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Joint Chief Executive
Rob Barlow

23 October 2023

TO MEMBERS OF THE ENVIRONMENT AND PERFORMANCE COMMITTEE

**NOTICE OF MEETING OF THE
OVERVIEW & SCRUTINY - ENVIRONMENT & PERFORMANCE COMMITTEE**

Dear Councillor

You are invited to attend a meeting of the
Overview & Scrutiny - Environment & Performance Committee on
Tuesday, 31st October, 2023 at 6.30 pm
in the Committee Room, Municipal Buildings, West Street, Boston PE21 8QR

ROB BARLOW
Joint Chief Executive

Membership:

Chairman: Councillor Claire Rylott
Vice Chairman: Councillor Lina Savickiene
Councillors Alison Austin, Anton Dani, Neil Drayton, Mike Gilbert,
Patricia Marson, David Middleton, Ralph Pryke, David Scoot and
Suzanne Welberry

A G E N D A

PART 1 - PRELIMINARIES

A. APOLOGIES

To receive apologies for absence.

B. MINUTES (Pages 1 - 6)

To sign and confirm the minutes of the previous meeting.

C. DECLARATION OF INTERESTS

To receive declarations of interests in respect of any item on the agenda.

D. PUBLIC QUESTIONS

To answer any written questions received from members of the public no later than 5 p.m. two clear working days prior to the meeting – for this meeting the deadline is 5 p.m. on Thursday 26th October 2023.

PART II - AGENDA ITEMS

- 1 REVIEW OF FIXED PENALTY NOTICES FOR ENVIRONMENTAL CRIME OFFENCES** **(Pages 7 - 16)**
A report by the Assistant Director – Regulatory.

- 2 QUARTER 1 PERFORMANCE** **(Pages 17 - 26)**
A report by the Insights and Transformation Manager.

- 3 WORK PROGRAMME** **(Pages 27 - 30)**
(For Members to note/discuss the Committee’s current work programme)

Notes:

The person to contact about the agenda and documents for this meeting is Karen Rist, Democratic Services Officer, Municipal Buildings, Boston, Telephone Number 01205 314226. email: karen.rist@boston.gov.uk

Council Members who are not able to attend the meeting should notify as soon as possible giving the name of the Council Member (if any) who will be attending the meeting as their substitute.

Alternative Versions

Should you wish to have the agenda or report in an alternative format such as larger text, Braille or a specific language, please contact Democratic Services on direct dial (01205) 314226

This meeting will be live streamed.

OVERVIEW & SCRUTINY - ENVIRONMENT & PERFORMANCE COMMITTEE

25 July 2023

Present: Councillor Claire Rylott (Chairman), Councillor Lina Savickiene (Vice-Chairman),
Councillors Anton Dani, Neil Drayton, Mike Gilbert, Patricia Marson, Barrie Pierpoint, Ralph Pryke, David Scoot and Suzanne Welberry

In attendance:

Assistant Director - Regulation, Safer Communities Manager, CCTV Manager, Insights and Transformation Manager and Democratic Services Officer

Guests:

Inspector Colin Clarkson Lincolnshire Police

Zoe Walters – Community Safety Co-ordinator Lincolnshire County Council

10 APOLOGIES

Apologies for absence were tabled by Councillor Alison Austin.

11 MINUTES

With no quorum of members in attendance to agree the minutes, the Chairman signed them as seen.

12 DECLARATION OF INTERESTS

No declarations of interest were tabled.

13 PUBLIC QUESTIONS

No questions tabled.

14 PROPOSED JOINT SCRUTINY ACTIVITY FOR 23 - 24 FOR THE SOUTH AND EAST LINCOLNSHIRE COUNCILS PARTNERSHIP (S&ELCP)

The Portfolio Holder presented the report to the committee confirming that it outlined the proposed joint scrutiny topics for the Partnership for 23/34 and the establishment of a Joint Task and Finish Group for each topic. The topics included had previously been considered by scrutiny committees at each Council, but the report brought forward more detail on each topic and requested appointments to the Joint Task Groups.

In establishing the South & East Lincolnshire Councils Partnership, Members of each of the partnership councils recognised that matters of common strategic interest would benefit from a co-ordinated partnership approach to scrutiny.

The establishment of the joint scrutiny framework, to consider matters in depth from a Partnership perspective, had resulted in the development of Policy; as well as enabling the Partnership to collectively explore issues facing the sub-region (such as transportation).

At the end of the last municipal year, scrutiny committees across all 3 Councils considered a list of potential scrutiny items for the 23/24 year with the topics identified for scrutiny being Health and Wellbeing, Housing, and Enviro Crime, with Public Transport scrutiny continuing from 2022/23.

The agreed approach was that each Council's relevant scrutiny committee should appoint up to three Members to a Joint Task and Finish Group for any given topic. Each agreed topic would have its own Joint Task and Finish Group. The 'parent' scrutiny committees would agree the broad remit of the Joint Task and Finish Groups, but each Group would have a delegation to determine the detailed lines of enquiry/witnesses. A Lead Officer would be appointed by the relevant Deputy Chief Executive, and that Lead Officer would support the Group and prepare any final report with the Group.

Final reports would be submitted to each council's parent scrutiny committee for final review and subsequent recommendation on to the relevant decision-making person/body, as appropriate. 2.4 It should be noted that two of the councils have more than one 'parent' scrutiny committee. The approval of topics and the appointment of Members to Joint Task and Finish Groups would be determined by the parent committee whose terms of reference most closely reflect the topic in question – but with the overarching aim of equal distribution of topics between those parent committees as far as practicable.

The report tabled sought approval of the establishment of Joint Task and Finish Group for Environmental Crime Enforcement and the appointment of three committee members to the group.

The scope for the review was not to scrutinise crime but at the procurement of the contract and to monitor the contracts effectiveness.

RESOLVED:

That Councillors Anton Dani, Ralph Pryke and Lina Savickiene be appointed to the Task and Finish Group for Environmental Crime Enforcement.

15 JOINT SCRUTINY OF PARTNERSHIP

The Portfolio Holder presented the report confirming that when the Partnership was formed it was agreed in the Memorandum of Agreement that there would be an annual joint scrutiny undertaken, to review progress of the Partnership and to understand its effectiveness and the opportunities for its further development. In November 2021, Council agreed that the annual Partnership Scrutiny Task Group should be made up of the Scrutiny Committee Chairman, Vice Chairman and one additional Scrutiny Member from each of the Partnership Councils' relevant Scrutiny Committee. Once the scrutiny has been undertaken, the Task Group's report would be presented back to the relevant Scrutiny Committee at each Council before being presented to each Cabinet with an associated Action Plan for consideration.

The report tabled sought the appointment of one member of the committee to the group, with the Chairman and Vice Chairman.

RESOLVED:

That Councillor Barrie Pierpoint be appointed to the group with the Chairman Councillor Clare Rylott and Vice Chairman Councillor Lina Savickiene.

16 CRIME AND DISORDER ANNUAL REPORT

The Chairman welcomed Inspector Colin Clarkson of Lincolnshire Police to the meeting, and confirmed that his attendance was solely in support of the report to be tabled and the content therein. Members were advised that Inspector Clark would be attending a future meeting of BTAC and it would be at that meeting that members would be able to table general questions.

Presenting the report the Portfolio Holder commended the report author on the depth and scope of information provided. The report provided an overview of the work currently being undertaken by the Safer Lincolnshire Partnership at County level, the South & East Lincolnshire Community Safety Partnership at a local level, along with information on CCTV across the partnership and Anti-Social Behaviour activity in Boston Borough.

Community Safety Partnerships (CSPs) had been established under the Crime and Disorder Act 1998. A CSP was required for each local government area, bringing the police, local authorities, fire and rescue, health, and probation to formulate strategies for the reduction of crime. Locally, the South & East Lincolnshire Community Safety Partnership (SELCSP) was an informally merged partnership administered through the South and East Lincolnshire Council's Partnership (S&ELCP), covering Boston Borough, East Lindsey, and South Holland.

At a county level, there was an informally merged countywide partnership known as the Safer Lincolnshire Partnership (SLP), administered by Lincolnshire County Council. Boston Borough Council currently discharged its statutory duties for reducing crime and disorder at a strategic level through the above mentioned partnerships and at an operational level by delivering services such as CCTV and ASB investigation work.

The statutory duties of a Community Safety Partnership were to prepare and implement a partnership plan that set out a strategy for the reduction of reoffending, crime and disorder, combatting substance misuse, serious violence, and community engagement and addressing the priorities identified in the strategic assessment. To set up protocols and systems for information sharing. To regularly engage and consult with the public about their community safety priorities and issues. To commission domestic homicide reviews (DHRs) following notification from the police of a domestic homicide. To hold one or more public meeting during the year.

The report provided an overview of the work of the local SELCSP and the county SLP. The report also provided summary data in relation to Anti-Social Behaviour (ASB) and the alcohol-related Public Spaces Protection Order (PSPO) in Boston, and Closed-Circuit Television (CCTV) across the partnership area.

Prior to opening the meeting for deliberation, the Chairman asked for an update on Operation California and was advised by the Safer Communities Service Manager that the two Itemisers currently used supporting entry to premises, were dated, and a bid had been submitted to replace them with new improved units and further information would be provided in due course.

Members were further advised by the Portfolio Holder, that the information was historic in its detail and that a number of initiatives were underway following the recent election which would be identified moving forward.

Significant discussion followed which is condensed and included the following:

A question asked how the various campaigns were monitored, identifying which had been successful and what level of impact they had on the targeted area. Members felt it important to receive such feedback to allow them to relay to their residents, but caution was urged that, whilst certain factors could be monitored, not all information was quantifiable and certain data could not be monitored. Members were reassured that the Council 'piggy-backed' certain campaigns and supported local campaigns.

Advising that the public currently accessed information in respect of the Police via the neighbourhood policing website, a member noted that the focus over the last few months for the South Boston area had shown a concentration on traffic crime and nothing in respect of Anti-Social Behaviour. The member asked if it would be possible if the outcomes on campaigns could be referenced on the NPC website identifying where successes had been achieved.

Inspector Clarkson advised that data from the PCC survey identified Boston as being at the top in relation to fear of crime, but then sat as average for all other areas of actual crime. The perception and fear of crime in Boston was particularly prevalent in the elder residents who were too afraid to go out in the evening, and sadly in many cases, to visit the town centre in the daytime being afraid of the large groups of men who congregated within areas of the market place. It was agreed that with a large ageing population, proof that the town was safe was required to reassure the residents and to turn their negativity around.

A member voiced concern that whilst there was the facility to activate a Community Trigger, they were unaware as were many other members, of the actual process to activate such a trigger. Inspector Clarkson confirmed that the process for Boston was being improved and stressed that the trigger process was in place not to apportion blame but to find a solution.

Referring to the CCTV data, members were advised that there were currently 73 cameras operating within Boston, many of which were out of warranty and would be replaced by the end of the year. Members felt that the public should be better informed about the size and range of the CCTV service and the positive impact it has on the community in keeping residents safe.

A number of 'hot-spot' sites were referenced within the town which were subject to on-going anti-social behaviour, with members questioning the siting of the cameras. Officers confirmed that when positioning CCTV they were constrained by issues relating to the provision of power and also the line of sight with the location of buildings and trees sometimes prohibiting a camera into a specific preferred location. Furthermore, members were advised that detailed intelligence was required to move a camera to a new site, as the Council had to be careful not to end up falling foul of blanketing a specific area, with no evidence nor outcomes to back up the need for the siting.

Members were advised that there was a maintenance contract in place for the service with the engineers reacting speedily to an urgent issue, and within a week for other issues with a visit to the destination to assess the issue.

Responding to a problem identified within the village of Kirton, the CCTV Manager advised they were aware of an outage issue connecting to the recorder via the internet connection. However as the internet connection was located within the Town Hall, it was the responsibility of the Parish Council to rectify the internet connection. Referencing concerns in respect of the camera sited at Irby Street, the CCTV Manager agreed the concerns of a member in respect of continued incidents of fly-tipping, and confirmed that the camera was currently focused on the car park area and a change of coverage would be considered.

In response to a question seeking information how quickly the team responded to actual issues taking place, members were advised that the two partnerships were different with the Council's response being from a strategic stance. They looked at a strategic issue but needed to be able to change to emerging priorities when a spike arose. Daily meetings were held to address what had arisen within the previous 24 hour period and monthly meetings ensured identification of any changes in crime.

On questioning what training programmes were in place for future volunteers, members were advised that any potential applicant was vetted initially to the police's standard. Training programmes would then be implemented moving forward with the volunteers.

In conclusion the Chairman thanked Inspector Clarkson for his attendance and all the officers for their support throughout the item.

17 QUARTER 3 AND QUARTER 4 PERFORMANCE MONITORING.

The Portfolio Holder presented the report supported by the Insights and Transformation Manager. Members were advised the detailed report was backward looking to identify any KPI's that had reached their target (highlighted in red within the report). A detailed narrative was provided for such KPI's providing a reason as to why they had not reached the target.

Committee questioning and comment followed which included:

In response to concerns raised in respect of the drop in occupancy of market traders, members were advised that the time line of the report was for Quarter 4 – the first three months of the year, and weather conditions did impact during that period. The Portfolio Holder advised that the new Portfolio Holder for the markets provision was actively improving the markets offer and sourcing additional stall holders.

On voicing concerns in respect of the workforce survey identifying that many staff members did not feel informed about the partnership and the decisions it was making, members were advised that work was ongoing to look at and to understand the reasons for the response. A staff survey with more in-depth questioning would be issued to try to identify the issues. The Portfolio Holder confirmed that the situation had been picked up by the recent Peer Review and advised it was being looked into.

Referencing the differential in car parking a member queried the budgeting for the service as they felt it should be accurate with previous years' incomes to work from. Members were advised that there had been an obvious loss during and following lockdown with changes in the usage in car parking, but it was anticipated that the budget for the current year would be more accurate. Members also noted issues of ticketing machines being out of operation for long periods due to a lack of parking attendants and the Portfolio Holder agreed the sentiments and further advised that new parking machines were being sourced. They would enable cash and card payments, and also require registration details to stop any ticket sharing.

In response to a member question about scrutiny being provided with comparative data with similar authorities, the Insights and Transformation Manager confirmed that whilst some benchmarking did take place, it was reliant on a comparable authority to provide such data. All authorities recorded their data differently there was not one system across the Councils, and not all Councils offered the same services such as a markets offer. As such, if members had any areas of interest then research could be carried out for reporting. Historically Boston had used South Holland District Council for benchmarking but that was not practical now as it was a member of the partnership.

A request was tabled for information relating to Council Tax collections to identify any changes being due to the changing nature of houses within the Borough.

Members were advised that the scrutiny provision could scrutinise any service delivered by the Council and members should table such requests during the work programme item or direct their request to the relevant Chairman of the relevant committee.

18 WORK PROGRAMME

Members were advised that a request from the sister committee, Corporate and Community, from its last meeting of the previous year – sought a review of a decision to amend the parking facility for Councillors in the rear car park of the Municipal Buildings. The Assistant Director – Regulatory, Lead Officer for the committee advised he would liaise with the Lead Officer for the Corporate and Community committee to get a clear steer on the situation prior to scheduling a report onto the agenda.

A request was tabled for a report to scrutinise the management and maintenance of the Princess Royal Sports Arena, following concerns received in respect that the existing conditions were depleting. The Lead Officer confirmed they would speak with the Leader of the Council to confirm whether the site was within the levelling up programme, prior to scheduling a report onto the agenda.

In response to a query in respect of the Council's stance on air pollution and what it was doing to address the very high levels in certain areas of the town, the Lead Officer advised the Council had a statutory duty to monitor air quality which it did, and that prior to any report at committee, a member briefing paper be provided prior to the next scheduled meeting, to explain the current position in respect of monitoring air quality and actions taken to address them, to reassure members and enable them to familiarise themselves with the procedure.

Following a request for a report on domestic waste bins and contamination, with concerns raised in respect of education for waste disposal and information packs the Lead Officer suggested that with so many new members, a full member briefing evening be scheduled to explain the system in place and enable members to question the respective officers.

The Meeting Closed at 9.20 pm



REPORT TO:	Environment and Performance Committee
DATE:	31 st October 2023
SUBJECT:	Review of Fixed Penalty Notices for Environmental Crime Offences
PURPOSE:	To advise Committee on the new Regulations allowing Councils to increase Fixed Penalty Notice (FPN) fines for littering, fly-tipping, graffiti, flyposting and household waste duty of care offences and to allow Committee to make recommendations to Cabinet.
KEY DECISION:	Yes
PORTFOLIO HOLDER:	Cllr Callum Butler – Portfolio Holder for Environmental Services
REPORT OF:	Christian Allen – Assistant Director Regulatory
REPORT AUTHOR:	Donna Hall – Group Manager Public Protection
WARD(S) AFFECTED:	All
EXEMPT REPORT?	No

SUMMARY

The report provides information about the new Environmental Offences (Fixed Penalties) (Amendment) (England) Regulations 2023 and sets out an option for increasing Fixed Penalty Notice fines for enviro-crime offences as permitted by these Regulations.

RECOMMENDATIONS

1. That the Environment and Performance Committee consider the option for increasing fixed penalty rates for the enviro-crime offences as set out in the report and make a recommendation to Cabinet.

REASONS FOR RECOMMENDATIONS

The new Environmental Offences (Fixed Penalties) (Amendment) (England) Regulations 2023 which came into force on 31st July 2023, have increased the upper fixed penalty limit for the specified offences. The Regulations were introduced as part of the Governments Anti-Social Behaviour Action Plan launched earlier this year, supporting Councils in tackling environmental crime offences.

OTHER OPTIONS CONSIDERED

Identify alternative levels of fines that fall within the statutory limitations or do nothing.

1. BACKGROUND

1.1 Boston Borough Council has been pro-active in tackling environmental crime and recognises the negative impact these crimes have on communities, amenities, businesses, and the natural environment. Work undertaken recently includes enforcement and education campaigns, intelligence led patrols and use of surveillance cameras. Information about the enviro-crime offences under consideration in this report is provided below.

1.2 Littering

1.2.1 Littering is the most common enviro-crime offence in Boston, with cigarette litter being one of the most common materials discarded irresponsibly.

1.2.2 FPNs for litter are issued under section 87 and 88 of the Environmental Protection Act 1990. Littering is often classed as general litter, cigarettes, spitting, chewing gum, urinating and defecating.

1.3 Fly-Tipping

1.3.1 Fly-tipping significantly impacts on local communities, blighting our neighbourhoods and rural communities and places a significant financial burden upon the council (or the landowner where rubbish is fly tipped on private land). In addition, the actions of unscrupulous waste operators undercut legitimate businesses which are operating within the law.

1.3.2 FPN's for Fly Tipping are issued under s33ZA of the Environmental Protection Act 1990. Section 33 (1)(a) of the Environmental Protection Act 1990 created the offence of depositing, knowingly causing or knowingly permitting the deposit of controlled waste or extractive waste on land without, or other than in accordance with, an environmental permit.

1.4 Household Waste Duty of Care

- 1.4.1 Under Section 34 of the Environmental Protection Act 1990, all occupiers of domestic properties are required to take reasonable measures to ensure that waste produced on their property is only transferred to an authorised person for proper disposal.
- 1.4.2 An FPN can be issued under section 34(6) when an individual appears to have failed to comply with their duty of care under section 34(2A) of the Environmental Protection Act 1990. For example:
- a. Where fly tipped waste can be traced back to an individual who is found to have failed to take reasonable steps to ensure that they transferred the waste to an authorised person
 - b. Where an unauthorised carrier is found to be carrying household waste that was directly transferred to them by the occupier of a domestic property
 - c. Where an individual is found to have transferred their household waste to an unauthorised person at a site that does not have a permit or exemption
- 1.4.3 The duty of care requires occupiers of a domestic property to take all reasonable measures available to them in the circumstances to ensure that they only transfer household waste produced on that property to an authorised person. This reduces the chance of waste ending up in the hands of those who would fly tip.
- 1.4.4 An authorised person may still fly tip waste so tracing fly tipped waste to a household does not necessarily demonstrate a breach of the duty of care. An individual should be given an opportunity to demonstrate that they took reasonable steps to determine the person that took their waste was authorised to do so. If fly tipped waste is traced to an individual and they are unable to identify who took their waste, or the carrier they identify is unauthorised, then it is reasonable to believe their duty of care was not met.

1.5 Graffiti

- 1.5.1 Graffiti is classed as criminal damage and the police, and authorised officers can issue FPNs to offenders.
- 1.5.2 Graffiti is not just a criminal offence, it can also have a negative impact on the lives of those whose neighbourhoods, parks, and property are affected by it and every year Councils have to spend taxpayers' money removing it.
- 1.5.3 The Council can currently issue FPNs for graffiti under section 43 of the Anti-Social Behaviour act 2003 for offences committed under section 44.

1.6 Flyposting

- 1.6.1 Flyposting is illegal and involves placing unauthorised advertising on public or private property e.g. posters and stickers.
- 1.6.2 The Council can issue FPNs for fly-posting offences under section 43 of the Anti-Social Behaviour act 2003 for offences committed under section 44.

2. REPORT

- 2.1 Littering, graffiti, flyposting and fly-tipping blight communities, impose avoidable costs on the public purse and can harm the environment, with fly-tipping being aggravated by householders giving waste to unauthorised carriers. Fixed penalty notices provide the Council as an enforcing authority with an effective and visible way of responding to these environmental crimes.
- 2.2 Fixed Penalty Notices provide an alternative to prosecution. It allows an individual to discharge liability for an offence by payment of a financial penalty. The council is not obliged to offer an alleged offender the option to discharge liability through an FPN; however, it can be deemed more proportionate than prosecution through the courts in some cases.
- 2.3 In the 2023 Anti-social Behaviour Action Plan, the Government explained that it wanted to see councils take a much tougher approach to these forms of anti-social behaviour and set out new upper limits for fixed penalties notices. The Environmental Offences (Fixed Penalties) (Amendment) (England) Regulations 2023 increased the upper limit for the fixed penalties that can be issued for these offences.
- 2.4 **Table 1** below illustrates the previous maximum FPN levels and the new maximum FPN levels as set out in law.

Table 1 Previous and New Maximum FPN Levels

Offence	Previous Statutory Maximum FPN Level	New Statutory Maximum FPN Level	Statutory Minimum Penalty
Graffiti	£150	£500	£65
Flyposting	£150	£500	£65
Littering	£150	£500	£65
Fly tipping	£400	£1000	£150
Household waste duty of care	£400	£600	£150

- 2.5 This report invites members to consider the new maximum FPN levels and whether to apply them to the penalties issued in the Boston Borough Council area. The 2023 South and East Lincolnshire Councils Partnership Litter and Fly-Tipping Enforcement and Engagement

Strategy recognises that tackling enviro-crime is a local priority and the accompanying Action Plan committed to review fines and enforcement tools.

- 2.6** In determining the appropriate level of an FPN, the council needs to consider the deterrent effect of different levels, peoples' readiness to pay and the levels of fines currently imposed in the magistrates' courts. FPNs that are set too high for local conditions or are likely to be higher than a Court imposed fine in the event of non-payment, could lead to higher non-payment rates and may be counterproductive.
- 2.7** FPNs are not appropriate for repeat offenders or those responsible for large-scale environmental offences. In these situations, the Council may prosecute as an alternative to issuing an FPN, in line with its Corporate Enforcement Policy.
- 2.8** Offenders do not have to accept an FPN offered to them (which discharges their liability to conviction for the offence), and the Council cannot make anyone pay an FPN. There is no right of appeal to any FPNs, but offenders retain the right to not pay any FPN issued to them and can at any time (before making payment) opt to have their case heard through the court system. Offenders are also given the opportunity to make representations about the issuing of the FPN which are considered on a case by case basis by the Council's agents initially albeit the Council retains responsibility for the final decision.
- 2.9** DEFRA Part 1A - Effective Enforcement Code of Practice for Litter and Refuse September 2019 (updated February 2022) recognises that issuing a fixed penalty notice is an alternative to prosecution. If an alleged offender does not pay a fixed penalty, the enforcing authority should be prepared to prosecute them for the original offence.
- 2.10** In increasing the level for FPNs it may create the perception that this could be used to generate income for the council. The guidance is clear that FPNs should not be used in this way, and in accordance with legislation income received by the Council must be spent on specified functions.
- 2.11** Table 2 below sets out the current fines and a proposal for increasing the fines under the new legislation, following consultation with the Portfolio Holder. Members may choose to set their own level of FPNs as long as they are within the statutory limitations. It is recommended that consideration is given to providing early payment discounts. Members may choose a different early payment discount than what is suggested, or may choose not to offer one. There are no recommended levels of early payment discounts or fines published in the legislation or guidance.
- 2.12** For illustrative purposes, East Lindsey do not offer early payment discounts currently. South Holland offer an early payment discount for littering offences. Research shows local authorities vary in their approach to early payment discounts, with some such as Cambridge City offering a £90 discount from a £150 FPN for littering, Leicester offering a £100 discount from a £150 fine, and Peterborough City Council choosing not to offer a discount. From October 2023 West Lindsey chose to increase the fines to the statutory maximums for litter, fly-tipping, graffiti and household waste duty of care offences, with no early payment reduction.

2.13 When an FPN has been issued, the Council cannot prosecute for the alleged offence if the FPN is paid within 14 days of it being issued. For this reason, the period during which a discount for early payment is offered is currently set at less than 14 days, and it is recommended it is set at 10 days as it stands currently for some offences.

2.14 The Council may also choose not to increase the current FPN levels.

Table 2 Proposal for Amending FPN Levels

OFFENCE	CURRENT FPN BOSTON BOROUGH COUNCIL	OPTION FOR CONSIDERATION	NEW MAXIMUM FINE AVAILABLE
Graffiti	£150 or £100 if paid within 10 days	£300 or £200 if paid within 10 days	£500
Flyposting	£150 or £100 if paid within 10 days	£300 or £200 if paid within 10 days	£500
Littering	£150 or £100 if paid within 10 days	£250 or £150 if paid within 10 days	£500
Fly tipping	£400 No early payment reduction	£800 or £550 if paid within 10 days	£1000
Household waste duty of care	£400 No early payment reduction	£600 or £400 if paid within 10 days	£600

2.15 Consultation has taken place with the Enviro-Crime contractors for enforcement and surveillance cameras. Feedback has been provided to support the use of early payment discounts, with evidence suggesting that higher discounts tend to result in increased payment rates. This is important, as non-payment of FPNs usually leads to prosecution in the courts which can be costly and time-consuming. Feedback, however, also suggests that a large proportion of people pay within the discounted period, and many that don't, request an extension of the payment period. This suggests that affordability is a key factor in making payments, and consideration should be given to not penalising those who are financially less stable.

2.16 Where cases have been taken to court in Boston and found guilty, it is notable that the fines issued by the court in recent years have been variable. In some cases, the fine issued by the court was less than the value of the FPN (£400), however costs and a surcharge are usually also awarded on top of the fine. It should be noted that a conviction in court for these offences results in a criminal record. The courts are required to take into account the financial circumstances of the offender as well as the seriousness of the offence, when

setting the fine. The Local Government Association (LGA) published an article in August 2022 highlighting their concern about the leniency of fines for fly-tipping issued by courts. They noted that “Fly-tippers prosecuted in court for the worst waste dumping offences were handed an average fine of just £335 in 2020/21”.

3. CONCLUSION

3.1 Table 2 above provides an option for reviewing the levels of FPNs. Alternatively, members may elect to do nothing, or select different levels within the statutory thresholds. It is recommended that consideration is given to increasing the fines as recommended by the government with the introduction of the new legislation.

3.2 Committee are asked to provide feedback on this report for consideration by Cabinet.

EXPECTED BENEFITS TO THE PARTNERSHIP

Each sovereign Council has the ability to set fines and take legal action independently, allowing the Council to take a tougher stance on those issues impacting their own communities. Enviro-crime activities are co-ordinated closely across the partnership, enabling consistency and joined up working wherever possible.

IMPLICATIONS

SOUTH AND EAST LINCOLNSHIRE COUNCILS PARTNERSHIP

None

CORPORATE PRIORITIES

Supports the following aims within the 2020-2024 Corporate Strategy:

- A place where people want to live, work and visit.
- Proactively educate and enforce against environmental crime.

STAFFING

None

WORKFORCE CAPACITY IMPLICATIONS

None

CONSTITUTIONAL AND LEGAL IMPLICATIONS

The recommendations and decision making are in line with the Council’s Constitution.

DATA PROTECTION

None

FINANCIAL

It is anticipated that an increase in the level of fines may lead to a small increase in income for the Council, however these monies are put back into tackling enviro-crime.

RISK MANAGEMENT

None

STAKEHOLDER / CONSULTATION / TIMESCALES

The Assistant Director and Service Manager for Environmental Services have been consulted as has the Portfolio Holder for Environmental Services. Contractors working with the Council for enviro-crime enforcement have also been consulted.

Public consultation has not been undertaken as the proposed fines are within the levels set out in legislation.

REPUTATION

The Government has recently introduced this legislation and actively encouraged local authorities to review their FPN levels in order to take robust action against enviro-crime. Boston Borough Council has been pro-active in this area of work, and reputationally it is important that the Council reviews their fines to ensure they are continuing to be effective.

CONTRACTS

There are no contractual implications arising from this report. Contractual partners engaged in enviro-crime enforcement with the Council have been consulted.

CRIME AND DISORDER

The issuing of Fixed Penalty Notices is an established and effective tool to tackle environmental crime. The Council will continue to investigate and take enforcement action as appropriate.

EQUALITY AND DIVERSITY/ HUMAN RIGHTS/ SAFEGUARDING

The Environmental Crime Enforcement contract details compliance with Council policy in relation to Equality, Diversity, Human Rights and Safeguarding. There are no new implications arising from this report.

HEALTH AND WELL BEING

Tackling environmental crime helps to maintain a clean and safe environment which is proven to be important for people's health and well-being.

CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

The recommendations in this report strengthen the Council's position in tackling enviro-crime and promoting a clean and safe environment.

LINKS TO 12 MISSIONS IN THE LEVELLING UP WHITE PAPER

MISSIONS	
This paper contributes to the Missions outlined in the Government's Levelling Up White paper. See highlighted statements	
Health	By 2030, the gap in Healthy Life Expectancy (HLE) between local areas where it is highest and lowest will have narrowed, and by 2035 HLE will rise by 5 years.

Wellbeing	By 2030, well-being will have improved in every area of the UK, with the gap between top performing and other areas closing.
Pride in Place	By 2030, pride in place, such as people’s satisfaction with their town centre and engagement in local culture and community, will have risen in every area of the UK, with the gap between the top performing and other areas closing.
Crime	By 2030, homicide, serious violence, and neighbourhood crime will have fallen, focused on the worst-affected areas.

ACRONYMS

FPN – Fixed Penalty Notice

DEFRA – Department for the Environment Food and Rural Affairs

LGA – Local Government Association

APPENDICES
None

BACKGROUND PAPERS	
Background papers used in the production of this report are listed below: -	
Document title	Where the document can be viewed
The Environmental Offences (Fixed Penalties) (Amendment) (England) Regulations 2023	https://www.legislation.gov.uk/uksi/2023/770/contents/made
Home Office Anti-Social Behaviour Action Plan	https://www.gov.uk/government/publications/anti-social-behaviour-action-plan
DEFRA Part 1A - Effective Enforcement Code of Practice for Litter and Refuse	https://assets.publishing.service.gov.uk/media/6204fd7ae90e077f7392d450/Part_1A_-_Effective_enforcement.pdf

September 2019 (updated February 2022)	
LGA Report on Fly-tipping Fines 2022	Lenient guidelines leading to low fly tipping fines, councils warn Local Government Association

CHRONOLOGICAL HISTORY OF THIS REPORT

A report on this item has not been previously considered by a Council body.

REPORT APPROVAL

Report author:	Donna Hall, Group Manager Public Protection
Signed off by:	Christian Allen, Assistant Director Regulatory
Approved for publication:	Cllr Callum Butler, Portfolio Holder Environmental Services



REPORT TO:	ENVIRONMENT AND PERFORMANCE COMMITTEE
DATE:	31 ST OCTOBER 2023
SUBJECT:	QUARTER 1 PERFORMANCE REPORT
PORTFOLIO HOLDERS:	COUNCILLOR DORRIAN – LEADER OF THE COUNCIL
REPORT OF:	JAMES GILBERT, ASSISTANT DIRECTOR – CORPORATE
REPORT AUTHOR:	SUZANNE ROLFE, INSIGHTS AND TRANSFORMATION MANAGER
WARD(S) AFFECTED:	ALL
EXEMPT REPORT?	NO

SUMMARY

This performance report covers Q1 of 2023/24, up to the end of June 2023.

This may assist Committee members to identify areas of particular interest to add to their work programme.

RECOMMENDATION

To note the performance information and consider if there are any items that Committee members would like to add to the Committee's future work programme.

REASONS FOR RECOMMENDATIONS

This is a regular quarterly performance report to potentially feed in to plans for the Committee's future work programme.

OTHER OPTIONS CONSIDERED

Alternative reporting arrangements

1. BACKGROUND

- 1.1 A joint performance management framework was agreed across the South & East Lincolnshire Councils Partnership for 2023/24 to support the delivery of services. Key Performance Indicators (KPIs) have been agreed to capture performance against the strategic priorities of the Partnership and the individual Councils.
- 1.2 A combined performance report for Quarter 1 of 2023/24 (April to June 2023) has been presented to Senior Leadership Team (SLT) and this information has then been split out by Council. This report was received by Boston Cabinet on 20th September 2023.

2. PERFORMANCE (APPENDIX A)

- 2.1 In total there are 61 KPIs, 31 of which are trend only indicators. Of the 30 target measures, 20 are on or better than target, 1 is within tolerance and 9 are worse than target. Indicators and targets were developed to stretch performance in services.
- 2.2 Cabinet reviewed the target for Land Charges for the rest of the financial year – the average number of days taken to process Local Authority searches. 6 working days was a stretch target compared to 10 working days last year. In light of the HMLR Migration Project work across the Partnership, 8 working days is still stretching but more realistic in the circumstances.

CONCLUSION

Overall, performance in Q1 of 2023/24 is in line with targets and remedial action is in place where required.

EXPECTED BENEFITS TO THE PARTNERSHIP

A Partnership approach is in place, which provides the ability to share best practice and resilience to mitigate key risk areas

IMPLICATIONS

SOUTH AND EAST LINCOLNSHIRE COUNCIL'S PARTNERSHIP

A Partnership approach is in place.

CORPORATE PRIORITIES

Whole report.

STAFFING

None specific to this report.

CONSTITUTIONAL AND LEGAL IMPLICATIONS

None specific to this report.

DATA PROTECTION

None specific to this report.

FINANCIAL

None specific to this report.

RISK MANAGEMENT

None specific to this report.

STAKEHOLDER / CONSULTATION / TIMESCALES

Consultation with SLT

REPUTATION

None specific to this report.

CONTRACTS

None specific to this report.

CRIME AND DISORDER

None specific to this report.

EQUALITY AND DIVERSITY/ HUMAN RIGHTS/ SAFEGUARDING

None specific to this report.

HEALTH AND WELL BEING

None specific to this report.

CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

None specific to this report.

ACRONYMS

- 2Y: 2 year rolling period
- B&B: Bed & Breakfast accommodation
- BAU: Business As Usual
- CC: Customer Contact
- DD: Direct Debit
- KPIs: Key Performance Indicators
- Q: Quarterly (Q1: April to June; Q2: July to September; Q3: October to December; Q4: January to March)
- NDR: Non-domestic rates (business rates)
- R&B: Revenues & Benefits
- SLT: Senior Leadership Team
- YE: Year End (April to March)

APPENDICES

Appendices are listed below and attached to the back of the report: -

APPENDIX A

Q1 performance

BACKGROUND PAPERS

No background papers as defined in Section 100D of the Local Government Act 1972 were used in the production of this report.

CHRONOLOGICAL HISTORY OF THIS REPORT

This performance information was reported to Cabinet on 20th September 2023.

REPORT APPROVAL

Report author:

Suzanne Rolfe, suzanne.rolfe@boston.gov.uk

Signed off by:

James Gilbert, james.gilbert@e-lindsey.gov.uk

Approved for publication:

Councillor Anne Dorrian, Leader of the Council

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Boston: Wellbeing and Community Leadership							
Key Performance indicators (KPIs)	Performance					Target	Status
	2022/23 Q1	2022/23 Q2	2022/23 Q3	2022/23 Q4	2023/24 Q1	2023/24 Q1	2023/24 Q1
Percentage of cases opened at homelessness prevention stage (i.e. before they have become homeless)	67%	61%	68%	73% (Q4)	74%	70%	
Percentage of homelessness cases that were opened at homelessness prevention stage that resulted in the customer not becoming homeless	73%	73%	68%	68% (Q4)	54%	70%	
<p>Commentary: High number of cases closed due to no response/lost contact with client, therefore outcome not known.</p> <p>Overall, the housing team successfully prevented 67% of cases from becoming homeless during 2022/23. Whilst the team saw the reduction of one officer in Q1, recruitment has been successful with the new employee commencing in September. The target of 70% was set following advice and guidance received from officers at the Department for Levelling Up and Communities. Preventing people from becoming homeless is always the most cost effective solution compared to households becoming homeless whilst providing better outcomes for those individuals. In addition, homelessness grant funding is partially linked to a local authority’s prevention performance therefore it is important to ensure this part of the system is supported accordingly. For background, East Midlands performance for the prevention of homelessness January to March 2023 was 56%.</p>							
Number of verified rough sleepers	21	6	28	39 (Q4)	40	Tr	Tr
Number of families with children placed into Bed & Breakfast (B&B) for more than 6 weeks	0	0	1	0 (Q4)	0	0	
Number of properties improved through Council intervention	13	18	24	34 (Q4)	23	Tr	Tr
Percentage of Customer Contact Calls Answered	86.62%	92.81%	90.24%	90.60% (YE)	83.32%	90%	
<p>Commentary: 5,140 calls April 23 vs 4,229 calls April 22 (+911 calls). Continuation of increased demand, with additional spike from Elections and high footfall (1,473). New system (Assisted) implemented on 4th April 2023. 5,140 calls May 23 vs 3,771 May 22 (+1,369 Calls). Call back in queue launched 9th May. Ongoing improvements to performance being made each month, with a figure for June of 93.67% (April 79.55%, May 79.38%). Slight increase in calls and face-to-face contacts compared to June 2022; however, face-to-face contacts are longer in duration therefore more time demanding. We forecast ongoing improvements in Q2.</p>							
Average speed of answer – Customer Contact (Seconds)	170.33	73.33	108.78	124.08 (YE)	235	120	
<p>Commentary: Average call duration increased to 278 seconds in June 23, compared to 138 in June last year, largely due to increased customer need and financial pressures they face. Average speed of answer in April was 352 seconds, in May was 247 seconds and in June was 107 seconds so improving each month.</p>							
Customer Satisfaction	94.82%	98.76%	98.42%	96.72% (YE)	99.21%	90%	
Quality of Service	97.20%	96.39%	97.68%	98.23% (YE)	96.19%	90%	

Key: ■ Red – performance worse than target ■ Amber – performance within tolerance ■ Green – performance better than target Tr Trend measure – not targetted

Boston: Regulatory

Key Performance indicators (KPIs)	Performance					Target	Status
	2022/23 Q1	2022/23 Q2	2022/23 Q3	2022/23 Q4	2023/24 Q1	2023/24 Q1	2023/24 Q1
Land Charges - Average number of days taken to process Local Authority searches (working days)	5.22	4.94	4.31	5.94 (Q4)	6.74	6	
Commentary: One FTE is supporting the HMLR Migration Project with project work building this quarter aiming to go live in Q4. The team also continue working with other departments to ensure their contribution to search enquiries are turned around promptly. 6 working days is a stretch target compared to 10 working days last year. It is recommended to review the target in light of the migration project work across the Partnership and change it to 8 working days for the rest of the financial year.							
Food Safety – percentage of rateable food businesses with a rating of 3 (generally satisfactory) or above as a Percentage of the total number of rateable food businesses.	98.92%	97.00%	98.00%	98.21% (YE)	98.40%	98%	
Kingdom Contract: Number of Fixed Penalty Notices (FPNs) Issued – Litter	New measure for reporting in 2023/24				241	Tr	Tr
Kingdom Contract: Number of FPNs Issued - Fly Tipping	New measure for reporting in 2023/24				7	Tr	Tr
Kingdom Contract: Number of FPNs Issued - other (e.g. PSPO etc.)	New measure for reporting in 2023/24				9	Tr	Tr
Kingdom Contract: Number FPN's paid	New measure for reporting in 2023/24				134	Tr	Tr
Commentary: This is payments made within the quarter, and does not necessarily correlate with the FPNs issued in quarter.							
Kingdom Contract: Number FPN's Outstanding payment	New measure for reporting in 2023/24				114	Tr	Tr
Kingdom Contract: % payment rate	New measure for reporting in 2023/24				52%	Tr	Tr
Kingdom Contract: Number of prosecutions completed to sentencing.	New measure for reporting in 2023/24				92	Tr	Tr

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Boston: Leisure and Culture

Key Performance indicators (KPIs)	Performance Trends				
	2022/23 Q1	2022/23 Q2	2022/23 Q3	2022/23 Q4	2023/24 Q1
Visitor numbers – Geoff Moulder Leisure Centre	54,982	55,584	52,053	59,599 (Q4)	59,985
Number of swims	27,660	30,286	22,800	25,375 (Q4)	29,963
Number of swimming lessons	12,187	10,905	13,439	15,481 (Q4)	13,655
Number of gym members	1,379	1,448	1,384	1,443 (Q4)	1,502
Market stall occupancy rate	61.40%	65.79%	62.00%	53.00% (Q4)	67.93%

Key: ■ Red – performance worse than target ■ Amber – performance within tolerance ■ Green – performance better than target Tr Trend measure – not targetted

Boston: Neighbourhoods							
Key Performance indicators (KPIs)	Performance					Target	Status
	2022/23 Q1	2022/23 Q2	2022/23 Q3	2022/23 Q4	2023/24 Q1	2023/24 Q1	2023/24 Q1
Percentage of successful waste collections per 100,000 households	New measure for reporting in 2023/24				99.93%	Tr	Tr
Percentage of fly-tips collected within 3 working days of being reported	96.59%	97.82%	98.14%	98.14% (YE)	99.24%	95%	

Boston: Corporate					
Key Performance indicators (KPIs)	Performance Trends				
	2022/23 Q1	2022/23 Q2	2022/23 Q3	2022/23 Q4	2023/24 Q1
Percentage of Partnership workforces (surveyed collectively) who said 'Yes' when asked if they felt valued at work	69%	74%	72%	80%	78%
Percentage of the Partnership workforces (surveyed collectively) who said 'Yes' they feel there are opportunities in the Partnership to learn and develop their skills and expertise	77%	75%	70%	80%	82%
Percentage of the Partnership workforces (surveyed collectively) who said 'Yes' they feel the Partnership recognises and supports positive mental health in the workplace	75%	79%	74%	81%	80%
Percentage of the Partnership workforces (surveyed collectively) who feel informed about the Partnership and what decisions it is making	44%	47%	38%	55%	50%
Staff Turnover	4.00% (9)	6.11% (14)	2.10% (5)	4.55% (11)	4.61% (11)
Commentary: The number of leavers has not changed from Q4 to Q1 and the turnover is largely the same at 4.61% compared to 4.55% for Q4. Though there were 11 leavers, 8 were voluntary (with one of those individuals retiring), giving a voluntary Turnover for Q1 of 3.4%. Through the HR network we capture Turnover data regionally and as comparison other Lincolnshire authorities are reporting for Q1 turnover ranging from between 2.53% total (2.23%) voluntary up to 6.2% total (3.9% voluntary).					
Number of working days lost to sickness per FTE	2.18 (Q1)	2.47 (Q2)	1.91 (Q3)	2.43 (Q4) 8.99 (YE)	1.78 (Q1)

Boston: Finance

Key Performance indicators (KPIs)	Performance					Target	Status
	2022/23	2022/23	2022/23	2022/23	2023/24	2023/24	2023/24
	Q1	Q2	Q3	Q4	Q1	Q1	Q1
Business Rate collection rate (Cumulative)	33.73%	57.18%	78.79%	92.43% (YE)	29.71%	Tr	Tr
Commentary: Due to the impact of Revaluation and changes in reliefs that took effect from 1 April 2023, it is difficult to draw comparison with the previous year's performance or to set an accurate target for Q1. The measure is therefore shown as trend only at this time. The numerous changes to the level of Government Support available, through reliefs, each year since covid have made it particularly challenging to forecast or compare with previous performance. We will revert back to a targeted measure when an accurate target can be set with more certainty later on in the financial year. We continue to take recovery action in line with our robust procedures but anticipate ongoing collection and recovery challenges given the current economic climate.							
Council Tax collection rate (Cumulative)	26.30%	53.11%	78.11%	93.72% (YE)	26.98%	26.35%	
Combined HB/CTS Speed of Processing – New Claims	35.31	24.73	24.98	21.23 (YE)	24.91	25.00	
Combined HB/CTS Speed of Processing – Changes	11.6	15.12	13.65	7.75 (YE)	13.98	12.00	
Commentary: We continue to deal with high volumes of work, and as we make progress clearing the oldest work this does have an impact on speed of processing. June performance is outside of target and continues to be managed closely. We anticipate seeing improved performance over the coming weeks.							
Percentage Tax Base vs Direct Debit Sign up	70.41%	62.54%	64.91%	64.06% (YE)	62.12%	60.00%	
Percentage of Revenues & Benefits Calls Answered	92.55%	81.31%	87.75%	89.16% (YE)	85.43%	90.00%	
Commentary: Continuation of Annual Billing demand in April, affected the first two weeks of the quarter, with peak call demands, affecting overall performance. In early May, the auto call back function launched. June saw a reduction in call volume compared to last year (1,569 vs 2,657), recognising the increase last year was the start of the Energy Rebate driving up demand. There are, however, ongoing increases in footfall (+304) compared to June last year with front facing providing lengthier contacts for this area. Call back in queue continues to be utilised with 170 in June (11.4% of calls). Average call duration increased to 353 seconds, compared to 283 in Q1 last year, largely due to increased customer need and financial pressures they face.							
Average speed of answer – Revenue and Benefits (Seconds)	113	263	171	189 (YE)	342	240	
Commentary: As above							
% of planned procurement work completed according to agreed response times and agreed timescales	New measure for reporting in 2023/24				100%	100%	
Procurement savings / benefits achieved	New measure for reporting in 2023/24				£1,267	Tr	Tr

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External funding achieved	2021/22 Total	2022/23 Total	2023/24 Q1
Boston Borough Council	£3,395,318	£17,653,782	£6,322,255
East Lindsey District Council	£5,068,169	£13,766,960	£22,038,914
South Holland District Council	£2,397,892	£22,234,304	£12,200,368
Partnership Total	£10,861,379	£53,655,046	£40,574,037

Key: ■ Red – performance worse than target ■ Amber – performance within tolerance ■ Green – performance better than target Tr Trend measure – not targetted

Boston: Governance							
Key Performance indicators (KPIs)	Performance					Target	Status
	2022/23 Q1	2022/23 Q2	2022/23 Q3	2022/23 Q4	2023/24 Q1	2023/24 Q1	2023/24 Q1
Percentage of corporate complaints responded to within corporately set timescales	75%	82%	88%	75% (Q4)	88%	95%	
Commentary: 7 out of 8 complaints responded to on time. 1 has exceeded deadline and the complainant has been advised.							
Percentage of subject requests responded to within statutory timescales	100%	75%	100%	100% (Q4)	100%	100%	
Percentage of information requests responded to within statutory timescales	92.00%	96.10%	99.00%	98.30% (Q4)	97.80%	100%	
Commentary: 4 over deadline by 1 day.							
Number of instances where service areas have failed to notify the Data Protection Officer (DPO) promptly of any identified data breaches	2	1	0	3 (Q4)	0	Tr	Tr
Number of late reports not made available to the DEMS teams at agenda publication	4	5	2	4 (Q4)	1	Tr	Tr
Percentage registering to vote by telephone/online vs paper	69%	77%	65%	Not known	94%	Tr	Tr

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Boston: Planning and Strategic Infrastructure							
Key Performance indicators (KPIs)	Performance					Target	Status
	2022/23 Q1	2022/23 Q2	2022/23 Q3	2022/23 Q4	2023/24 Q1	2023/24 Q1	2023/24 Q1
Percentage of major planning applications determined within 13/16 weeks (or agreed extended period) – monitored over a 2 year rolling period in line with national monitoring – national target	100.00%	88.90%	90.00%	88.89% (2Y)	90.00%	65%	
Percentage of minor planning applications determined within 8 weeks (or agreed extended period) – monitored over a 2 year rolling period in line with national monitoring – national target	85.70%	85.70%	90.00%	86.84% (2Y)	87.45%	75%	
Percentage of other planning applications determined within 8 weeks (or agreed extended period) – monitored over a 2 year rolling period in line with national monitoring – national target	96.30%	92.90%	96.23%	97.56% (2Y)	91.23%	75%	
Percentage of all planning decisions that were subject to extensions of time in period	53.10%	67.00%	49.46%	59.09% (Q4)	56.25%	30%	
Commentary: The percentage of Extension of Time requests remains above target, whilst a large portion of these applications are likely to be subject to negotiations and legal agreements, taking them beyond the statutory time period; we have also recently addressed this with officers in individual appraisals, with the aim to bring this %							

Key: ■ Red – performance worse than target ■ Amber – performance within tolerance ■ Green – performance better than target Tr Trend measure – not targeted

Boston: Planning and Strategic Infrastructure

Key Performance indicators (KPIs)	Performance					Target	Status
	2022/23 Q1	2022/23 Q2	2022/23 Q3	2022/23 Q4	2023/24 Q1	2023/24 Q1	2023/24 Q1
down to a more reasonable figure. We continue to review processes to ensure applications are handled and assessed in a timely manner and wherever possible within the statutory time limit.							
Percentage of decisions (major / minor / others) taken under delegation within period	98.90%	94.60%	100.00%	98.86% (Q4)	98.75%	Tr	Tr
Percentage of major planning appeals allowed against number of applications determined – two year rolling performance in line with national indicator – national target	0%	0%	0%	0% (2Y)	0%	10%	
Percentage of minor & other planning appeals allowed against number of applications determined – two year rolling performance in line with national indicator – national target	0.70%	0.69%	0.77%	0.85% (2Y)	0.45%	10%	
Percentage of minor & other planning applications validated within 5 working days against total received	98.80%	96.50%	97.70%	96.34% (Q4)	98.61%	90%	
Percentage of major planning applications validated within 10 working days against total received	100.00%	87.00%	100.00%	87.50% (Q4)	100%	90%	

Boston: General Fund Assets

Key Performance indicators (KPIs)	Performance					Target	Status
	2022/23 Q1	2022/23 Q2	2022/23 Q3	2022/23 Q4	2023/24 Q1	2023/24 Q1	2023/24 Q1
Occupancy Rate at end of Quarter: Industrial Units	100%	100%	89%	100% (Q4)	100%	93%	
Occupancy Rate at end of Quarter: Other investment property	100%	100%	100%	100% (Q4)	100%	97%	
Percentage of car parking income received against agreed budget - cumulative figure to end of successive quarters	New reporting in 2023/24				18.65%	Tr	Tr
Commentary: 2023/24 Budget set £1,019,000 against a 2022/23 outturn of £790,000. Following 12 months of holding posts vacant, two new Civil Enforcement Officers came into post in June 2023 and had an instant impact in enforcement terms. Their ongoing impact coupled with a target of having new parking machines installed by October 2023 will ensure income from use is fully maximised. The annual target is 100% but we do not have profile targets for the quarters.							
Repairs & Maintenance: Percentage committed spend against budget	New reporting in 2023/24				20.89%	Tr	Tr

Environment and Performance Committee Work Programme 2023–24

THIS COMMITTEE'S REMIT IS ALIGNED TO COPORATE PRIORITIES: CP1 PROSPERITY and CP3 PLACE

MEETING	AGENDA ITEMS	REPORT AUTHOR	PORTFOLIO	CABINET
25 July 23	<ul style="list-style-type: none"> ▪ Proposed joint scrutiny activity for 23/24 for the South & East Lincolnshire Councils Partnership (S&ELCP) ▪ Joint Scrutiny work between partner councils in the South & East Lincolnshire Councils Partnership ▪ Annual ASB and CCTV Report ▪ Quarter 3 and 4 Performance reporting 2022/2023 ▪ Work Programme 	Assistant Director – Corporate Assistant Director – Corporate Community Safety Manager Insights and Transformation Manager Lead Officer	Cllr A Dorrian Cllr A Dorrian Cllr A Dorrian Cllr A Dorrian	2 Aug 23
5 Sept 23	<i>CANCELLED</i>			13 Sept 23
31 Oct 23	<ul style="list-style-type: none"> ▪ Revision to Fixed Penalty Notice Environmental Crimes ▪ Quarter 1 Performance ▪ Work Programme to (include long term scheduling) 	Assistant Director – Regulatory Insights and Transformation Manager Lead Officer	Cllr C Butler Cllr A Dorrian	6 Dec 23
19 Dec 23	<ul style="list-style-type: none"> ▪ Update of Markets provision ▪ Update on Events ▪ Q2 Performance ▪ Work Programme 	Markets Manager Events Manager Insights and Transformation Manager Lead Officer	Cllr D Broughton Cllr D Broughton Cllr A.Dorrian	16 Jan 24
13 Feb 24	<ul style="list-style-type: none"> ▪ Quarter 3 Performance 	Insights and Transformation Manager	Cllr A Dorrian	21 Feb 24
16 Apr 24				24 Apr 24
<i>Provisional 2024 / 2025 – indicative scheduling dates</i>				
June	Annual ASB and CCTV Report Quarter 4 performance			

<i>Sept</i>	<i>Quarter 1 performance</i>			
<i>Nov</i>				
<i>Jan</i>				

Pending to be scheduled: Review of Waste Rounds

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ALTERNATIVE OPTIONS FOR SCRUTINY WORKING - current at issue of agenda	
Task and Finish Group Reviews	
Member Working Group	
Inquiry Session	
All Member Briefings	6 th November – Health and Wellbeing. 6pm virtual. 21 st November – Housing and Homelessness. BBC Committee Room

Chairman: Councillor Claire Rylott.

Vice Chairman: Councillor Lina Savickiene

Lead Officer: Assistant Director – Regulatory

Clerk: Karen Rist

Options of Scrutiny Working

Strand	Suitable for	Facilitation	Outcomes
<p>Member Briefing <i>(open to all members of the Council as an information session)</i></p>	<p>An update or brief overview of a subject matter/service area that has generated interest or been requested by a number of members. A general interest situation which may possibly require further scrutiny. Also suitable for attendance by external representatives on a local or national item that has been identified by members as being of interest.</p>	<p>The Lead Officer for the service area will present the briefing with any supporting staff required. When it is an external partner or organisation, the A.D aligned to that service will facilitate and be in attendance at the briefing.</p>	<p>Often the information relayed addresses the initial concerns / reasons for the briefing. If however, the information provided highlights more concerns or issues then it may be agreed that the respective parent committee be asked to take a further more detailed review.</p>
<p>Inquiry Evening</p>	<p>Called when an urgent matter arises which is deemed to require in-depth representation and requires a more formal approach than the normal briefing. An Inquiry could relate to any service of the Council, or of partners or other businesses in the Borough. There is usually an urgent trigger for an Inquiry and a date scheduled as soon as possible.</p>	<p>The Lead Officer for the service area will present the briefing with any supporting staff required. When it is an external partner or organisation, the A.D aligned to that service will facilitate and be in attendance throughout.</p>	<p>Dependant on the nature of the Inquiry, additional Scrutiny may be requested or in the event that the outcomes raise strong concerns on the subject matter, Cabinet or Full Council can be asked to look into the situation further.</p>
<p>Member Working Group (M.W.G)</p> <p>Lead Officer for the subject matter</p> <p>No clerical support.</p>	<p>Small review over three or four meetings looking into a specific matter which does not involve significant external representation or officer time.</p>	<p>The group is convened from volunteer scrutiny members with an interest in the subject and the time to support the meetings. Groups are usually no more than four or five members and they elect their Chairman at the first meeting. They then scope the review and invite the relevant officer or external representative to attend and provide evidence.</p>	<p>The Lead Officer for the subject matter will compile a report on the outcomes and the Chairman of the review group will table it through the relevant parent committee. The group may seek a more thorough review or conclude it has the information required.</p>

<p>Task and Finish Group Review (T&F)</p> <p>Lead Officer support</p> <p>Full clerical support.</p>	<p>Larger reviews six / twelve meetings looking into a specific matter that requires significant representation, research, officer time and liaison between a number of parties</p>	<p>The group is convened from volunteer scrutiny members who may have an interest in the subject matter, experience of the subject matter and importantly the time to support a large review with an extensive number of meetings.</p> <p>Groups are usually no more than five or six members who elect their Chairman at the first meeting. They then scope the review and agree a realistic time line in relation to the number of meetings required.</p> <p>Initial scoping to also include the volume of representation required, any off-site visiting required for consultations and researching of supporting data.</p> <p>T&F groups can co-opt any external representative onto the group for the duration of the review.</p>	<p>The Lead Officer for the review / subject matter will compile a full report as agreed with the members, on the outcomes of the review and the recommendations made.</p> <p>The Chairman of the review will then present the report back to the respective parent committee. The recommendations could include referral on to Cabinet of Full Council depending on the outcomes.</p>
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