

EXECUTIVE DECISION RECORD

REF No 401/22

A1 Service Area	Environment
A2 Title	Street Cleaning Policy and Procedures Update
A3 Decision Taken By	Deputy Leader/ Chief Officer
A4 Chief Officer	Please print name: Sal Khan Please sign name: Approval by email 080322
A5 Leader / Deputy Leader	Please print name: Councillor Ray Faulkner Please sign name: Approval by email 080322
A6 Date of Decision	7 th April 2022

Confidentiality

A7 Is this Decision confidential by containing exempt information as described in Schedule 12A of the Local Government Act 1972?	No
A7.1 If yes, please state relevant paragraph from Schedule 12A LGA 1972.	N/A

Scrutiny

A8 Which Scrutiny Committee should this decision be submitted to? *(Please tick as appropriate)* ✓

Scrutiny (Audit & Value for Money Council Services) Committee X

Scrutiny (Community Regeneration, Environment and Health and Well Being) Committee X

B1 What is the Decision?	To approve the updated policies and procedures for street cleaning, as set out in Appendix 1 attached.
B2 What are the reasons for the Decision?	<p>Demand for street cleaning resources is gradually increasing, both as a result of general housing growth and as people change their habits. For example, the recent pandemic has seen an increase in dog ownership and more people taking walks. This can generate higher quantities of litter.</p> <p>Therefore, it is vital these demands are captured and resources are assigned in the most efficient and effective way. Appendix 1 sets out revised policies and procedures that will support this principle and address the on-going pressures on the service.</p>
B3 What are the contributions to Corporate Priorities?	<p>The SMARTER street cleaning programme supports the Council's second and third corporate priorities:</p> <ul style="list-style-type: none"> • Environment and Health & Wellbeing: • Value for Money
B4 What are the Human Rights considerations?	There are no Human Rights issues arising from this decision.

Financial Implications

B5 What are the financial implications?	This decision relates to updating the policy and procedures with regard to Street Cleaning in order to manage service demand within existing resources. Any future implications for service delivery form part of the annual MTFS budget setting process.
--	---

Revenue	2021/22	2022/23	2023/24
N/A			

Capital	2021/22	2022/23	2023/24
N/A			

The finance section has been approved by the following member of the Financial Management Unit:	<p>Please print name: Anya Murray</p> <p>Please sign name: Approval by email 240222</p>
---	---

Policy Framework

B6 Is the Decision wholly in accordance with the Council's policy framework?	Yes
B6.1 If No, does it fall within the urgency provisions (Part 3 of the Constitution)?	NA
B6.2 Has it got the appropriate approvals under those provisions?	NA
B7 Is the Decision wholly in accordance with the Council's budget?	Yes
B7.1 If No, does it fall within the urgency provisions (Part 3 of the Constitution)?	NA
B7.2 Has it got the appropriate approvals under those provisions?	NA

Equalities Implications

B8 What are the Equalities implications:
B8.1 Positive (Opportunities/Benefits): N/A
B8.2 Negative (Threats): N/A
B8.3 Whilst this report considers policy and procedures, there are no specific changes to core functions of the service. Therefore, an equality and health impact assessment is not required.

Risk Assessment

B9 What are the Risk Assessment implications:
B9.1 Positive (Opportunities/Benefits): The IT system and supporting policies will support the Council's overall performance in street cleaning, enabling the more efficient use of resources and supporting performance monitoring.
B9.2 Negative (Threats): A more demand-based approach to resources could see a reduction in the historic levels afforded to some ward areas. When the waste collection service experiences a high level of employee absences, street cleaning operatives are re-deployed to support continuity of service. This may have a knock on effect on street cleaning performance.
B9.3 The risks do not need to be entered in the Risk Register. Any financial implications to mitigate against these risks are considered above.

Legal Considerations

B10 What are the Legal Considerations:

B10.1 The main legal issues arising from this decision are as follows:

East Staffordshire Borough Council is defined as a 'principal litter authority' under Section 86 of the EPA with responsibility, under Section 89, to keep 'relevant land' and highways clear and clean of litter and refuse, so far as is practicable. In this context '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'*. It excludes private land and unadopted highways.

This section has been approved by the following member of the Legal Team

Please print name: Glen McCusker – Interim Solicitor

Please sign name: [Approval by email 220222](#)

Sustainability Implications

B11 What are the Sustainability implications:

B11.1 The proposal would result in an overall positive effect in terms of sustainability (including climate change and change adaptation measures). The positive/negative impacts are set out below (please refer to guidance notes).

B11.2 Positive (Opportunities/Benefits):

Improvements in street cleaning support the local environment in general. A reduction in litter/fly tipping results in an associated reduction in waste disposal. The proposed changes could reduce vehicle mileage as the fleet will be used more efficiently.

B11.3 Negative (Threats):

Health & Safety Implications

B12 What are the Health & Safety implications:

B12.1 A Risk Assessment has not been carried out and entered into Safety Media for all significant hazards and risks because there are no significant hazards or risks arising from this decision.

Key Decision

B13 Is this a Key Decision? No

Note: A Key Executive Decision is one where:

1. **REVENUE** – Any contract or proposal with an annual payment or saving of more than £100,000
2. **CAPITAL** – Any capital project with a value in excess of £150,000
3. A decision which significantly affects communities living or working in an area comprising two or more wards.

B13.1 If this is a Key Decision, is this an urgent decision such that a delay caused by use of the Call-in Procedure would <u>seriously</u> prejudice the public interest?	NA
B13.2 If yes, has the Mayor or in his/her absence the Deputy Mayor or in his/her absence the Chair of the relevant Scrutiny Committee agreed that the decision will be exempt from Call-in?	NA

NOTE: If this decision is subject to the Call-in Procedure it will come into force, and may then be implemented, on the expiry of 3 working days after publication – unless 10 Members of the Council call in the decision.

Please send the original signed document to andrea.davies@eaststaffsbc.gov.uk