

COMMUNITIES, HOUSING AND ENVIRONMENT COMMITTEE MEETING

Date: Wednesday 30 March 2022
Time: 7.00 pm (or at the conclusion of the Crime and Disorder Overview
and Scrutiny Committee, whichever is the later)
Venue: Town Hall, High Street, Maidstone

Membership:

Councillors Bartlett, Joy, McKenna, Mortimer, Newton, Purle (Chairman),
M Rose, S Webb (Vice-Chairman) and Young

The Chairman will assume that all Members will read the reports before attending the meeting. Officers are asked to assume the same when introducing reports.

AGENDA

Page No.

1. Apologies for Absence
2. Notification of Substitute Members
3. Urgent Items
4. Notification of Visiting Members
5. Disclosures by Members and Officers
6. Disclosures of Lobbying
7. To consider whether any items should be taken in private because of the possible disclosure of exempt information.
8. Minutes of the Meeting Held on 1 March 2022 1 - 6
9. Presentation of Petitions (if any)
10. Questions and answer session for members of the public (if any)
11. Questions from Members to the Chairman (if any)
12. Committee Work Programme 7
13. Reports of Outside Bodies

Issued on Tuesday 22 March 2022

Continued Over/:

Alison Broom

Alison Broom, Chief Executive

14. Reference From Licensing Committee - Hackney Carriage and Private Hire - Policy on Vehicle Age	8 - 9
15. Effective Interventions for Tackling ASB by the Community Safety Unit - Follow Up Report	10 - 15
16. Progress of Waste Crime Enforcement and Future Focus	16 - 23
17. Withdrawal of Garden Waste Sacks	24 - 32

INFORMATION FOR THE PUBLIC

In order to ask a question at this meeting, either remotely or in person, please call **01622 602899** or email committee@maidstone.gov.uk by 5 p.m. one clear working day before the meeting (i.e. by 5 p.m. on Monday 28 March 2022). You will need to provide the full text in writing.

If your question is accepted, you will be provided with instructions as to how you can access the meeting.

In order to make a statement in relation to an item on the agenda, please call **01622 602899** or email committee@maidstone.gov.uk by 5p.m. one clear working day before the meeting (i.e. by 5p.m. on Monday 28 March 2022). You will need to tell us which agenda item you wish to speak on.

If you require this information in an alternative format please contact us, call **01622 602899** or email committee@maidstone.gov.uk.

To find out more about the work of the Committee, please visit www.maidstone.gov.uk.

Should you wish to refer any decisions contained in these minutes to the **Policy and Resources Committee**, please submit a Decision Referral Form, signed by **three** Councillors, to the **Head of Policy, Communications and Governance** by: **15 March 2022**

MAIDSTONE BOROUGH COUNCIL

COMMUNITIES, HOUSING AND ENVIRONMENT COMMITTEE

MINUTES OF THE MEETING HELD ON TUESDAY 1 MARCH 2022

Present: Councillors Bartlett, Joy, Mortimer, Perry, Purle (Chairman), M Rose, S Webb and Young

149. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor McKenna.

150. NOTIFICATION OF SUBSTITUTE MEMBERS

Councillor Perry was present as a Substitute Member for Councillor McKenna.

151. URGENT ITEMS

There were no urgent items.

152. NOTIFICATION OF VISITING MEMBERS

There were no Visiting Members.

153. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

154. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

155. TO CONSIDER WHETHER ANY ITEMS SHOULD BE TAKEN IN PRIVATE BECAUSE OF THE POSSIBLE DISCLOSURE OF EXEMPT INFORMATION.

RESOLVED: That all items be taken in public as proposed.

156. MOMENT OF SILENCE

The Committee held a moment's silence to reflect on the ongoing situation in Ukraine.

157. MINUTES OF THE MEETING HELD ON 1 FEBRUARY 2022

RESOLVED: That the Minutes of the meeting held on 1 February 2022 be approved as a correct record and signed.

158. PRESENTATION OF PETITIONS

There were no petitions.

159. QUESTIONS AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There were no questions from members of the public.

160. QUESTIONS FROM MEMBERS TO THE CHAIRMAN

There were no questions from Members to the Chairman.

161. COMMITTEE WORK PROGRAMME

The meeting of the Committee acting as the Crime and Disorder Overview and Scrutiny Committee had been postponed until 30 March 2022 and the Work Programme would be amended to reflect this.

RESOLVED: That the Committee Work Programme be noted.

162. REPORTS OF OUTSIDE BODIES

There were no reports of Outside Bodies.

163. REFERENCE FROM POLICY AND RESOURCES COMMITTEE - MANAGEMENT OF TEMPORARY ACCOMMODATION PORTFOLIO

The Democratic Services Officer introduced the item which had been referred from the Policy and Resources Committee concerning the management of temporary accommodation and issues that had arisen in specific properties.

It was felt that the existing process whereby Councillors were informed of new temporary accommodation in their area was effective, and further development of the process was not currently required.

RESOLVED: That the management of problems within the temporary accommodation portfolio continue to be managed as per the current process.

164. 3RD QUARTER FINANCIAL UPDATE & PERFORMANCE MONITORING REPORT

The Director of Finance and Business Improvement introduced the revenue and capital budgets, and progress on the recovery and renewal projects. The revenue budget for the first three quarters showed an underspend, with a predicted year-end underspend of £299,000. The budget would be carried forward in some areas, including Public Health. Variances in capital expenditure were highlighted in Temporary Accommodation, where a significant underspend was presented. This was due to the lack of availability of appropriate properties for sale at a reasonable price, and this budget would be carried forward to the

following year. Various initiatives launched as part of the Recovery and Renewal Programme were making progress, and would be reported as they develop.

The Head of Housing and Community Services introduced the performance review and explained why some key performance indicators (KPIs) were monitored but not targeted. The KPIs around prevention of homelessness had met their targets and were performing in the top quarter nationally. The percentage of successful relief duty outcomes was improving despite having missed its target by less than 5%, and had outperformed the Kent and national average for this indicator. The update on percentage of noise complaints followed up with diary sheets by a customer was highlighted as a calculation error from the previous report had been noted and rectified.

In response to questions, the Head of Housing and Community Services explained that the use of the homelessness prevention budget underspend to alleviate pressure from the withdrawal of KCC's Homeless Connect service would depend on the grant conditions. Within the medium term financial strategy, £150,000 of grant monies had been channelled towards other areas. However the Rough Sleeper Initiative funding bid for the following three years had been submitted and included an element to help mitigate the impact of KCC's decision to decommission the Homeless Connect service.

There was a national issue, that was also affecting Maidstone, related to those persons who have 'no recourse to public funds' and were street homeless. Statute prevented accommodation being provided in these circumstances. Other assistance had been offered but declined by individuals, and the immigration service had been engaged but no resolution had been offered. However, those who did not accept assistance would continue to be approached by the outreach team.

The Head of Environment and Public Realm explained that the positive variance within the capital budget for parks and open spaces was in part due to budgets having been carried forward during the Covid-19 pandemic, and part due to COMF funding being utilised ahead of the internal budget.

RESOLVED: That

1. The Revenue position as at the end of Quarter 3 for 2021/22, including the actions being taken or proposed to improve the position, where significant variances have been identified, be noted;
2. The Capital position at the end of Quarter 3 be noted;
3. The Performance position as at Quarter 3 for 2021/22, including the actions being taken or proposed to improve the position, where significant issues have been identified, be noted; and
4. The Recovery & Renewal Update be noted.

165. REVIEW OF THE HOMELESSNESS AND ROUGH SLEEPING STRATEGY ACTION PLAN

The Head of Housing and Community Services introduced the report and explained that although the strategy was still valid for the following two years, there had been significant changes since it was written in 2018-19. There had been a rapid change in the rough sleeper population in the town centre, and a range of services were provided to prevent homelessness. The Predictive Analysis programme had been nationally recognised for its innovative approach to preventing homelessness, and the development of the project at Trinity featured heavily in the action plan for 2022-24.

In response to questions, the Head of Housing and Community Services agreed that a tour could be arranged for Councillors once Trinity was operational. The Covid-19 pandemic had prevented many soup kitchens from operating, although when they were operational the outreach team would work with people who attended them.

RESOLVED: That

1. The 2019-24 Homelessness and Rough Sleeping Strategy Action Plan attached as Appendix 1 to the report be noted; and.
2. The proposed additional action plan for 2022-24, attached as Appendix 2 to this report, be endorsed and ratified.

166. HOUSING STRATEGY 2022-2027

The Head of Housing and Community Services introduced the report and explained the results of the residents' and stakeholder survey and how that would influence the priorities within the draft Housing Strategy. Due to the low response rate from housing providers, separate discussions would be held so that their delivery and future plans could be considered when agreeing the strategy.

In response to questions, the Head of Housing and Community Services explained that the survey results were anonymous so it would not be possible to ascertain which housing providers had responded.

RESOLVED: That the outcome of the consultation and next steps towards adopting a new Housing Strategy be noted.

167. RIVER LEN LOCAL NATURE RESERVE

The Head of Environment and Public Realm introduced the report and explained that although the River Len Nature Reserve was on borough-owned land, the site was managed by a management committee comprised of volunteers. The management plan was due for renewal, and the Parks Team would work alongside the management committee to draft this. During the pandemic, there had been incidences of antisocial behaviour which involved groups of people consuming alcohol and drugs

on the site and had resulted in increased littering. The Community Protection Team and the Police had been involved, and reports of sewage leaks had been reported to the Environment Agency who had asked Southern Water Services Ltd to take action in response.

In response to questions, the Head of Environment and Public Realm confirmed that the current management plan could be circulated to the Committee. The Parks Team hold the budget for maintenance and repairs of the Nature Reserve, and the management committee can escalate issues for the Park Team to assess whether work is needed. The new management plan would be a collaborative document which would involve officers, the Environment Agency and Southern Water Services Ltd as well as the management committee. The Parks Team could be asked to work with Downswood Parish Council to extend the scope of the plan outside of the borough-owned land.

RESOLVED: That the work being undertaken in the River Len Local Nature Reserve be noted.

168. BRENCHLEY GARDENS FENCING PROPOSAL

The Head of Environment and Public Realm introduced the report and explained the recommended option to enable night-time closure of Brenchley Gardens. As well as the installation of gates into existing entrance ways, fencing would be installed between Maidstone Museum and St Faith's Church which would enable the full closure of the park at night. The proposed design would be funded from the Parks capital budget and was anticipated to cost £30,000, which included a reasonable contingency for archaeological consultants. A security contractor would be employed to close the park at night at a cost of £11,000 per annum, which would be funded from existing revenue budgets. A consultation with residents would run alongside the planning application.

In response to questions, the Head of Environment and Public Realm confirmed that the bandstand frill would be reinstalled however structural work was needed to the bandstand itself prior to this.

Although there was some concern that the night-time closure would cause the antisocial behaviour to be relocated rather than resolved, the Committee agreed that the proposed fencing was the best option for closing the park at night.

Thanks was given to the Town Centre Parks Ranger after they assisted at a recent incident, and for their ongoing work to maintain the park for the public.

RESOLVED: That

1. Planning consent be sought to install fencing and gates between Maidstone Museum and St Faith's Church, as set out at 2.4 of the report;

2. Funding be taken from existing capital and revenue budgets for the installation of the fencing and security contractor, as outlined in 2.5 and 2.6 of the report; and
3. A full consultation be undertaken with the residents of McKenzie Court whilst planning consent is acquired.

169. DURATION OF MEETING

6.30pm to 8.06pm.

2021/22 WORK PROGRAMME

	Committee	Month	Origin	CLT to clear	Lead	Report Author
Annual Review of Rules and Protocols - Crime and Disorder Committee	CHE	June	Cllr Request		John Littlemore	John Littlemore
Draft Housing Strategy	CHE	June	Officer Update			John Littlemore
An Overview of the Council's Current and Emerging Fire Safety Responsibilities	CHE	TBC	Officer Update	Yes	William Cornall	Nigel Bucklow / John Littlemore
Affordable Housing Delivery by the Council	CHE	TBC	Officer Update	Yes	William Cornall	William Cornall
Possible Provision of further Council owned G&T Sites	CHE	TBC	Cllr Request		William Cornall	William Cornall

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Agenda Item 14

MAIDSTONE BOROUGH COUNCIL

COMMUNITITES, HOUSING AND ENVIRONMENT COMMITTEE

30 APRIL 2022

REPORT OF THE LICENSING COMMITTEE HELD ON 17 MARCH 2022

HACKNEY CARRIAGE & PRIVATE HIRE – POLICY ON VEHICLE AGE

Issue for Decision

As part of the November 2020 review of the Hackney Carriage and Private Hire Licensing Policy, a temporary amendment was introduced to allow older vehicles to continue being used due to the lack of trade during lockdown and the subsequent lack of 'wear and tear' and mileage as a result of the vehicles not being used as much.

The previously granted extension is due to expire at the end of March 2022, with consideration to be given on whether to revert to the original policy on vehicle ages or to continue to allow the increased age limits for a further temporary period. The issue was considered by the Licensing Committee on 17 March 2022, with the resulting recommendation shown below. A (draft) extract of the Minute is also included.

Recommendation Made

That the age limit of Hackney Carriage and Private Hire Vehicles be extended for a further 12-month period.

Reasons for Recommendation

Due to the various restrictions in place during the COVID19 pandemic, the Council recognised that vehicles would have been driven far less than in normal times and that the Trade had been particularly affected by the reduction in movement over the entire pandemic period.

A temporary amendment was requested, which was permitted within the Hackney Carriage and Private Hire Licensing Policy as follows:

10. Departure from the Policy

There may be instances whereby the Council may need to consider applications outside the policy. Where it necessary to depart substantially from this policy, clear and compelling reasons for doing so will be given. Any such decision may be referred to the Licensing Committee.

This policy change is due to expire at the end of March 2022 and the trade have requested that it be extended further. The Council recognise that the licensed

trade are still experiencing financial difficulties with the increased costs for fuel and with the general costs of living.

Extract from (draft) Minute 59, from the Licensing Committee Meeting held on 17 March 2022:

The Committee expressed support for extending the vehicle age limit due to the loss of income experienced by taxi drivers during the Covid-19 pandemic, alongside the vehicles reduced use during that time and the ongoing effects of the pandemic. The other contributing factors, such as increased fuel prices, were referenced in highlighting the ongoing problems being experienced by the taxi trade. It was felt that the extension should be reconsidered after one year.

It was confirmed that the extension provided would temporarily amend the vehicle age to seven years for a private hire vehicle and 16 years for a hackney carriage vehicle, irrespective of any previous extensions granted.

RESOLVED: *That the Communities, Housing and Environment Committee be recommended to approve the extension to the age of limit of Hackney Carriage and Private Hire Vehicles for a further 12-month period.'*

Alternatives Considered and Why Not Recommended

An alternative would be to refuse to extend the amendment to the policy, however this could result in a shortfall of Maidstone licensed drivers/vehicles and could see an increase in out-of-town drivers being in Maidstone illegally cashing in on the employment gap, causing enforcement issues for the Licensing Department.

Background Documents

Hackney Carriage and Private Hire Licensing Policy: [Maidstone Borough Council Taxi Licensing Policy 2021](#)

Appendices

None.

Agenda Item 15

Communities, Housing & Environment Committee

30 March 2022

Effective interventions for tackling ASB by the community safety unit - Follow Up

Final Decision-Maker	Communities, Housing & Environment Committee
Lead Head of Service	John Littlemore, Head of Housing and Community Services
Lead Officer and Report Author	Martyn Jeynes, Community Protection Team Manager
Classification	Public
Wards affected	All

Executive Summary

Further to the report provided in February 2022, this report outlines how the Community Protection Team, as part of the wider Community Safety Unit, will utilise the agreed growth budget to continue challenge Anti-social Behaviour, Crime and their Statutory functions in a more visible and enforcement led way.

Purpose of Report

Decision

This report makes the following recommendations to this Committee:

1. That Committee endorse the use of agreed growth to increase operational resources as set out in section 4 to provide a more visible regulatory service

Timetable

Meeting	Date
Communities, Housing and Environment Committee	30 March 2022

Effective interventions for tackling ASB by the community safety unit-Follow Up

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place <p>Accepting the recommendations may materially harm the Council's ability to achieve Safe, Clean and Green</p>	Head of Housing & Community Services
Cross Cutting Objectives	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>The report recommendation(s) supports the achievement of Health Inequalities are Addressed and Reduced.</p>	Head of Housing & Community Services
Risk Management	Already covered in the risk section	Head of Housing & Community Services
Financial	The proposals set out in the recommendation are all within the approved budget and so need no new funding is required for implementation.	Section 151 Officer & Finance Team
Staffing	There will be Staffing implications and these are set out in section 3	Head of Housing & Community Services

Legal	Acting on the recommendations will support the Council's responsibilities as set out in the Crime & Reduction Act and other statutory functions already within the service's remit.	Interim Team Leader (Contentious and Corporate Governance)
Privacy and Data Protection	Accepting the recommendations will increase the volume of data held by the Council. We will hold that data in line with our retention schedules.	Policy and Information Team
Equalities	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	Equalities & Communities Officer
Public Health	We recognise that the recommendations will have a positive impact on population health or that of individuals.	Public Health Officer
Crime and Disorder	The recommendation will have a negative impact on Crime and Disorder. The Community Protection Team have been consulted and mitigation has been proposed	Head of Housing & Community Services
Procurement	Not applicable	Head of Housing & Community Services
Biodiversity and Climate Change	The implications of this report on biodiversity and climate change have been considered and are; <ul style="list-style-type: none"> • There are no implications on biodiversity and climate change. 	Biodiversity and Climate Change Officer

2. INTRODUCTION AND BACKGROUND

- 2.1 In February 2022, the Head of Housing & Community Services provided a report which demonstrated the effectiveness of the Community Protection Team and the wider Community Safety Unit in tackling and challenging ASB alongside a variety of other statutory and non-statutory functions. A second report was also provided which outlined how the approach adopted by the service was seen as in line with the techniques and approaches endorsed as the appropriate approach to be taken on a national and international basis.
- 2.2 As part of the recommendations from the latter report, it was highlighted that the approach taken by the Maidstone Task Force has been particularly effective and that a Task Force approach to the Town Centre would be

considered. This review has been undertaken and work is in progress to implement a new Town Centre Task Force within the next couple of months.

- 2.3 As described in the draft Community Safety Partnership Plan 2022-25, under a new priority centred on providing a safe town centre, SMP Partners will:
- develop a multi-agency task force to address concerns, such as:
 - anti-social behaviour
 - violence, particularly in the night-time economy
 - substance misuse and illegal supply of drugs and alcohol, particularly to children
 - vulnerable people who live in the town, including domestic abuse
 - ensure businesses develop a culture in the town that keeps people safe in both day-time and night-time economies
 - protect young people by challenging behaviour and ensuring safeguarding opportunities are provided for those in need of support
 - work to improve the reputation of the town by sharing successes and publicising initiatives that make people feel safe when in the town
- 2.4 It has been agreed that rather than move the original Task Force to the Town Centre, a new focused Task Force will be created to deliver the overall objective to Provide a Safe Town Centre.
- 2.5 As outlined to the Committee in the February reports, the Community Protection Team is an integral part of the Safer Maidstone Partnership, not only undertaking enforcement and engagement across their broad remit, but as facilitators and enablers who ensure the partnership works collaboratively with a high level of synergy.
- 2.6 Increases in service demand, driven by changes in licensing legislation (Animal and Caravan) and the pandemic itself means that the existing resource is unable to sustain the level of demand, particularly with the additional requirements of two task forces.
- 2.7 As agreed at the February meeting, section 4 outlines how the team plans to evolve to:
- meet service demand and maintain customer service standards
 - better support two task forces
 - and increase visibility of the team in the community

3. AVAILABLE OPTIONS

- 3.1 The Committee could choose to do nothing but this option is not recommended as the Committee has previously expressed a desire to be more interventionist in tackling ASB.
- 3.2 The Committee could choose to endorse the use of resources has set out in section 4 to ensure the Community Protection Team is resourced to ensure Community Safety is delivered in an effective, high profile and efficient way.

- 3.3 The Committee could ask officers to deploy resources in a different way, however, reports provided in February 2022 highlighted to members the approach outlined in section 4 not only reflects local successes but also is recognised as following good practice as part of an evolving partnership.
-

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 The preferred option is for the Community Protection Team to utilise the agreed growth budget to increase its operational resources with one new Community Protection Officer and one new Assistant Community Protection Officer. These increases are at an operational level to ensure services are adequately resourced, so as to allow a more visible, sustainable and robust service.

Ensuring Service Delivery

- 4.2 The proposed changes to the Community Protection Team will be ensure specific statutory functions are prioritised, including but not limited to:
- Tackling ASB and nuisance
 - Increasing community liaison, particularly rural areas
 - Regulating Animal Licensing/Welfare and Strays
 - Public Health and the Pest Control contract
 - Caravan Licensing and Safety Advisory Group
- 4.3 Service demand in each of these areas has continued to grow owing to the pandemic. The intense demand on the service means that in addition to service delivery, work is needed to improve processes which have not been improved for a number of years, but have been put on hold whilst the team coped with unprecedented service demand.
- 4.4 Our Community Protection Officers undertake a number of roles for the team. They are authorised enforcement officers, technical specialists/ subject matter experts and are also project leads. They challenge behaviour and ensure that action is taken where offences are committed, they raise awareness and facilitate services to support the most vulnerable in our communities.
- 4.5 Assistant Community Protection Officers are investigating officers who support customers in gathering evidence and providing advice where necessary. They help them to amicably resolve neighbour disputes or where matters that do not reach evidential thresholds for enforcement. Where cases do require enforcement action, our assistants pull together case files for the Community Protection Officers to act upon. Our assistants also maintain core processes, including but not limited to service financial processes such as grant management, processing service requests and administration of partnership meetings.

Support for the two Task Forces

- 4.6 The proposed changes to increase operational staffing will also enable the CPT to dedicate resources into the two task force areas. Officers will therefore be positioned to better utilise and influence the delivery of a multi-agency approach to deliver high profile and visible enforcement in both the Town Centre and within the selected focus areas.

5. RISK

- 5.1 The officer recommendation is within the Council's agreed risk appetite for the intended purpose of reducing anti-social behaviour.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 Feedback from the Committee at the previous meeting indicated that the approach outlined in this report would be welcomed as it provides an opportunity to provide a more visible response to ASB, particularly in the town centre, utilising a multi-agency approach.

7. BACKGROUND PAPERS

CHE Committee report, February 2022- [Effective interventions for tackling ASB by the community safety unit](#)

CHE Committee report, February 2022- [Review of the use of anti-social behaviour measures.](#)

Draft Community Safety Plan 2022-2025

Agenda Item 16

Communities, Housing and Environment Committee

30 March 2022

Progress of Waste Crime Enforcement and Future Focus

Final Decision-Maker	Community, Housing and Environment
Lead Head of Service	Jennifer Stevens, Head of Environment and Public Realm
Lead Officer and Report Author	John Edwards, Street Scene Operations Manager
Classification	Public
Wards affected	All

Executive Summary

To provide the Committee with an update on the past 24 months of the actions and results achieved by the Waste Crime Team and outline details of the approach the team will take to reduce the level of litter, fly tipping and graffiti in the Borough over the next 12 months.

Purpose of Report

Noting

This report makes the following recommendations to this Committee:

1. For the contents of this report, relating to progress over the past 24 months and the future focus of the team on reducing littering, fly tipping and graffiti, to be noted.

Timetable

Meeting	Date
Community, Housing and Environment	30 March 2022

Progress of Waste Crime Enforcement and Future Focus

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place <p>The work of the waste crime team supports the Council’s objective for a Safe, Clean and Green environment through targeted disruption of fly tippers, enforcement action against those caught littering and issuing notices against landowners who fail to keep their land free of graffiti.</p>	Head of Environment and Public Realm
Cross Cutting Objectives	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>Tackling waste crime supports several cross-cutting issues such as improving the appearance of areas which reduces likelihood of anti-social behaviour and crime. The appearance of an area can also have health benefits as well as promoting biodiversity and wider environmental improvements.</p>	Head of Environment and Public Realm
Risk Management	<p>This report is presented for information only and has no risk management implications.</p>	Head of Environment and Public Realm
Financial	<p>The report is for noting only.</p> <p>The actions outlined within the report will be delivered within the existing revenue budget.</p>	Head of Environment and Public Realm

Staffing	We will deliver the proposed actions with our current staffing.	Head of Environment and Public Realm
Legal	The report is for noting only.	Head of Environment and Public Realm
Privacy and Data Protection	The report is for noting only.	Policy and Information Team
Equalities	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	Equalities & Communities Officer
Public Health	The report is for noting only, however improving the appearance of the environment is shown to have positive impacts on wider public health issues.	Head of Environment and Public Realm
Crime and Disorder	The proposed actions will have a positive impact on Crime and Disorder.	Head of Environment and Public Realm
Procurement	The report is for noting only	Head of Environment and Public Realm
Biodiversity and Climate Change	The implications of this report on biodiversity and climate change have been considered and are; <ul style="list-style-type: none"> • There are no implications on biodiversity and climate change. 	Biodiversity and Climate Change Officer

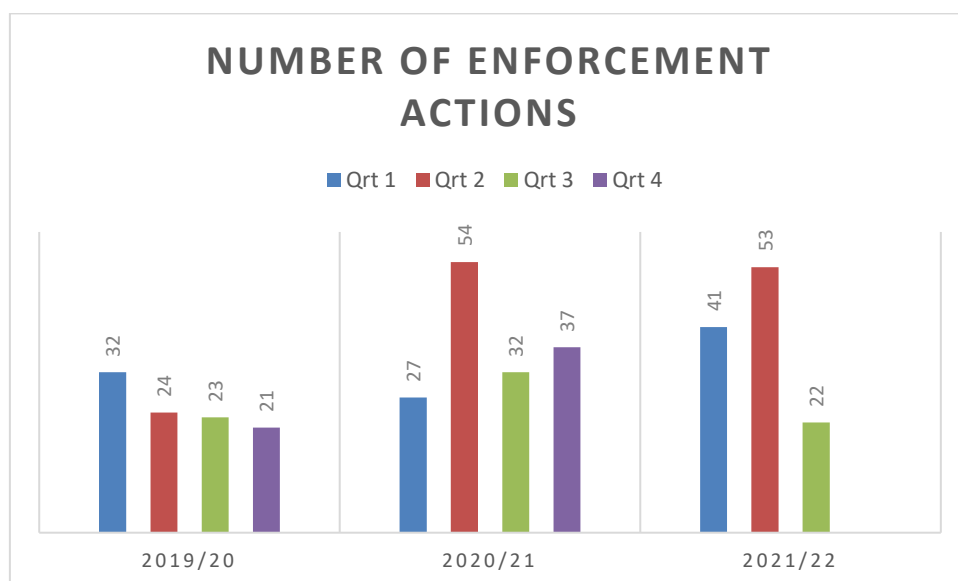
1. INTRODUCTION AND BACKGROUND

- 1.1 In 2019 the Waste Crime Team was created to provide a dedicated team that could focus on the enforcement of littering and fly tipping as a priority for the Council and to support the delivery of the Safe, Green and Clean corporate objective.
- 1.2 At this time the team consisted of a Waste Crime Manager, Waste Crime Officer and 2 self-funded Street Scene Enforcement Officers. The main goal of the Street Scene Enforcement officers was to enforce against those who littered on the highway and from vehicles with the Waste Crime Officer focusing on CCTV deployment and enforcement against those who fly tip.

- 1.3 Whilst the team has continued to deliver results since their creation, it has not been without challenges. Staff retention and recruitment to the Street Scene Enforcement Officers has been difficult. The shift in focus to fly tipping enforcement and littering from vehicles, meant the decision was taken to delete the Street Scene Enforcement Officers and focus resources on larger waste crimes and work more collaboratively with other agencies such as the Police to tackle organised waste crime.
- 1.4 Littering from vehicles remains a priority and Maidstone is still undertaking a trial of artificial intelligence technology to identify littering using cameras. As this technology is in its infancy it is proving difficult to deliver direct results, within no FPNs issued to date. However the indirect result has been positive, with litter levels around the location of the camera significantly lower than previously experienced. Work is ongoing with LitterCam to refine the technology to enable FPNs to be issued and the camera is due to be moved shortly to other locations across the Borough.

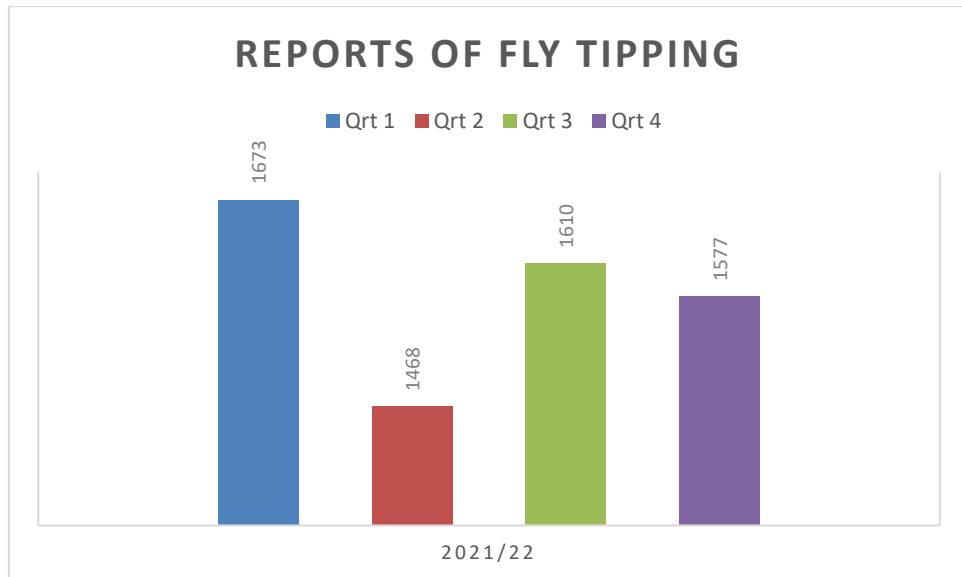
Results

- 1.5 The graph below shows the numbers of enforcement actions taken by the team since 2019. This includes fixed penalty notices (FPNs), vehicle seizures and community protection warnings (CPWs).



Graph 1 – Number of Enforcement Actions over the past 3 years

- 1.6 There has been a steady increase in the actions being taken and the team currently have a large prosecution pending for commercial fly tipping.
- 1.7 Graph 2 shows the number of fly tips which were reported in 2021/22. This data is now the most accurate we have had as it fully utilises the information provided by residents and the collection operatives. For this reason, we do not have directly comparable data for the past 3 years.

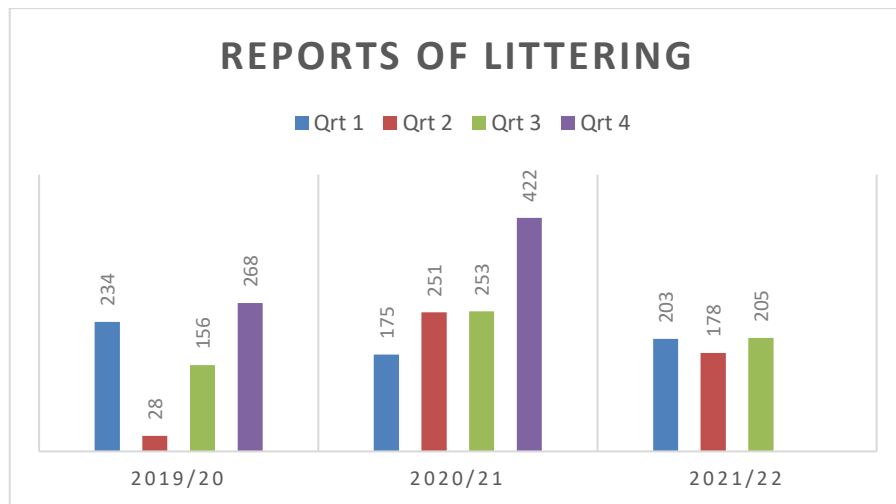


Graph 2: Reports of fly tipping received by the team

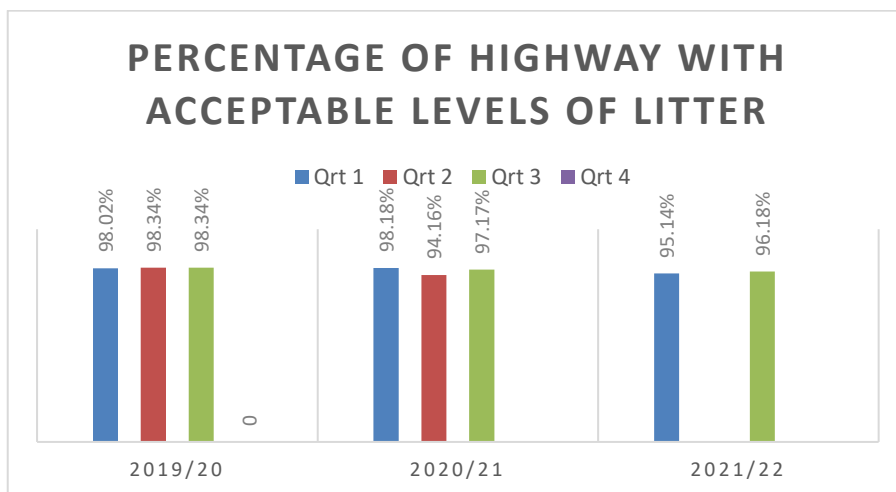
- 1.8 During this period, the waste crime team...have issued 25 fly tipping FPNs (£400), 18 waste carrier offence FPNs (£300), 72 littering FPNs (£120 – reduced to £90 if paid early) and 7 duty of care offence FPNs (£300). This generated over £23,980 which was used to fund the service and additional equipment.
- 1.9 In the past 6 months the Waste Crime Team has invested in 35 new CCTV cameras. These cameras are predominantly small mobile camouflage that are easy located and can deploy quickly (see image below). These have already started to yield results with FPNs issued and investigations started into commercial fly tippers.



- 1.10 Regarding littering, graph 3 below shows the number of reports over the past 3 years, which can be compared with the street cleansing monitoring data in graph 4.



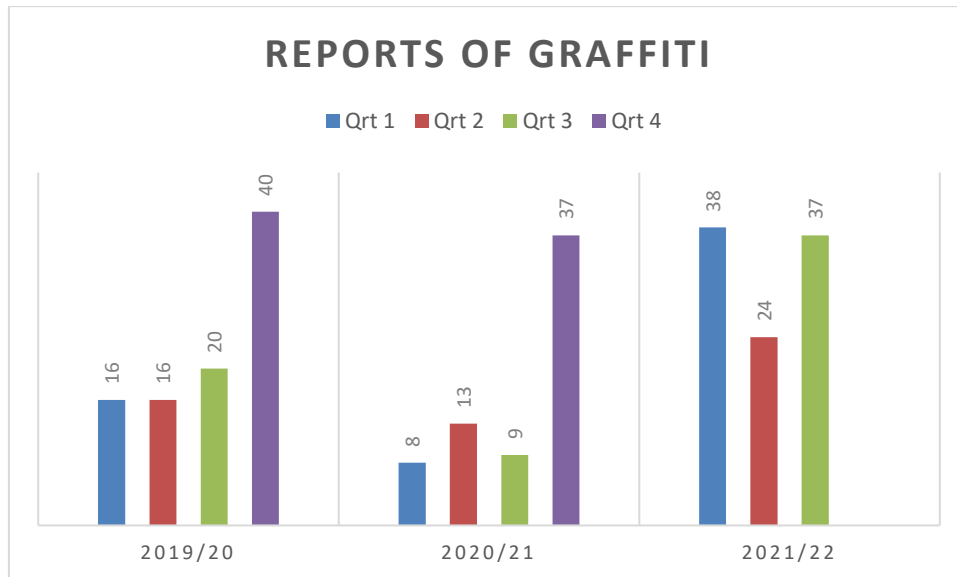
Graph 3: Reports of littering received



Graph 4: Percentage of roads which scored a grade B or above for litter levels

1.11 The monitoring data is captured across 300 transects three times per year. It shows that performance remains consistent and overall littering levels are low as indicated by both sets of data.

1.12 Since Mid-2020 there has been a noticeable increase in graffiti across the borough especially within the High Street Ward. It's difficult to understand the reasons for the increase in the graffiti but appears there is a correlation between increasing levels of residential properties within the High Street Ward and an increase of graffiti. Lockdowns due to the pandemic also can be linked to the increase as schools, colleges and other youth activities have been shut or limited. The graph below shows the levels of graffiti reported to the Council.



1.13 When dealing with graffiti, the Street Cleansing team has always taken a very proactive approach and offered a free removal service for private residents and advice to private companies. In the cases of graffiti on utility boxes and Network Rail property, the team paint over the graffiti as historically these companies are difficult to engage with and very slow to react.

1.14 On the rare occasion when private companies are unwilling to engage with the team, Community Protection Warnings have been issued and these have forced the landowners to remove the graffiti.

The Future Focus

1.15 The Waste Crime Team has now been operational for 3 years and within this period the team has been able to change and adapt to the needs of the service. The coronavirus lockdown periods did change the behaviour of some residents as well as those committing waste crimes. An example of this was the closure of the household waste and recycling centres (HWRCs) which provided an opportunity for 'Facebook fly tippers' to exploit.

1.16 Littering by far has the greatest operational and visual impact on the environment. A 'wholesale' approach will be undertaken with fixed media campaigns and signage warning those who wishes to litter of the consequences such fines and damage to environment. It's become quite clear during the 1st 6 months of the LitterCam pilot by highlighting a targeted area with forceful messaging creates a behaviour change.

1.17 The Waste Crime Team would be unable to provide the level of littering enforcement required to provide a noticeable change but high-profile campaigns and well-advertised 'hotspot' littering enforcement will provide the required impact. Therefore the team will still be deployed to undertake this but locations will be driven by intelligence and data.

1.18 Fly tipping has continued to decrease and this is mainly due to the increase of camera deployment resulting in offenders being identified and joint working with Kent Police. These successful working practises will continue

and increase, with a newly recruited additional Waste Crime Officer and additional camera deployment there is an aim to increase such fly tipping enforcement by 100% in the next 12 months.

- 1.19 With increased reports and incidents of graffiti in the borough the Waste Crime Team needs to work closely with the Community Protection Team to identify regular areas of graffiti incidents and those likely to be responsible. There is also a need to develop working practises that not only offer advice to those who been a victim of graffiti and more regularly issuing of CPN's and CPW's to those wishing not to remove graffiti or prepared to protect their properties.
-

2. AVAILABLE OPTIONS

- 2.1 This report is for noting only, however the Committee could ask that the team identify other areas of focus. The team welcomes input from the Committee on how the team can further build community links to gain intelligence on organised fly tipping and other waste crimes.
-

3. RISK

- 3.1 This report is presented for information only and has no risk management implications.
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4. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 4.1 Information relating to the Waste Crime Team has been regularly reported to the Committee and has been positively received. This report is intended to highlight the current areas of focus and how the team propose to increase enforcement action over the coming 12 months.
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5. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 5.1 The Team will continue to use social media and other communication routes to promote the work of the team and the zero tolerance approach Maidstone has to waste crime.
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6. REPORT APPENDICES

None

7. BACKGROUND PAPERS

None

Communities, Housing and Environment Committee

30 March 2022

Withdrawal of Garden Waste Sacks

Final Decision-Maker	Communities, Housing and Environment Committee
Lead Head of Service	William Cornall, Director of Regeneration and Place
Lead Officer and Report Author	Jennifer Stevens, Head of Environment and Public Realm
Classification	Public
Wards affected	All

Executive Summary

As part of the preparation for the retendering of the Mid Kent Waste Contract it has been identified that the current garden waste sack service will be difficult to retender and poses a risk to the Council, the successful bidder, and customers. This work has identified that only 30 households in the Borough purchase compostable sacks and therefore it is proposed to withdraw the provision of garden sacks going forward and require garden waste to be presented in wheeled bins.

Purpose of Report

Decision

This report makes the following recommendations to this Committee:

1. To agree the withdrawal of the garden waste sack provision as an alternative for households who are unable to accommodate wheeled bins.

Timetable

Meeting	Date
Communities, Housing and Environment Committee	30 March 2022

Withdrawal of Garden Waste Sacks

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place <p>We do not expect the recommendation will by itself materially affect achievement of corporate priorities. The withdrawal of the garden sacks will affect a very small number of households and alternative options are available to continue the recycling of this waste.</p>	Head of Environment and Public Realm
Cross Cutting Objectives	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>The report recommendation is unlikely to have an impact on the cross-cutting objectives.</p>	Head of Environment and Public Realm
Risk Management	<p>The risks associated with this recommendation are included in section 5.</p>	Head of Environment and Public Realm
Financial	<p>The proposal set out in the report will reduce the financial risk associated with the retendering of the waste collection contract. If the provision of garden waste sacks remains part of the contract, it is likely that the contractor will inflate the contract price to reflect the risk of storage and supply, administration of the service, and manual</p>	Maxine Mahon Finance Manager

	handling of the bags.	
Staffing	We will deliver the recommendations with our current staffing.	Head of Environment and Public Realm
Legal	By virtue of Section 46 of the Environmental Protection Act 1990 the Council can specify the receptacles which must be used in order to present waste for collection and can decline to collect waste that is not presented as specified.	Interim Team Leader (Contentious and Corporate Governance)
Privacy and Data Protection	No implications identified.	Policy and Information Team
Equalities	Stage 1 of the Equality Impact Assessment has been completed and is attached in Appendix 1. The proposed changes will impact approximately 19 households who currently subscribe to the garden waste sack collection. These will not specifically affect groups with protected characteristics as those affected will be due to their property's location or landscaping.	Equalities & Communities Officer
Public Health	We recognise that the recommendations will not negatively impact on population health or that of individuals.	Public Health Officer
Crime and Disorder	No implications identified	Head of Environment and Public Realm
Procurement	Withdrawal of the service will remove the requirement to procure compostable sacks.	Head of Environment and Public Realm
Biodiversity and Climate Change	No direct or major implications have been identified for biodiversity and climate change.	Biodiversity and Climate Change Manager

2. INTRODUCTION AND BACKGROUND

2.1 Maidstone Borough Council operates a chargeable, fortnightly garden waste collection service as part of its waste contract. Residents can subscribe to the service for £45 per year which includes the provision, and fortnightly emptying, of a 240-litre wheeled bin.

- 2.2 There are currently 30 properties in Maidstone who wish to subscribe to this service but due to the location or landscaping of their property are unable to accommodate a wheeled bin. At present these properties are provided with 52 compostable sacks instead of a wheeled bin for the same annual subscription cost.
- 2.3 The compostable bags provided are required to meet the European packaging standard EN13432 which means they will start to disintegrate within 12 weeks and fully biodegrade within 6 months.
- 2.4 There are minimum order requirements for the compostable bags and due to their very limited shelf-life they regularly must be checked and disposed of before being used. Therefore, the provision of this service places a risk to the contractor for the ordering and storage of the bags for so few customers.
- 2.5 The bags have never been a favoured option as they often start to disintegrate once the garden waste is put into them causing them to split at the point of collection. This has resulted in complaints about the quality and suitability of the bags from customers as well as putting the additional burden on the collection crews to clear up any spillages when the bags are collected.
- 2.6 They also pose a manual handling risk to the collectors as the waste is usually heavy. However, no other suitable alternative has been identified for the collection of garden waste. Reusable sacks are no longer considered acceptable on the grounds of health and safety.
- 2.7 The team have re-assessed the 30 households who have purchased garden sacks within the past 12 months and have determined that 11 of these properties are suitable for accommodating a wheeled bin and have now been advised that they will be provided with a wheeled bin when they renew their subscription.
- 2.8 The Council has started the procurement of the Mid Kent Waste Collection Contract and it is recommended that the provision of garden waste sacks is withdrawn. This would mean that the 19 properties who currently subscribe to the service and are unable to accommodate wheeled bins would be required to dispose of their garden waste by other means, such as sharing a bin with a neighbour who is able to accommodate a bin, home composting or taking the waste to the local Household Waste Recycling Centre (HWRC).
- 2.9 The Environmental Protection Act 1990, Section 46 enables the Council to specify how household waste is presented for collection. Whilst this is a statutory service, the Council can require residents to use a wheeled bin for the collection of garden waste and to make a charge for this service. Therefore, it is intended that the waste team will work with the 19 households who will currently struggle to accommodate a wheeled bin and where possible to agree a collection point.

3. AVAILABLE OPTIONS

3.1 There are several options for the Council to consider:

3.2 Withdrawal of the garden waste sack service

The current bags are not fit for purpose, particularly when used in such low levels as they are likely to degrade before being used. The number of households using the bags is exceptionally small – less than 0.1% of garden waste customers – however the stock would need to be purchased in much higher numbers. It is therefore expected that prospective contractors will significantly elevate the cost for this provision on the assumption that most of the stock will be unusable and will require disposal. Any stock purchased is also likely to require disposal after 6 months as they will have started to degrade. The current contractor is trying to purchase the bags through online marketplaces and auction sites in order to fulfil their contractual requirements and has highlighted that this is not sustainable for the long term.

The sacks also pose a significant manual handling risk which has been highlighted by the Health and Safety Executive. Sacks are not recommended particularly for the collection of heavy waste such as garden waste. Therefore, it is possible that prospective contractors will refuse to collect garden waste sacks on these grounds. Alternatively, they will price additional resources to collect the sacks more safely, such as in vehicles without bin lifts and with low level hoppers.

3.3 Removal of requirement for Contractor to maintain stocks

Given the difficulties highlighted above, the Council could decide to retain the service but take on the risk of maintaining stocks of the garden sacks. The Council would therefore purchase the compostable bags and maintain a stock of them, it is still likely that the stock would need regular replacement and degraded bags to be disposed of.

However, this option will not mitigate the risk that the contractor refuses to collect the bags on the grounds of health and safety or requires additional resource to collect the bags safely, as outlined above.

3.4 Retain current service

The Council could decide to continue with the service as is and retender the contract on that basis. However, it is likely that there will be significant additional costs for offering a service to 19 households and that health and safety grounds may still prohibit this from being delivered. The risk of this approach is that should the service be withdrawn after the contract start, it becomes more difficult to ensure the costs for the service are recovered. This means it is likely costs for this service will remain in the contract despite it not being delivered.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

4.1 It is recommended that the Council withdraw the provision of compostable bags as an alternative for garden bins, as providing a bespoke service for

19 households within the Borough is not considered viable. As outlined in the report, the provision of bags for the collection of garden waste is no longer considered acceptable on grounds of health and safety and the bags themselves are not designed to meet the needs of the service.

- 4.2 Alternative options have been sought, but no examples of other collection methods have been identified. The primary concern is due to the weight of garden waste and the manual handling risks of lifting the waste. Wheeled bins are the only method for the safe collection of garden waste, without the need to specialist equipment or vehicles, which would not be feasible for 19 properties.
- 4.3 These households will be able to use the garden waste service if they are able to agree a location for the storage and presentation of a wheeled bin.
-

5. RISK

5.1 The risks associated with the removal of the garden sack collection are:

- Reputational – withdrawal of this service from 19 properties poses a low reputational risk to the Council as a whole, however to the individuals this will be a loss of service or will make the collection of garden waste more difficult. The waste team will work with those households to identify if there are options for a garden bin to be presented in an alternative location or whether they could share with neighbours.

5.2 The risks associated with continuing to operate this service are:

- Financial – it is expected that the cost to continue to provide this service will significantly increase as part of the new contract to reflect the additional resources required to collect the waste safely. This cost is likely to be disproportionate to the annual income received from the 19 properties purchasing the annual supply of bags. Due to the pricing mechanism for the contract, it is expected that the additional cost for collecting bags will increase the total overall cost of the garden waste service

- Health and Safety – it is possible that the prospective tenders will decline to provide this aspect of the garden waste service on the grounds of health and safety. It is more likely that during the 8-year term of the next contract, the collection of garden waste in sacks will not be acceptable and that the service would then have to be withdrawn. The collection of garden waste in sacks poses a significant manual handling risk to the operatives collecting the bags as well as the residents presenting them.

- Reputational – the quality of the bags for the service is poor, however thicker bags cannot be used as they must meet the standards required for the composting facility. When the bags were widely used, regular complaints were received about the quality and usability of them. It is likely that this is the reason only a small number of households currently subscribe to the service.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 The garden waste service has been discussed previously at the Communities, Housing and Environment Committee. No direct feedback has been received about the sack collection service.
 - 6.2 Residents currently purchasing the bags who have been identified as suitable for wheeled bins have been approached and discussions have commenced with them about the change to their service. This is in line with the Council's current policy for the provision of wheeled bins.
-

7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 If the recommendation is agreed, the Waste Team will contact the 19 households who currently purchase garden sacks to discuss how they may dispose of their garden waste in the future. When residents' supplies of garden sacks run out, they will be advised that they can no longer use the sack collection.
 - 7.2 All garden waste sack subscriptions run for 12 months, so the service will be withdrawn 12 months from the last purchase of garden waste sacks, which will be 1 November 2022.
 - 7.3 The garden sack service will also be removed from the contract specification for the tendering process.
-

8. REPORT APPENDICES

The following documents are to be published with this report and form part of the report:

- Appendix 1: Equality Impact Assessment
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9. BACKGROUND PAPERS

None

Stage 1: Equality Impact Assessment

1. What are the main aims purpose and outcomes of the Policy and how do these fit with the wider aims of the organization?

The proposed withdrawal of the garden waste sack service is intended to reduce the health and safety risk and the cost of the garden waste service. This is a service provided to just 30 properties in the past 12 months and there is a disproportionate cost for providing this service to less than 0.1% of garden waste customers.

The collection of garden waste in sacks is widely recognised as unacceptable due to the manual handling risks and the HSE require the Council to find other solutions to sack collections wherever possible.

2. How do these aims affect our duty to:

- **Eliminate unlawful discrimination, harassment and victimization and other conduct prohibited by the act.**
- **Advance equality of opportunity between people who share a protected characteristic and those who do not.**
- **Foster good relations between people who share a protected characteristic and those who do not.**

The proposed changes will not disproportionately affect people who share a protected characteristic compared with those who do not. The policy will affect 30 households who currently subscribe to the sack service. However, it has been identified that a number of these properties could accommodate a wheeled bin and therefore the actual number of households affected is likely to be less than 20 households out of 32,000 households who subscribe to the garden waste service.

The criteria for those who use the service is linked to the location and layout of the property and has no link with characteristics of the householders.

Therefore, the proposal will not have any impact on the Council's duty regarding equality.

3. What aspects of the policy including how it is delivered or accessed could contribute to inequality?

As the proposal is to withdraw a small part of the garden waste service there is a risk that the properties previously using garden sacks will no longer be able to use the service. This could be considered an inequality of service. However it is possible that these properties will be able to find a way of using the garden bin service such as making room in their garden, storing bins in an alternative location such as in a garage or sharing bins with neighbours. Alternatively there are other ways of recycling garden waste from these

properties including home composting which offers the best environmental option for the waste.

4. Will the policy have an impact (positive or negative) upon the lives of people, including particular communities and groups who have protected characteristics ? What evidence do you have for this?

The proposed service change will not directly impact the lives of particular communities or groups who have protected characteristics; however it is possible that up to 20 households will have difficulty using the garden waste service. Wherever possible the waste services team will work with these householders to identify options for them to present their garden waste in wheeled bins at a suitable location.

If the answer to the second question has identified potential impacts and you have answered yes to any of the remaining questions then you should carry out a full EQIA set out as stage 2 below.