

Agenda Item 4

SHEFFIELD CITY COUNCIL

Waste & Street Scene Policy Committee

Meeting held 13 September 2024

PRESENT: Councillors Joe Otten (Chair), Minesh Parekh (Deputy Chair), Christine Gilligan Kubo (Group Spokesperson), Sue Alston, David Barker, Peter Gilbert, Tim Huggan, Mary Lea and Mark Rusling

17. APOLOGIES FOR ABSENCE

17.1 No apologies for absence were received.

18. EXCLUSION OF PRESS AND PUBLIC

18.1 No items were identified where resolutions may be moved to exclude the press and public.

19. DECLARATIONS OF INTEREST

19.1 No declarations of interest were received.

20. MINUTES OF PREVIOUS MEETING

20.1 The Minutes of the meeting of the Committee held on 19 July, 2024 were approved as a correct record.

21. PUBLIC PETITIONS, QUESTIONS AND STATEMENTS

21.1 No public questions, statements or petitions were received.

22. MEMBERS' QUESTIONS

22.1 No questions were received from Members.

23. WORK PROGRAMME

23.1.1 The Principal Democratic Services Officer submitted a report containing the Committee's Work Programme which detailed all known, substantive agenda items for forthcoming meetings of the Committee to enable this Committee, other Committees, officers, partners and the public to plan their work with and for the Committee.

23.1.2 Members requested feedback from the Emergency Planning Team following the publication of the Grenfell Tower Inquiry phase 2 report and that this be brought to a future committee meeting.

23.1.3 It was suggested that a briefing session be added to the work programme to explore areas within the remit of the committee that could apply for alternative

funding for green initiatives.

23.1.4 The Chair suggested that a working group be formed to analyse the responses to the consultation on sexual entertainment venues.

23.1.5 Discussion took place around the timing of the Review of Licensed Vehicle Ages and Signage and whether the planned December meeting allowed enough time for changes to be made before January. It was confirmed that changes could be made with immediate effect.

23.1.6 Members discussed whether action point 5 of the Council's Statement of Climate Commitment was appropriately referenced in the work programme. Officers referenced the Climate Action Plan that had already been presented to committee and offered a further update in a knowledge briefing.

23.2 **RESOLVED UNANIMOUSLY:** That the Waste and Street Scene Policy Committee agrees:-

1. The Committee's work programme, as set out in Appendix 1, including any additions and amendments identified in Part 2;
2. That consideration be given to any further issues to be explored by officers for inclusion in the next work programme report, for potential addition to the work programme; and
3. That any referrals from Council (petition and resolutions) detailed in Section 2 of the report be noted and the proposed responses set out be agreed.

23.3 **Reasons for Decision**

23.3.1 To give the committee members an opportunity to consider the direction of the work programme, align it with their key priorities and create a manageable workload for the committee.

23.4 **Alternatives Considered and Rejected**

23.4.1 None

24. **2024/25 Q1 BUDGET MONITORING**

24.1 The Head of Accounting presented at report that brought the Committee up to date with the Council's General Fund revenue outturn position for 2024/25 as at quarter 1.

24.2 **RESOLVED UNANIMOUSLY:** That the Waste and Street Scene Policy Committee notes the updated information and management actions on the 2024/25 Revenue Budget Outturn as described in this report.

24.3 **Reasons for Decision**

24.3.1 To record formally changes to the Revenue Budget.

24.4 Alternatives Considered and Rejected

24.4.1 The Council is required to both set a balance budget and to ensure that in-year income and expenditure are balanced. No other alternatives were considered.

25. PROPOSED FIXED PENALTY NOTICES (FPN) LEVELS FOR ENVIRONMENTAL OFFENCES

25.1 Members of the committee considered a report proposing new FPN levels for flytipping, littering and householder duty of care. New increased FPN levels are suggested although not all to maximum levels as there are important considerations regarding payment rates and officer time on court cases.

25.2 **RESOLVED UNANIMOUSLY:** That the Waste and Street Scene Policy Committee;

1. Considered the proposed options presented in this report and decided on the preferred approach.
2. Agrees the proposed recommendations regarding new Fixed Penalty Notice (FPN) levels as follows: Litter £100 or £200 depending on the nature of the litter as specified in the report. Fly Tipping FPN's – A tiered approach of £400, £600, £1000. Household Duty of Care - **£500 with an early payment concession to £300**. However, this Household Duty of Care increase change to only come in following a renewed publicity campaign to raise awareness.
3. Delegates to the Director of Street Scene and Regulations the decision to raise the £100 FPN for littering to £160 with an early payment rate of £100 when the online payment system is upgraded to allow this.
4. Considered whether to align FPN levels to the original budget amendment by setting all the flytipping FPNs to the maximum amount of £1000 but with the option of reduced rates of £400 and £600 for the first 2 levels for early payment as stated in the report. This option would be reviewed in six months and therefore not enacted at this time.

25.3 Reasons for Decision

25.3.1 There are new legal flexibilities in respect of the levels that FPNs for fly tipping and littering can be set at. Based on a thorough review of the options and balancing the deterrent effect with the practical issues of payment and officer/court time, the proposed levels of FPN and options for how they may be applied, feel like a sensible balance.

25.3.2 These options and decisions reference the original budget amendment whilst acknowledging the risks and benefits of each course of action. We do have considerable experience of issuing fines and collecting payment which we have

drawn on here.

25.4 **Alternatives Considered and Rejected**

25.4.1 The recommendations do already provide some options for members at their request as this is not an exact science. However other options included;

25.4.2 **Alternative Option 1:** Maximum rates for all with no early payment

25.4.3 **Alternative Option 2:** Offer concession rates for people on low income.

25.4.4 These have been considered and it is felt option 1 was likely to lead to virtually no FPN's being paid locally which would carry significant budget risks through lack of FPN income. This would also increase work pressure on officers who would have more legal cases to prepare and on legal services and the Courts. Option 2 would be complicated to enforce and goes against the usual system whereby FPN's are not subject to concession however the court could consider personal means if a case goes to them.

26. **FOOD HYGIENE AND STANDARDS SERVICE PLAN 24/25**

26.1.1 Members of the committee considered a report of the Director of Street Scene and Regulations explaining that Sheffield City Council is a statutory body in respect of delivering food controls, and is required to follow guidance from the Food Standards Agency (FSA) with respect to Food Hygiene and Standards, including a requirement to deliver a Service Plan setting out a programme of inspection of food businesses for each year.

26.1.2 The attached plan has proposals for fulfilling our Food Hygiene and Standards responsibilities over the next year, including how the Council proposes to respond to the backlog in food visits that remain including the expectation that the food hygiene backlog will be gone by year end. The plan includes a brief review of the previous year's work and confirms that much progress has been made since last year in reducing the overall backlogs such that the Food Standards Agency has stopped its enhanced monitoring arrangement with us, albeit some risks remain. There is a modest financial pressure from contractor costs which is being covered within the overall Street Scene and Regulations budget.

26.2 **RESOLVED UNANIMOUSLY:** That the Waste and Street Scene Policy Committee;

1. Note the improvement in the hygiene and allergen compliance backlog since the last report.
2. Note the necessary overspend in this area to enable statutory duties to be met and the backlog to be reduced which will be mitigated by savings elsewhere in Street Scene and Regulations in 24/25.
3. Acknowledge that resource within the Standards team cannot complete the FSA food standards programme but a risk-based approach is being taken.

4. Approve the Service Plan including the risk-based food programme proposals in the attached report concerning Food Safety and Standards.
5. Note that the Food Standards Agency had been undertaking enhanced monitoring of our work due to the backlogs but have ended that after being satisfied with our progress and the investment last year.

26.3 Reasons for Decision

- 26.3.1 SCC should publish an annual food plan covering Standards and Hygiene work, and that plan is attached. This report and the attached plan sets out the legislative and contextual background to how we will deliver a risk-based inspection programme in 24/25, making best use of resources to protect public health and work with businesses.
- 26.3.2 Whilst some risks remain and are highlighted, there has been considerable progress in reducing backlogs since the last report evidenced by the FSA's reduced frequency of monitoring. To achieve the aim and expectation of removing the hygiene backlog this year will require a modest overspend however the wider Street Scene and Regulation budget will not overspend.

26.4 Alternatives Considered and Rejected

- 26.4.1 Over the past twelve months, we have reviewed the organisation of Food Standards and Hygiene delivery to ensure best value and the most efficient use of resources and to minimise the overall regulatory burdens on business. A combined hygiene and full standards visit would reduce standards backlogs but would reduce the number of hygiene visits. We now undertake allergen interventions in each hygiene visit, with limited labelling work with relation to items prepacked for direct sale.
- 26.4.2 We could decide to deviate further from the Food Law Code of Practice, however, as highlighted above the FSA would be likely to directly intervene to ensure the requirements of the Code were followed and reinstate more regular monitoring. This would be a reputational and potential public health risk and would not be in the best interests of our residents.
- 26.4.3 Previous Project Management studies have reviewed the cost benefits of the use of Contract staff versus in house staff and concluded that the hybrid model provides best value for money. However, we could stop using contractors and employ a single new FTE however they would be unable to deliver the necessary numbers as the contractor work is high volume with follow up undertaken by inhouse staff. Outsourcing the lowest risk interventions to the Contractor is a cost-effective way of ensuring that all outstanding interventions are completed. Continuing this going forward will free the in-house team to concentrate on working with high-risk businesses and facilitating improvements
- 26.4.4 Flexibilities in the Current Code of Practice allow us to use alternative means of conducting the lowest risk interventions which we will do. These interventions are not required to have the same level of Qualification and Competence as official

controls and could be conducted by appropriately trained and supervised resources. We have previously effectively used enforcement officers. The addition of an equivalent post to the team would be a cost-effective means of fulfilling our lowest risk work. A dedicated apprentice in the team would also address this matter. Whilst the latter may be funded, the former is less definite so we will consider alternative ways of finding this resource.

27. WASTE AND STREET SCENE PERFORMANCE DASHBOARD

27.1.1 The Director of Street Scene and Regulations presented a report to the committee with an overview of Waste & Street Scene operational performance measures for a range of services within the remit of the Committee.

27.1.2 The report allowed the Committee to understand and comment on the recommended performance measures of a range of services delivered by the City Council and partners which fall under the Committee remit. These measures will then be reported on a quarterly basis via a dashboard.

27.1.3 Officers agreed to investigate whether the waste figures could be further broken down into individual properties versus blocks of flats/houses in multiple occupation (HMOs).

27.2 **RESOLVED UNANIMOUSLY:** That the Waste and Street Scene Policy Committee:

1. Notes the recommended Performance measures.
2. Highlights what performance measures make up future reporting.
3. Highlights any issues of concern that they may wish to discuss in future performance reports.

27.3 Reasons for Decision

27.3.1 The Waste & Street Scene Policy Committee has delegated authority to monitor the performance of Waste & Street Scene services to ensure that:

- The service is delivering for the people of Sheffield
- Limited resources are maximised due to budgetary pressures
- The Council is delivering on corporate priorities

27.4 Alternatives Considered and Rejected

27.4.1 The Waste & Street Scene Policy Committee has delegated responsibility for the regular monitoring of data including performance and financial information, and the performance monitoring of Waste & Street Scene services. Therefore, no alternative options to the production of this report have been considered