

# Public Document Pack

Mid Devon District Council

## Environment Policy Development Group

Tuesday, 15 May 2018 at 2.00 pm  
Exe Room, Phoenix House, Tiverton

Next ordinary meeting  
Tuesday, 10 July 2018 at 2.00 pm

Those attending are advised that this meeting will be recorded

## Membership

Cllr R F Radford  
Cllr D R Coren  
Cllr Mrs C P Daw  
Cllr R Evans  
Cllr D J Knowles  
Cllr Mrs E J Slade  
Cllr J D Squire  
Cllr R Wright

## A G E N D A

*Members are reminded of the need to make declarations of interest prior to any discussion which may take place*

- 1       **Election of Chairman**  
To elect a Chairman for the municipal year 2018/19
- 2       **Election of Vice Chairman**  
To elect a Vice Chairman for the municipal year 2018/19
- 3       **Apologies and substitute Members**  
To receive any apologies for absence and notices of appointment of substitute Members (if any).
- 4       **Public Question Time**  
To receive any questions relating to items on the Agenda from members of the public and replies thereto.  
Note: A maximum of 30 minutes is allowed for this item.
- 5       **Minutes of the Previous Meeting** (*Pages 5 - 10*)  
Members to consider whether to approve the minutes as a correct record of the meeting held on 6 March 2018.

6 **Chairman's Announcements**

To receive any announcements that the Chairman may wish to make.

7 **Motion 542 (Councillor Mrs J Roach - 30 November 2017)**

The following motion previously considered by the PDG on 9 January 2018 had been referred back to the Group by Council (in line with Procedure Rule 15.1(e) for further consideration at its meeting in March 2018.

That this Council consider the use of recycling trolleys as a pilot project, hopefully in Silverton, as an alternative to assisted collections for those who wish to try out such a system.

The Group then **RESOLVED** that a sample trolley be sourced, before the next meeting, which was suitable for use with the current recycling fleet, in order that Members could have a look and see how it operated.

***Please note: Having considered the above Motion the Policy Development Group are asked to consider whether this Motion should either be supported or rejected. This decision will be referred back to Council on 27 June 2018.***

8 **Motion 545 - (Councillor L Taylor - 10 April 2018)**

To consider the motion passed to the PDG from the Council:

That this Council considers the use of British Hedgehog Preservation Society (BHPS) stickers on all Mid Devon grass cutting machinery, requesting that all users check the area to be cut before using the equipment. The stickers are free and are being used by other Councils such as East Devon District Council, Derbyshire County Council and Manchester City Council to name but a few.

***Please note: Having considered the above Motion the Policy Development Group are asked to consider whether this Motion should either be supported or rejected. This decision will be referred back to Council on 27 June 2018.***

9 **Bereavement Services Fees and Charges (Pages 11 - 22)**

A recommendation from the Policy Development Group (PDG) was considered by Cabinet on 5 April 2018, due to a change in Government guidance with regard to fees and charges, the Cabinet resolved that the matter be referred back to the PDG for further consideration. Attached is an updated report.

10 **District Officer Discretionary Time (Pages 23 - 28)**

To receive a report outlining the performance of the Street Scene Education and Enforcement service for the first twelve months of operation following the service review in 2016/17.

11 **Performance and Risk** (*Pages 29 - 40*)

To provide Members with an update on performance against the corporate plan and local service targets for 2017-18 as well as providing an update on the key business risks.

12 **Identification of Items for Future Meetings**

To consider items for future meetings.

Note: This item is limited to 10 minutes. There should be no discussion on the items raised.

**Stephen Walford**  
Chief Executive  
Friday, 4 May 2018

Anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chairman. Any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting; focusing only on those actively participating in the meeting and having regard also to the wishes of any member of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chairman or the Member Services Officer in attendance so that all those present may be made aware that is happening.

Members of the public may also use other forms of social media to report on proceedings at this meeting.

Members of the public are welcome to attend the meeting and listen to discussion. Lift access the first floor of the building is available from the main ground floor entrance. Toilet facilities, with wheelchair access, are also available. There is time set aside at the beginning of the meeting to allow the public to ask questions.

An induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, or

If you would like a copy of the Agenda in another format (for example in large print) please contact Sally Gabriel on:

Tel: 01884 234229

E-Mail: [sgabriel@middevon.gov.uk](mailto:sgabriel@middevon.gov.uk)

Public Wi-Fi is available in all meeting rooms.

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## MID DEVON DISTRICT COUNCIL

**MINUTES** of a **MEETING** of the **ENVIRONMENT POLICY DEVELOPMENT GROUP**  
held on 6 March 2018 at 2.00 pm

### **Present**

#### **Councillors**

R F Radford (Chairman)  
D R Coren, Mrs C P Daw, R Evans,  
Mrs E J Slade, J D Squire, Mrs N Woollatt  
and R Wright

### **Apologies**

#### **Councillor(s)**

D J Knowles

### **Also Present**

#### **Officer(s):**

Andrew Pritchard (Director of Operations), Stuart Noyce  
(Group Manager for Street Scene and Open Spaces),  
Vicky Bowden (Environment and Enforcement Manager)  
and Julia Stuckey (Member Services Officer)

## 52 **APOLOGIES AND SUBSTITUTE MEMBERS**

Apologies were received from Cllr D J Knowles.

## 53 **DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT**

There were no declarations of interest given.

## 54 **PUBLIC QUESTION TIME**

There were no members of the public in attendance.

## 55 **MINUTES OF THE PREVIOUS MEETING**

The Minutes of the last meeting were approved as a true record.

## 56 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman congratulated the Waste Service on the way that they had coped with providing a service in the recent bad weather. The Group Manager for Street Scene and Open Spaces explained that a half day had been lost on the Thursday and a full day on the Friday due to snow. He was planning that black sack collections would have caught up by Tuesday and recycling collections would have caught up by Friday. This weeks collections were not being disrupted and all catch up work was being carried out on top of this. The Chairman asked that the officer convey the thanks of the Group to staff.

## 57 **MEETING MANAGEMENT**

The Chairman indicated that he intended to take item 7 on the agenda after item 9.

## 58 MOTION 542 (COUNCILLOR MRS J ROACH - 30 NOVEMBER) 0:05

The Group had before it Motion 542 (Councillor Mrs J Roach – 30 November 2017).

The motion, which had previously been considered by the PDG on 9 January 2018, had been referred back to the Group by Council (in line with Procedure Rule 15.1(e) for further consideration:

***That this Council consider the use of recycling trolleys as a pilot project, hopefully in Silverton, as an alternative to assisted collections for those who wish to try out such a system.***

The Chairman explained to the Group that the Motion had been rejected at the previous meeting, following thorough consideration, but that Council had referred it back. Cllr Roach had put forward various suggestions regarding the Motion at Council and the Chairman had been expecting an amendment to the wording but this was not forthcoming, so Members were asked to consider the Motion as it stood.

Cllr Roach spoke to the Motion explaining that Silverton Parish Council had offered to purchase 10 trolleys for local residents and that the trolleys could be aimed at people that did not yet require an assisted collection but struggled to manage recycling boxes. She also expressed concern at the aging workforce who might struggle to lift boxes. Cllr Roach had checked with the maker of the boxes and found that the boxes came in a variety of sizes. She claimed that recycling performance had gone up in the areas of the UK that had introduced the boxes and that local residents had told her they would be prepared to pay for the boxes.

The Director of Operations explained that the waste infrastructure was different in Scotland and Wales and authorities there had different targets and financial reasons for introducing new schemes. The budget and business plan for Waste Services had already been set for the year and any funding or officer time for a trial would need to be found from an area already agreed. Members would need to decide what the authority should stop doing if they wanted to undertake a trial.

Discussion took place regarding:

- The trollies would not be suitable for all residents, particularly those that lived on hills or with steps;
- The 'letter box' aspect of the boxes which allowed them to be filled whilst stacked could save space and reduce lifting and handling;
- Concerns regarding costs;
- The increase to recycling performance in Wales could have been attributed to a change in the collection scheme to three weekly black sack collections, the addition of mixed plastics to the scheme and the trollies. There was no evidence to suggest how much difference the trollies had made;
- The Welsh Government had helped to fund the trollies, their targets had financial penalties if not met and there was a recycling target of 60% so they were in a different situation than English authorities;

- A trial would require a project plan, terms of reference and an agreed method to measure success.

It was **RESOLVED** that a sample trolley be sourced, before the next meeting, that was suitable for use with the current recycling fleet, in order that Members could have a look and see how it operated. Motion 542 would then be discussed at the next meeting of the Group.

(Proposed by the Chairman)

- Note: - i) A proposal by Councillor Mrs N Woollatt was not supported.  
 ii) Cllr Mrs Woollatt requested that her reason for not supporting the Motion be recorded, being that she believed the Authority should take a wider view before deciding which trolley to use for a trial if it was decided a trial would take place.

## 59 **UPDATE ON THE STREET SCENE EDUCATION AND ENFORCEMENT SERVICE** **0:47**

The Group had before it and **NOTED** a report \* outlining the performance of the Street Scene Education and Enforcement service for the first nine months of operation following the service review in 2016/17.

The Group Manager for Street Scene and Open Spaces introduced the Environment and Enforcement Manager.

The Group Manager explained that at the Environment Policy Development Group meeting on the 7<sup>th</sup> March 2017 a list of recommendations were made and accepted by the Cabinet regarding smarter working practices. This followed a review of the Street Scene Education and Enforcement Service which had been undertaken over the previous eight months.

A revised working pattern was developed by management and staff during the review and was introduced on the 1st April 2017. Under the new working pattern officers now worked four of six days (Mon – Sat) on a rota basis (9.25 hours per day).

The allocation of discretionary time available was detailed in the following table:

Duties	Agreed Allocation of Disc. hours	Hours undertaken during quarters 1, 2 & 3	Hours to be undertaken for quarters 4
Compulsory Recycling	40% (120 hours)	119	1
Cleansing Inspections	10% (30 hours)	26	4
Dog Fouling Patrols	30% (90 hours)	50	7
Litter Patrols	20% (60 hours)	50	10

The officer confirmed that litter patrols had been very productive in generating more FPN's.

Discussion took place regarding:

- The difficulty in enforcing regarding dog fouling;
- A success reported by a Member when a local resident worked with District Officers and the matter was dealt with promptly and effectively;
- The need for 12 months data before making further decisions regarding allocation of time.

Note: - Report \* previously circulated and attached to Minutes.

#### 60 **PERFORMANCE AND RISK 0:56**

The Group had before it and **NOTED** an update \* on performance against the Corporate Plan and local service targets for 2017-18 as well as an update on the key business risks.

Note: - Report \* previously circulated and attached to Minutes.

#### 61 **BEREAVEMENT SERVICES FEES AND CHARGES 0:59**

The Group had before it a report \* from the Director of Finance, Assets and Resources regarding a review of the Bereavement Services Fees and Charges for 2018-2019.

The Director of Operations introduced the report, explaining that it contained proposed increases to charges.

Discussion took place regarding:

- Benchmarking with other authorities;
- Fees covered the cost of providing the service;
- This was not a Statutory service;
- Fees covered the ongoing costs of maintaining the graveyard.

It was **RECOMMENDED** that Cabinet approve the proposed charges for 2018-19 set out on table A of the report.

(Proposed by the Chairman)

Note: - Report \* previously circulated and attached to the Minutes.

62 **CHAIRMANS ANNUAL REPORT 1:08**

The Group had before it and **NOTED** a draft report \* by the Chairman on the work of the Group since May 2017, a final copy of this report would be submitted to Council on 25 April 2018.

Note: - Report previously circulated and attached to Minutes.

63 **IDENTIFICATION OF ITEMS FOR FUTURE MEETINGS**

Waste and Recycling regular update

Repairing Footpaths and Roads Policy

Performance and Risk

Motion 542 (with supporting information regarding potential cost implications and proposals for what could be removed from the Business Plan to provide funding if approved)

District Officer Discretionary Time

(The meeting ended at 3.30 pm)

**CHAIRMAN**

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## ENVIRONMENT PDG

15 May 2018

### Bereavement Service Fees and Charges

**Cabinet Member:** Cllr Clive Eginton

**Responsible Officer:** Andrew Jarrett, Director of Finance, Assets and Resources

**Reason for Report:** To review and approve Bereavement Service Fees and Charges for 2018/19.

### RECOMMENDATION(S):

To recommend approval to Cabinet the proposed charges for 2018/19 set out in Table A, Column B.

**Relationship to Corporate Plan:** Priority 5 – Corporate.

**Financial Implications:** Bereavement Services' total income for 2016/17 was £112.7k in a full year; the proposed increases in fees could generate an additional £12k.

**Legal Implications:** By virtue of section 214 of the Local Government Act 1972 and of the provisions of the Local Authorities' Cemeteries Order 1977, the Council is the burial authority.

Paragraph 15 of the said 1977 Order provides burial authorities with the power to charge such fees as they think are proper – "(a) for or in connection with burials in a cemetery; 3 (b) for any grant of a right to place and maintain a tombstone or other memorial in a cemetery...(c) for any grant of a right to put an additional inscription on such a tombstone or other memorial".

A burial authority is obliged to keep a table showing the matters in respect of which fees or other charges are payable to them, and the amount of each such fee or charge, and the table, shall be available for inspection by the public at all reasonable times.

**Risk Assessment:** N/A

**Equality Impact Assessment:** An equality impact assessment has been undertaken and is attached as Annex A.

## 1.0 Introduction

1.1 In previous years price increases within the Bereavement Service were necessary for the Council to reduce the estimated cost of service provision. The focus remains on providing the best possible standards of service, which includes not only the maintenance of our two cemeteries but the ongoing aim of ensuring the long-term needs of burials are met. Our two cemeteries provide places for quiet reflection where people are treated with dignity and respect at all stages of their lives.

- 1.2 The Council remains committed and continues to ensure that re-investment is made for various maintenance works across the Council's two cemeteries in Crediton and Tiverton that also includes buildings.
- 1.3 It is proposed to increase bereavement charges from 1 April 2018 by 10%, as set out in Table A.
- 1.4 In the case of a death with no next of kin, or should some members of the public be unable to meet these new charges through financial hardships or other such circumstances, support is available to bereaved families. There are three main means of support: Social Services, the hospital where the death occurred and Funeral Payments, available via the Department of Work and Pensions.
- 1.5 In addition, under Section 50 of the National Assistance Act 1948, a local authority will meet the costs of a basic funeral where the deceased or the next of kin are not in a position to meet the expenses. In 2016/2017 the cost of providing national assistance burials was £2k.
- 1.6 Among the broader financial considerations, the Council continues to face budget pressures and has experienced a reduction of core funding in the region of £493k from central government.
- 1.7 Further to the press release from The Rt Hon Theresa May MP on the 31<sup>st</sup> March 2018, instruction has been given for a Children's Funeral Fund to be set up in England. This will remove the fees for burials or cremations for those under the age of 18. The intervention brings England in line with Wales and follows a cross-party campaign by bereaved parents. The cost of burials or cremations for those under the age of 18 will be met instead by government funding; the details on how local authorities will do this are yet to be published.

Table A, column B has therefore be updated to reflect the intervention.

## **2.0 Background**

- 2.1 There is a risk that budget targets will not be met due to increased costs of providing the service and therefore this decision is important in ensuring the sustainability of burial provision.
- 2.2 The Council applies a range of fees and charges associated with burials. The existing fees and charges are presented in Table A.

## **3.0 Table A**

- 3.1 Column 'A' lists the current charges that were set in 2016/17.
- 3.2 Column 'B' shows proposed charges for 2018/19 that includes an increase of 10%. Column B has also been updated following government intervention, as detailed in 1.7.

**Table A**

A			B		
‘A’ - Current charges 2016-18			‘B’ - Proposed charges 2018-19		
Interment fees of a coffin		Ashes	Interment fees of a coffin		Ashes
Adult	£957.00	£157.50	Adult aged 18 or over	£1052.50	£173.00
Juvenile (16-18 yrs)	£370.00	£157.50	Removed	N/A	N/A
Stillborn/NVF/ Under 16	Nil	N/A	Stillborn/NVF/ Under 16	Nil	N/A
<b>Inter ashes into tree cremation plot (this charge includes 30 year Exclusive Rights of Burial and Right to erect a Memorial</b>					
£492.00			£541.00		
<b>Exclusive Rights of Burial and Right to Erect a Memorial</b>					
	30 years	75 years		30 years	75 years
Adult grave	£1037.00	£2540.00	Adult grave	£1140.50	£2794.00
Childs grave	£373.50	£934.00	Childs grave	£410.50	£1027.00
Cremation plot	£298.00	£751.00	Cremation Plot	£327.50	£826.00

**Table A Continued**

A		B
‘A’ - Current charges 2016-18		‘B’ - Proposed charges 2018-19
<b>Additional costs are required when the grave was purchased before 1 April 2003</b>		
Erect a Headstone	£161.50	£177.50
Headstone & Kerbing	£400.00	£440.00
Additional Inscription	£98.50	£108.00
Place Tablet (18x18) Vase	£98.50	£108.00
Tablet/Ledger (18x36)	£187.00	£205.50
Tablet/Ledger larger than (18x36)	£295.50	£325.00
Place open kerbing up to (7x3)	£258.50	£284.00
Place open kerbing larger than (7x3)	£471.50	£518.50
Place fully enclosed kerbset	£554.00	£609.00

#### **4.0 Financial Implications**

- 4.1 The proposed charges from 1st April 2018 would increase income by circa £12k and the schedules of charges are listed at Table A within this report.
- 4.2 A comparison of the cemeteries and crematorium fees currently charged by other surrounding local authority and private providers’ shows fees across the area vary (please see Table B). It is acknowledged that all authorities will review their bereavement service charges in the coming months and each one will differ in terms of the current level of service provision they choose to make. Therefore, it is difficult to make a true like-for-like comparison with other neighbouring authorities.
- 4.3 If a Funeral Director requires any changes or an exhumation that requires a licence prior to disturbing an existing grave, it is proposed to introduce a new fee of £70.00 for every application that the Council has to make, with a quotation being provided on a case-by case basis. Whilst it is acknowledged that these applications are not made on a regular occurrence, they are time consuming in the administration and pursuance of the said licence. In addition to this, it is also proposed to add an additional charge for a ‘trial dig’ of £150.00 that is required to confirm ground conditions.

## 5.0 Table B

5.1 Column 'A' compares current Mid Devon charges with three neighbouring authorities and a town Council.

5.2 Column 'B' compares increased Mid Devon charges with three neighbouring authorities and a town council.

**Table B**

		A	B				
Costs as from April 2017		MDDC	MDDC+10%	Exeter City	Torrige	Cullompton Town Council	Taunton D
Burial Interment fees	Juvenile	FOC	<b>FOC</b>	FOC	FOC	FOC	FOC
Burial Interment fees	Adult 18 or over	£957.00	<b>£1052.50</b>	£907.00	£720.00	£980.00	£750.00
Ashes Interment fees	Casket	£157.50	<b>£173.00</b>	£170.00	£135.00	£190.00	£140.00
Ashes Interment fees	Scatter	£157.50	<b>£173.00</b>	£108.00	£70.00	£190.00	£140.00
Saturday and BH supplement	Saturday	£166.50	<b>£183.00</b>	N/A	£135.00	£125/£250	£202 / £62
	BankHol	£166.50	<b>£183.00</b>		£135.00	£125/£250	£202 / £62
EROB 30Yrs	Adult	£1037.00	<b>£1140.50</b>	£1023.00	(25)EROB only £475.00	£950.00	-
EROB 30Yrs	Child	£373.50	<b>£410.50</b>	£464.00	Under 6 £Nil	£Nil	-
EROB 30Yrs	Ashes	£298.00	<b>£327.50</b>	£480.00	£ 70.00	£320.00	-
EROB 75 Years	Adult	£2,540.00	<b>£2,794.00</b>	-	-	£1525.00	£890.00
EROB 75 Years	Child	£934.00	<b>£1027.00</b>	-	-	£Nil	
EROB 75 Years	Ashes	£751.00	<b>£826.00</b>	-	-	£760.00	£650.00

## **6.0 Conclusion**

- 6.1 It is estimated that the proposed charges set out in Table A will contribute £12k full year effect and that this additional income will support increased costs of service provision and reduce the current level of net subsidy at circa £120k.

**Contact for more Information:** Andrew Busby, Group Manager Corporate Property & Commercial Assets - 01884 234948 (abusby@middevon.gov.uk).

**Circulation of the Report:** Leadership Team, Cabinet Member

**Equality Impact Assessment Form and Action Table 2017**

(Expand the boxes as appropriate, please see guidance)

"I shall try to explain what "due regard" means and how the courts interpret it. The courts have made it clear that having due regard is **more than having a cursory glance** at a document before arriving at a preconceived conclusion. Due regard requires public authorities, in formulating a policy, to give equality considerations the weight which is **proportionate in the circumstances**, given the potential impact of the policy on equality. It is not a question of box-ticking; it requires the equality impact to be **considered rigorously and with an open mind.**"

**What are you completing the Impact Assessment on (which policy, service, MTFP reference etc)?**

Review an 10% increase in charges for Bereavement Services.

**Version**

1

**Date**

19.02.18

**Section 1 – Description** of what is being impact assessed

The increase of 10% fees and associated charges for Bereavement Services.

**Section 2A – People or communities that are targeted or could be affected** (taking particular note of the Protected Characteristic listed in action table)

Communication will be necessary with the funeral directors who use our two cemeteries, as their customers will be affected that include.

- Age
- Disability

**Section 2B – People who are delivering** the policy or service

Potential of direct/indirect customer dis-satisfaction of an increase in fees leading to challenging phone calls to the Corporate Property and Commercial Assets team who are based at Phoenix House.

**Section 3 – Evidence and data** used for the assessment (Attach documents where appropriate)

Attached report includes benchmarking fees and charges with other authorities.

**Section 4 – Conclusions** drawn about the equalities impact (positive or negative) of the proposed change or new service/policy (Please use **prompt sheet** in the guidance for help with what to consider):

The increases in fees are necessary to maintain standards at our two cemeteries and are comparable with other authorities.

**If you have identified any negative impacts you will need to consider how these can be mitigated to either reduce or remove them. In the table below let us know what mitigation you will take. (Please add rows where needed)**

Identified issue drawn from your conclusions	Actions needed – can you mitigate the impacts? If you can how will you mitigate the impacts?	Who is responsible for the actions? When will the action be completed?	How will it be monitored? What is the expected outcome from the action?
<b>Age</b>			
Different approaches and mechanisms are required for engaging with and representing, people of different ages, in particular children and young people.	The specification requires the Provider to not only comply with the Equality Act 2010 and related duties, but to strive for best practice.	Communication with funeral directors regarding the increase in fees that will be carried out by the Corporate Property and Commercial Assets team upon Cabinet approval.	This would be directly monitored by the service, increased income is expected that is required to maintain current service levels.

<b>Disability</b>			
Different approaches and mechanisms may be required for engaging with and representing, people with a range of disabilities depending on their individual needs.	The specification requires the Provider to not only comply with the Equality Act 2010 and related duties, but to strive for best practice.	Financial assistance with burials is available in the event that families do not have the means to bury relatives.	This would be directly managed by the service detailed in section 2B.
<b>Gender Reassignment</b>			
N/A	N/A	N/A	N/A
<b>Marriage and Civil Partnership</b>			
No issues identified	N/A	N/A	N/A
<b>Pregnancy and Maternity</b>			
N/A	N/A	N/A	N/A
<b>Race (including ethnicity or national origin, colour, nationality and Gypsies and Travellers)</b>			
N/A	N/A	N/A	N/A

<b>Religion and Belief</b>			
N/A	N/A	N/A	N/A
<b>Sex</b>			
N/A	N/A	N/A	N/A
<b>Sexual Orientation</b>			
N/A	N/A	N/A	N/A
<b>Other (including caring responsibilities, rurality, low income, Military Status etc)</b>			
<b>Rurality</b> It is important that the service is able to engage with and represent individuals who live in rural areas and / or have limited access to public transport.	<p>The specification requires the Provider to meet the needs of all people in Mid Devon, to have a presence in local communities and ensure that communications plans reflect the rurality of Mid Devon.</p> <p>The Provider is required to ensure that the service represents the diverse population of Mid Devon and that reasonable adjustments are made to all services / activities to ensure individuals are able to access the service.</p> <p>Operational commissioning of the service will ensure that the service is being delivered according to the service specification and quality standards and will take account of customer feedback.</p>	Communication with funeral directors and helpline number on Mid Devon District Council web site.	This would be directly managed by the service detailed in section 2B.

**Section 6** - How will the assessment, consultation and outcomes be published and communicated? E.g. reflected in final strategy, published. What steps are in place to review the Impact Assessment

The Corporate Property and Commercial Assets team will implement, in the event of Cabinet resolving to approve the attached report

<b>Completed by:</b>	Andrew Busby
<b>Date</b>	19.02.18
<b>Signed off by:</b>	
<b>Date</b>	
<b>Compliance sign off Date</b>	
<b>To be reviewed by: (officer name)</b>	
<b>Review date:</b>	

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## ENVIRONMENT PDG 15 MAY 2018

### UPDATE ON THE STREET SCENE EDUCATION AND ENFORCEMENT SERVICE

**Cabinet Member(s):** Cllr Clive Eginton  
**Responsible Officer:** Stuart Noyce, Group Manager - Street Scene and Open Spaces

**Reason for Report:** This report outlines the first full year performance of the Street Scene Education and Enforcement Service following the service review in 2016/17.

#### RECOMMENDATIONS:

1. To increase the fine for littering to the statutory maximum of £150.
2. To vary the time allocated to discretionary duties as specified in paragraph 2, Table 2.
3. To introduce the policies, systems and procedures necessary to enable Fixed Penalty Notices (FPNs) to be served on the relevant person(s) associated with littering from vehicles.

**Relationship to Corporate Plan:** The Street Scene Service is a frontline service which works throughout the district ensuring the cleanliness and attractiveness of our public realm through both education and enforcement.  
Priority 4: Environment – Protect the natural environment

**Financial Implications:** A like-for-like increase in income from an increase in the fine, offset by the risk of an increase in non-payment. The risk from non-payment is mitigated by an expected increase in the number of Fixed Penalty Notices (FPNs) being issued.

**Legal Implications:** None

#### 1.0 Introduction

- 1.1 The Environment PDG meeting held on the 7<sup>th</sup> March 2017 made recommendations to Cabinet regarding working practices. These recommendations were accepted by Cabinet and the Service committed to implement them.
- 1.2 A revised working pattern was developed and introduced on the 1<sup>st</sup> April 2017. Under the new working pattern officers moved to a four out of six day (Mon – Sat) working pattern on a rota basis (9.25 hours per day).
- 1.4 The new working pattern split the district into two areas, North and South; each area having two officers assigned to it. This allowed officers to build up knowledge and provide cover for periods of absence. On each week day at least two officers are working across Mid Devon.

1.5 The longer working days allow District Officers the ability to communicate with residents outside normal office hours and enforce across a longer time period.

## 2.0 District Officer Activity

2.1 The duties carried out by the Service are outlined below.

- Statutory – the authority has a legal duty to undertake this activity. This includes: stray dogs, dangerous dogs, fly tipping investigations and abandoned vehicle removal.
- Mandatory – activity which if not undertaken could lead to a loss of income, service disruption or reputational damage for the authority. This includes: car parking enforcement, compulsory recycling, trade waste enforcement, environmental crime investigation and administration.
- Discretionary – activity which the authority can choose how much or little it wants to do. This includes: litter patrols, dog fouling patrols, cleansing inspections and microchipping events.

2.2 At present, the activity for the District Officer Team is monitored by manual timesheets that are submitted by the officers at the end of each week.

2.3 For 2017/18 the 300 hours of discretionary activity were split as detailed below in Table 1.

**Table 1 – Allocation of discretionary hours for 2017/18**

<b>Duties</b>	<b>Agreed allocation of discretionary hours</b>	<b>Hours allocated</b>	<b>Outcomes</b>
Compulsory Recycling	40% (120 hours)	120	Stage 1 - 288 Stage 2 – 2 Stage 3 – 0
Cleansing Inspections	10% (30 hours)	30	96% A or B litter 89% A or B detritus
Dog Fouling Patrols	30% (90 hours)	90	1 fine issued = £80
Litter Patrols	20% (60 hours)	60	49 issued = £3,920

2.4 At the March 2018 Environment PDG, it was resolved to recommend to Cabinet to vary the allocation of 300 discretionary hours of enforcement activity as detailed below in Table 2.

**Table 2 – Proposed allocated discretionary hours**

<b>Duties</b>	<b>Allocation of 300 discretionary hours 18/19</b>
Compulsory Recycling	40% (120 hours)
Cleansing Inspections	10% (30 hours)
Dog Fouling Patrols	10% (30 hours)
Litter Patrols	40% (120 hours)

2.5 A total of 637 street cleansing inspections were undertaken. The results from the inspections can be seen below in Table 3. The inspections carried out followed refresher training from Keep Britain Tidy and aligned to the legacy NI195 methodology (a national reference standard). The results show that 96% of roads inspected were graded at A or B for litter and 89% for detritus. Areas with a higher incidence of litter and detritus (Grade C & D) were prioritised by the operations service for cleansing.

**Table 3 – Land Survey results to date 2017/18**

	Litter	Detritus
Number of Wards Surveyed	26	26
Total Number of Transects Surveyed	637	637
% of Transects Graded A	51.1%	21.6%
% of Transects Graded B	45.6%	68.6%
% of Transects Graded C	2.9%	8.6%
% of Transects Graded D	0.1%	1.1%

Grade A – No litter or refuse

Grade B – Predominantly free of litter and refuse except for some small items

Grade C – Widespread distribution of litter and refuse, with minor accumulations

Grade D – Heavily littered, with significant accumulations

### 3.0 Performance Information

3.1 The outcome of the new way of working for the team can be seen in Table 4 (below). The total number of Parking Contravention Notices (PCNs) issued in 2017/18 has increased by 33%. The total number of Fixed Penalty Notices (FPNs) issued in Quarter 1 has increased by 114%.

3.2 Investigations into vehicles reported abandoned have increased by 14%. This is likely due to the decrease in value for scrap vehicles.

**Table 4 – Number of PCNs & FPNs issued and abandoned vehicle reports inspected**

Month	PCNs 2015/16	FPNs 2015/16	PCNs 2016/17	FPNs 2016/17	Abandoned Vehicles 2016/17	PCNs 2017/18	FPNs 2017/18	Abandoned Vehicles 2017/18
April	102	0	132	1	29	116	4	28
May	87	2	117	1	29	117	4	42
June	70	0	129	0	26	179	1	39
<b>Total Q1</b>	<b>259</b>	<b>2</b>	<b>378</b>	<b>2</b>	<b>84</b>	<b>412</b>	<b>9</b>	<b>109</b>
July	116	2	175	0	31	148	3	27
August	160	2	206	0	25	17	3	37
September	171	2	146	1	29	153	5	47
<b>Total Q2</b>	<b>447</b>	<b>6</b>	<b>527</b>	<b>1</b>	<b>85</b>	<b>478</b>	<b>11</b>	<b>111</b>
October	121	2	205	0	26	136	3	43
November	72	2	155	1	38	169	7	30
December	70	4	156	3	47	147	6	24

<b>Total Q3</b>	<b>263</b>	<b>8</b>	<b>516</b>	<b>4</b>	<b>111</b>	<b>452</b>	<b>16</b>	<b>97</b>
January	118	0	156	1	14	119	5	2
February	63	2	130	1	20	119	1	14
March	136	3	80	1	32	143	7	3
<b>Total Q4</b>	<b>317</b>	<b>5</b>	<b>366</b>	<b>3</b>	<b>66</b>	<b>381</b>	<b>13</b>	<b>79</b>
<b>Grand Total</b>	<b>1,286</b>	<b>21</b>	<b>1,787</b>	<b>10</b>	<b>346</b>	<b>1,723</b>	<b>49</b>	<b>396</b>

#### 4.0 New IT system

- 4.1 New parking enforcement software has been jointly procured with two other Devon authorities. The parking system has a self-service portal available to enable customers to update their vehicle registration details on 'live' active account for their virtual parking permit.
- 4.2 The system works in real time and in 'the cloud'. This offers the public the ability to engage online as soon as a parking charge notice is issued.
- 4.3 The IDOX IT system is currently being adapted and tailored to the needs of the Street Scene Service. In time, it will enable all the District Officers to complete their administration away from the traditional office environment; allowing for more time on enforcement activity.

#### 5.0 Increased fines

- 5.1 The Government has introduced a new Litter Strategy for England to curb littering with proposals for new enforcement, education and community engagement. There is now the ability to increase fines from the previous maximum of £80 to £150, introducing new powers to fine the registered keeper of vehicles if litter is dropped from that vehicle.

#### 6.0 Conclusion

- 6.1 Initial findings show that the changes recommended and implemented have made a positive impact on performance and delivered the expected efficiency savings.

**Contact for more Information:** Vicky Bowden, Environment and Enforcement Manager 01884 244601 /vbowden@middevon.gov.uk

**Circulation of the report:** Cllr Clive Eginton, Legal, Leadership Team

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## ENVIRONMENT PDG

15 MAY 2018:

### PERFORMANCE AND RISK REPORT

**Cabinet Member** Cllr Clive Eginton  
**Responsible Officer** Director of Corporate Affairs and Business Transformation, Jill May

**Reason for Report:** To provide Members with an update on performance against the corporate plan and local service targets for 2017-18 as well as providing an update on the key business risks.

**RECOMMENDATION(S):** That the PDG reviews the Performance Indicators and Risks that are outlined in this report and feeds back any areas of concern to the Cabinet.

**Relationship to Corporate Plan:** Corporate Plan priorities and targets are effectively maintained through the use of appropriate performance indicators and regular monitoring.

**Financial Implications:** None identified

**Legal Implications:** None identified

**Risk Assessment:** If performance is not monitored we may fail to meet our corporate and local service plan targets or to take appropriate corrective action where necessary. If key business risks are not identified and monitored they cannot be mitigated effectively.

**Equality Impact Assessment:** No equality issues identified for this report.

#### 1.0 Introduction

- 1.1 Appendix 1 provides Members with details of performance against the Corporate Plan and local service targets for the 2017-18 financial year.
- 1.2 Appendix 2 shows the section of the Corporate Risk Register which relates to the Environment Portfolio. See 3.0 below.
- 1.3 Appendix 3 shows the profile of all risks for the Environment for this quarter.
- 1.4 All appendices are produced from the corporate Service Performance and Risk management system (SPAR).

#### 2.0 Performance

- 2.1 Regarding the Corporate Plan Aim: **Increase recycling and reduce the amount of waste:** The Council has reached the end of the municipal with **Residual household waste per household (measured in Kilograms)** over

achieved against the target of no more than 420kg at only 381.4kg. This is a good result although a little higher than last year's 374.2kg.

- 2.2 We are still a little below target for **% of household waste reused, recycled and composted** at 51.9% against the target of 53%. However due to the closure of the composting facility and stockpile facilities at Carlu Close being unavailable due to building works associated with the Waste Transfer Station it was not possible to compost all street sweeping residue in Q1 & Q2 2018, if this material had been composted the recycling rate for the year would be 53.0% i.e. on target.
- 2.3 Regarding the Corporate Plan Aim: **Reduce our carbon footprint**: The energy switching scheme went live on MDDC's website on 1 December 2017 and referrals are now also being made through the LEAP scheme. The first full quarter numbers for Q4 2017/18 were 22.
- 2.4 Regarding the Corporate Plan Aim: **Protect the natural environment**: 18 of the 27 recommendations from the Street Cleansing review have now been implemented. All the priority activities for Street Scene for 2017/18 in the Corporate Plan have now been completed except this one.
- 2.5 When benchmarking information is available it is included.

### **3.0 Risk**

- 3.1 The Operational risk assessments are job specific and flow through to safe systems of work.
- 3.2 The Corporate risk register has been reviewed by Group Managers' Team (GMT) and updated. Risk reports to committees include risks with a total score of 10 or more. (See Appendix 2)

### **4.0 Conclusion and Recommendation**

- 4.1 That the PDG reviews the performance indicators and risks for 2017-18 that are outlined in this report and feeds back any areas of concern to the Cabinet.

**Contact for more Information:** Catherine Yandle, Group Manager for Performance, Governance and Data Security ext. 4975

**Circulation of the Report:** Management Team and Cabinet Member

## Corporate Plan PI Report Environment

**Monthly report for 2017-2018**  
**Arranged by Aims**  
**Filtered by Aim: Priorities Environment**  
**For MDDC - Services**

**Key to Performance Status:**

Performance Indicators:

No Data	Well below target	Below target	On target	Above target	Well above target
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\* indicates that an entity is linked to the Aim by its parent Service

Corporate Plan PI Report Environment																		
Priorities: Environment																		
Aims: Increase recycling and reduce the amount of waste																		
Performance Indicators																		
Date	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Group Manager	Officer Notes
31	374.20	374.20	420.00	32.80	63.57	98.56	130.52	166.92	195.29	224.36	255.24	285.00	321.83	350.87	381.40	381.40	Stuart Noyce	(April - March) This is an estimated figure based on raw data which is yet to be verified by DCC (LD)
	53.3%	53.3%	53.0%	51.3%	52.6%	51.3%	51.8%	52.5%	52.5%	52.6%	52.7%	52.9%	52.6%	52.3%	51.9%	51.9%	Stuart Noyce	(March) Figures for March 2018 recycling rate supplied by DCC

## Corporate Plan PI Report Environment

### Priorities: Environment

#### Aims: Increase recycling and reduce the amount of waste

#### Performance Indicators

Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Group Manager	Officer Notes	
Page 32																		one month behind reporting cycle. March 2018 recycling rate is estimated based on the raw data available; not yet verified by DCC (LD)	
	<b>Net annual cost of waste service per household</b>	£54.39	£54.39	£50.35	n/a	£49.91	£49.91	Stuart Noyce											
	<b>Number of Households on Chargeable Garden Waste</b>	8,536	8,536	9,000	8,692	8,973	9,107	9,343	9,449	9,537	9,520	9,268	9,286	9,330	9,367	9,386	9,386	Stuart Noyce	(March) 386 customers over the 9,000 customer target for the year (LD)
	<b>% of missed collections reported (refuse and</b>	0.04%	0.04%	0.03%	0.04%	0.03%	0.03%	0.03%	0.03%	0.03%	0.04%	0.04%	0.04%	0.04%	0.04%	0.04%	0.04%	Stuart Noyce	(March) Actual March figure =

### Corporate Plan PI Report Environment

#### Priorities: Environment

#### Aims: Increase recycling and reduce the amount of waste

#### Performance Indicators

Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Group Manager	Officer Notes
<u>organic waste</u>																		0.02% (LD)
<u>% of Missed Collections logged (recycling)</u>	0.03%	0.03%	0.03%	0.03%	0.03%	0.03%	0.03%	0.03%	0.03%	0.03%	0.03%	0.03%	0.03%	0.03%	0.03%	0.03%	Stuart Noyce	

#### Aims: Protect the natural environment

#### Performance Indicators

Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Group Manager	Officer Notes
<u>Number of Fixed Penalty Notices (FPNs) Issued (Environment)</u>		10	10		5	9	10	13	16	21	24	31	36	41	42	49	Stuart Noyce	

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## Environment PDG Risk Management Report - Appendix 2

Report for 2017-2018

For Environment - Cllr Clive Eginton Portfolio

Filtered by Flag: Include: \* CRR 5+ / 15+

For MDDC - Services

Filtered by Performance Status: Exclude Risk Status: Low

Not Including Risk Child Projects records or Mitigating Action records

### Key to Performance Status:

Risks: No Data (0+) High (15+) Medium (6+) Low (1+)

## Environment PDG Risk Management Report - Appendix 2

**Risk: Carlu Close Depot** Inherent risk at Carlu Close site - highest scoring risk

**Effects (Impact/Severity):**

**Causes (Likelihood):**

**Service: Street Scene Services**

**Current Status: High (15)**

**Current Risk Severity: 5 - Very High**

**Current Risk Likelihood: 3 - Medium**

**Service Manager: Stuart Noyce**

**Review Note:** The risk was reviewed as the result of carbon monoxide levels building up now transfer station work completed. Detailed trials and monitoring plan now in place.

**Risk: First Aid availability** First Aid availability when maintaining green spaces etc. because of the nature of the work which can be in areas of limited access to emergency services and of a high risk all team members should be Emergency First Aid at Work (EFAW)

**Effects (Impact/Severity):**

**Causes (Likelihood):**

**Service: Grounds Maintenance**

**Current Status: Medium (10)**

**Current Risk Severity: 5 - Very High**

**Current Risk Likelihood: 2 - Low**

**Service Manager: Joe Scully**

**Review Note:** Staff trained 2 in Office  
Grass cutting all  
Arborist team all

## Environment PDG Risk Management Report - Appendix 2

**Risk: H&S RA - Recycling Depot Operatives** Risk assessment for role - Highest Risks scored - Vehicle Movements inside Depot/Risk of Fire

**Effects (Impact/Severity):**

**Causes (Likelihood):**

**Service: Street Scene Services**

**Current Status:**  
Medium (10)

**Current Risk Severity: 5 -**  
Very High

**Current Risk Likelihood: 2 -**  
Low

**Service Manager: Stuart Noyce**

**Review Note:** SSoW/designated walkways/PPE/Reversing Assistants/Equipment servicing.

Regular alarm testing and equipment checks/flammable materials outside.

**Risk: H&S RA - Refuse Driver/Loader** Risk Assessment for Role - Highest risk from role RA. - Risk of RTA from severe weather conditions

**Effects (Impact/Severity):**

**Causes (Likelihood):**

**Service: Street Scene Services**

**Current Status:**  
Medium (10)

**Current Risk Severity: 5 -**  
Very High

**Current Risk Likelihood: 2 -**  
Low

**Service Manager: Stuart Noyce**

**Review Note:** SSoW/Training & Instruction/Mobile phones

**Risk: H&S RA - Street Cleansing Operative** Risk assessment for role - highest risk from role - Risk of accident/injury when working roadside

**Effects (Impact/Severity):**

**Causes (Likelihood):**

**Service: Street Scene Services**

**Current Status:**  
Medium (10)

**Current Risk Severity: 5 -**  
Very High

**Current Risk Likelihood: 2 -**  
Low

**Service Manager: Stuart Noyce**

**Review Note:** SSoW/Induction training /PPE - Hi viz conforming to Class 3 requirements/ No working in peak hours 7am -10am & 4pm - 7pm/Operatives to litter pick facing against traffic/Operatives to be certificated on Chapter 8/Operative to remain alert to traffic at all times/Warning beacons on vehicle/Warning signage must be used in correct locations

## Environment PDG Risk Management Report - Appendix 2

**Risk: Power Take Off (PTO) shaft** That the PTO shaft is not correctly guarded

**Effects (Impact/Severity):**

**Causes (Likelihood):**

**Service: Grounds Maintenance**

**Current Status:**  
Medium (10)

**Current Risk Severity: 5 -**  
Very High

**Current Risk Likelihood: 2 -**  
Low

**Service Manager: Joe Scully**

**Review Note:** that includes safe use of PTO's etc. The specifics of PTO are to be clarified with those operatives using the machine.

**Risk: Recycling Income** Reduction in material income levels due to market forces.

**Effects (Impact/Severity):**

**Causes (Likelihood):**

**Service: Street Scene Services**

**Current Status:**  
Medium (12)

**Current Risk Severity: 4 -**  
High

**Current Risk Likelihood: 3 -**  
Medium

**Service Manager: Stuart Noyce**

**Review Note:** With China banning imports of recycling materials in the New Year this risk is currently at a higher level

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# Risk Matrix Environment Appendix 3

## Report

Filtered by Service: Grounds Maintenance, Street Scene Services  
Current settings

<b>Risk Likelihood</b>	<b>5 - Very High</b>	<b>No Risks</b>	<b>No Risks</b>	<b>No Risks</b>	<b>No Risks</b>	<b>No Risks</b>
	<b>4 - High</b>	<b>No Risks</b>	<b>No Risks</b>	<b>No Risks</b>	<b>No Risks</b>	<b>No Risks</b>
	<b>3 - Medium</b>	<b>No Risks</b>	<b>No Risks</b>	<b>1 Risk</b>	<b>1 Risk</b>	<b>1 Risk</b>
	<b>2 - Low</b>	<b>1 Risk</b>	<b>1 Risk</b>	<b>No Risks</b>	<b>3 Risks</b>	<b>5 Risks</b>
	<b>1 - Very Low</b>	<b>2 Risks</b>	<b>7 Risks</b>	<b>3 Risks</b>	<b>5 Risks</b>	<b>2 Risks</b>
		<b>1 - Very Low</b>	<b>2 - Low</b>	<b>3 - Medium</b>	<b>4 - High</b>	<b>5 - Very High</b>
		<b>Risk Severity</b>				

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