/23 NEXT MEETING**

The arrangements for the next meeting on Tuesday, 5 December 2023 at the Innovation Centre in Thetford at 9.30am were noted. Further details would follow.

The meeting closed at 10.56 am

CHAIRMAN



**OPERATIONAL SERVICES COMMITTEE**  
**ANNUAL AGENDA PLAN**

**AGENDA ITEM NO 18**

**LEAD OFFICER: Isabel Edgar, Director Operations**

**DEMOCRATIC SERVICES OFFICER:**

<b>Mon 19 June 2023 4:30pm</b>		<b>Mon 18 September 2023 4:30pm</b>		<b>Mon 13 November 2023 4:30pm</b>	
<b>Report deadline</b>	<b>4pm Mon 5 June</b>	<b>Report deadline</b>	<b>4pm Mon 4 Sept</b>	<b>Report deadline</b>	<b>4pm Mon 30 Oct</b>
<b>Agenda despatch</b>	<b>Weds 7 June</b>	<b>Agenda despatch</b>	<b>Weds 6 September</b>	<b>Agenda despatch</b>	<b>Weds 1 November</b>
Youth Action Plan Update	Stephanie Jones (Communities & Partnerships)	Community Safety Partnership Update	CSP Representative	VCAEC Update	VCAEC representative
VCAEC Update	Angela Haylock, CEO	Food Safety Enforcement Policy	Richard Garnett (Senior Env. Health Officer)	Service Delivery Plans – 6 Month Performance Monitoring	Service Leads
				Budget Monitoring Report	Anne Wareham (Senior Accountant)
Environment Action Plan 2023	Richard Kay (Strategic Planning Manager)	Health and Safety Enforcement Policy	Richard Garnett (Senior Env. Health Officer)	DAHA Policy & Strategy	Angela Parmenter (Housing & Community Safety Manager)
Representation on Outside Bodies & Annual Reports	SDSO	Environment Act Implementation	Director Operations	Environmental Crime Action Plan	Karen See (Senior Env. Health Officer)
Budget Outturn Report	Anne Wareham (Senior Accountant)	Environmental Crime Enforcement Policy Review	Liz Knox (Environmental Services Manager)	Environmental Crime Fixed Penalty Notices – Fee setting Review	Karen See (Senior Env. Health Officer)
<i>ARP Joint Committee Minutes</i>	<i>DSO</i>	HVO Vehicles Procurement	Liz Knox (Head of Street Scene)	Recommendation from Audit Committee 16 October 2023: Strategic Service Review (Waste & Recycling)	Director Operations
Forward Agenda Plan	DSO	Quarter 1 – Waste Performance Monitoring & Street Smart Highlights Report	Liz Knox (Head of Street Scene) & Catherine Sutherland (Development Manager)	HVO Procurement Options Update	Liz Knox (Head of Street Scene)
		Budget Monitoring Report	Anne Wareham (Senior Accountant)	ECSS Quarter 2 Overspend Report	Director Commercial

**Notes:**

1. Agenda items which are likely to be “urgent” and therefore not subject to call-in are marked \*
2. Agenda items in italics are provisional items / possible items for future meetings.

**OPERATIONAL SERVICES COMMITTEE**  
**ANNUAL AGENDA PLAN**

**AGENDA ITEM NO 18**

**LEAD OFFICER: Isabel Edgar, Director Operations**

**DEMOCRATIC SERVICES OFFICER:**

ECSS Management Accounts [EXEMPT]		ARP Joint Committee Minutes 13 June 2023	DSO	ECSS Half Yearly Report	Director Operations
<i>ECSS Board Minutes (if any)</i> [EXEMPT]		Forward Agenda Plan	DSO	Materials Recycling Contract – Procurement Update & Delegation Request [EXEMPT]	Liz Knox (Head of Street Scene)
		ECSS Management Accounts [EXEMPT]		Quarter 2 – Waste Performance Monitoring & Street Smart Highlights Report	Liz Knox (Head of Street Scene) & Catherine Sutherland (Development Manager)
		<i>ECSS Board Minutes (if any)</i> [EXEMPT]		ARP Joint Committee Minutes 12 September 2023	DSO
		ECSS Performance Matter [EXEMPT]	Director Legal	Forward Agenda Plan	DSO
				ECSS Management Accounts [EXEMPT]	
				<i>ECSS Board Minutes (if any)</i> [EXEMPT]	

**Notes:**

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**OPERATIONAL SERVICES COMMITTEE**  
**ANNUAL AGENDA PLAN**

**AGENDA ITEM NO 18**

**LEAD OFFICER: Isabel Edgar, Director Operations**

**DEMOCRATIC SERVICES OFFICER:**

<b>Mon 15 January 2024</b>		<b>Mon 25 March 2024</b>			
<b>4:30pm</b>		<b>4:30pm</b>			
<b>Report deadline</b>	<b>4pm Fri 29 Dec</b>	<b>Report deadline</b>	<b>4pm Mon 11 March</b>	<b>Report deadline</b>	
<b>Agenda despatch</b>	<b>Wed 3 Jan 2024</b>	<b>Agenda despatch</b>	<b>Wed 13 March 2024</b>	<b>Agenda despatch</b>	
Community Safety Partnership Update	CSP Representative	VCAEC Update	VCAEC representative		
Youth Action Plan Update	Stephanie Jones (Communities & Partnerships)	End of Year Reports 2023/24 Service Delivery Plans 2024/25	Service Leads		
Citizens Advice West Suffolk (CAWS) Grant	Lewis Bage (Communities & Partnerships)	ECSS Business Plan	Isabel Edgar ECSS Director		
VCAEC Grant	Lewis Bage (Communities & Partnerships)	Community Engagement Strategy	Lewis Bage (Communities & Partnerships)		
Health and Wellbeing Strategy and Action Plan review	Liz Knox (Environmental Services Manager)	Vulnerable Community Strategy	Lewis Bage (Communities & Partnerships)		
Information Security Policy Review	ICT Manager	Budget Monitoring Report	Anne Wareham (Senior Accountant)		
Waste Performance Monitoring Report Q3 & Street Smart Highlights Report	Liz Knox (Head of Street Scene) & Catherine Sutherland (Development Manager)	Waste Performance Monitoring Q4 & Street Smart Highlights Report	Liz Knox (Head of Street Scene) & Catherine Sutherland (Development Manager)		
<i>ARP Joint Committee Minutes</i>	<i>DSO</i>	<i>ARP Joint Committee Minutes</i>	<i>DSO</i>		
Forward Agenda Plan	DSO	Forward Agenda Plan	DSO		
ECSS Management Accounts [EXEMPT]		ECSS Management Accounts [EXEMPT]			
<i>ECSS Board Minutes (if any) [EXEMPT]</i>		<i>ECSS Board Minutes (if any) [EXEMPT]</i>			

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