

**OVERVIEW & SCRUTINY - ENVIRONMENT &
PERFORMANCE COMMITTEE**

20 October 2022

Present: Councillor Judith Skinner (Chairman), (Vice-Chairman), Councillors Tom Ashton, Alison Austin, Katie Chalmers, Anton Dani, Yvonne Stevens, Stephen Woodliffe and Deborah Evans

In attendance:

Officers –

Assistant Director - Regulatory, Assistant Director - Neighbourhoods, Assistant Director – Organisation and Corporate Services, Operations Manager and Democratic Services Officer.

20 APOLOGIES

Apologies for absence were tabled by Councillor Peter Bedford with Councillor Stephen Woodliffe substituting, and also from Councillors Paul Goodale, Neill Hastie and Judith Welbourne.

21 MINUTES

With the agreement of the committee the Chairman signed the minutes of the previous meeting.

22 DECLARATION OF INTERESTS

None tabled.

23 PUBLIC QUESTIONS

None tabled.

**24 ATTENDANCE BY COUNCILLOR MCNALLY PORTFOLIO HOLDER FOR
WASTE**

The Chairman welcomed Councillor McNally and thanked him for accepting her invitation to attend the meeting to address a number of ongoing issues at the Boston Household Waste Recycling Centre.

Prior to Councillor McNally addressing the meeting, the Portfolio Holder provided an overview on the recent issues. Members were advised that the number of complaints had reduced significantly and that during a recent visit she had undertaken with the Local Member of Parliament they had both been delighted to see that so many of the problem areas including waste being turned away, had been fixed and that a new container for light bulbs had been installed. One area that they had both agreed needed consideration was the identical opening hours of all sites within the County, with a view to changing the individual site opening times to enable an alternative site for residents on the days their local site was closed. It was hoped when discussion came forward in respect of the new contracts, the suggestion would be taken into consideration as such a move could potentially impact on Fly Tipping.

A further suggestion had been made for a tyre skip at the site (in line with the one at East Lindsey) to again alleviate the fly tipping of tyres which would be at no cost to the Council as Enviro-tyre would collect for disposal. Councillor McNally advised East Lindsey District Council did not have such a skip at their site, but the Assistant Director – Neighbourhoods advised it did, but it was only for the Council's fly tipped tyres that were collected, it was not available for public disposal of tyres.

Councillor McNally stated that there was no intention whatsoever to install a tyre skip at the Boston site, stating it was commercial waste and as such the responsibility of residents to dispose of their own tyres and it was not for tax payers, to fund other peoples' tyre removal.

Further comments arose in respect of the disposal of tyres including charging for dropping them off at the centre and concerns at the location of the Enviro-tyre at Sutterton in the South of the Borough, both for the public to go to and also how unfair it was on the litter pickers who too had to take any tyres they collected to Sutterton. A further suggestion by a member questioned the possibility of setting up a facility to produce Red Diesel from the tyres along with other by-products which could in turn be used for the Council's own fleet, reducing existing costs. Councillor McNally stated he felt if it was an economically viable business then Enviro-tyre would have already introduced it, and that the centre was only for household waste and not vehicle waste. It was agreed the member would forward the information onto Councillor McNally after the meeting. Referencing the reason the site did not accept commercial waste, a member questioned why it accepted car batteries which were clearly commercial waste, but not tyres, as both came from vehicles which were classed as commercial at the site. Councillor McNally stated that batteries were allowed next to the black bin for waste collection, but when the Chairman questioned actual collection of side waste no answer was tabled.

On questioning the possibility of seeing the criteria for the new operations contract at the site, the Chairman was advised by Councillor McNally that the Council was within its rights to tender for the contract should it wish.

A Member suggested that the current provision of the various centres appeared to be a 'one fits all' system, not taking into consideration the variation in demographics across the various areas. Boston was very different to Louth with much more deprivation, lower wages and poor public transport. As such most people had cars and by default, some had the means to fly tip. Why not fit the centre around the needs of the local population, which in Boston's case was continually underestimated in size. A different thought process was needed and each site should have its needs assessed to make it work for the residents.

Councillor McNally questioned against what criteria the suggestion would be based, but the Portfolio Holder stressed it had been very clear within the members suggestion.

Noting concern about the layout of the site and the time delays in waiting whilst within to get to the appropriate bin, a member suggested it was not up to standard for the size of the population, with long delays experienced at times. Consideration of easing the queueing with laybys or re use of the current grassed area would free up vehicles from sitting burning fuel.

A member questioned the refusal of the site to accept vans albeit many members of the public used them as domestic transport. He noted that there was also discrimination against residents who pulled up in such a vehicle with a single bag of domestic waste, parked outside the site and attempted to access on foot only to be turned away. Councillor McNally cited health and safety issues in respect of pedestrians on the site itself and commented that permitting vans would encourage sub contracted waste.

Committee comments noted that common sense of the operators was required as a van with only one or two bags of rubbish was clearly not commercial. A further suggested note number plate recognition to identify repeat users with large loads.

A number of members voiced their disappointment at the responses provided by Councillor McNally, noting they felt he was negative and discourteous in his consideration of both Boston and their own suggestions and concerns and had taken a very dogmatic approach to the meeting.

Councillor McNally stated that he had agreed to attend and had been very cooperative. He had not been awkward with members, and it was clear things had improved at the site but all members wanted to discuss was the provision on a skip for tyre disposal.

The Chairman thanked Councillor McNally for his attendance.

25 BOSTON BOROUGH COUNCIL STREET CLEANING REGIME

The Assistant Director – Neighbourhoods presented the report and confirmed that The Council is defined as ‘the principal litter authority’ under Section 86 of the Environmental Protection Act 1990, with responsibility under Section 89, to keep ‘relevant land’ and highways clear and clean of litter and refuse, so far as is practicable. ‘Relevant land’ is defined as ‘land that is open to the air and is land which is under the direct control of such an authority to which the public are entitled or permitted to have access with or without payment’.

The Council could determine the standards of street cleansing as required (Section 89(3)), based on the character and use of the land and the measures which are practicable in the circumstances. Their duty to keep land clean extended to 494 miles of adopted highway, or in cleansing terms 988 miles of highway with 500 litter bins sited across the Borough including 361 litter bins located in the wider town centre area.

The Council had reviewed its street cleansing service in 2020 as part of its Transformation Savings Plan. Efficiency savings of £70,000 per year had been achieved, removing 1 x mechanical sweeper from the fleet and implementing a new staffing rota providing a 7 day service. The budget forecast for 2022/23 is £367,655, representing a cost per head of population of 10p per week, or £5 per year.

There were currently 9 full time equivalent employees (FTE) in the team; 3 x FTE mechanical sweeper drivers and 6 x FTE streetscene operatives. Employees work a 7 day rota over 37 hours per week. The rota ensures employees work no more than 10 days consecutively, working across weekdays and weekends. The start and finish times weekdays for sweeper drivers 05:15 to 13:15/14:15, litter pickers and litter bin operatives 06:00 to 15:00. Weekends 05:30 to 11:45 and 11:45 to 18:00. The rota is included in table 1.2 and 1.3.

The service operated 1 x 15 tonne large mechanical sweeper, 1 x 4.2 tonne mini sweeper and 3 x 3.5 tonne light commercial cage vehicles. Manual sweeping brushes, spades, long reach litter-pickers and 2 x wheeled barrows are also used.

Other resources employed in the town centre who contributed to cleansing standards, included the Flyswat Team (2FTE), the BTAC Operatives (2.4FTE), and Enviro Crime Enforcement Officers (3FTE) from the outsourced service.

The current street cleaning regime placed a higher priority on areas with higher footfall and less priority to areas with lower footfall. Appendices A and B showed a map of the town centre with the area of highest demand highlighted.

The town centre was cleaned every day. Weekdays - Monday to Friday; 2 x litter pickers, 2 x litter bin emptying and 2 x mechanical sweeper deployed between 06:00 and 09:00 carrying out litter picking, litter bin emptying and mechanical sweeping to accessible spaces. Following the morning sweep, employees divert to less priority areas across the Borough to carry out work duties. Weekends - Saturday and Sunday; 2 x litter pickers, 1 litter bin emptying, 1 x mechanical sweeper between 06:00 and 09:00. 2 x operatives carry out duties in the town centre until 18:00.

Cleaning duties included litter picking, litter bin emptying, mechanical sweeping and manual sweeping, graffiti removal and bin washing. Manual sweeping with a brush/barrow is carried out in areas with restricted access where mechanical sweepers cannot operate.

Referencing key points within the report, the Assistant Director confirmed that the cost of the services reported within paragraph 3.1 identified the budget forecast for 2022/23 at £367.655 representing a cost per head of £5 per annum. That would provide 9 full time equivalent employees.

Resources were directed to the areas in most need of cleansing with the town center receiving more attention than other areas. The small team were split into tasks and did not operate as one team cleaning the town together, they were dispersed into various areas. Support came from the Flyswat Team along with the BTAC town center operatives who also cleaned, painted and repaired the town area.

The Flyswat team was fully engaged in collecting fly-tips, having collected over 3000 tips in 2021/22 representing 13 fly tips collected by the crew each working day. An average of 97.5% of fly tips had been collected within 3 working days.

With pressure on services at the current time, concerns continued to be raised in respect of the build-up of detritus on both highways and in alleyways around the market place with bird droppings and staining on pavements both being raised regularly. In excess of 1500 bags of rubbish were being collected per annum, from the town. Moving forward the focus of enforcement needed to be directed at rental properties to try and reduce the number of black bags.

Recruitment continued to prove to be difficult with some new employees leaving only after a few days in post whilst others simply did not like the job. There was an issue with resilience with the service currently relying on temporary agency staff to cover illness and annual leave.

A new litter and fly tipping strategy was being produced and Boston Borough Council had been recognised for its good practice within Litter Strategy England and the strategy would be developed across the partnership

Significant member deliberation followed which included:

On questioning the environmental crime enforcement figures, a member was advised that a breakdown of FFPN's issued for actual fly tipping and littering incidents was available. Cameras' had been trialed dotted around the rural areas however the only way of identifying was witness evidence or footage via camera. Camera coverage was an issue being considered across the partnership to determine if the current provision was adequate.

The Operations Manager confirmed he was working to develop a joint Enviro-crime contract across the partnership to include enforcement officers and camera surveillance. That would lead to increased enforcement in line with members' wishes.

Recognition of the on-going success of the work of the fly swat team was noted with members agreeing that the speed of collections did stop long term rubbish from attracting further rubbish.

Credit was further paid to the town center staff for their work in keeping the town tidy with recognition of the need to improve and keep the public realm tidy.

Questioning a need for further resources a member asked how the service would improve if they were acquired. The Assistant Director – Neighbourhoods' advised that the current resource delivered the current standard provided, any additional resources would provide additional cleansing. A Member suggested consideration by given by BTAC to the provision of additional funding.

Whilst recognising the reasons for the reduction of the service and subsequent build-up of detritus throughout Covid, the Chairman noted they were disappointed that the town still had lots of old waste build-up of littering in many areas, noting particular concerns in the area of Maud Street Car Park and around the crossing on John Adams way with lots of detritus in breeze blocks including old cardboard, moss and cigarette ends and in particular, down the lanes around the market place. Further concern noted that from observing the operatives they appeared selective on what they actually picked up, sometimes picking a certain item up and then leaving other rubbish in the immediate vicinity. Other concerns noted the build-up of detritus in the doorways of unoccupied businesses with a suggestion tabled that the owners of the premises be contacted to take responsibility of the rubbish as it was not the responsibility of the operatives to clear it.

Members' further voiced concern at the ongoing issues about vegetation along the roadsides with an apparent lack of any road sweeping and questioned the lack of pride in their work of some operatives. Additional concern noted the area around the Railway Station and Station approach which appeared to be continually subject to littering with heavy build ups and reflected poorly on those arriving via rail with their first impression of the town being one of an unkempt area with significant rubbish including black bin bags. A question asked if the area could be improved by the use of CCTV with follow on enforcement as it was a clear hot spot within the town.

Noting the constant high standard of cleaning with Pescod Square, it was agreed that whilst they had their own cleaning contract, it did reflect on the quality of the Council's own cleaning regime, with the public's perspective questioning why the rest of the town did not reflect the same level of cleansing. A suggestion noted speaking with Pescod Square to see if they could help the Council.

Overall members agreed the quality of the cleansing was key and that more regular deep cleans were needed especially along the lanes which were continually subject to ingrained dirt down their sides.

Referencing the operatives working hours, particularly within the market place, a member asked if the hours could be more flexible. Whilst they cleaned early morning, when workers finished their shift patterns they arrived mid-morning at the Five Lamps and Ingram Memorial and stayed most of the day. Unfortunately they created significant litter which was not cleaned until the evening, leading to those areas being littered throughout the day and being very visible to visitors. Furthermore the last cleaning was 6pm in the evening and again a later clean on a Friday and Saturday evening after 6pm would reduce the volume of cleaning required the following mornings.

Members agreed the need for increased education and recognised that in certain groups, it would need to come from children educating parents. As such, greater liaison was required with the schools as it was recognised by educating people, it would also instill a sense of pride in keeping their town clean and support the ongoing work of the volunteers who already worked tirelessly in ridding the town of litter.

Responding to the concerns the Operations Manager said he had taken on board the various comments and agreed they were fair. The routes the staff had were lengthy and when looking at changes to the cleaning under the current staffing level, any change would always be at the expense of something else. At the current time it was a dilemma in respect of current resources and allocation of what to clean and the scale of the work needed.

The Assistant Director – Neighbourhoods' further added that whilst pubs and restaurants had a responsibility to ensure cigarette butt ends were cleared from the front of their premises, it was not always the case and was something the enforcement team could take forward in putting that responsibility back on the owners. They further noted that they could work with the economic development team to try and identify the owners of the empty premises. Members were also advised that due to the need for ongoing use of agency workers to cover sickness and the problem of retaining staff, the service had not benefitted from the consistency of an established crew of Council employed operatives, which as a team would build a sense of pride in their work. Whilst agreeing the suggestion of increased education within the schools, the Assistant Director – Neighbourhood advised that the team had no capacity at the current time and additional resources would be required to enable such a project. Noting the number of comments in respect of improved enforcement, members were further advised that the ongoing work noted previously, in respect of improvements to enable a single contract across the partnership, would result in greater flexibility with discussions including increased foot patrols and overt camera surveillance. In addition significant work was being undertaken in respect of a 'Caught on Camera' campaign.

Concluding, the Assistant Director – Neighbourhoods' advised that the service had made savings during the transformation programme over the last two years and was operating as well as it could within the existing budget. If a greater level of service was required then it would require more resources.

Suggestions made:

Contacting the owners of empty business premises to take responsibility of clearing the detritus from their shop doorways.

Improve education with working with schools.

Consider asking BTAC to provide additional funding for an increased resource.

26 WORK PROGRAMME INC. Q4 PERFORMANCE REPORTING

The Assistant Director - Corporate presented the Quarter 4 report confirming that when the targets had been set, they were not an aim for easy gains but to stretch the performance in services to the best they could be. Members were advised that whilst all planning indicators were all red, had they been set against national measures they would have been green, it was local targets they were not achieving. There were also a number of red indicators relating to PSPS which has also been addressed and now showed green in the latest performance reporting.

Concern was tabled at the lateness of receiving the performance reporting, with notification advised that the other two Councils' had already received Q1 for this new year with Q2 being finalised too. Committee based their questions and concerns on the information tabled, a lot of which had already been addressed and it also depicted misleading information to the public.

It was agreed that with Q1 scheduled for the November meeting, Q2 would also come – enabling the committee to have an up to date report on which to base its deliberations. Concerns were noted at the ongoing loss of car parking income and a member questioned using the reason for as such as Covid, when in fact it was well known that ticketing machines in various car parks did not work. A further concern was the lack of enforcement which appeared to be part time only in the morning, with many knowing they could park almost anywhere in the afternoon for free. Further commenting noted that a further reason for the loss of income was down to the main shopping base for Boston was now a Wyberton Fen, following the loss of Oldrids and Marks and Spencer in the town centre.

The Chairman supported the comments and formerly noted her wish for a report on car parking, to include the situation with broken machines and also with enforcement. The report would be scheduled to the January meeting.

A member questioned the number of rough sleepers noted in the figures, noting that they had seen an increase recently in the town centre and asked if the Council could look into the situation as they felt it would continue to increase with the number of immigrants now in the town with no UK Status which could result in actual groups of people sleeping rough.

Reassurance was offered to concerns in respect of Council Tax and Housing Benefits processing, confirming the Q2 figures were both within target now and the historic issues has been addressed.

The Assistant Director – Regulatory (Lead Office for Committee) advised that there were no updates to the work programme tabled. Confirmation was provided that the annual ASB and CCTV reports (both of which were very historic in nature, but would be back on schedule for May 2023), would be tabled at the 15 December meeting of BTAC. The Police were confirmed to attend that meeting as a one item agenda, together with the Community Safety Manager and CCTV Manager who would present the reports – aligned to the presentation by the Police. It has been agreed by both Chairman that it would be more productive and less time restrictive to the Police and Members to have the one meeting with all members invited to take part.

The Meeting Closed at 8.45 pm