

**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
<p>Cllr Vellacott</p>	<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>
<p>Cllr Inskip</p>	<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 & Cleansing Vehicles shows a significant variance with nearly £900,000. Does this mean there is no need for further capital expenditure on Refuse & 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 & 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 & 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"> • 5 for littering • 2 for fly tipping

		<ul style="list-style-type: none"> • 9 for breach of householder duty of care • 2 for commercial duty of care <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"> • It would be worth considering in any future engagement with our residents what has an effect on the amount of waste they produce. • 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. <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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