



EAST CAMBRIDGESHIRE DISTRICT COUNCIL

THE GRANGE, NUTHOLT LANE,
ELY, CAMBRIDGESHIRE CB7 4EE
Telephone 01353 665555

MEETING: OPERATIONAL SERVICES COMMITTEE

TIME: 4:30pm

DATE: **Monday 12th September 2022**

VENUE: Council Chamber, The Grange, Nutholt Lane, Ely, CB7 4EE

ENQUIRIES REGARDING THIS AGENDA: Tracy Couper

TELEPHONE: (01353) 665555 EMAIL: tracy.couper@eastcambs.gov.uk

MEMBERSHIP:

Conservative Members

Cllr Julia Huffer
(Chairman)
Cllr David Ambrose Smith
(Vice- Chairman)
Cllr Christine Ambrose Smith
Cllr Lis Every
Cllr Joshua Schumann
Cllr Jo Webber

Substitutes:

Cllr Anna Bailey
Cllr Daniel Schumann
Cllr Lisa Stubbs

Liberal Democrat Members

Cllr Mark Inskip
(Lead Member)
Cllr Alec Jones
Cllr John Trapp
Cllr Christine Whelan

Substitutes:

Cllr Matthew Downey
Cllr Simon Harries
Cllr Alison Whelan

Independent Member

Cllr Paola Trimarco
(Lead Member)

Substitute:

Cllr Sue Austen

Lead Officer

Emma Grima, Director Commercial

Quorum: 5 Members

AGENDA

- 1. Public Question Time** [oral]
The meeting will commence with up to 15 minutes public question time
- 2. Apologies and Substitutions** [oral]
- 3. Declarations of Interest** [oral]
To receive declarations of interest from Members for any Items on the Agenda in accordance with the Members Code of Conduct.

- 4. Minutes**
To confirm as a correct record the Minutes of the meeting of the Operational Services Committee held on 13 June 2022
- 5. Chairman's Announcements** [oral]
- 6. VCAEC – Service Level Agreement Update** [oral]
- 7. Service Presentation – Customer Services** [oral]
- 8. ECSS Annual Accounts** To Follow
- 9. Outturn Budget Monitoring Report 2021-22**
- 10. Quarter 1 Budget Monitoring Report 2022-23**
- 11. Building Control Fees & Charges**
- 12. Housing Enforcement Policy Consultation Results**
- 13. Housing Renewal Policy Update**
- 14. Review of Outdoor Sports Facilities Strategy**
- 15. Community Sports Facilities Grants**
 - (a) Littleport
 - (b) Soham
- 16. Youth Strategy Action Plan Progress Report**
- 17. Quarter 1 2022/23 Performance Report for the Waste and Street Cleansing Services**
- 18. Anglia Revenues and Benefits Partnership Joint Committee Minutes**
To receive the Minutes of the meeting held on 21st June 2022
- 19. Action Taken on the Grounds of Urgency**
- 20. Forward Agenda Plan**

NOTES:

1. Members of the public are welcome to attend this meeting. If you are visiting The Grange during normal working hours you should report to the main reception desk. If you come to an evening meeting please enter via the door in the glass atrium at the back of the building.

Admittance is on a “first come, first served” basis and public access will be from 30 minutes before the start time of the meeting. Due to room capacity restrictions, members of the public are asked, where possible, to notify Democratic Services (democratic.services@eastcambs.gov.uk or 01353 665555) of their intention to attend a meeting.

The meeting will be webcast and a livestream of the meeting will be available. Further details can be found at <https://www.eastcambs.gov.uk/meetings/operational-services-committee-12092022> Please be aware that all attendees, including those in the public gallery, will be visible on the livestream.

2. Public Questions/Statements are welcomed on any topic related to the Committee’s functions as long as there is no suspicion that it is improper (e.g. offensive, slanderous or might lead to disclosures of Exempt or Confidential information). Up to 15 minutes is allocated for this at the start of the meeting. Further details about the Public Question Time scheme are available at: <https://www.eastcambs.gov.uk/committees/public-question-time-scheme>
3. The Council has adopted a ‘Purge on Plastics’ strategy and is working towards the removal of all consumer single-use plastics in our workplace. Therefore, we do not provide disposable cups in our building or at our meetings and would ask members of the public to bring their own drink to the meeting if required.
4. Fire instructions for meetings:
 - If the fire alarm sounds please make your way out of the building by the nearest available exit i.e. the back staircase or the fire escape in the Chamber. Do not attempt to use the lifts.
 - The fire assembly point is in the front staff car park by the exit barrier.
 - The building has an auto-call system to the fire services so there is no need for anyone to call the fire services.

The Committee Officer will sweep the area to ensure that everyone is out.

5. Reports are attached for each agenda item unless marked “oral”.
6. If required, all items on the agenda can be provided in different formats (e.g. large type, Braille or audio tape, or translated into other languages), on request, by calling Main Reception on (01353) 665555 or e-mail: translate@eastcambs.gov.uk
7. If the Committee wishes to exclude the public and press from the meeting, a resolution in the following terms will need to be passed:

“That the press and public be excluded during the consideration of the remaining item no(s). X because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item(s) there would be disclosure to them of exempt information of Category X of Part I Schedule 12A to the Local Government Act 1972 (as amended).”

AGENDA ITEM 4

Minutes of a meeting of the Operational Services Committee held in the Council Chamber, The Grange, Nutholt Lane, Ely on Monday 13 June 2022 at 4:30pm

P R E S E N T

Cllr Julia Huffer (Chairman)
Cllr David Ambrose Smith (Vice-Chairman)
Cllr Christine Ambrose Smith
Cllr Anna Bailey (Substitute for Cllr J Schumann)
Cllr Lis Every
Cllr Mark Inskip
Cllr Alec Jones
Cllr John Trapp
Cllr Jo Webber
Cllr Christine Whelan

OFFICERS

Emma Grima – Director, Commercial
Lewis Bage – Communities & Partnerships Manager
Shaun Bradshaw – Operations Manager ECSS
Maggie Camp – Legal Services Manager
Tracy Couper - Democratic Services Manager
Richard Garnett – Senior Environmental Health Officer
Emma Graves-Brown - Neighbourhood and Community Safety Officer
Richard Kay – Strategic Planning Manager
Karen See - Senior Environmental Health Officer

IN ATTENDANCE

Annalise Lister – Communications Manager
Melanie Wright – Communications Officer
Karen Wright – ICT Manager

3. PUBLIC QUESTION TIME

9 public questions were submitted regarding the Waste and Recycling Collection Services and the questions and responses are detailed in Appendix 1 to these Minutes.

4. APOLOGIES AND SUBSTITUTIONS

Apologies for absence were received from Cllr Joshua Schumann and Cllr Anna Bailey was acting as Substitute Member and from Cllr Paola Trimarco.

5. DECLARATIONS OF INTEREST

Declarations of interests were made by Councillors as follows:

Agenda Item 7 Community Safety Partnership (CSP) Update – Councillor Every as Chair of the CSP and Councillor Christine Ambrose-Smith as a Council representative.

Agenda Item 8 Environment Action Plan – Councillor Inskip as a member of East Cambridgeshire CAN

Agenda Item 9 Housing Enforcement Policy – Councillors Bailey, Christine Ambrose-Smith, David Ambrose-Smith, Every as rental property owners. It was reported that all of these Members had been granted Dispensations by the Monitoring Officer.

6. MINUTES

It was resolved:

That the minutes of the meetings of the Committee held on 21 March and 19 May 2022 be confirmed as a correct record and be signed by the Chairman.

7. CHAIRMAN'S ANNOUNCEMENTS

The Chairman referred to the Housing Model Member Seminar held on 25 May 2022 and reminded Members to complete and return the questionnaire sent to all Councillors following the Seminar.

8. VCAEC – SERVICE LEVEL AGREEMENT UPDATE

The Chairman reported that this presentation would be deferred to the September meeting due to the inability of the Chief Executive of the VCAEC to attend the meeting as a result of sudden sickness.

9. COMMUNITY SAFETY PARTNERSHIP UPDATE

The Committee received a presentation by the Communities & Partnerships Manager and Neighbourhood and Community Safety Officer on the structure and work of the East Cambridgeshire Community Safety Partnership (CSP), a copy of which has been circulated to Members of the Committee.

The presentation covered the following areas:

- Composition, structure and objectives of CSP
- Delivery Group
- Problem Solving Group
- CSP priorities
- Examples of current and recent activity
- Examples of emerging activities

Members commended the excellent work of the officers in progressing a wide range of initiatives across the whole of the District and in securing grant funding for the recruitment of a Preventative Problem-Solving Officer. In response to a question by a Member regarding a recent spate of vandalism in their Ward, the

Neighbourhood and Community Safety Officer stated that incidents of anti-social behaviour such as vandalism should be reported to the Police, but it would be useful if herself and the Anti-Social Behaviour Co-ordinator also were made aware of them.

The Chairman thanked the Communities & Partnerships Manager and Neighbourhood and Community Safety Officer for their presentation.

10. ECDC ENVIRONMENT & CLIMATE CHANGE STRATEGY AND ACTION PLAN JUNE 2022

The Committee considered a report, X11 previously circulated, containing the fully refreshed 3rd edition of the Environment Plan.

The Strategic Planning Manager explained that the Plan reviewed the top 20 actions set in 2021/22 and proposed new top 20 actions for 2022/23. In addition, the report set out options relating to an additional staffing resource required to deliver the actions and ambitions contained in the Plan.

A number of questions relating to this item had been provided prior to the meeting from Members and these, along with answers provided by officers, are set out in Appendix 2 to these minutes. The Strategic Planning Manager clarified that the annual Schools subscription for the accreditation scheme referred to in question 3 of Appendix 2, would be £495 for the first year and £350 for future years.

A Member commended the permanent appointment of the Strategic Planning Manager as an employee of the District Council referred to in the response to question 2 of Appendix 2. In response to a follow-up question, the Strategic Planning Manager explained further the figures and reasons relating to the question regarding how many of the 100 homes identified for LAD1b have had energy efficient improvements completed by 21 March 2022? How many are in progress? How many are not yet started? He stated that a more detailed response could be obtained from the Environmental Services Manager and circulated to Members of the Committee.

Similarly, further explanation was given on the question regarding electric vehicle charging points and it was stated that a more detailed response could be obtained and circulated to Members of the Committee.

A Member referred to the potential handing back by the Combined Authority (CA) to Central Government of £100M of grant funding for home improvements which was being investigated by the CA Business Board.

In response to a question by a Member regarding 'No Mow May' for grass cutting, the Strategic Planning Manager agreed to obtain a response from the Facilities and Open Spaces Manager to be circulated to Members of the Committee.

A Member raised the following questions submitted in advance but not received due the change of DSO for the Committee:

1. Page 36, Item 7. Does the target extend over all of the Council's activities, or focus only on the Grange? Should not all Council assets and activities be included?
2. Page 37, Item 9: has a strategy for the allocation of the £1.75M been formulated?
3. Page 39, Item 12: what criteria were used to select these three EVCPs? How will the EVCPs be managed to prevent parking of the car beyond the time that full charge has been acquired?
4. Page 41, Item 16: is there any evidence that PGH or CLTs have changed their energy efficiency standards in the past year? What are the plans for the forthcoming developments at MOD II and Paradise Pool to mitigate climate change?
5. Page 58, Appendix 3: 'non-potable' not 'non-portable'; 'non' omitted from second mention of 'portable'; meaning of SLR besides being applied to cameras?
6. Page 59: first, third and fourth measures could only conscribed by changes to the Local Plan.

The Strategic Planning Manager agreed to obtain responses to be circulated to Members of the Committee.

A Member queried the benefits of Schools signing-up to the accreditation scheme and the Strategic Planning Manager stated that it was hoped that children would act as 'ambassadors', spreading the message and promoting climate change initiatives at home. The success of the scheme would be assessed at the end of the trial period.

Members commended the draft Plan.

It was resolved (unanimously):

That approval be given to:

1. the Council's third Environment and Climate Change Strategy and Action Plan, dated June 2022 (as attached at Appendix A to the submitted report).
2. the establishment of a full time, permanent, Climate Change and Natural Environment Officer.

11. PRIVATE SECTOR HOUSING ENFORCEMENT POLICY

The Committee considered a report, X12 previously circulated, containing the draft Private Sector Housing Enforcement Policy.

A number of questions relating to this item had been provided prior to the meeting from Members and these, along with answers provided by officers, are set out in Appendix 2 to these minutes.

A Member also raised the following questions submitted in advance but not received due the change of DSO for the Committee, which were responded to by the Senior Environmental Health Officer as detailed:

1. Page 5: is the Council aware of all landlords, or only those against whom a complaint has been lodged? *Response: There is currently no Government scheme for a national landlord register. In addition to those we are aware of as a result of a complaint, our database holds details of HMO licenced landlords and those landlords known to the Housing Team.*
2. Page 12, last paragraph: the implication here is that the landlord will always have an agent. *Response: this can be amended for the sake of clarity.*
3. Page 27: penultimate paragraph: is the banning order on the landlord or the property? If a landlord has more than one property, is the banning order applicable for all properties? *Response: The owner is banned.*

A Member raised questions on identifying private sector landlords and dwellings, and methods of ensuring that tenants were aware of their rights and the assistance available to them. They commented that the Council's webpages on the issue appeared to be reactive rather than proactive. The Chairman suggested that the webpages could be reviewed to see if any improvements could be made.

A Member queried how many of the 5,633 private sector dwellings identified belonged to Housing Associations. The Director Commercial agreed to obtain a response from the Housing Team and circulate to Members of the Committee.

In response to questions on what constituted a House in Multiple Occupation (HMO) for licensing purposes, the Senior Environmental Health Officer confirmed that this was a property of 5 or more people in 2 or more households.

It was resolved (unanimously):

1. That the draft Private Sector Housing Enforcement Policy attached at Appendix 1 to the submitted report be approved.
2. That the proposed new fee policies for Civil Penalties for Housing Act 2004 offences, Electrical Standards in the Private Rented Sector Regulations 2020, Energy Performance of Buildings Regulations 2007, Minimum Energy Efficiency (Private Rented Property) Regulations 2015, and The Redress Scheme for Lettings Agency Work and Property Management Work Order 2014, on Pages 34, 36 and 38 in the main body of the Policy and in Appendices 2, 3 and 4 to the submitted report be approved.
3. That a consultation period of 8 weeks from 20th June 2022 be agreed.

12. FOOD AND HEALTH & SAFETY SERVICE PLAN

The Committee considered a report, X13 previously circulated, containing the revised Service Plan 2022/23 in accordance with the requirements of the Food Standards Agency and Health & Safety Executive.

In response to a question by a Member regarding the challenging workload associated with the Service Plan, the Senior Environmental Health Officer stated that whilst there was a great deal of work to be undertaken post-Covid, he had a

very capable and committed Team and was confident that they could meet the targets contained within the Plan.

It was resolved (unanimously):

That the Food and Health & Safety Service Plan attached at Appendix 1 to the submitted report be approved.

13. QUARTER 4 PERFORMANCE REPORT FOR WASTE & STREET CLEANSING SERVICES

The Committee considered a report, X14 previously circulated, detailing the quarter 4 Performance for Waste & Street Cleansing Services by ECSS for the period January to March 2022.

Members welcomed the new Operations Manager ECSS, Shaun Bradshaw, and noted that he would be unable to answer detailed questions relating to this quarter due to starting with the Council only very recently. However, any unanswered questions would be taken away and responses obtained and circulated to all Members of the Committee.

A number of questions relating to this item had been provided prior to the meeting from Members and these, along with answers provided by officers, are set out in Appendix 2 to these minutes.

The Chairman referred to recent critical Press and Social Media posts regarding Waste and Recycling collection arrangements, and made the following statement:

“As Shaun is new to ECSS and is not any position to answer any follow up questions, I would ask that if anyone has any follow up questions that they could be submitted to James Khan who will deal with them on his return from leave. I would like to make the following statement in response to the comments made by Councillor Inskip on social media over the last week with regard to the Waste Service.

Councillor Inskip has again taken to social media to call for action on the Waste Service demanding that there are management meetings to adopt his ideas with regards to the current situation.

I would like to take this opportunity to set the record straight again.

Firstly, the National HGV shortage cannot have escaped anyone's notice. Councillor Inskip attributes our current staff shortages to wages. Actually, there is sickness among some of the crews which has resulted in 3 crews not able to get out in the last two weeks. Coupled with half term holidays it meant that at one point we were 7 drivers down.

The reference to the difference in salary paid to our drivers and that of a private business is based on a false assumption that the terms and conditions are the same. They are not, our crews are on Task and

Complete, a private company will be asking for a 37 or 40 hour week, we do not. There is no direct comparison.

Once again, the reference to the failure of the round configuration. "poorly executed" according to Councillor Inskip, frankly the minor tweak of 950 addresses out of 40 thousand households is not a failure, but a recognition that some rural rounds take longer than others. The assisted collections you refer to were addressed as soon as they were brought to the attention of the office staff.

Loaders and drivers over the years had been assisting some residents informally but these arrangements have now been formalised.

The In-Cab software that is referred to was being investigated just as Covid-19 struck so was put on the back burner, it has not been forgotten about and will be under consideration when things have settled down but it is not a cure-all and brings its own set of problems.

The timing of the reconfigured rounds could not be delayed any further as certain areas of the district were putting crews under unreasonable pressure.

There was never going to be a perfect time to do the reconfiguration, the summer brings its own issues with summer holidays and winter, the often-bad weather and increased sickness among crews.

So, to your demands Councillor Inskip:

There have been weekly meetings between John Hill, Anna Bailey, James Khan, Annette and myself for the last six weeks resulting in the following actions, with James Khan receiving daily support from John Hill and myself.

1-Additional management resources will be in place this week to assist James Khan and his team, they will be there as long as they are needed.

2-With effect from today an arrangement is in place with a Cambridge based recycling company who will pick up any missed collections and assist where necessary.

3- the Assisted Collection list has already been updated and will continue to be so as residents make contact.

4- There have been meetings between John Hill and the Union representative to ensure that the physical and mental well-being of all staff is being looked after.

5- We have been offering training to all staff since the service came back in-house not just in the last two years and to date it's been very successful, with our most recent successful candidate Justin Dillon passing his HGV test on Friday. As a result of Covid-19 the process now, instead of taking 3 months is currently taking anything from 9-12 months.

Agency staff have been sought and employed but it has not always been successful. This job is not for everyone with early starts, out in all weathers and dealing with things most of us would baulk at, personally, I salute each and every one of them. They have been magnificent under difficult circumstances we need to be supportive not critical.

I want you to be aware, Councillor Inskip that work has been going on tirelessly behind the scenes by hard working Officers to get the service back on track. Your constant criticism of what you regard as management failures does nothing to improve the morale of staff in the offices or those out on the rounds.

James Khan has in the last six weeks on more than one occasion spent all day in the office and then gone out in a vehicle to pick up missed collections after an agency driver lied about what he had done. Shaun has been out on many occasions acting as a driver and on one Saturday was responsible for single handedly collecting recycling bins in Fordham. I thank him and the whole team for their extraordinary efforts in the face of unusual levels of sickness and absence in the last two weeks.

I don't want you to think that anything that has been done or put in place has been done as a response to your criticism or suggestions, it was being done anyway because it was the right thing to do.

Just as a footnote, I notice that a tweet was sent about a chicken carcass covered in maggots that had been ripped from a black sack. Can I remind all residents that food waste should not be put into black sacks for that very reason. Food waste should go in the Green Bin wrapped in newspaper if possible. Personally, I have never had a black bag ripped open as I never put food waste in them."

The named Member then explained the background to his Social Media posts. He stated that he welcomed the news of the additional management support and additional short-term capacity and acknowledged the excellent work being undertaken by both loaders and drivers in very challenging conditions. However, he had examined why drivers were leaving and pay and conditions were a major factor. He had been approached by staff with their concerns and had seen the media reports by a former employee. Therefore, his action plan had been intended in the spirit of looking to address the issues raised. He genuinely believed that staff needed to be surveyed to obtain a proper assessment of their views, concerns, and the overall position on morale, to ensure that they felt listened to and to find a way forward. In addition, meaningful and current messaging was required to affected local residents, to ensure that they were aware of what was happening to address missed collections and when collections would take place.

The Leader of the Council thanked the Member for their explanation and action plan and gave an assurance that the issues raised were all being addressed. She expressed her pride at the service and performance standards of ECSS, which were a significant improvement on the previous contractor, and gave a

deep and heartfelt apology for the recent drop in service levels. These had been the result of a complex series of factors, including sickness absence due to Covid and other reasons, a shortage of HGV Drivers, round reconfiguration, but these issues were being addressed. This required both staff co-operation and the obtaining meaningful intelligence via consultation. These challenges were not unique to this Council, but were being faced by many Waste Collection authorities both locally and nationally. On the subject of recruitment issues, it was not possible to compare private companies to public sector operators. However, all aspects were being reviewed to bring the service back on track and it was hoped that all outstanding collections would be completed by the end of the current week. All Councillors were committed to returning to the 'gold standard' of service provided by ECSS until very recently and wanted to support Waste crews and staff who had been experiencing very tough times in recent weeks.

A number of Members commented on the need for improved and meaningful public communications on when missed collections in particular areas would be collected, due to widespread resident confusion. The Leader of the Council gave an assurance that the issue of public messaging was being considered, but Councillors could assist by advising the public to put their Waste out on the normal day and leave it there until collected. Mr Bradshaw stated that the clear-up Team was on schedule to complete all missed collections by the end of the week.

It was resolved:

That the quarter 4 Performance Report for Waste & Street Cleansing Services by ECSS for the period January to March 2022 be noted.

Councillor Jones left the meeting at 6.41pm and did not return.

14. ANNUAL REPORTS OF REPRESENTATIVES ON OUTSIDE BODIES

The Committee considered a report, X15 previously circulated, containing the annual reports of Council representatives on Outside bodies within the remit of this Committee.

A Member raised the following question submitted in advance but not received due the change of DSO for the Committee:

Page 6: one notes that there are no reports from the CAWS Lead Member. Is this through lack of attendance or through not submitting a report. Councillor Sharp mentions clashes of dates, and so would it be better to have representatives who are more able to attend?

Another Member queried the Council's representation on the Community Safety Partnership.

The Democratic Services Manager agreed to investigate and provide a response to Members of the Committee on both issues.

In response to a question by a Member regarding the differing types of representation on Sports Centre Management Committees within the District, the Democratic Services Manager reported that this would be dependent on the content of the constitutions of each body.

A Member commented that outside body substitute representatives would not submit an annual report if they did not attend a meeting during the year, and that this should be reflected in the annual report summaries.

It was resolved:

That the annual reports from Council representatives on Outside Bodies within the responsibility of the Operational Services Committee at Appendix 2 to the submitted report be noted.

15. ANGLIA REVENUES PARTNERSHIP JOINT COMMITTEE MINUTES

It was resolved:

That the Minutes of the ARP Joint Committee meeting held on 1 March 2022 be noted.

16. FORWARD AGENDA PLAN

The Committee received its Forward Agenda Plan. The Chairman reminded Members of the cancellation of 11 July 2022 Committee meeting and the need to add the VCAEC update presentation deferred earlier in the meeting to the Agenda Plan for the September meeting of the Committee.

It was resolved:

1. That the Forward Agenda Plan and cancellation of 11 July 2022 Committee meeting be noted.
2. That the VCAEC update presentation be added to the Agenda Plan for the September meeting of the Committee.

The meeting concluded at 6:47pm.

Chairman:.....

Date:

**OPERATIONAL SERVICES COMMITTEE 13 JUNE 2022
PUBLIC QUESTION TIME**

Waste Collections

**Wayne Braybrook
Witchford**

I'd like to submit a public question for the Operational Services Committee on 13th June please as an East Cambs resident (Witchford):

"Can the chair please explain why the refuse collections have gone so far awry with late or missed collections on an almost weekly basis since the change of routes, and what is being done to resolve the disruptions to the service?"

The implementation of round reconfiguration saw drivers and their crew collecting from areas they had not operated in before. This, as was anticipated, created a level of missed collections. As the rounds settle, and the crews become familiar with their new collection areas, the frequency of missed collections will reduce. ECSS is actively recruiting to its vacant HGV driver posts and is training current employees to become HGV drivers to provide further resilience to service delivery.

Mr Keith Squires

I have a question regarding the local bin collection in Witchford. Since you decided to change the collection day to 'reduce' the carbon footprint during these rounds I think we have only had one successful collection of both one of either the green or blue bin and black bag, every other week we have been at least one day behind the scheduled collection, and at least one collection was on our original day of collection on the Monday following, which is four days late. This is getting beyond a joke and this instead of reducing your carbon footprint you are potentially increasing it. I had the pleasure of speaking to one of the drivers of a collection wagon the other week now and he said that his wagon can only take 6ton of waste and the amount of houses now in Witchford and the increasing number being built this size of wagon will not be big enough.

So

How is this issue going to be resolved and how are you going to reduce the amount of missed collections?

The implementation of round reconfiguration saw drivers and their crew collecting from areas they had not operated in before. This, as was anticipated, created a level of missed collections. As the rounds settle, and the crews become familiar with their new collection areas, the frequency of missed collections will reduce and stability will return, as evidenced with the collections previously. It is expected that when the rounds have settled, crews will be working efficiently and therefore provide the anticipated carbon reductions.

Additionally, substantial shortages of staff have caused difficulties in deploying crews on some scheduled collection days.

ECSS is actively recruiting to its vacant HGV driver posts and is training current employees to become HGV drivers to provide further resilience to service delivery.

The Gross Vehicle Weight of a collection vehicle is 26 tonnes. However, each vehicles tare weight is different depending on the type of waste it is collecting. Due to the nature of recyclable waste and the difficulty in compacting this type of waste, vehicles collecting blue bins cannot carry the same amount of weight as those collecting residual or green waste.

Mrs Vanessa Wheeler

As a resident of Witchford Village, I would like to know what the council are going to do to resolve the issue of the missed bin collections?

We have been a resident of Witchford, since December 2021 and the bin collection has been diabolical. It took several months for the green bin collection to be resolved, and now has been resolved (maybe?) but today (1st June) now the blue bin collection has been missed and according to reports, several drivers have turned in for work for various reasons.

We pay a lot of money toward the council tax and yet, the council seemed to not be able to fulfil its duty in providing an adequate bin collection?

When will the council start to look into the issues at the bin collection depot and let residents know what is happening and what they are going to do to bring the service up to scratch?

The implementation of round reconfiguration saw drivers and their crew collecting from areas they had not operated in before. This, as was anticipated, created a level of missed collections. As the rounds settle, and the crews become familiar with their new collection areas, the frequency of missed collections will reduce and stability will return, as evidenced with the collections previously.

Additionally, substantial shortages of staff have caused difficulties in deploying crews on some scheduled collection days.

Employees are working overtime to catch up with outstanding collections and any spare resource deployed to assist.

ECSS is actively recruiting to its vacant HGV driver posts and is training current employees to become HGV drivers to provide further resilience to service delivery.

ECSS, the Council's customer service and communications teams are working together to ensure that information is shared with effected residents on a daily basis.

Helena Akerlund Sutton, Ely

The refuse collections have not worked properly since the change of dates earlier this year, and I believe some issues started earlier than this. I understand that the issue is with lack of staff, and would like to know what is being done to rectify this. I have been informed that the HGV drivers' salaries are below market rate and that staff morale is low. What is being done to improve things?

Uncollected bin bags end up being ripped apart by animals and the rubbish spread by the wind all over people's gardens. It is unpleasant and unsanitary. Furthermore, non-collected full recycling bins mean people have to resort to putting recycling in the black bags thus reducing the already low recycling rates.

Thank you for your time.

The implementation of round reconfiguration saw drivers and their crew collecting from areas they had not operated in before. This, as was anticipated, created a level of missed collections. As the rounds settle, and the crews become familiar with their new collection areas, the frequency of missed collections will reduce and stability will return, as evidenced with the collections previously.

Additionally, substantial shortages of staff have caused difficulties in deploying crews on some scheduled collection days.

Employees are working overtime to catch up with outstanding collections and any spare resource deployed to assist.

ECSS is actively recruiting to its vacant HGV driver posts and is training current employees to become HGV drivers to provide further resilience to service delivery.

Current rates of pay are comparable to those employed in similar job roles within the waste industry.

East Cambs recycling rate for 2021/22 was 56.6%. This rate saw East Cambs enter the top 25 authorities with the highest recycling rates in the country. Additionally, East Cambs has the highest recycling rate across all Cambridgeshire authorities.

Michelle Brown

Since changing our bin collection from a Monday to Thursday the collection has been very sporadic. Some collection has been made of either bin or bags but the last few weeks since change of collection day it has been a lottery if any/one or two collections will happen. Excuses vary week to week. Something needs to change surely?

The implementation of round reconfiguration saw drivers and their crew collecting from areas they had not operated in before. This, as was anticipated, created a level of missed collections. As the rounds settle, and the crews become familiar with their new collection areas, the frequency of missed collections will reduce and stability will return, as evidenced with the collections previously.

Nathan Jones

Could we please ask what is being done about the significant dip in service to the refuse collections in the East Cambs area, specifically Witchford as my home village. Since the collections change to Thursday the collections have become inconsistent and unreliable. Residents across the region are complaint and getting frustrated however the reasons given seem solvable with some better management of the service.

Before the date changes collections were reliable.

What is being done to publicly acknowledge the issue, it's clear there is one, and resolve it?

The implementation of round reconfiguration saw drivers and their crew collecting from areas they had not operated in before. This, as was anticipated, created a level of missed collections. As the rounds settle, and the crews become familiar with their new collection areas, the frequency of missed collections will reduce and stability will return, as evidenced with the collections previously.

Additionally, substantial shortages of staff have caused difficulties in deploying crews on some scheduled collection days.

Employees are working overtime to catch up with outstanding collections and any spare resource deployed to assist.

ECSS is actively recruiting to its vacant HGV driver posts and is training current employees to become HGV drivers to provide further resilience to service delivery.

ECSS, the Council's customer service and communications teams are working together to ensure that information is shared with effected residents on a daily basis.

Sarah Waddelow

The bin collections in Witchford, Haddenham, Sutton and surrounding areas recently moved to a Thursday, from the original collection date of Monday. Ever since this change went into operation the bins have not been collected on time, usually 2-3 days late, leading to rubbish scattered across the road as bags are waiting several days for collection.

What do the Council intend to do to correct this issue? Especially as this service should be funded by Council Tax payments!

The implementation of round reconfiguration saw drivers and their crew collecting from areas they had not operated in before. This, as was anticipated, created a level of missed collections. As the rounds settle, and the crews become familiar with their new collection areas, the frequency of missed collections will reduce and stability will return, as evidenced with the collections previously.

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ECSS, the Council's customer service and communications teams are working together to ensure that information is shared with effected residents on a daily basis.

David Bainsfair

The bin collections have dramatically deteriorated since the change to a Thursday collection date, which was supposed to improve the service.

What does the Council plan to do to rectify the late collections? Especially as rubbish is left in the street for several days, as usually no one at the Council offices knows what date the collection is going to happen.

The implementation of round reconfiguration saw drivers and their crew collecting from areas they had not operated in before. This, as was anticipated, created a level of missed collections. As the rounds settle, and the crews become familiar with their new collection areas, the frequency of missed collections will reduce and stability will return, as evidenced with the collections previously.

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ECSS, the Council's customer service and communications teams are working together to ensure that information is shared with effected residents on a daily basis.

Keith McCourt

Resident at Witcham Toll

This question is for the public services committee meeting. When is the waste collection issues going to be resolved?

To keep blaming labour issues is getting tiresome!

Where is the action plan to resolve the issue?

What is your standard operating practise for when you have a no show of labour?

Overtime - agency labour - labour linearity?

You have the results of an employee satisfaction survey and have done nothing to address any issues raised.

These amount of labour issues just reflects that you must be a very poor company to work for...

If this was a private sector company you wouldn't still be in your job roles with such an inept performance!

The implementation of round reconfiguration saw drivers and their crew collecting from areas they had not operated in before. This, as was anticipated, created a level of missed collections. As the rounds settle, and the crews become familiar with their new

collection areas, the frequency of missed collections will reduce and stability will return, as evidenced with the collections previously.

Additionally, substantial shortages of staff have caused difficulties in deploying crews on some scheduled collection days.

Employees are working overtime to catch up with outstanding collections and any spare resource deployed to assist.

ECSS is actively recruiting to its vacant HGV driver posts and is training current employees to become HGV drivers to provide further resilience to service delivery.

ECSS utilises agency workers to support the delivery of the services, especially during periods of staff absence. Due to the national shortage of HGV drivers, the supply of full time and agency drivers across the logistic industry is slim, increasing the difficulty to find suitable replacements.

**OPERATIONAL SERVICES COMMITTEE
13 JUNE 2022
QUESTIONS FROM MEMBERS OF COMMITTEE**

All questions below have been submitted by Councillor Mark Inskip

Item 8 – Environment Action Plan 2022

<p>Page 2, para 3.4: Given the dominance of 'fleet vehicles' in the generation of the authority's carbon dioxide emissions, what confidence is there that the 20-33% reduction by 2025/26 can be achieved without a major shift from ICE vehicles to BEV or other low zero carbon propulsion technologies?</p>	<p>Since the first Environment Plan of 2020, it has been recognised that the Council's 'fleet vehicles' dominate its carbon dioxide emissions and reducing such emissions is very challenging in the short term (see detailed explanation in the Operational Services Committee agenda paper of 18 January 2021). It was the dominance (and challenge) of our fleet vehicles which influenced being only able to set a relatively modest CO₂e reduction target by 2025/26, of 20-33%. Nevertheless, that target remains a realistic one, primarily based on: (a) reducing our emissions from other sources such as our buildings, via energy efficiency measures and PV solar panel installations; and (b) maximising the efficiency of our existing fleet vehicles, via, for example the more efficient waste collection routes, once these have fully bedded in. In addition, our 'Action 7' for 2022/23 includes looking at the potential of hydrotreated vegetable oil (HVO) fuel for some/all of our fleet vehicles, at potentially a 90% reduction in CO₂e emissions compared with diesel. If this is practical and affordable, it would potentially mean substantially exceeding the 20-33% target by 2025/26.</p>
<p>Page 3, para3.13: What is the duration of arrangements with Peterborough City Council to continue to provide a Strategic Planning Manager in the 'service lead' role. Will these arrangements continue through to the whole period of the updated Environment Plan? And are arrangements also in place for future years?</p>	<p>ECDC has had an arrangement with Peterborough City Council (PCC) since late 2014, initially for just planning policy, but for the past 2-3 years to also cover wider environmental support. The current arrangement has an end date of 31 March 2023, though provisions are included for earlier termination by either party. For the past few months, PCC has been undertaking an internal review of its own planning services, and this has triggered the opportunity for the two parties to review the shared staffing arrangements. As a first step, from 9 June 2022, the ECDC Strategic Planning Manager 'service lead' (covering planning policy and the environment plan) is now a directly employed full time permanent ECDC post. At the time of publishing the agenda report in late May, this change was not confirmed, and therefore not reflected in para 3.13. Any further changes in the arrangements are a matter for discussion between the two parties over the coming months.</p>

<p>Environment Plan (Year 3), page 34: What will the annual subscription be for schools to remain signed up to the accreditation scheme in future years? What funding sources are available to them for future years?</p>	<p>Whilst the fees are set independent of ECDC, the typical present annual subscription on a single school basis is around £495 pa. Depending on the uptake and success of this current trial year subsidised by ECDC, then: (a) schools could simply subscribe directly themselves for future years; (b) ECDC could seek to secure a ‘bulk buy’ discount rate for East Cambridgeshire schools; or (c) ECDC could continue to subsidise, in whole or part, the annual subscription, up to a ceiling point. If schools fund the subscription themselves, it is unknown what funding sources are available to them to do this, though it is worth noting that the national curriculum is changing so as to have a greater emphasis on teaching about climate change and the natural environment from 2022, and the eco-schools programme could be a cost-effective way of meeting such new requirements (see https://www.gov.uk/government/publications/sustainability-and-climate-change-strategy-for-the-wider-national-climate-change-strategy-for-the-education-system, launched April 2022).</p>
<p>Environment Plan (Year 3), page 35: When is the log of the new grass cutting and wildflower management arrangements expected to be published in the council’s website?</p>	<p>We will target achieving this during summer 2022.</p>
<p>Environment Plan (Year 3), page 36: What is the absolute reduction in the carbon footprint of the Grange achieved with LED light and secondary double-glazing measures? What percentage reduction is this in the overall energy usage for The Grange?</p>	<p>LED Lighting: The bulbs introduced have an ‘in use’ total wattage reduction of around 75% compared with the bulbs previously in place, primarily as they are more efficient, but also partly as they are brighter and therefore less bulbs are now required to light a room effectively. The absolute reduction in emission terms is unknown, as the lights are not on an independent meter reading.</p> <p>Secondary double-glazing: It is not possible to precisely quantify the emission savings as a result of the new glazing, other than estimations via monitoring emissions arising from use of gas heating. However, even this is prone to a number of variables, including: behavioural change; cold/warm winter weather; and covid legacy (windows were left open during pandemic peak for ventilation reasons). Overall, we expect to see gas usage fall as a consequence of the glazing, but this will take a number of years of monitoring and seasonal weather adjusting to be certain. Anecdotally, however, some staff</p>

	have reported noticeable differences, as well as reporting benefits from reduced external noise interruption.
Environment Plan (Year 3), page 36: Will other opportunities be explored for ECDC to operate its own renewable energy infrastructure or is E Space North the only scheme expected to be implemented?	In short, yes, we will. Action 4, for 2022/23 states that, in addition to E Space North, we will “investigate further opportunities for additional PV panel installation on ECDC’s land and buildings, with a particular target being the roof space of The Hive leisure centre”.
Environment Plan (Year 3), page 37: How many of the 100 homes identified for LAD1b have had energy efficient improvements completed by 21 March 2022? How many are in progress? How many are not yet started?	As this is a wider consortium project, we do not have the precise figures at this date, though the consortium is working hard to get as many done as possible by the revised deadline of 30 June 2022. It appears highly unlikely the initial target of 100 homes will be met, primarily due to the revised terms set by government during the programme, which, for example, made improving the efficiency of park homes virtually impossible under this grant scheme. Overall, we are expecting 30-45 properties to be retrofitted in East Cambridgeshire under LAD1b by 30 June 2022, with most now underway. Some of the upper end of this revised target may slip into the newer LAD3/HUG schemes instead. Whilst LAD1b has undoubtedly been a frustrating programme for us (as it has been nationally), it did have the benefit, locally, of strengthening our consortium and knowledge of the widescale retrofit challenges we face, which has helped considerably as we move away from LAD1b to other programmes.
Environment Plan (Year 3), page 38: What carbon reduction has been achieved in the past year with Action 9?	Action 9 for 2021/22 (energy efficiency of existing housing stock) will not result in any carbon reductions for ECDC as an organisation, but was, instead, aimed at reducing carbon emissions of residents in the district. It is impossible to precisely quantify the emission reductions arising from this programme. However, and whilst this is prone to a huge number of variables, a comprehensive retrofit scheme for a typical residential property would perhaps target a 50% reduction in emissions arising. If the home was built in the last 5-10 years, that % figure would likely be less, whereas an older home that had had no meaningful energy efficient measures installed previously could easily exceed such a 50% reduction. A typical UK household emits around 3.2 tonnes CO ₂ e on average for the energy it uses in the home (gas, electricity, oil), so a 50% reduction would save 1.6 tonnes CO ₂ e per property per year.

<p>Environment Plan (Year 3), page 38: In the first two full months of operation what reduction has been achieved in the number of litres of diesel used compared to the same period last year and what does this represent in tonnes of CO2 saved?</p>	<p>It is acknowledged that in the first few months of operation of the revised waste collection routes, both residents and our operators had to familiarise themselves with the new arrangements, and inevitably this has led to a higher level of 'missed collections' being reported, and vehicles having to respond to such. The full efficiency savings were therefore never anticipated to be achieved in the initial months, and the preliminary fuel use data we have since the revised routes were introduced is showing this to be the case, with similar levels of fuel being used as previous. However, once the routes have settled down, we then expect to see the forecast 1 tonne per month CO2e saving to be achieved.</p>
<p>Environment Plan (Year 3), page 39: How are the installation costs for the new EVCPs funded? Is BP Pulse still planned to be the operator? And if yes what actions have been taken to address previous concerns raised regarding the availability (up-time) of the EVCPs and customer service concerns?</p>	<p>The installation costs of the EVCPs are 100% government grant funded, following a successful (albeit lengthy) grant application process. BP Pulse are the planned operator, though prior to contract finalisation we are requiring additional written commitments to ensure we receive not only the EVCPs as expected but also a high quality customer service, together with appropriate 'penalty clauses' should service not be as expected.</p>
<p>Environment Plan (Year 3), page 39: What is the power delivery specification (kW) of the EVCPs to be installed?</p>	<p>7kW chargepoint units with Type 2 connection at each location. Typically, this will mean around 8 hours to charge a car from empty to full, though of course less time for just a top up or partial charge.</p>
<p>Environment Plan (Year 3), page 39: What arrangements will be put in place to limit the duration of use of the EVCPs to maximise the number of EV users who can benefit from them?</p>	<p>We have not yet finalised the maximum permitted stay in the EVCP bays, though the grant funding stipulates that a 4 hour stay should be allowed, as a minimum. This minimum period could also be set as the maximum, but that has not yet been determined.</p>
<p>Environment Plan (Year 3), page 39: What plans does the council have for workplace based</p>	<p>Action 9 for 2022/23 states our intention to: "Prepare a Travel Plan for the Council which aims to reduce car use to and from the Councils offices, both in terms of staff commuting as well as business related travel, and explore opportunities to offer incentives to staff to take up low</p>

<p>EVCPs to encourage employees to switch to EVs?</p>	<p>carbon modes of travel.” As part of that, it is anticipated that measures to encourage electric car take up by staff will be included.</p>
<p>Environment Plan (Year 3), page 39: What is the percentage of the working week and number of staff who are now working from home compared to pre-COVID pandemic? What is the estimate of the overall reduction in commuting achieved to date by actions to embed a culture of home working to reduce commuting?</p>	<p>Whilst we don't readily have precise statistics available, typically staff are now working on average 1-2 days per week from home (apart from those which, due to the nature of their work, they cannot work from home), which is much higher than pre-covid pandemic when only very limited home working was undertaken. Typically, those with longer journeys from home appear more likely to do more working from home, which obviously has a greater emission saving than a saving from a more local journey. Anecdotally, the staff car park is slightly less busy than pre-pandemic, which again signals a reduction in staff commuting to the office. Pulling these together, a very rough estimate is perhaps a 20-30% reduction in total staff commuting emissions, though this is not based on detailed data. Staff travel for business purposes has seen a greater reduction, with virtual meetings continuing as a 'norm' rather than a pandemic 'necessity'. Action 9 for 2022/23 (Travel Plan for the Council) will review available data more thoroughly, and seek to reduce staff travel emissions overall.</p>

Item 9 – Housing Enforcement Policy

<p>How is the authority able to identify private landlords? And what proportion of private landlords does the council believe it has identified?</p>	<p>The Council does not hold data on all private landlords in the District and therefore estimating the proportion known at any point in time, is difficult. The 2021 Housing Stock Modelling Report advises that there are 37,556 dwellings in East Cambridgeshire of which 15% were estimated to be in the private rented sector. This is 5633 dwellings and as it is likely that the majority of private landlords will only own 1 property for rent, rather than a large portfolio, and these landlords may use agents such as Cheffins to manage their properties. There is no requirement for landlords to be registered or licensed by the local authority if they are operating a single family let or a small house in multiple occupation. As a very rough estimate I would suggest we know about <5% of the number of private landlords. Further difficulties with understanding up to date numbers of private landlords arises as properties will move into and out of the rental market. The Housing Advice Team have contact details for the private landlords that they liaise with, and Environmental Health have contact details for landlords of licensed HMO's and</p>
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	<p>those landlords whom we have had to contact in the past, as a result of a complaint being received about housing conditions from a tenant. Whilst there is no requirement for private landlords of all types of rented property to register with the local authority at the present time, the Government will be publishing a White Paper in the spring and it may contain proposals for introducing a National Landlord Register. Details are awaited.</p>
<p>What actions does the council take to ensure tenants are aware of their rights and the duties of their landlords as detailed in the Private Sector Housing Environment Enforcement Policy?</p>	<p>We offer a reactive service to complaints about housing conditions and provide full details of the requirements on landlords to provide safe housing, when tenants come through to us. House inspections are undertaken as required. Whenever Housing Options Officers are dealing with general tenant enquiries they direct them to Env Health if any specific concerns or queries are raised about the condition of the property. The Community Advice Service is another tool by which to reach out to tenants and there is information on all aspects of housing conditions on the website and what tenants should expect when renting a property. The website will need updating following adoption of the new Housing Enforcement Policy, with information on rights and requirements under the new Electrical Safety Regulations and Minimum Energy Efficiency Standards etc. Env Health will be producing new leaflets for distribution and for use by the Community Advice Service, at future community events, landlord forums etc.</p>

Item 11 Quarter 4 2021/22 Performance Report for the Waste and Street Cleansing Services

<p>Page 1, para 3.2: How many HGV drivers should ECSS have for refuse collection if there were no vacancies? How many HGV drivers should ECSS have for street cleansing if there were no vacancies? How many HGV driver vacancies are there currently for refuse collection? How many HGV driver vacancies are there currently for street cleansing? When is it expected that those loaders undertaking HGV training will have completed that training and be able to work as drivers? What steps have been taken</p>	<p>When all full time LGV driver positions are filled, the split of resource is as follows: Waste collections: 12 Class C Drivers 2 Class C1 Drivers Street Cleansing: 3 Class C Drivers 1 Class C1 Driver As drivers are able to be deployed across both services, vacancies are totalled across both services. The number of current HGV vacancies is three.</p>
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<p>to discourage a newly qualified HGV driver from leaving ECSS for another HGV role with another employer?</p>	<p>Currently, there are two ECSS employees undertaking training to become an HGV driver. One of them has passed their test (Friday 10 June), with the other currently training for their theory test.</p> <p>Employees who enrol into training through ECSS sign a training agreement, stating they will remain with the organisation for the next two years.</p>
<p>Page 1, para 3.3: What evidence is available to substantiate the statement that residents were able to reduce the amount of green waste they generated? How many additional journeys were made by residents to their local Household Recycling Centre when the green waste collections were suspended?</p>	<p>Comparing the total tonnages of recyclable waste from each month with Q4 evidences a reduction during the suspension and then an influx after its return. This increase is a reduction on the same timeframe from the previous year. The total tonnages for non-recyclable waste also evidences a reduction from the same period last year. These figures indicate that less green waste was produced, supported by there being no increase in non-recyclable waste, show that either less waste was produced or other methods of disposal were utilised, like home composting and using HRCs.</p> <p>ECSS does not hold any information in relation to the number of trips residents took to HRCs during the suspension of the service.</p>
<p>Page 2, para 3.7: When is the new contract for the reprocessing of recyclable material expected to be agreed given the current contract expires in September? What, if any, are the significant changes expected in the new contract?</p>	<p>ECDC had exercised their right to extend the current MRF contact until August 2024.</p>
<p>Page 3, para 4.1: What would the “Collections complete successfully” KPI be if calculated to include green bins collections throughout December 2021 and January 2022? What was the total revenue impact of issuing reductions to residents with brown bins to compensate for suspended collections? Can more details be provided of the 38% of Street Cleansing work that was not completed as scheduled? For</p>	<p>If non-scheduled green waste collections were factored into the successful collection rate during the timeframe of the suspension, the overall collection rate would be 87%.</p> <p>ECSS provided additional green bin users with a £7.50 reduction on their renewal fee due to the suspension of the service. The total amount of discount applied to renewals for 2022/23 was £8,115</p>

<p>example, reduction in frequency of litter and dog bin emptying, street sweeping not performed etc.</p>	<p>Due to staffing absences, the large road sweepers used across the district were not deployed throughout Q4. This is where a majority of the non-completion of street cleansing work lays. In addition, areas such as flytipping and general litter clearance were not able to be completed within the SLA timeframe, further affecting the overall statistic. The majority of litter and dog bins continued to be completed on schedule.</p>
<p>Page 3, para 4.6: The Memorandum of Agreement between ECDC and ECSS had a target for the 2021/22 recycling rate of 59%. Why is the achieved figure for 2021/22 only 56.6% and what actions are being taken to bring rates up to those targets agreed with the MOA was signed?</p>	<p>The district recycling rate fluctuates substantially through the year and during particular quarters, the 59% target has been achieved. However, due to the natural fluctuations in tonnage produced by residents, sustaining this high-level target for the entirety of the year is difficult. ECSS's development team use educational and promotional methods to sustain this high recycling rate and well as assist in increasing it. Maintaining the same rate for two consecutive years is very positive and highlights that the method used locally, as well as nationally remain effective. The Development team will continue to utilise a variety of method to sustain and increase this rate in future years.</p>
<p>Page 4, para 4.9: How many staff should be in the development team? How many staff were in place at the start of the quarter? How many staff were in place at the end of the quarter?</p>	<p>ECSS's development team consists of two employees, a Development Manager and Development Officer.</p> <p>At the start of Q4 only the Development Officer was in post. At the end of the Q4, both positions were filled, with the Development Manager operating part time.</p>

OUTTURN BUDGET MONITORING REPORT 2021/22

Committee: Operational Services Committee

Date: 12th September 2022

Author: Finance Manager

[X52]

1. ISSUE

1.1 This report provides Members with details of the financial position for services under the Operational Services Committee.

2. RECOMMENDATION (S)

2.1 Members are requested to note that the Committee had an underspend in the year of £321,636 when compared to its planned budget of £5,559,244.

2.2 Members are further requested to note that the Committee had a capital programme outturn of £480,750. This is £2,840,544 lower than its revised budget.

3. BACKGROUND/OPTIONS

3.1 Under Financial Regulations each policy committee is required to consider financial performance against both its revenue and capital budget on a quarterly basis.

3.2 This is the yearend report for the 2021/22 financial year and details actual expenditure incurred and income received as at 31st March 2022.

Revenue

3.3 The revenue budget for each service that falls under the stewardship of this Committee has been reviewed with appendix 1 detailing the yearend outturn position for each service line.

3.4 The net revenue expenditure for this Committee at yearend was £5,237,608. This reflects an underspend of £321,636 when compared to the approved budget. Within this there were several forecast variations on service lines, as detailed in the table on the next page.

Service	Forecast Outturn Variance £	Explanation
Community Projects & Grants	(£51,446)	Local clubs, groups and venues are continuing to recover and get back to normal after Covid-19, but requests for project grants were below the level of funding available.
Customer Services	(£17,648)	The underspend is a result of a part time vacancy within the team. Covid-19 resulted in fewer face to face visitors in the Council offices than prior to the pandemic, and this situation did not change towards the end of the financial year even when restrictions reduced.
Environmental Issues Health – Admin & Misc.	£13,775 (£17,014)	Changes to staff responsibilities over the past year involving the undertaking of Covid-19 projects, has meant savings / overspends in different parts of the Environment budget. Overall the Environment budget was £4,000 underspent.
Homelessness	(£176,292)	This variance is the result of savings on staff costs where staff have been redeployed onto Covid-19 and homelessness related tasks which have been funded from other external funding sources. This resulted in savings on the main budget.
IT	£39,620	This relates to an increased spend on hardware and licences.
Marketing & Grants	(£13,067)	There was an underspend in marketing costs as a result of not using external resources, with activities being completed using core ECDC staff.
Performance Management	(£10,400)	This relates to a booklet which in previous years has been sent to all households in East Cambs, this was not produced in 2021/22.

Planning	(£88,283)	Planning continued to receive an increased number of applications then experienced in recent years, some of which are higher fee earners. The Council had a number of Public Inquiries and Appeal Hearings in the last three months of the financial year and this has impacted on the forecast which had previously been projected.
Public Relations	(£21,128)	The transition from contractor to in-house provision resulted in a saving in costs in year.
Refuse Recycling	(11,348)	This relates to receipt of funding negotiated by RECAP in settlement of a previous dispute.
Travellers	£30,612	There was an overspend in site repairs at the Council's traveller's sites.

Capital

- 3.5 The revised capital budget for Operational Services Committee is £3,321,294; including £398,101 of slippage brought forward from 2020/21 and additional Disability Facilities Grant (DFG) of £81,894.
- 3.6 While we await more details of the Government's Waste Strategy, capital spending on Waste vehicles has been delayed, with no spend during 2021/22. This budget has been carried forward to be used in 2022/23.
- 3.7 There is an underspend on Disability Facilities Grant (DFG) spend, where as a consequence of the Covid-19 pandemic, the amount of work that has been undertaken in the past two years, has been greatly reduced especially in times of restrictions, when builders etc. were unable to enter properties to undertake improvements.
- 3.8 There is an overspend on vehicle replacements, where Housing have purchased a community bus (£35,000) which has been funded from Government Covid-19 grant.
- 3.9 Further, £1.1 million of CIL funding has been received and allocated against the historical Leisure Centre (internal borrowing) build costs in 2021/22, thus reducing the borrowing requirement for this scheme.

4. FINANCIAL IMPLICATIONS / EQUALITY AND CARBON IMPACT ASSESSMENTS

- 4.1 The final yearend position is that the Committee's net revenue expenditure will be £321,636 underspent.
- 4.2 An equality Impact Assessment (INRA) is not required.
- 4.3 A carbon Impact Assessment (CIA) is not required.

5. APPENDICES

- 5.1 Appendix 1 – Revenue budget monitoring report – 31st March 2022.
- 5.2 Appendix 2 – Capital budget monitoring report – 31st March 2022.

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer</u>
Budget Monitoring Report Preparation Documents	Room 104 The Grange Ely	Ian Smith Finance Manager Tel: (01353) 616470 E-mail: ian.smith@eastcambs.gov.uk

OPERATIONAL SERVICES COMMITTEE BUDGET MONITORING REPORT - 31st March 2022

Revenue	Total Budget 2021-22	Actual to 31 March 2022	Variance	Projected Outturn December 2021
	£	£	£	£
Building Regulations	17,696	9,661	(8,035)	
CIL	--	--	--	
Civic Amenities Act	11,671	9,703	(1,968)	
Climate Change	100,000	100,000	--	
Community Projects & Grants	179,585	128,139	(51,446)	(20,000)
Community Safety	57,002	57,562	560	
Cons.Area & Listed Buildings	60,967	65,342	4,375	
Customer Services	460,037	442,389	(17,648)	(22,500)
Dog Warden Scheme	34,443	33,119	(1,324)	
Ely Markets	--	--	--	
Emergency Planning	28,374	31,060	2,686	
Environmental Issues	91,486	105,261	13,775	
Health - Admin. & Misc.	410,201	393,187	(17,014)	
Homelessness	343,080	166,788	(176,292)	(60,000)
IT	801,664	841,284	39,620	20,000
Leisure Centre	(241,113)	(233,325)	7,788	
Licencing	2,499	(4,397)	(6,896)	
Marketing & Grants	70,094	57,027	(13,067)	
Neighbourhood Panels	1,500	18	(1,482)	
Nuisance Investigation	75,315	79,516	4,201	
Performance Management	10,400	--	(10,400)	
Pest Control	9,341	9,289	(52)	
Planning	6,808	(81,475)	(88,283)	(110,000)
Public Relations	75,917	54,789	(21,128)	
Refuse Recycling	1,006,700	995,352	(11,348)	
Refuse Collection	1,201,511	1,200,881	(630)	
Street Cleansing	703,258	703,258	--	
Street Naming & Numbering	6,841	10,066	3,225	
Travellers Sites	(21,750)	8,862	30,612	10,000
Tree Preservation	55,717	54,252	(1,465)	
Revenue Total	5,559,244	5,237,608	(321,636)	(182,500)

CAPITAL OUTTURN 2021/22

Capital	Published Budget 2021-22 £	Slippage from 2020-21 £	Approved Additions £	Revised Budget 2021-22 £	Outturn £	Variance between Revised Budget & Forecast £
Conservation Area Schemes - 2nd round		27,506		27,506		(27,506)
Refuse & Cleansing Vehicles	2,000,000			2,000,000		(2,000,000)
Waste - Wheelied Bins	40,000			40,000	60,024	20,024
Mandatory Disabled Facilities Grants	697,299	370,595	81,894	1,149,788	333,992	(815,796)
Empty Properties, Discretionary DFGs, Minor Works, Home Repair Asst.	75,000			75,000	43,984	(31,016)
Vehicle Etc. Replacements	29,000			29,000	42,750	13,750
Leisure Centre				0	0	0
Total	2,841,299	398,101	81,894	3,321,294	480,750	(2,840,544)

SOURCES OF FINANCING	Published Budget 2021-22 £	Slippage from 2020-21 £	Approved Additions £	Revised Budget 2021-22 £	Variances £	Outturn £
Grants - DFG	526,577	105,455	81,894	713,926	(379,934)	333,992
Revenue Contributions					35,000	35,000
Capital Receipts	265,722	292,646		558,368	(458,360)	100,008
Borrowing	2,000,000			2,000,000	(3,180,447)	(1,180,447)
Section 106 / CIL	49,000			49,000	1,143,197	1,192,197
Capital Funding Total	2,841,299	398,101	81,894	3,321,294	(2,840,544)	480,750

QUARTER 1 BUDGET MONITORING REPORT

Committee: Operational Services Committee

Date: 12th September 2022

Author: Director, Finance

[X53]

1. **ISSUE**

- 1.1 This report provides Members with details of the financial position for services under the Operational Services Committee.

2. **RECOMMENDATION (S)**

- 2.1 Members are requested to note that this Committee is currently projecting an £140,000 underspend variance to the end of the year on revenue, when compared to its planned budget of £5,802,153.
- 2.2 Members are further requested to note that the Committee has a projected capital programme outturn of £1,789,580. This is an underspend of £1,916,271 when compared to its revised budget.

3. **BACKGROUND/OPTIONS**

- 3.1 Under Financial Regulations each policy committee is required to consider projections of financial performance against both its revenue and capital budget on a quarterly basis.
- 3.2 This is the first quarter report for the 2022/23 financial year and details actual expenditure incurred and income received as at 30th June 2022 and current projections as to the year-end position.

Revenue

- 3.3 The revenue budget for each service that falls under the stewardship of this Committee has been reviewed with appendix 1 detailing the current variance and forecast outturn for each service line.
- 3.4 The significant variances of actual spend compared to profiled budgeted spend at the end of June, where no variance is forecast for yearend, are detailed in the table on the next page:

Service	Variance £	Explanation
Community Infrastructure Levy (CIL)	(£2,228,147)	CIL transactions are treated as a revenue income or expense during the year, but any balance on the account at yearend will be transferred to reserve
Community Safety	(£24,360)	Rolled forward income from 2021/22 (PCC & Community Safety) will be used to pay for these activities in 2022/23
Travellers Sites	£27,047	Maintenance costs have been above profile in the first quarter, but are expected to now stabilise
Environmental Issues Health- Admin & Miscellaneous	(£12,404) (£145,705)	Grants from 2021/22 rolled forward
Homelessness	(£688,387)	Roll Forward of previous years grant
Leisure Centre	£412,954	The invoice to GLL for the 2021/22 management fee has not yet been raised as we await VAT advice.
Marketing and Grants	(£18,767)	Grants for town councils will be paid shortly
Refuse Recycling	(£17,545)	This relates to the additional costs associated with additional bins, this will be forwarded on to ECSS during the next quarter

3.5 The net revenue expenditure for this Committee at yearend is forecast to be £5,662,153. This reflects a forecast £140,000 underspend when compared to the approved budget. This is the combination of three forecast variations on the service lines, as detailed in the table below.

3.6 It should be noted that the current expectation is that the Local Government pay award, once agreed, will be higher than that built into the budget in February (2%). This additional cost will ultimately show on individual service lines and so impact this report, but for the time being until the pay award has been settled, an overall allowance is being shown on the Finance & Assets report.

Service	Forecast Outturn Variance £	Explanation
Building Regulations	(£25,000)	Increase in income due to the relaxation of the pandemic rules

Planning	(£100,000)	We have received a number of higher fee earning applications as the number of major applications have increased in the first quarter of 2022/23.
Customer Services	(£15,000)	Savings due to apprentice & Web Teams vacancies in quarter one.

Capital

- 3.7 The revised capital budget for Operational Services Committee stands at £3,705,851; including £214,764 of slippage brought forward from 2021/22. The slippage amount is included in this report for information, but is subject to formal approval by Finance and Assets Committee at their next meeting.
- 3.8 The main yearend forecast is in relation to Waste vehicles, while it remains highly likely that new vehicles will be purchased during 2022/23 because of the time lapse between order and delivery, it is already thought unlikely that these vehicles will be delivered and in operation before the end of March 2023.
- 3.9 The cost of vehicle purchases will be higher this year than budgeted as ECTC have replaced a number of their vehicles. The costs of these are initially met from Section 106 contributions, with the Council benefiting from the hire charge it makes to ECTC for the vehicles' use over their useful life.

4. FINANCIAL IMPLICATIONS / EQUALITY AND CARBON IMPACT ASSESSMENTS

- 4.1 The current forecast is that the Committee's net revenue position will be an underspend of £140,000 at the end of the financial year.
- 4.2 An equality Impact Assessment (INRA) is not required.
- 4.3 A carbon Impact Assessment (CIA) is not required.

5. APPENDICES

- 5.1 Appendix 1 – Revenue budget monitoring report – 30th June 2022.
- 5.2 Appendix 2 – Capital budget monitoring report – 30th June 2022

Background Documents
Budget Monitoring Report
Preparation Documents

Location
Room 104
The Grange
Ely

Contact Officer
Ian Smith
Director, Finance
Tel: (01353) 616470
E-mail: ian.smith@eastcambs.gov.uk

OPERATIONAL SERVICES COMMITTEE BUDGET MONITORING REPORT - JUNE 2022

Revenue	Total Budget 2022-23	Profiled Budget to 30 June 2022	Actual to 30 June 2022	Variance	Forecast Outturn	Variance between Total Budget & Projected Outturn
	£	£	£	£	£	£
Building Regulations	30,900	7,725	(20,007)	(27,732)	5,900	(25,000)
CIL	-.-	-.-	(2,228,147)	(2,228,147)	-.-	
Civic Amenities Act	9,828	2,457	2,370	(87)	9,828	
Climate Change	100,000	25,000	32,537	7,537	100,000	
Community Projects & Grants	189,099	36,497	33,542	(2,955)	189,099	
Community Safety	57,661	(4,495)	(28,855)	(24,360)	57,661	
Cons.Area & Listed Buildings	64,569	16,142	17,039	897	64,569	
Customer Services	493,405	127,278	95,926	(31,352)	478,405	(15,000)
Dog Warden Scheme	36,022	8,943	8,244	(699)	36,022	
Ely Markets	-.-	-.-	-.-	-.-	-.-	
Emergency Planning	28,665	1,925	7,411	5,486	28,665	
Environmental Issues	146,705	30,935	18,531	(12,404)	146,705	
Health - Admin. & Misc.	423,589	103,456	(42,249)	(145,705)	423,589	
Homelessness	377,911	(141,149)	(829,536)	(688,387)	377,911	
IT	872,889	346,937	343,332	(3,605)	872,889	
Leisure Centre	(471,469)	250	413,204	412,954	(471,469)	
Licencing	11,835	2,734	9,204	6,470	11,835	
Marketing & Grants	73,229	49,222	30,455	(18,767)	73,229	
National Practitioner Support Programme	-.-	-.-	-.-	-.-	-.-	
Neighbourhood Panels	1,500	-.-	45	45	1,500	
Nuisance Investigation	80,306	20,077	19,965	(112)	80,306	
Performance Management	10,400	-.-	-.-	-.-	10,400	
Pest Control	9,866	2,467	2,364	(103)	9,866	
Planning	144,837	35,653	(154,628)	(190,281)	44,837	(100,000)
Public Relations	102,779	25,695	24,767	(928)	102,779	
Refuge Recycling	1,051,426	155,163	153,184	(1,979)	1,051,426	
Refuse Collection	1,237,556	309,389	291,844	(17,545)	1,237,556	
Renovation Grants	-.-	-.-	-.-	-.-	-.-	
Street Cleansing	724,356	181,089	181,254	165	724,356	
Street Naming & Numbering	16,289	4,072	(5,247)	(9,319)	16,289	
Travellers Sites	(22,000)	(15,595)	11,452	27,047	(22,000)	
Tree Preservation	-.-	-.-	-.-	-.-	-.-	
Revenue Total	5,802,153	1,331,867	(1,611,999)	(2,943,866)	5,662,153	(140,000)

CAPITAL BUDGET MONITORING 2022/23

Capital	Published Budget 2022-23 £	Slippage from 2021-22 £	Approved Additions £	Revised Budget 2022-23 £	Actual at 30th June 2022 £	Forecast Outturn £	Variance between Revised Budget & Forecast £
OPERATIONAL SERVICES							
Conservation Area Schemes - 2nd round		27,506		27,506		27,506	0
Refuse & Cleansing Vehicles	2,000,000			2,000,000		0	(2,000,000)
Waste - Wheelied Bins	40,000			40,000	14,786	40,000	0
Mandatory Disabled Facilities Grants	1,347,087	166,008		1,513,095	74,029	1,513,095	0
Empty Properties, Discretionary DFGs, Minor Works, Home Repair Asst.	75,000			75,000	19,204	75,000	0
Vehicle Etc. Replacements	29,000	21,250		50,250	133,979	133,979	83,729
Leisure Centre				0		0	0
Total	3,491,087	214,764	0	3,705,851	241,998	1,789,580	(1,916,271)

SOURCES OF FINANCING	Published Budget 2022-23 £	Slippage from 2021-22 £	Approved Additions £	Revised Budget 2022-23 £	Variations £	Forecast Outturn £
Operational Services						
Grants / Contributions (DFG)	716,942	271,463		988,405		988,405
Capital Receipts	745,145	(77,949)		667,196		667,196
Borrowing	2,000,000	0		2,000,000	(3,000,000)	-1,000,000
Section 106 / CIL	29,000	21,250		50,250	1,083,729	1,133,979
Capital Funding Total	3,491,087	214,764	0	3,705,851	(1,916,271)	1,789,580

BUILDING CONTROL FEES AND CHARGES REVIEW

Committee: Operational Services Committee

Date: 12 September 2022

Author: Building Control Team Leader

[X54]

1.0 **ISSUE**

1.1 To consider the review of the Building Control Fees and Charges and the proposed Building Control Fees and Charges.

2.0 **RECOMMENDATION(S)**

2.1 Members are requested to:

- i) Approve the Fees and Charges as set out in Appendix 1 to take effect from 1 January 2023; and
- ii) Note the future review to be undertaken during the year 2025.

3.0 **BACKGROUND/OPTIONS**

3.1 The Council's Building Control Service has a long and proud standing within the local community and provides a first class service to all of its customers.

3.2 Building Control Fees and Charges were last reviewed in 2018. During 2021/22 the Building Control Team Leader commenced a review of the fees and charges and this review has now concluded.

3.3 Since the last review the complexities of the work that is undertaken by the Service has increased significantly.

3.4 In conducting the review three main aims and objectives were identified:

- 1. Establish whether the existent fees and charges accurately reflect the work being carried out;
- 2. Identify any shortfall; and
- 3. Ensure that the income sufficiently covers the cost of the service.

4.0 **REVIEW**

Existing Fees and Charges

4.1 The most recent approved fees and charges were approved by Council in February 2022, the only increase from 2021 was a small inflation increase. The

Council's published budget stated that the fees and charges were being reviewed and the Operational Services will consider the outcome of the review.

There are two 2 main ways an application can be submitted to the Council; Full Plans and Building Notice.

4.1.1 Full Plans

A full plans application is a 2 stage application process whereby the plan fee is paid upon submission of the application and a check of all of the submitted plans and specification is carried out by Officers to determine the project's compliance with Building Regulations. Amendments are then received from the project Agent/Architect until Officers are satisfied that the plans meet the requirements of Building Regulations. Subsequently the inspection fee is invoiced to the customer once the project commences and the first site visit is undertaken. The inspection fee covers all site visits through to completion.

4.1.2 Building Notice

A Building Notice application differs in that there is no obligation for the customer to submit drawings and documents to be checked. Instead there is more of a reliance on the building and/or customer having a working knowledge of the Building Regulations. All Officer checks are carried out via site visits. The fees are comparable with a full plans application as even though no plan checking takes place there is normally a need for more site visits to be undertaken during the course of a build because the plans would not have been checked in advance. For this type of application all fees are payable upon submission of the notice and the fee covers all necessary inspections in relation to the work described.

A Building Notice should primarily be used for work deemed to be 'minor', for example extensions and/or alterations. The Building Notice can be used for new dwellings, however, Officer encourage applicants to use the full plans route wherever possible.

4.2 The following four areas make up around 90% of the applications received and all prices shown are inclusive of VAT (20%):

4.2.1 New Dwellings

Single new dwellings are a consistent application thread for the department. The charges for a one-off dwelling in East Cambridgeshire are as set out below (depending on the type of application made). Any applications made for more than 1 dwelling are dealt with via a bespoke quote and as such are not part of the published fees and charges.

Application Type	Plan Charge	Inspection Fee	Total
Full Plans	£226.00	£548.00	£774.00
Building Notice	-	-	£727.00

4.2.2 Extensions

Extensions to residential properties are the largest application type and made up around 45% of applications received. There are four different extension fees and charges that customers can choose from, depending on the type and size of the extension being built.

Extension	Application Type	Plan Charge	Inspection Fee	Total
Up to 10m ²	Full Plans	£189.00	£340.00	£529.00
	Building Notice	-	-	£609
Between 10m ² and 40m ²	Full Plans	£189.00	£454.00	£643.00
	Building Notice	-	-	£732.00
Between 40m ² and 100m ²	Full Plans	£189.00	£596.00	£785.00
	Building Notice	-	-	£888.00
Garage, car port or store	Full Plans	£189.00	£284.00	£473.00
	Building Notice	-	-	£546.00

4.2.3 Conversions

Over the last few years there has been an increase in customers who are either converting their garage to habitable accommodation or going utilising the loft space and creating additional habitable rooms in this space. With an increase in home working and people more time in the home it is likely that these applications will become more frequent.

	Application Type	Plan Charge	Inspection Fee	Total
Garage Conversion	Full Plans	£125.00	£291.00	£416.00
	Building Notice	-	-	£396.00
Loft Conversion	Full Plans	£189.00	£355.00	£544.00
	Building Notice	-	-	£694.00

4.2.4 Alterations

Building Control receive a high volume of applications for internal alterations to an existing dwelling. This can be for either a single alteration or a multitude of alternations. The fee is based on an estimated cost of works.

	Application Type	Plan Charge	Inspection Fee	Total
Value between £5,001 and £10,000	Full Plans	£188.00	£198.00	£386.00
	Building Notice	-	-	£411.00
Value between £10,001 and £20,000	Full Plans	£188.00	£325.00	£513.00
	Building Notice	-	-	£538.00
Value between £20,001 and £50,000	Full Plans	£188.00	£411.00	£599.00
	Building Notice	-	-	£686.00

4.2.5 Commercial

As commercial work can differ significantly depending on the proposal, all commercial work is quoted on an individual job-by-job basis and as such is not part of the fees and charges review.

Review of Fees and Charges

- 4.3 The Building Control Service consists; 1 Building Control Manager (FT), 2 Senior Building Control Surveyors (FT), 1 Building Control Surveyor (PT), 1 Building Control Surveyor (FT), 1 Apprentice Building Control Surveyor (FT) and 1 Administrative Officer (FT).
- 4.3.1 Staff salaries are the main cost of the Service. Other costs include mileage, publications, subscriptions and printing.
- 4.3.2 The total income required for the Service to cover its own costs is an estimated £355,000.
- 4.3.3 The review has identified that there is no direct correlation between the cost of the service and the income generated from fees and charges.
- 4.3.4 As part of the review an exercise was carried out to compare the hours of work carried out by the post holder annually against the hourly rate of the post holder. This reviewed showed that the hourly rate is not sufficient to recover the cost of the service.
- 4.3.5 The review tested a fee structure which applies an increased hourly rate to the expected level of work to be undertaken by the service.
- 4.3.6 Historic data has demonstrated that over the last three years the Service has not recovered its core costs, particularly on inspections. For example, the

current fees allow for 8 inspections on a new dwelling, however, the average new dwelling inspection is 10 or 11.

4.3.7 The proposed fees and charges still compares favourably with competitors in the local area. Three neighbouring Local Authority areas charge £750.00 + VAT and these prices are linked to 7 inspections. Other Local Authorities will apply additional charges for more inspections.

4.3.8 Approved Inspectors (private Building Control Companies) charge between £825.00 and £850.00 + VAT. This is based on 2 companies that operate in the East Cambridgeshire area.

4.3.9 If the proposed fee increase is approved the Council will still be offering good value for money for its customers.

4.3.10 The existing Building Control Fees and Charges are set out in Appendix 2 and the Proposed Building Control Fees and Charges are set out in Appendix 1.

4.4 It is proposed that, if approved, the new Building Control Charges will come in to effect from 1 January 2023. This will allow sufficient time for Agents and Applicants to prepare for the increased charge.

4.5 It is intended that a review of Building Control Fees and Charges will be undertaken during 2025 to ensure that the Fees and Charges reflect the work and costs associated with the Service.

4.6 Members are recommended to approve the Building Control Fees and Charges as set out in Appendix 1.

5.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT/CARBON IMPACT ASSESSMENT

5.1 The proposed fees and charges will have a positive impact as set out in this report.

5.2 Equality Impact Assessment (EIA) not required.

5.3 Carbon Impact Assessment (CIA) not required.

6.0 APPENDICES

6.1 Appendix 1- Proposed Building Control Fees and Charges
Appendix 2- Existing Building Control Fees and Charges

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer</u>
None	The Grange, Ely	Craig Smith Building Control Team Leader (01353) 665555 E-mail: craigsmith@eastcambs.gov.uk

EAST CAMBRIDGESHIRE DISTRICT COUNCIL

FEES AND CHARGES SCHEDULE 2022-23

Description	VAT code	Discretionary or Statutory	Proposed Charges
<u>BUILDING REGULATION CHARGES</u>			
TABLE 1 – Standard charges for new dwellings and flats up to 300m ² and not more than 3 storeys.			
TABLE 2 – Standard domestic charges including extensions and conversions to an existing dwelling			
TABLE 3 – Standard Charges for other work under £100,000 including			
For works over £100,000, please contact Building Control for an individual quote.			
If your building work is defined as requiring an individual determined charge, please contact us on 01353 665555, email us at bcservices@eastcamb.gov.uk			
TABLE 1 – NEW DWELLINGS/FLATS & DWELLINGS/FLATS FORMED BY CHANGE OF USE			
(ALL FEE'S INCLUSIVE OF VAT UNLESS OTHERWISE STATED)			
Full Plans Application/Plan Check Fee			
1 Dwelling	SR		£245.70
2 Dwellings	SR		£315.00
2+ Dwellings	SR		POA
Full Plans Application Inspection Fee			
1 Dwelling	SR		£642.60
2 Dwellings	SR		£882.00
2+ Dwellings	SR		POA
Building Notice Application (NO VAT)			
1 Dwelling	OS		£945.00
2 Dwellings	OS		£1,386.00
2+ Dwellings	OS		POA
Regularisation Application (No VAT)			
1 Dwelling	OS		£992.25
2 Dwellings	OS		£1,455.30
2+ Dwellings	OS		POA
Electrical Check & Testing			
1 Dwelling	SR		POA
2 Dwellings	SR		POA
2+ Dwellings	SR		POA
TABLE 2 – DOMESTIC EXTENSIONS AND CONVERSIONS			
(ALL FEE'S INCLUSIVE OF VAT UNLESS OTHERWISE STATED)			

Description	VAT code	Discretionary or Statutory	Proposed Charges
Extension or annex with floor area not exceeding 10m1			
Full Plans Application Plan Check Fee	SR		£189.00
Full Plans Application Inspection Fee's	SR		£378.00
Building Notice Application	SR		£604.80
Regularisation Application No VAT	OS		£655.20
Extension or annex with floor area not exceeding 10m2 Extension or annex with floor area exceeding 10m2 but not exceeding 40m2			
Full Plans Application Plan Check Fee	SR		£189.00
Full Plans Application Inspection Fee's	SR		£453.60
Building Notice Application	SR		£737.10
Regularisation Application No VAT	OS		£798.53
Extension or annex with floor area exceeding 40m2 but not exceeding 100m2			
Full Plans Application Plan Check Fee	SR		£226.80
Full Plans Application Inspection Fee's	SR		£604.80
Building Notice Application	SR		£907.20
Regularisation Application No VAT	OS		£982.80
A building or extension comprising solely of a garage, carport or store the total floor area not exceeding 60m2			
Full Plans Application Plan Check Fee	SR		£189.00
Full Plans Application Inspection Fee's	SR		£302.40
Building Notice Application	SR		£548.10
Regularisation Application No VAT	OS		£573.30
First or second floor loft conversions with a floor area not exceeding 100m2			
Full Plans Application Plan Check Fee	SR		£207.90
Full Plans Application Inspection Fee's	SR		£378.00
Building Notice Application	SR		£699.30
Regularisation Application No VAT	OS		£757.58
Garage conversion up to 60m2			
Full Plans Application Plan Check Fee	SR		£132.30
Full Plans Application Inspection Fee's	SR		£302.40
Building Notice Application	SR		£453.60
Regularisation Application No VAT	OS		£476.28
Electrical Check & Testing			POA
The charges in Table 2 apply to extensions, garages and conversions only. Where it is intended to carry out other alterations at the same time as the extension, the charges outlined in Table 3 will also apply.			
TABLE 3 – DOMESTIC ALTERATIONS			
(ALL FEE'S INCLUSIVE OF VAT UNLESS OTHERWISE STATED)			
Renovation of a thermal element			
Full Plans Application Plan Check fee	SR		£151.20
Full Plans Application Inspection Fee	SR		£0.00
Building Notice Application	SR		£151.20

Description	VAT code	Discretionary or Statutory	Proposed Charges
Regularisation Application No VAT	OS		£163.80
Replacement of windows, roof lights, roof windows or external glazed doors			
Full Plans Application Plan Check fee	SR		£132.30
Full Plans Application Inspection Fee	SR		£0.00
Building Notice Application	SR		£132.30
Regularisation Application No VAT	OS		£143.33
Replacement Boiler/New wood burner			
Full Plans Application Plan Check fee	SR		£151.20
Full Plans Application Inspection Fee	SR		£0.00
Building Notice Application	SR		£151.20
Regularisation Application No VAT	OS		£163.80
Renewable Energy systems/installation of wood burner			
Full Plans Application Plan Check fee	SR		£151.20
Full Plans Application Inspection Fee	SR		£0.00
Building Notice Application	SR		£151.20
Regularisation Application No VAT	OS		£163.80
Alterations with a cost up to £5,000			
Full Plans Application Plan Check fee	SR		£283.50
Full Plans Application Inspection Fee	SR		£0.00
Building Notice Application	SR		£283.50
Regularisation Application No VAT	OS		£307.13
Alterations exceeding £5,000 but not exceeding £10,000			
Full Plans Application Plan Check fee			£189.00
Full Plans Application Inspection Fee			£226.80
Building Notice Application			£415.80
Regularisation Application No VAT			£450.45
Alterations exceeding £10,000 but not exceeding £20,000			
Full Plans Application Plan Check fee	SR		£189.00
Full Plans Application Inspection Fee	SR		£302.40
Building Notice Application	SR		£529.20
Regularisation Application No VAT	OS		£573.30
Alterations exceeding £20,000 but not exceeding £50,000			
Full Plans Application Plan Check fee	SR		£189.00
Plan Check fee Full Plans Application	SR		£415.80
Building Notice Application	SR		£680.40
Regularisation Application No VAT	OS		£737.10
Alterations exceeding £50,000 but not exceeding £100,000			
Full Plans Application Plan Check fee	SR		£226.80
Plan Check fee Full Plans Application	SR		£529.20
Building Notice Application	SR		£831.60
Regularisation Application No VAT	OS		£873.18
Electrical work up to a value of £10,000			
Full Plans Application Plan Check fee	SR		£264.60

Description	VAT code	Discretionary or Statutory	Proposed Charges	
Plan Check fee Full Plans Application	SR		£0.00	
Building Notice Application	SR		£264.60	
Regularisation Application No VAT	OS		£286.65	
Drainage works with a cost up to £5,000				
Full Plans Application Plan Check fee	SR		£151.20	
Plan Check fee Full Plans Application	SR		£0.00	
Building Notice Application	SR		£151.20	
Regularisation Application No VAT	OS		£163.80	
Electrical Check & Testing			POA	

Description	VAT code	Discretionary or Statutory	Charge for 2021/22	Charge for 2022/23
BUILDING REGULATION CHARGES				
TABLE 1 – Standard charges for new dwellings and flats up to 300m ² and not more than 3 storeys.				
TABLE 2 – Standard domestic charges including extensions and conversions to an existing dwelling				
TABLE 3 – Standard Charges for other work under £100,000 including				
For works over £100,000, please contact Building Control for an individual quote.				
If your building work is defined as requiring an individual determined charge, please contact us on 01353 665555, email us at bcservices@eastcamb.gov.uk				

PLEASE NOTE THAT BUILDING CONTROL FEES FOR 2022-23 WILL BE AGREED AS PART OF A SEPARATE REPORT TO OPERATIONAL SERVICES COMMITTEE

TABLE 1 – NEW DWELLINGS/FLATS & DWELLINGS/FLATS FORMED BY CHANGE OF USE				
(ALL FEE'S INCLUSIVE OF VAT UNLESS OTHERWISE STATED)				
Full Plans Application/Plan Check Fee				
1 Dwelling	SR		£226.00	
2 Dwellings	SR		£314.00	
2+ Dwellings	SR		POA	
Full Plans Application Inspection Fee				
1 Dwelling	SR		£548.00	
2 Dwellings	SR		£873.00	
2+ Dwellings	SR		POA	
Building Notice Application (NO VAT)				
1 Dwelling	OS		£727.00	
2 Dwellings	OS		£1,262.00	
2+ Dwellings	OS		POA	
Regularisation Application (No VAT)				
1 Dwelling	OS		£893.00	
2 Dwellings	OS		£1,262.00	
2+ Dwellings	OS		POA	
Electrical Check & Testing				
1 Dwelling	SR		£893.00	
2 Dwellings	SR		£1,262.00	
2+ Dwellings	SR		POA	
TABLE 2 – DOMESTIC EXTENSIONS AND CONVERSIONS				
(ALL FEE'S INCLUSIVE OF VAT UNLESS OTHERWISE STATED)				
Extension or annex with floor area not exceeding 10m¹				
Full Plans Application Plan Check Fee	SR		£189.00	
Full Plans Application Inspection Fee's	SR		£340.00	
Building Notice Application	SR		£609.00	
Regularisation Application No VAT	OS		£623.00	

Description	VAT code	Discretionary or Statutory	Charge for 2021/22	Charge for 2022/23
Extension or annex with floor area not exceeding 10m2				
Extension or annex with floor area exceeding 10m2 but not exceeding 40m2				
Full Plans Application Plan Check Fee	SR		£189.00	
Full Plans Application Inspection Fee's	SR		£454.00	
Building Notice Application	SR		£732.00	
Regularisation Application No VAT	OS		£750.00	
Extension or annex with floor area exceeding 40m2 but not exceeding 100m2				
Full Plans Application Plan Check Fee	SR		£189.00	
Full Plans Application Inspection Fee's	SR		£596.00	
Building Notice Application	SR		£888.00	
Regularisation Application No VAT	OS		£909.00	
A building or extension comprising solely of a garage, carport or store the total floor area not exceeding 60m2				
Full Plans Application Plan Check Fee	SR		£189.00	
Full Plans Application Inspection Fee's	SR		£284.00	
Building Notice Application	SR		£546.00	
Regularisation Application No VAT	OS		£543.00	
First or second floor loft conversions with a floor area not exceeding 100m2				
Full Plans Application Plan Check Fee	SR		£189.00	
Full Plans Application Inspection Fee's	SR		£355.00	
Building Notice Application	SR		£694.00	
Regularisation Application No VAT	OS		£709.00	
Garage conversion up to 60m2				
Full Plans Application Plan Check Fee	SR		£125.00	
Full Plans Application Inspection Fee's	SR		£291.00	
Building Notice Application	SR		£396.00	
Regularisation Application No VAT	OS		£408.00	
Electrical Check & Testing			£228.00	
The charges in Table 2 apply to extensions, garages and conversions only. Where it is intended to carry out other alterations at the same time as the extension, the charges outlined in Table 3 will also apply.				
TABLE 3 – DOMESTIC ALTERATIONS				
(ALL FEE'S INCLUSIVE OF VAT UNLESS OTHERWISE STATED)				
Renovation of a thermal element				
Full Plans Application Plan Check fee	SR		£143.00	
Plan Check fee Full Plans Application	SR		£0.00	
Building Notice Application	SR		£142.00	
Regularisation Application No VAT	OS		£160.00	
Replacement of windows, roof lights, roof windows or external glazed doors				
Full Plans Application Plan Check fee	SR		£113.00	
Plan Check fee Full Plans Application	SR		£0.00	
Building Notice Application	SR		£113.00	
Regularisation Application No VAT	OS		£127.00	

Description	VAT code	Discretionary or Statutory	Charge for 2021/22	Charge for 2022/23
Replacement Boiler/New wood burner				
Full Plans Application Plan Check fee	SR		£143.00	
Plan Check fee Full Plans Application	SR		£0.00	
Building Notice Application	SR		£143.00	
Regularisation Application No VAT	OS		£160.00	
Renewable Energy systems/installation of wood burner				
Full Plans Application Plan Check fee	SR		£143.00	
Plan Check fee Full Plans Application	SR		£0.00	
Building Notice Application	SR		£143.00	
Regularisation Application No VAT	OS		£160.00	
Alterations with a cost up to £5,000				
Full Plans Application Plan Check fee	SR		£254.00	
Plan Check fee Full Plans Application	SR		£0.00	
Building Notice Application	SR		£255.00	
Regularisation Application No VAT	OS		£287.00	
Alterations exceeding £5,000 but not exceeding £10,000				
Full Plans Application Plan Check fee			£188.00	
Plan Check fee Full Plans Application			£198.00	
Building Notice Application			£411.00	
Regularisation Application No VAT			£472.00	
Alterations exceeding £10,000 but not exceeding £20,000				
Full Plans Application Plan Check fee	SR		£188.00	
Plan Check fee Full Plans Application	SR		£325.00	
Building Notice Application	SR		£538.00	
Regularisation Application No VAT	OS		£606.00	
Alterations exceeding £20,000 but not exceeding £50,000				
Full Plans Application Plan Check fee	SR		£188.00	
Plan Check fee Full Plans Application	SR		£411.00	
Building Notice Application	SR		£686.00	
Regularisation Application No VAT	OS		£701.00	
Alterations exceeding £50,000 but not exceeding £100,000				
Full Plans Application Plan Check fee	SR		£188.00	
Plan Check fee Full Plans Application	SR		£532.00	
Building Notice Application	SR		£819.00	
Regularisation Application No VAT	OS		£837.00	
Electrical work up to a value of £10,000				
Full Plans Application Plan Check fee	SR		£238.00	
Plan Check fee Full Plans Application	SR		£0.00	
Building Notice Application	SR		£238.00	
Regularisation Application No VAT	OS		£303.00	
Drainage works with a cost up to £5,000				
Full Plans Application Plan Check fee	SR		£143.00	
Plan Check fee Full Plans Application	SR		£0.00	
Building Notice Application	SR		£142.00	
Regularisation Application No VAT	OS		£160.00	

PRIVATE SECTOR HOUSING ENFORCEMENT POLICY CONSULTATION RESULTS

Committee: Operational Services Committee

Date: 12th Sept 2022

Author: Karen See, Senior Environmental Health Officer

[X55]

1.0 ISSUE

1.1 To inform members of the Draft Private Sector Housing Enforcement Policy consultation responses.

2.0 RECOMMENDATION(S)

2.1 That the Operational Services Committee approves for implementation the East Cambridgeshire, Private Sector Housing Enforcement Policy 2022.

3.0 BACKGROUND/OPTIONS

3.1 The Operational Services Committee on 13th June 2022 considered the draft East Cambridgeshire District, Private Sector Housing Enforcement Policy, which outlined the proposals for Housing Enforcement within East Cambridgeshire.

3.2 It was agreed that the policy should be subject to a consultation period of 8 weeks.

3.3 The consultation document was sent to 91 landlords and managing agents as well as being posted on the Council's website. The Council received 8 responses regarding the policy. The detailed results and comments are provided in Appendix 2.

3.4 In summary the responses considered the policy would help the Council make consistent and fair enforcement decisions and the majority felt that the penalty matrices were fair and proportionate.

3.5 General comments included "Good work and encouraging for us tenants", "there needs to be a more proactive approach to checking up on rented properties" and "the policy sounds good on paper but does it have the budget and manpower for it to actually work? How will tenants be made aware of this? Will there be any way of explaining this to vulnerable people or whose English is poor?"

3.5 One respondent did not agree with the proposed penalty matrix for Housing Act offences but no explanation was offered. A separate respondent did not agree

with the proposed penalty matrix for Electrical Safety Standard offences but offered no further explanation.

- 3.6 Two respondents did not agree with the proposed level of penalty for an offence under the Minimum Energy Efficiency Regulations. No explanation was offered by one respondent but comments from the second respondent advised that obtaining an EPC should be the responsibility of the person living at the property. It was also suggested that if a prospective tenant would like to know the EPC of a property which had none then they should arrange this for themselves in order to make the decision about moving into a property.
- 3.7 Although supportive of the Policy another respondent made comments about the risk of losing landlords from the rental market due to the swathe of current requirements on them, requesting a lighter touch enforcement.
- 3.5 Considering the comments about the need for proactive measures the East Cambridgeshire Housing Stock Modelling Report 2021 will continue help to identify those more vulnerable or in poor quality housing, thereby enabling targeted initiatives to be developed. A recent example is the identification of Woodditton ward as potentially having the highest proportion of energy inefficient homes and the direct mailing and promotion of the grant funding scheme that could be available to occupiers, for energy efficient improvements to be made.
- 3.6 The Housing Stock Model data will continue to be used to reach out to those most likely to be in need, in addition to ensuring strong links are maintained with other Council Departments and partner organisations who provide support to people in their own homes. Improvements and updates to the website information available for landlords and tenants with concerns about property condition will be made.
- 3.7 To answer the concerns about provision of a valid EPC, the Regulations are clear. For relevant property owners, landlords and agents costs for provision of the EPC must not be passed on to the actual or prospective tenant.
- 3.8 Commenting on the view that there is a risk of losing landlords the Council must use its enforcement powers in a manner which is proportionate to risk, expedient and efficient as well as consistent and fair. A lighter touch may be applicable in certain circumstances and the new Policy aims to identify situations when this may be applicable, whilst targeting those who wilfully and seriously disregard the safety and wellbeing of tenants.

4.0 ARGUMENTS/CONCLUSIONS

- 4.1 Environmental Services are committed to improve enforcement procedures whilst responding to new legislation.

4.2 The response to the consultation indicates that the introduction of East Cambridgeshire District, Private Sector Housing Enforcement Policy is supported with no changes.

5.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT/CARBON IMPACT ASSESSMENT

5.1 This report has no additional financial implications.

5.2 Initial Equality Impact Assessment (INRA) previously completed.

5.3 A Carbon Impact Assessment found no positive or negative carbon implications arising from the update to the Private Sector Housing Enforcement Policy 2022.

6.0 APPENDICES

6.1 Appendix 1 - Final Private Sector Housing Enforcement Policy
Appendix 2 – Consultation responses

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer</u>
Housing Act 2004	Room SF203	Karen See
Housing and Planning Act 2016	The Grange, Ely	Position: Senior Environmental Health Officer
All associated Regulations		(01353) 616304 E-mail: Karen.see@eastcambs.gov.uk



EAST CAMBRIDGESHIRE
DISTRICT COUNCIL

Private Sector Housing Enforcement Policy

May 2022



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1. Adopted Standards for HMO's
2. Civil Penalties Matrix for Specified Offences under the Housing Act 2004
3. Civil Penalties Matrix for the Electrical Safety Standards in the Private Rented Sector (England) Regs 2020.
4. Civil Penalty Matrix for Specified Offences under the Redress Scheme for Letting Agents and Property Managers
5. Aggravating and Mitigating Factors to Consider when determining penalties.

1. Purpose

This Policy details how the Council will regulate standards in all types and tenures of housing but with particular reference to the Private Rented Housing Sector in East Cambridgeshire. It also provides a background to the legislation and guidance on which it is based.

It is important for local authorities to have an enforcement policy to ensure consistency of approach among Council Officers and for members of the public to know what to expect from the service.

An enforcement policy also provides clarity if the Council takes legal proceedings or enforcement action is appealed against.

Our aim is to raise standards in Private Sector Housing throughout East Cambridgeshire, working with owners, landlords, letting agents and tenants to achieve this. However, it is recognised that if there is an offence, then enforcement action may be necessary to protect the public and the environment.

In developing this policy, the Council must remain impartial to both landlord and tenant to be fair to both sides and give help and advice to achieve our aim but we must also be firm in taking enforcement action, if appropriate.

2. Introduction

The Private Sector Housing Enforcement role sits within the Domestic Team of Environmental Services. It is important to develop strategies and procedures that address and improve housing standards, and to work with owner occupiers, private landlords, social housing providers and tenants to safeguard the health and wellbeing of all occupiers of residential properties within the district. However formal enforcement action will be taken to secure compliance with standards, when the requirements within this policy are met.

The **Private Sector Housing Enforcement Policy** outlines the Council's general approach to enforcement across a wide range of activities. This policy provides details of the Council's specific approach to regulating housing standards in East Cambridgeshire. The policy applies to all tenures including registered providers, private sector landlords, letting agents and owner occupiers. It sets out the main and most current regulatory legislation that the council can use but is not an exhaustive list and the council reserves the right to adopt the enforcement of other legislation or regulations that are not included but are relevant to housing health and safety, or if new regulations are introduced prior to the next policy update. Enforcement proceedings will take into account the Code of Practice for Crown Prosecutors.

The Private Sector Housing Enforcement Policy confirms that:

- The Council will provide awareness, advice and assistance whenever possible to the public, businesses and organisations to help them meet their legal obligations in relation to the relevant legislation before embarking on the

enforcement process

- The Council is committed to carrying out its duties in a fair and consistent manner, ensuring that enforcement action is proportional to the seriousness of failure to comply with statutory requirements
- The decision to use enforcement action will depend on the severity of the non-compliance

Effective and well targeted regulation is essential in promoting fairness and protection from harm. The Regulators' Compliance Code is a statutory code of practice for regulators hereafter referred to as 'The Code'.

www.gov.uk/government/publications/regulators-code

From 6 April 2014, the Council has been required to comply with the Code when regulating private rented housing standards and its specific obligations have been included in this policy. The overriding principle of the Code is that regulation and its enforcement should be ***proportionate and flexible enough to allow or even encourage economic progress.***

3. What to expect from us

3.1 Landlords

- 1) We will advise you of the legislation and help you understand how you can comply with it
- 2) We will advise you of any action you need to take to comply with the legislation and will ask you to respond with your proposal of how you intend to comply with any requirements of any Notice
- 3) If we are satisfied with your proposal, we will work with you to comply within agreed timescales
- 4) If we are not satisfied with your proposal or how the work is progressing, we will initiate formal action in a proportionate manner as appropriate to the circumstances.
- 5) In cases where there has been a clear and serious breach of health and safety and the council considers the culpability of the landlord is high then notices will be served or prosecution commenced without further timescales being offered for remedial action.
- 6) In making any decision to prosecute we will have regard to how serious the offence is, the benefit of enforcement action and whether some other action would be appropriate
- 7) A charge will be made for the service of the certain formal notices.
- 8) Fees and charges will be reviewed on an annual basis as part of the council's fee setting and charge review process.

3.2 Tenants

- 1) Legislation covering landlord and tenant issues require that tenants notify their landlords of any problems with the property (preferably in writing) and the council will expect you to be able to demonstrate that you have raised any issues

directly with your landlord prior to requesting assistance from the Domestic Team.

- 2) There may be instances where tenants will not feel able to do this, for example there is a history of harassment or threatened illegal eviction, and in such instances, it may be appropriate for the council to liaise directly with the landlord in the first instance. Further information can be found through the following link:

<https://www.eastcambs.gov.uk/housing/private-housing-accreditation>

- 3) We will advise you as to what action we can take
- 4) We will expect you to cooperate with the landlord to get the works carried out and to advise us of any action taken by the landlord

3.3 Owners

- 1) We will expect owners to maintain the properties they live in.

3.4 Letting Agents

- 1) We expect agents to be aware of their responsibilities and to keep updated with legislation changes.
- 2) Where an agent has managing responsibilities and has a legal duty to comply with legislation and fails to do so, the council will take appropriate enforcement action in such cases and may serve notices on both the landlord and agent and prosecute when applicable.
- 3) In making any decision to prosecute we will have regard to how serious the offence is, the benefit of enforcement action and whether some other action would be appropriate
- 4) A charge will be made for the service of the certain formal notices.
- 5) Fees and charges will be reviewed on an annual basis as part of the council's fee setting and charge review process.

3.5 Owners of Empty Homes

- 1) We will work proactively with owners of empty homes to encourage the bringing of their empty homes back into use
- 2) Where an empty property is having a detrimental impact on the neighbouring area enforcement action will be considered if appropriate
- 3) If owners fail to take responsibility for their properties, are not willing to engage or negotiations have failed, and where there is little prospect of a property being brought back into use voluntarily, enforcement action (Enforced Sale Compulsory Purchase Order, Empty Dwelling Management Order, and) may be considered although such action will only be used as a last resort for the most serious of cases of abandonment of a property.

4. Enforcement Policy and Principles

4.1 Role of the Private Rented Sector

The supply of good quality, affordable, privately rented accommodation is essential to meeting local housing need.

A key priority for this strategy is to provide professionally managed and well-maintained homes. We will work with landlords to improve and sustain good quality accommodation and will intervene when there is a risk to the health and safety of occupants, neighbours or visitors to a property.

4.2 Risk Assessment

The Domestic Team use risk assessments to concentrate resources in the areas that need them most and on the properties in the worst condition. In doing so, we also take account of any safeguarding issues and vulnerability of the occupant referring to other appropriate agencies or services if appropriate.

Suitably trained Officers routinely use the Housing Health and Safety Rating System (HHSRS), which is a statutory, evidence-based, risk assessment method for assessing and dealing with poor housing conditions under the Housing Act 2004.

Following the receipt of a service request or complaint about poor housing conditions, an initial risk assessment will normally be carried out. Follow-up advice or action will be dependent on the outcome of the initial risk assessment and may not always involve a visit to the property.

Complaints about Social Housing properties will be referred to the Providers to investigate in the first instance. However, where it is necessary that intervention is required, we will do so.

4.3 Housing Health & Safety Rating System (HHSRS)

The Housing Act 2004 introduced the **Housing Health & Safety Rating System (HHSRS)**. It is a calculation of the effect of 29 possible hazards on the health of occupiers. The legislation provides a range of actions for addressing identified hazards. It is a two-stage calculation combining the likelihood of an occurrence taking place and then the range of probable harm outcomes that might arise from that occurrence which would result in a numerical rating. This is repeated for each of the hazards present. The assessment is not based upon the risk to the actual occupant but upon the group most vulnerable to that particular risk. Once scored, any action that is then considered will take into account the effect of that risk upon the actual occupant.

The scores for each hazard present are then banded from A to J. Bands A to C (ratings of 1,000 points and over) are the most severe, and are known as **Category 1 hazards** when considering action. Bands D to J, the less severe (rating less than 1,000 points) are known as **Category 2 hazards**.

HHSRS provides a combined score for each hazard identified and does not provide a single score for the dwelling as a whole. It is applied to all residential premises, whether owner-occupied or rented.

This Policy takes account of guidance provided by the Government and sets out how the Council will use its powers and reach its decisions in relation to the Housing Health & Safety Rating System (Part 1 of the Housing Act 2004).

The Council has a duty to take appropriate action in response to a **Category 1 hazard**. (When a Category 1 hazard is identified, the Council must decide which of the available enforcement options it is most appropriate to use. These are explained in more detail below.)

The Council will exercise its discretion and consider individual cases and circumstances when deciding whether to act in response to **Category 2 hazards**.

<https://www.gov.uk/government/publications/housing-health-and-safety-rating-system-enforcement-guidance-housing-conditions>

4.4 Advice and Guidance

The Domestic Team will provide authoritative, accessible advice around Private Sector Housing. The Council's website is used to provide general information, advice and guidance to make it easier for landlords, agents, home owners and others to understand their obligations, is provided in clear, concise and accessible language, using a range of appropriate formats and media. General information for Landlords and Tenants is available under the following links:-

General information

<http://www.eastcamb.s.gov.uk/search/site/housing%20information>

Damp and Mould

http://www.eastcambs.gov.uk/sites/default/files/housing/condensation_information_1eafet_english_version_19190.pdf

Caravan/Mobile Home Sites

<http://www.eastcambs.gov.uk/licensing/caravan-site-licence>

The service will consult with landlords' associations and other appropriate stakeholders when developing the content and style of this guidance.

When offering compliance advice, the Domestic Team will distinguish between statutory requirements and advice or guidance aimed at improvements above minimum standards. Advice will be confirmed in writing, if requested.

The Domestic Team welcomes enquiries from home owners and landlords about complying with minimum standards and ensuring homes are safe and warm. However, the Service will not act as a consultant for home owners or landlords and is not able to complete non-statutory, detailed assessments for specific properties (such as fire safety risk assessments; confirming in detail the work that would be required to let a property in multiple occupation; or detail the work required to reduce the risk from significant hazards in a property to an acceptable level).

4.5 Inspections, Other Visits and Information Requirements

No inspection will take place without reason. Inspections and other visits will take place in response to a reasonable complaint or request for service or where poor conditions have been brought to our attention;

- In accordance with statutory inspection requirements (such as for mandatory licensing of houses in multiple occupation, HMOs)
- Or on receipt of relevant intelligence

Unless the visit is intended for advice purposes only, the landlord or his or her agent will be contacted and given prior warning that an inspection will be carried out.

Following an inspection, positive feedback will be given wherever possible to encourage and reinforce good practices.

The Domestic Team will focus its resources on the highest risk properties, those in worst condition and properties owned by landlords who regularly fail to comply with regulations or frequently have properties with poor conditions.

4.6 Compliance and Enforcement Actions

The Domestic Team will seek to identify landlords, agents, property owners or businesses that persistently break regulations and ensure that they face proportionate and meaningful sanctions. By facilitating compliance through a positive and proactive approach, the Service aims to achieve higher compliance rates and reduce the need for reactive enforcement actions. However, those who

deliberately or persistently break the law will be targeted.

When considering formal enforcement action the Service will, where appropriate, discuss the circumstances with those suspected of a breach and take these into account when deciding on the best approach. This will not apply where immediate action is required to prevent, or respond to a serious breach or to deal with an imminent risk to health or safety, or where to do so is likely to defeat the purpose of the proposed enforcement action.

The Service will ensure that clear reasons for any enforcement action are given and complaints and appeals procedures are explained at the same time.

4.7 Accountability

The Service will be accountable for the efficiency and effectiveness of its activities, while remaining independent in the decisions that it takes. Employees will provide a courteous and efficient service.

Complaints about our service will be handled in line with the Council's corporate complaints procedure which is outlined here:

<https://www.eastcambbs.gov.uk/customer-services/customer-feedback-complaints>

5. Tenure

The Housing Health and Safety Rating System (HHSRS) outlined at Section 7 of this policy applies all tenures of housing. Furthermore, it does not specify that particular approaches or solutions should be used on the basis of ownership or the occupier's status. All enforcement options are available to the Council regardless of whether the premises in question are owner-occupied, privately rented or belong to a Social Housing Provider.

Generally, however, the Council considers that owner-occupiers are usually in a position to take informed decisions concerning maintenance and improvement issues that might affect their welfare and are then able to set their financial priorities accordingly; tenants however, are not usually able to do so.

For this reason, the Council proposes that it is appropriate for its powers to be used according to tenure, as follows:

5.1 Owner-Occupiers

The Council considers that as mentioned above, owner occupiers are usually in a position to take decisions regarding their own property and although advice may be sought from the service, Enforcement Action would not usually be appropriate.

In the rare circumstance that it is considered appropriate, Hazard Awareness Notices may be the appropriate course of action. However, the use of Improvement Notices, Prohibition Notices and their emergency equivalents will be considered in cases involving:

- Vulnerable elderly people who are judged incapable of making informed decisions about their own welfare
- Vulnerable individuals who require the intervention of the Council to ensure their welfare is best protected
- Hazards that might reasonably affect persons other than the occupants
- Serious risk of life-threatening harm such as electrocution or fire

Unless an identified hazard is judged to pose an imminent risk of serious harm, the Council will contact the owner to confirm its involvement, explain the nature of the hazard and confirm the action it is intending to take. The Council will take account of any proposals or representations made by, or on behalf of the owner. The Council will solicit and take account of the opinion of the relevant Welfare Authority in considering both the vulnerability and capability of such persons as well as in determining what action it will then take.

5.2 Social Landlords

Housing Providers exist to provide suitable and properly maintained accommodation for their tenants. They are managed by Boards (which typically include tenant representatives) and their performance is scrutinised by the Homes and Communities Agency (HCA). Housing Providers normally employ staff to both manage and maintain their properties and will usually have written arrangements for reporting problems, setting out the response times they aim to achieve, and also for registering any complaints about service failure.

On this basis, the Council will not normally take formal action against Housing Provider unless:

- It is satisfied that the problem in question has been properly reported to the Housing Provider and
- The Housing Provider has then failed to take appropriate action

If the Council determines that it is appropriate to act, it will then normally notify the Housing Provider that a complaint has been received and/or a hazard identified and seek the Housing Provider's comments and proposals. Only in cases where it judges that an unsatisfactory response has been received will the Council take further action and will then determine which of the available enforcement options is the most appropriate, considering the facts of the case.

5.3 Private Landlords

The Council will have regard to the principles of statutory guidance and relevant guidance from the First-tier Tribunal (Property Chamber) decisions and will initially seek to proceed informally.

Formal action may be initiated immediately if a hazard in question is judged by the Council:

- To pose an imminent risk of serious harm to any person (whether or not immediate action is required, and whether the hazard(s) in question is likely to

- affect a tenant, an employee or a member of the public), or
- The landlord in question is known to have failed, on a previous occasion, to take appropriate action in response to an informal approach.

When arranging an inspection, the Council will write/email or telephone the landlord (or his/her relevant agent) to confirm an inspection will be carried out. Following the inspection, the Council will explain the nature of any hazard(s) identified in writing and seek the landlord/agent's proposals for remedying the problem.

Where ownership is unclear, a Requisition for Information Notice (s16) may also be served.

Following the inspection, the Council will not normally need to take any further action to discharge its duties as long as:

- Satisfactory proposals and timescales for the work to be carried out are received and agreed and
- The work is carried out to a satisfactory conclusion within the agreed timescales

If Landlords do not manage a property themselves and employ the services of an agent they are expected to either:

- Provide any agent acting for them with sufficient authority to act on their behalf, in the event that they are contacted by the Council, or
- Ensure that they maintain appropriate communication with their agent in order that appropriate decisions and responses can be provided to the Council

The failure of an agent to respond to communication from the Council or any failure to take appropriate action may be treated as a failure by the landlord.

If the Council receives:

- No response from the landlord/agent or
- A response it judges inadequate or
- Proposals that were judged acceptable but which are not then followed through (for example if works fail to start when agreed, fail to make proper progress or are completed to an inadequate standard)

it will proceed with formal action by taking the most appropriate enforcement action in accordance with this Policy.

5.4 What is expected of Tenants

Before considering taking any action in respect of a tenanted property, the tenant(s) will normally be required to contact their landlord about the problems (preferably in writing), allowing a reasonable time period for the landlord to make representation.

Legislation covering landlord and tenant issues requires that tenants notify their landlords of any problems with the property. This is because it is more difficult for landlords to carry out their obligations under the legislation, unless they have been

made aware of the problem.

Where the matter appears to present an imminent risk to the health and safety of the occupants, it is expected that tenants will continue to try to contact their landlord, even if this is after they have contacted the Domestic Team. Copies of correspondence between the landlord and tenant may be required by Officers.

In certain situations, tenants, will not be required to write to their landlord first, for example:

- Where there is a history of harassment/threatened eviction/poor management practice
- Where the tenant appears to be vulnerable or where there are vulnerable members of the household
- Where the tenant could not for some other reason be expected to contact their landlord/managing agent
- Where the property is a House in Multiple Occupation which appears to fall within HMO licensing

Tenants are responsible for keeping Officers informed of any contact they have had with their landlord (or the landlord's agent or builder, etc.) which may affect the action the Council is taking or considering taking. Tenants should also consider seeking independent legal advice about their own individual powers to resolve any dispute with their landlord.

Housing Provider tenants have standard procedures to follow if their landlord does not carry out repairs in a satisfactory manner and also a final right of appeal to the Housing Ombudsman Service. However, if the Housing Provider has not taken appropriate action to deal with problems with the property, then the Council will investigate and take appropriate action.

5.5 Retaliatory Evictions

Retaliatory eviction is where a tenant makes a legitimate complaint to their landlord about the condition of their property and, in response, instead of making the repair, their landlord serves them with an eviction notice. On 1st October 2015, a number of provisions in the Deregulation Act 2015 came into force. These provisions are designed to protect tenants against unfair eviction.

Where a tenant makes a genuine complaint about the condition of their property that has not been addressed by their landlord, their complaint has been verified by a local authority inspection, and the local authority has served either an improvement notice or a notice of emergency remedial action, a landlord cannot evict that tenant for 6 months using the 'no fault' eviction procedure (a section 21 eviction). The landlord is also required to ensure that the repairs are completed.

In order to rely on the protection against retaliatory eviction that the Deregulation Act 2015 provides, a tenant must approach the landlord in writing in the first instance. If, after 14 days from the tenant making a complaint, the landlord does not reply, that reply is inadequate, or they respond by issuing a Section 21 eviction notice, the tenant should approach the Domestic Team and ask them to carry out an inspection

to verify the need for a repair. We will then undertake an HHSRS inspection. If the inspection verifies the tenant's complaint, the enforcement officer will take appropriate action.

If the council serves an Improvement Notice or Notice of Emergency Remedial Action, the landlord cannot evict the tenant for 6 months using the no-fault eviction procedure.

We will work with landlords to understand their obligations and the implications of this legislation, and will work alongside the Housing Options team to provide support, advice and guidance to the tenant in these circumstances.

6. Situations where a Service may not be Provided

Where any of the following situations arise, consideration will be given to not provide or cease to provide a service:

- Where the tenant(s) unreasonably refuse access to the landlord, managing agent or landlord's builder, to arrange or carry out works
- Where the tenant(s) have, in the opinion of the Council, clearly caused the damage to the property they are complaining about, and there are no other items of disrepair
- Where there are claims by the tenant for compensation
- Where the tenant's only reason for contacting the Domestic Team, in the opinion of the Council, is in order to pursue a position on the housing register or by means of a contrived homeless application. The Council will aim to bring their present accommodation up to standard as a first priority
- Where the tenant(s) have requested a service and then failed to keep an appointment and not responded to a follow-up appointment
- Where the tenant(s) have been aggressive, threatening, verbally or physically abusive towards Officers
- Where there is found to be no justification for the complaint, on visiting the property
- Where the tenant unreasonably refuses to provide the Council with relevant documentation

7. Specific Enforcement Policies

7.1 Authority to Investigate or Enforce

The Housing Act 2004 and associated secondary legislation sets out the duties and powers that East Cambridgeshire District Council has in relation to regulating housing standards in its capacity as the Local Housing Authority. Powers are also contained in the Housing Act 1985, as amended, and other legislation, such as the Environmental Protection Act 1990, the Town and Country Planning Act 1990, the Public Health Acts 1936 and 1961, the Mobile Home Act 2013 and the Housing and Planning Act 2016. This is not a complete list of the powers available.

7.2 Authorisation of Officers

Only Officers who are competent by training, qualification and/or experience will be authorised to undertake enforcement action. The Council's Scheme of Delegation sets out the delegated powers given to Officers.

Officers who undertake criminal investigations will be conversant with the provisions of all relevant criminal investigation law.

7.3 Powers of Entry and Power to Require Information

The Council has the power of entry to properties at any reasonable time to carry out its duties under Section 239 of the Housing Act 2004 provided that:

- The Officer has written authority from an appropriate Officer stating the particular purpose for which entry is authorised
- The Officer has given 24 hours' Notice to the owner (if known) and the occupier (if any) of the premises they intend to enter

No Notice is required where entry is to ascertain whether an offence has been committed under Sections 72 (offences in relation to licensing of HMOs), 95 (offences in relation to licensing of houses) or 234(3) (offences in relation to HMO Management Regulations).

If admission is refused, premises are unoccupied or prior warning of entry is likely to defeat the purpose of the entry, then a warrant may be granted by a Justice of the Peace on written application. A warrant under this section includes power to enter by force, if necessary.

The Council also has power under Section 235 of the Housing Act 2004 to require documentation to be produced in connection with:

- Any purpose connected with the exercise of its functions under Parts 1-4 of the Housing Act 2004
- Investigating whether any offence has been committed under Parts 1-4 of the Housing Act 2004

The Council also has powers under Section 237 of the Housing Act 2004 to use the information obtained above and Housing Benefit and Council Tax information obtained by the authority to carry out its functions in relation to these parts of the Act.

7.4 Choice of Appropriate Enforcement Action

Unless there is an imminent risk to the health and safety of the occupant or visitors to the property, the Council will attempt to secure the required improvements informally and within a reasonable amount of time.

Where this approach fails, the Council will determine which of the specific enforcement options it will use, taking into account the facts and circumstances in each individual case.

A statement of reasons will be provided with any Notice it serves, explaining why the Council has decided to take a particular course of action.

7.5 Enforcement Action

In accordance with the Enforcement Policy, the decision to use enforcement action will depend on the severity of the non-compliance. Factors that will be taken into consideration include:

- The risk that the non-compliance poses to the safety, health or economic welfare of the public at large or to individuals
- The culpability of the responsible party
- Evidence that suggests that there was premeditation in the commission of an offence
- Whether the alleged offence involves a failure to comply in full or in part with the requirements of a statutory Notice or order
- Whether there is a history of previous warnings or the commission of similar offences
- Aggravated circumstances such as aggressive or violent behaviour

The Service will adopt a coordinated approach with other Council services and other relevant agencies, in particular with preventing and dealing with homelessness.

7.6 Power to Charge for Enforcement Action

The Local Authority has the power under Section 49 of the Housing Act 2004 to make a reasonable charge as a means of recovering certain administrative and other expenses incurred in serving an Improvement Notice, Hazard Awareness Notice, making a Prohibition, Emergency Prohibition or Demolition Order or taking Emergency Remedial Action. The Council will consider charging under the following:

Housing Act 2004	
Section	Type of Notice
Section 11 and 12	Improvement Notices
Section 20 and 21	Prohibition Notice
Section 40	Emergency Remedial Action
Section 43	Emergency Prohibition Order
Section 64	Licence for House in Multiple Occupation
Section 265 HA 1985	Demolition Order

7.7 Charges for Notices & Orders

Where a charge is made, the Council can recover a reasonable amount for expenses incurred in connection with officer time spent gaining entry, visiting and inspecting the premises to determine appropriate action and the administration costs for the production of a Notice, Order or Remedial Action. This will be calculated using an hourly rate charge and information will be included within the council's fees and charges statement at the next review period.

Costs incurred carrying out Work in Default or Remedial Action will be charged separately.

When the charge demand becomes operative, the sum recoverable will be a local land charge which will remain until the debt has been paid or the property sold.

7.8 Failure to Comply with Notices

If a Notice is complied with, no further action will be taken. However, if the Notice is not complied with, the Council will consider the following options:

- Prosecution;
- Carrying out the works in default;
- Carrying out the works in default and prosecution;
- Whether a simple caution is appropriate;
- Civil Penalty

Failure to comply with an Improvement Notice or a Prohibition Order is an offence punishable by an unlimited fine. Following conviction, it is an offence to carry on using the premises in breach of the Prohibition Order, attracting a daily fine.

The Council will act to recover its costs in connection with works in default. The Council will also act to recover the costs incurred in carrying out works associated with Emergency Remedial Action.

As a charge on the property, the costs give the Authority the same powers and remedies as a Mortgagee under the Law of Property Act 1925 (Enforced Sale).

7.9 Revocation and Variation of Notices

The Council must revoke an Improvement Notice once the Notice has been complied with.

If part of the work required within the Notice is carried out, then the Notice can be varied.

7.10 Review of Enforcement Action

If there is a change in the occupation of a premises (leading to either an increase or decrease in the apparent risk to occupiers) the current state of any outstanding enforcement action should be reviewed by the investigating officer, in consultation

with his or her line manager, to ensure that it is still appropriate and proportionate to the risk posed from the identified hazard(s).

7.11 Recovery of Debts

Where charges for enforcement action are levied, they will be registered as a local land charge against the owner's property. This means that when the property is sold the debt has to be repaid including any interest accrued on the initial charge. The Council will vigorously pursue all debts owed to it as a result of enforcement charges or charges for carrying out works in default (as well as any other charges). This includes smaller debts where the cost of recovery is greater than the debt owed. To recover debts the Council will use some of the following means;

- The enforced sale procedure under the Law and Property Act 1925. This allows the Council to force the owner to sell their property in order to recover its costs
- Use tracing services to track down debtors and secure judgments to recover debts
- Demand rents are paid to the Council instead of the landlord to recover outstanding debts (where the legislation allows and it is appropriate to do so).

7.12 Improvement Notices

It is anticipated that Improvement Notices are a practical remedy for Category 1 hazards.

Where the Council determines that it is appropriate for an Improvement Notice to be served in respect of a Category 1 Hazard, it will:

- Require works that will either remove the hazard entirely or
- Will reduce its effect so that it ceases to be a Category 1 hazard,

The Council will take whichever of these two options it considers appropriate, having considered the circumstances of the case.

If the Council determines that the hazard can only be reduced to a Category 2 hazard rather than removed, it will require works to be carried out as far as is reasonably practical to reduce the likelihood of harm.

7.13 Suspended Improvement Notice

The Council has the power to suspend an Improvement Notice once served and will consider this course of action where it is reasonable in the circumstances, to do so.

The following are situations in which it may be appropriate to suspend an Improvement Notice:

- The need to obtain planning permission (or other appropriate consent) that is required before repairs and/or improvements can be undertaken

- Works which cannot properly be undertaken whilst the premises are occupied and which can be deferred until such time as the premises falls vacant or temporary alternative accommodation can be provided
- Personal circumstances of occupants; for example, temporary ill health, which suggests that works ought to be deferred

When deciding whether it is appropriate to suspend an Improvement Notice, the Council will have regard to:

- The level of risk presented by the hazard(s)
- The turnover of tenants at the property
- The response or otherwise of the landlord or owner
- Any other relevant circumstances (e.g. whether the vulnerable age group is present)

Suspended Improvement Notices will be reviewed on an ongoing basis, at least every 6 months.

7.14 Prohibition Orders

Prohibition Orders can be used in respect of both Category 1 and Category 2 hazards for all or part of a dwelling and are likely to be used if repair and/or improvement appear inappropriate on grounds of practicality or excessive cost (i.e. the cost is unrealistic in terms of the benefit to be derived). Examples include:

- A dwelling or part of a dwelling where adequate natural lighting or adequate fire escape cannot realistically be provided
- In an HMO, to prohibit the use of specified dwelling units or of common parts. This might, for example, be used if the means-of-escape is unsatisfactory
- To specify the maximum number of persons who can occupy a dwelling where it is too small for the household's needs, in particular in relation to the number of bedrooms
- In relation to premises lacking certain facilities but which are nonetheless suitable for a reduced number of occupants

In addition to prohibiting all uses in relation to the whole or part of the premises in question (other than uses specifically approved by the Council), Prohibition Orders can prohibit specific uses (Section 22 (4)(b) Housing Act 2004); this option may be employed to prevent occupation by particular descriptions of persons. Use of this power may be appropriate in situations such as the following:

- Premises with steep staircases or uneven floors which make them particularly hazardous to elderly occupants
- Premises with open staircase risers or widely spaced balustrades that make them particularly unsuitable for infants

7.15 Suspended Prohibition Order

The Council has the power to suspend a Prohibition Order once served and will consider this course of action where it is reasonable in the circumstances to do so.

Suspended Prohibition Orders will be reviewed on an ongoing basis, at least every 6 months.

The Council will consider any written requests made for alternative uses of premises or part-premises which are subject to a Prohibition Order, and will not withhold its consent unreasonably. Any such consent will be confirmed in writing.

7.16 Hazard Awareness Notice

Hazard Awareness Notices may be served to notify owner-occupiers of the existence of hazards (for example where the risk from the hazard is mitigated by the long-standing nature of the occupancy). It might also be applicable where:

- It is judged appropriate to draw a landlord's attention to the desirability of remedial action
- To notify a landlord about a hazard as part of a measured enforcement response

7.17 Emergency Remedial & Prohibition Action

The situations in which Emergency Remedial Action and Emergency Prohibition Orders may be used are specified by Sections 40 to 45 of the Housing Act 2004. Specifically, the Council must be satisfied that:

- A Category 1 hazard exists, and that
- The hazard poses an imminent risk of serious harm to health or safety, and that
- Immediate action is necessary

Situations in which emergency action may be appropriate include:

- Residential accommodation located above commercial premises which lack a safe means of escape in the event of fire because there is no independent access
- Risk of electrocution, fire, gassing, explosion or collapse

7.18 Demolition Orders

The Housing Act 2004 provides the Council with the power to make Demolition Orders. Demolition Orders are a possible response to a Category 1 hazard (where they are judged the appropriate course of action). In determining whether to issue a Demolition Order, the Council will take account of Government guidance and will consider all the circumstances of the case.

7.19 Clearance Areas

The Council can declare an area to be a Clearance Area if it is satisfied that each of the premises in the area is affected by one or more Category 1 hazards (or that they are dangerous or harmful to the health and safety of inhabitants as a result of a bad arrangement or narrowness of streets). In determining whether to declare a

Clearance Area, the Council will act only in accordance with Section 289 of the Housing Act 1985 (as amended) and having had regard to relevant Government guidance on Clearance Areas and all the circumstances of the case.

7.20 Simple Cautions

Officers may use Simple Cautions where someone has committed a less serious offence. Simple Cautions warn people that their behaviour has been unacceptable and makes them aware of the legal consequences should they commit further offences. Simple cautions can only be issued where:

- There is evidence an offender is guilty
- The offender is eighteen years of age or over
- The offender admits they have committed the crime
- The offender agrees to be given a caution – if the offender does not agree to receive a caution then they are likely to be prosecuted instead

Simple cautions are normally not appropriate where there is history of offending within the last 2 years or where the same type of offence has been committed before. In these circumstances prosecution is more appropriate.

7.21 Works in Default

Works in Default will be considered in certain cases. In determining if work in default is appropriate, Officers will consider the following information;

- The effects of not carrying out the work on the health and safety of the occupant of the property concerned
- The wishes of the tenant where the Notice has been served in respect of a rented property
- The reason for the work not being carried out in the first place
- Any other factors that are specific to individual properties
- The Council will normally seek to recover all of the costs associated with undertaking work in default (including time spent by its Officers, administrative costs, contractors costs, the cost of any specialist reports, supervisory costs etc.)

In the case of Officer time, the Council will calculate costs as follows:

- The actual time spent by Council Officers on the chargeable activities and recorded using file notes and database
- Time spent will be converted into a monetary figure using the appropriate hourly rate set for the Officer(s) concerned.

The expenses incurred are to be recovered from the person(s) on whom the Notice or Order is/are served (“the relevant person”). Where the relevant person receives the rent on behalf of another, the expenses are also to be recovered from that other person. The recoverable expenses, are a charge on the premises.

8. Civil Penalties

The Housing & Planning Act 2016 introduced a range of measures to crack down on rogue landlords including the power for Councils to issue Civil Penalties of up to £30,000 as an alternative to prosecution for certain specified offences. This power came in to force on 6 April 2017 and was introduced by section 126 and Schedule 9 of the Housing and Planning Act 2016.

The primary aims of any financial penalty will therefore be to:

- Change the behaviour of the landlord / agent concerned.
- Deter future non-compliance by landlords / agents.
- Eliminate any financial gain or benefit from non-compliance with the regulations.
- Be proportionate to the nature of the breach of the regulations and the potential harm outcomes.
- Reimburse the cost incurred by the Council in undertaking work in default and fulfilling its enforcement duties.

Income received from a Civil Penalty can be retained by the local housing authority provided that it is used to further the local housing authority's statutory functions in relation to their enforcement activities covering the private rented sector.

A civil penalty may be imposed as an alternative to prosecution for the following offences under the Housing Act 2004:

- Failure to comply with an Improvement Notice (section 30)
- Offences in relation to licensing of Houses in Multiple Occupation (section 72)
- Offences in relation to licensing of houses under Part 3 of the Act (section 95)
- Offences of contravention of an overcrowding notice (section 139)
- Failure to comply with management regulations in respect of Houses in Multiple Occupation (section 234)

The amount of penalty is to be determined by the Council in each case. In determining an appropriate level of penalty, the Domestic Team will have regard to statutory guidance given in the DCLG publication 'Civil Penalties under the Housing and Planning Act 2016'.

Only one penalty can be imposed in respect of the same offence and a civil penalty can only be imposed as an alternative to prosecution. However, a civil penalty can be issued as an alternative to prosecution for each separate breach of the House in Multiple Occupation management regulations. Section 234(3) of the Housing Act 2004 states that a person commits an offence if he fails to comply with a regulation. Therefore, each failure to comply with the regulations constitutes a separate offence for which a civil penalty can be imposed.

The same criminal standard of proof is required for a civil penalty as for prosecution. This means that before taking formal action, the Council must satisfy itself that if the

case were to be prosecuted in a magistrates' court, there would be a realistic prospect of conviction. In order to achieve a conviction in the magistrates' court, the Domestic Team must be able to demonstrate beyond reasonable doubt that the offence has been committed.

The decision to impose a civil penalty as opposed to prosecution for the offence will be determined on a case by case basis but in all cases there must be sufficient, reliable evidence to justify the action taken, the action must be in the public interest, it should be fair and consistent, be relevant to the seriousness of the offence and be an appropriate and effective sanction to a breach of the legislation that is in place to protect people in their own homes.

8.1 Determining the Sanction

The following principles will apply to each case to be considered in relation to a Civil Penalty;

- Each case will be considered on its own merits
- There must be sufficient, reliable evidence to justify the action taken
- The action taken must be in the public interest
- Any mitigating circumstances will be considered
- The decision to prosecute an individual is a serious step and has serious implications for all involved. Decisions to prosecute should always be fair and consistent.

8.2 Factors to be taken into consideration when Determining the Penalty

In accordance with the statutory guidance, the Council will consider the following factors to help ensure that the civil penalty is set at an appropriate level:

- **Severity of the offence.** The more serious the offence, the higher the penalty should be.
- **Culpability and track record of the offender.** A higher penalty will be appropriate where the offender has a history of failing to comply with their obligations and/or their actions were deliberate and/or they knew, or ought to have known, that they were in breach of their legal responsibilities. Landlords are running a business and should be expected to be aware of their legal obligations.
- **The harm caused to the tenant.** This is a very important factor when determining the level of penalty. The greater the harm or the potential for harm (this may be as perceived by the tenant), the higher the amount should be when imposing a civil penalty.
- **Punishment of the offender.** A civil penalty should not be regarded as an easy or lesser option compared to prosecution. While the penalty should be proportionate and reflect both the severity of the offence and whether

there is a pattern of previous offending, it is important that it is set at a high enough level to help ensure that it has a real economic impact on the offender and demonstrates the consequences of not complying with their responsibilities.

- **Deter the offender from repeating the offence.** The ultimate goal is to prevent any further offending and help ensure that the landlord fully complies with all of their legal responsibilities in future. The level of the penalty should therefore be set at a high enough level such that it is likely to deter the offender from repeating the offence.
- **Deter others from committing similar offences.** While the fact that someone has received, a civil penalty will not be in the public domain, it is possible that other landlords in the local area will become aware through informal channels when someone has received a civil penalty. An important part of deterrence is the realisation that (a) the local housing authority is proactive in levying civil penalties where the need to do so exists and (b) that the level of civil penalty will be set at a high enough level to both punish the offender and deter repeat offending.
- **Remove any financial benefit the offender may have obtained as a result of committing the offence.** The guiding principle here should be to ensure that the offender does not benefit as a result of committing an offence, i.e. it should not be cheaper to offend than to ensure a property is well maintained and properly managed.

8.3 Penalties Structure

For the purpose of the offence, a fine will be calculated using the financial penalty notice matrix in Appendix 2. . The selection of the relevant fine range, and the position of the individual offence within that range, is determined by the seriousness of the offence. The following factors will be considered;

In assessing seriousness there is a need to consider both culpability and harm

There can be an imbalance for example:

- Harm that results is greater than the harm intended by the offender
- Culpability may be at a higher level than the harm resulting from the offence

Culpability will be greater if;

- The offender deliberately causes more harm than necessary
- The offender targets a vulnerable victim (old age, youth, disability)
- The culpability of the offender should be the initial factor in determining the seriousness of the offence

8.4 Procedure

The Council will issue the person deemed to have committed a relevant offence a notice of its proposal ('notice of intent') to impose a financial penalty. This will set out;

- The amount of the proposed financial penalty;
- The reasons for proposing to impose the penalty;
- Information about the right of the landlord to make representations.

The notice of intent must be given no later than 6 months after the Council has sufficient evidence of the conduct to which the penalty relates, or at any time when the conduct is continuing.

A person who is given a notice of intent may make written representations to the Council about the intention to impose a financial penalty within 28 days from the when the notice was given.

The person may provide any information at this time, that they feel should be considered in the council's review. This may include information as to their ability to pay the level of the fine, to show they took all reasonable steps and exercise due diligence to avoid breaching the duty, or because of the circumstances of the landlord's case it was not appropriate for the penalty notice to be served. Further details of potential mitigating factors can be found in Appendix 5.

Where written representations are made, a senior officer not previously involved with the case will consider the appeal. This will usually be the Environmental Services Manager or another relevant officer at this level within the Council's structure. The decision of the senior officer will set out their reasons for making their decision clearly and the following options will be available to them;

- Withdraw a notice of intent or final notice; or
- Reduce the amount specified in a notice of intent or final notice
- Uphold the original decision to issue the notice of intent

At the end of the 28-day period, the Council will decide whether to impose a penalty and, if so, will set the amount of the penalty. If the decision is made to impose a financial penalty, we will give the person a final notice requiring that the penalty is paid within 28 days. The final notice will include the following information;

- The amount of the financial penalty;
- The reasons for imposing the penalty;
- Information about how to pay the penalty;
- The period for payment of the penalty (28 days);
- Information about rights of appeal; and
- The consequences of failure to comply with the notice.

A person who receives a final notice may appeal to the First-tier Tribunal (Property Chamber) against:

- The decision to impose a penalty; or
- The amount of the penalty.

In these circumstances, the final notice is suspended until the appeal is determined or withdrawn.

9. Rent Repayment Orders

In addition to the powers provided by the Housing Act 2004 to apply Rent Repayment Orders (RROs) in regard to offences related to HMOs as outlined at section 73 and 74 of Housing Act 2004, the Housing and Planning Act 2016 extended the power to apply RROs in respect of the following offences committed after 6th April 2017;

- Failure to comply with an Improvement Notice under Section 30 of the Housing Act 2004
- Failure to comply with a Prohibition Order under Section 32 of the Housing Act 2004
- Breach of a banning order made under Section 21 of the Housing and Planning Act 2016
- Using violence to secure entry to a property under Section 6 of the Criminal Law Act 1977
- Illegal eviction or harassment of the occupiers of a property under Section 1 of the Protection from Eviction Act 1977

The maximum amount of rent that can be recovered is capped at 12 months.

A criminal standard of proof is required. The Council must apply to the First Tier Property Tribunal for an RRO.

East Cambridgeshire District Council will consider application for RROs in all cases where a successful prosecution has been achieved

10. Banning Order Offences

The Housing and Planning Act 2016 (Banning Order Offences) Regulations 2017 introduced a list of banning order offences.

The local authority may apply to the First-tier Tribunal for a Banning Order against a landlord who it has prosecuted for a banning order offence and breach of a banning order is a criminal offence.

A banning order will last a minimum of 12 months. There is no statutory maximum period for a banning order. The most serious offences will be considered for a banning order in line with our Corporate and Private Sector Housing Enforcement Policies and Government guidance. When considering whether to apply for a banning order the local authority should consider the sentence imposed by the Court in respect of the banning order offence itself.

Rogue landlords who flout their legal obligations and continue to rent out accommodation which is substandard following a successful prosecution for a banning order offence, will be referred to the First-tier Tribunal for application of a banning order.

11. Houses in Multiple Occupation

The Housing Act 2004 introduced a mandatory licensing system for certain types of Houses in Multiple Occupation (HMO). The aim of licensing is to ensure that every licensable HMO is safe for the occupants and visitors and is properly managed.

From April 2006 owners of certain types of HMOs must apply to the Council to have their properties licensed. The responsibility for applying for a licence rests with the person having control of or the person managing the property.

From October 1ST 2018 a new lower criteria was introduced for mandatory licensing, whereby a mandatory license is required where there are 2 or more households, with 5 or more residents, irrespective of the number of storeys. The room sizes for occupation were also changed. More information can be found at <http://www.eastcambs.gov.uk/licensing/houses-multiple-occupancy-hmo-licence>

The Housing Act 2004 also provides the Council with the power to apply Discretionary Licensing, either by way of Additional or Selective Licensing based on specific conditions being met. Should an area within East Cambridgeshire District Council ever become subject to discretionary licensing, a specific enforcement policy will be developed to accompany any designation.

When considering the Amenities required in a House in multiple occupation regard will be made to the East Cambridgeshire District Council Amenity Standards. These include minimum room sizes along with bathing facilities and cooking amenities. The Amenity Standards can be found at Appendix 1.

11.1 Licensing Offences

The Housing Act 2004 sets out a number of licensing related offences all of which carry an unlimited fine, including:

- Operating an unlicensed HMO or allowing an HMO to be occupied by more persons than a licence allows
- Breach of licence condition
- Supplying incorrect information in a licence application

In addition to the above, a landlord who operates an unlicensed HMO can be subject to a Rent Repayment Order (RRO) by a First-tier Tribunal (Property Chamber) under sections 96 and 97 of the Housing Act 2004. The Council may also decide to apply a Civil Penalty for certain offences using the Housing and Planning Act 2016.

A RRO requires repayment of rent received by the landlord over a period of up to 12 months. The Council will usually consider applying for such a measure if the

landlord has received rent that has been paid by Housing Benefit.

Where an unlicensed HMO is identified, the Council will assess whether there are good reasons why an application has not been received. If there are no good reasons, the Council will look to take formal proceedings with a view to prosecution in the courts or by way of issuing a Civil Penalty.

If a landlord of an unlicensed HMO approaches the Council for licensing and the landlord fully cooperates with the Council, including addressing any management, safety or amenity issue within an agreed timescale, the Council would not normally take enforcement action.

Generally, initially, any breach of licence condition will be dealt with informally. However, if the breach is serious and affects the safety of the occupants or the responsible person does not carry out necessary works within an agreed timescale, the Council will pursue legal proceedings.

11.2 Interim and Final Management Orders

An Interim Management Order (IMO) transfers the management of a residential property to the Council for a period of up to twelve months. The circumstances in which an order can be made are discussed below. In particular, the IMO allows the Council possession of the property against the immediate landlord, and subject to existing rights to occupy can;

- Do anything in relation to the property, which could have been done by the landlord, including repairs, collecting rents etc.
- Spend monies received through rents and other charges for carrying out its responsibility of management, including the administration of the property
- To create new tenancies (with the consent of the landlord).

Under an IMO the Council must pay to the relevant landlord (that is the person(s) who immediately before the order was made was entitled to the rent for the property) any surplus of income over expenditure (and any interest on such sum) accrued during the period in which the IMO is in force. It must also keep full accounts of income and expenditure in respect of the house and make such accounts available to the relevant person.

The Council must take enforcement action in respect of a licensable property (which means an HMO subject to Part 2, or other residential property subject to Part 3) by making an IMO if:

- The property ought to be licensed, but is not, and the Council considers there is no reasonable prospect of it granting a licence in the near future. An IMO may not, however, be made on these grounds if an effective application is outstanding with the authority for the grant of a licence or a temporary exemption notice or if such a notice is in force
- The Domestic Team is satisfied that the Health and Safety Condition isn't met and, therefore, it would not have granted an application for a licence
- The Domestic Team intends to revoke the licence on one or more of the grounds specified in Parts 2 or 3 of the Act, other than the property has

ceased to be licensable, and upon revocation there will be no reasonable prospect of the property being licensed in the near future (e.g. to another suitable person)

- The Domestic Team is satisfied that when the licence is revoked the Health and Safety Condition test will be met.

11.3 Final Management Orders

In exceptional circumstances the Council can also apply for a Final Management Order (FMO) which can last for up to five years. Such powers will only be used in exceptional circumstances and will be agreed by the Manager of Environmental Services.

A FMO cannot be made unless an IMO or another FMO was already in force. An FMO transfers the management of the house to the Domestic Team for the duration of the order. In particular, the FMO allows the Council;

- Possession of the property against the immediate landlord, but subject to existing rights of occupation
- To do anything in relation to the property, which could have been done by the landlord, including repairs, collecting rents etc.
- To spend monies received through rents and other charges for carrying out its responsibility of management, including the administration of the property;
- To create new tenancies (without the consent of the landlord).

11.4 Management Order Management Schemes

The Council must adopt a management scheme for a property subject to an FMO. The scheme must set out how the Council intends to manage the house. In particular, the management scheme must include:

- The amount of rent it will seek to obtain whilst the order is in force
- Details of any works which the Council intends to undertake in relation to the property
- The estimate of the costs of carrying out those works
- Provision as to the payment of any surpluses of income over expenditure to the relevant landlord, from time to time
- In general terms how the authority intends to address the matters that caused the Council to make the order. The Council must also keep full accounts of income and expenditure in respect of the house and make such accounts available to the relevant landlord.

11.5 Temporary Exemption Notices

Where a landlord is, or shortly will be taking steps to make an HMO non-licensable, the Council may serve a Temporary Exemption Notice (TEN). A TEN can only be granted for a maximum period of three months. In exceptional circumstances a second TEN can be served for a further three-month period. A TEN will be served where the owner of the HMO states in writing that steps are being taken to make the

HMO non- licensable within 3 months.

11.6 Raising Standards in HMO's.

Under current legislation many HMOs still do not currently require a licence. These include houses containing some self-contained flats and smaller HMOs. Many of these still pose a significant degree of risk to occupants and/or have a history of being poorly managed. The Council will continue to regulate such HMOs through using the Housing Health and Safety Rating system and other appropriate legislation e.g. the HMO Management Regulations when complaints are received.

11.7 Fire Safety in HMOs

Statistically, HMOs have one of the highest incidents of deaths caused by fire in any type of housing. It is therefore essential that any HMO possesses an adequate means of escape in event of a fire and adequate fire precautions. The actual level of fire protection and detection required will be determined by a risk assessment.

The Domestic Team (Environmental Services) is generally the lead enforcing authority for fire safety in HMOs, however where an HMO contains communal areas, or is above a commercial property a Fire Risk Assessment is carried out in accordance with the Regulatory Reform Order which is administered by Cambridgeshire Fire Authority in line with the Memorandum of Understanding and Joint Enforcement Protocol 2015.

For clarification, and/or general fire safety guidance, contact the Domestic Team (Environmental Services) or visit <http://www.eastcambs.gov.uk/housing/hmo-licencing-information>

11.8 General Management of HMOs

The Management of Houses in Multiple Occupation (England) Regulations 2006 require the person having control of the house to ensure that: -

- All services, furnishings, fixtures and fittings are maintained in good, sound, and clean condition
- The structure is kept in good order
- All communal areas of the interior are regularly cleaned and redecorated as necessary
- All yards, boundary walls, fences, gardens and outbuildings are maintained in a safe and tidy condition
- Satisfactory arrangements for the disposal of refuse and litter have been made
- At the commencement of all tenancies the lettings are clean, in a satisfactory state of repair and decoration, and comply in all respects with these standards
- All staircases and multiple steps should be provided with suitable handrails
- All Tenants should fulfil their tenancy obligations.

12. Empty Homes

Empty homes can be a blight on our community as well as a wasted housing resource. Our approach will be to work alongside owners of empty homes with a solution-based approach to support and encourage voluntary action. However, we are also committed to using appropriate enforcement action where owners fail to take responsibility for their properties, reasonable negotiations fail or there is little prospect of the property being bought back into use voluntarily.

A number of factors will be considered in deciding the best course of action for an empty home. For more information please see the East Cambridgeshire Empty Homes Strategy 2006 or contact the Domestic Team.

The Council will provide advice and assistance to the owners of empty properties to help bring the home back into use. It will however also consider using any of the following enforcement options:

- **Empty Dwelling Management Orders**
Where a property has been left empty for over two years and is attracting anti-social behaviour, the Council may seek an EDMO, the provisions for which are contained in the Housing Act 2004. An EDMO allows the Council to take over full management of the property for up to seven years, reclaiming any management and refurbishment costs from the rental income.
- **Compulsory Purchase Orders**
CPOs can be made under s17 of the Housing Act 1985 or s226 of the Town & Country Planning Act 1990. They allow local authorities to purchase properties in specific circumstances without the owner's consent. This is only carried out in extreme circumstances and if resources allow.
- **Statutory nuisance provisions**
If a property is unsafe, causing or is likely to cause a nuisance to the locality, there are several legislative tools available to the Council to ensure that the condition of the property is improved. These include provisions to ensure the property is safe, secure and not adversely affecting the amenity of the area.
- **Enforced sale procedure**
The Law of Property Act 1925 allows the recovery of debt secured by a registered charge by forcing the sale of a property. In situations where the Council has served notices requiring the owner to ensure that their property is not unsafe or having a negative impact, but they have failed to act, the Council may be forced to carry out the works in default. If the costs incurred are not paid, the Council will register any 'relevant' charges (charges that can be legally applied) against the property and should the owner still not pay this debt, the Council can commence legal proceedings to sell the property to recover the costs.

13. The Smoke and Carbon Monoxide Alarm (England) Regulations 2015

The regulations impose obligations upon landlords to ensure that tenanted properties are provided with smoke alarms and carbon monoxide alarms. This has been publicised in the Council's Statement of Principles.

Reg 4(1) says; A relevant landlord in respect of a specified tenancy must ensure that

- (b) during any period beginning on or after 1st October 2015 when the premises are occupied under the tenancy-*
 - (i) a smoke alarm is equipped on each storey of the premises on which there is a room used wholly or partly as living accommodation;*
 - (ii) a carbon monoxide alarm is equipped in any room of the premises which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance; and*
- (c) checks are made by or on behalf of the landlord to ensure that each prescribed alarm is in proper working order on the day the tenancy begins if it is a new tenancy.*

Where the Council has reasonable grounds to believe that the requirements of these Regulations have not been met by a landlord, there is a duty on the Council to serve a 'remedial notice'.

A remedial notice must-

- specify the premises to which the notice relates;
- specify the duty or duties that the local housing authority considers the landlord is failing or has failed to comply with;
- specify the remedial action the local housing authority considers should be taken;
- require the landlord to take that action within 28 days beginning with the day on which the notice is served;
- explain that the landlord is entitled to make written representations against the notice within 28 days beginning with the day on which the notice is served;
- specify the person to whom, and the address (including if appropriate any email address) at which, any representations may be sent; and
- explain the effect of regulations 6, 7 and 8, including the maximum penalty charge which a local housing authority may impose.

A person given a remedial notice may make written representations to the council within 28 days from the date the notice was given. The person may provide any mitigating circumstances that they feel should be considered in the council's assessment as to validity of service of the notice.

A senior officer not previously involved with the case will consider the appeal. This will usually be the Environmental Services Manager or another relevant

officer at this level within the Council's structure. They will consider the information provided with the following options available to them:

- Withdraw the remedial notice, or
- Uphold the decision.

A person who receives a final notice may appeal within 28 days to the First-tier Tribunal (Property Chamber) and the remedial notice will not have effect until the appeal is heard.

Failure to comply with a remedial notice imposes a further duty on the Council to arrange remedial action and a power to require payment of a penalty charge. Penalty charges for non-compliance are currently as follows:

First offence	£500	Reduced to £400 if paid within 14 days
Second offence	£1,000	No reduction for early payment
Any additional offences	£5,000	No reduction for early payment

In determining the level of the fixed penalty notice the Council has considered the likely costs it will incur and the amount required sufficient to provide a deterrent to non-compliance. Increasing the fine for a second or third offence reflects the seriousness of the offence and is designed to deter repeat offending.

14. Electrical Safety Standards

The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 enables councils to serve financial penalties for breaches of up to £30,000 and came into force in April 2021.

These new regulations require landlords to have the electrical installations in their properties inspected and tested by a person qualified and competent to do so, at an interval of not less than 5 years. Landlords must provide a copy of the Electrical Installation Condition Report to their tenants and to the local authority if requested. Landlords must:

- Ensure national standards for electrical safety are met. These are set out in the latest edition of the 'Wiring Regulations'.
- Ensure the electrical installations in their rented property are inspected and tested by a qualified and competent person at an interval of at least every 5 years,
- Obtain a report from the person conducting the inspection and test which gives the results and sets a date for the next inspection and test,
- Supply a copy of this report to the existing tenant within 28 days of the inspection and test,
- Supply a copy of the report to a new tenant before they occupy the premises,
- Supply a copy of the report to any prospective tenant within 28 days of receiving a request for the report,
- Supply the local authority with a copy of the report within 7 days of receiving a request for a copy,
- Retain a copy of the report to give to an inspector and tester who will

- undertake the next inspection and test,
- Where the report shows that remedial or further investigation are required, complete this work within 28 days or any shorter period if specified as necessary in the report, and
- Supply written confirmation of the completion of the remedial works from the electrician to the tenant and the local authority within 28 days of completion of the works.

The local authority may impose a financial penalty in respect of every breach. The level of any penalty is determined as laid down in the penalty fee structure in Appendix 3.

The same criminal standard of proof is required for a financial penalty as for prosecution.

If a breach of the Regulations is identified the council will issue the person considered to have committed the relevant offence a notice of its proposal (notice of intent) to impose a financial penalty. This will set out:

- The amount of the proposed financial penalty,
- The reasons for proposing to impose the penalty, and
- Information about the right of the person to make representations

The notice of intent must be given no later than 6 months after the conduct to which the penalty relates.

A person given notice of intent may make written representations to the council about the intention to impose a financial penalty within 28 days from the date the notice was given. The person may provide any financial information at this time, that they feel should be considered in the council's assessment as to their ability to pay the level of the fine.

A senior officer not previously involved with the case will consider the appeal. This will usually be the Environmental Services Manager or another relevant officer at this level within the Council's structure. They will consider the information provided with the following options available to them:

- Withdraw the notice of intent,
- Reduce the amount specified, or
- Uphold the original decision.

If the decision is made to impose a financial penalty the council will give the person a final notice requiring the penalty to be paid within 28 days.

A person who receives a final notice may appeal within 28 days to the First-tier Tribunal (Property Chamber) and the penalty notice will not have effect until the appeal is heard.

15. The Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulation 2007

Cambridgeshire County Council (CCC) has ratified its decision to delegate their enforcement powers under these Regulations to all district authorities within Cambridgeshire. On investigation if a local authority determines there is no Energy Performance Certificate (EPC) for a domestic dwelling and it is a relevant building then the council can serve a fixed penalty notice.

The regulations require the following with respect to rented properties:

- The relevant person shall make available free of charge a valid energy performance certificate to any prospective buyer or tenant at the earliest opportunity and in any event before entering a contract to sell or rent out the building.
- The relevant person must ensure that a valid EPC has been given free of charge to the person who ultimately becomes the buyer or tenant.
- The relevant person must ensure all particulars are provided as required by the regulations. Where a relevant person is under a duty to make available an EPC to any person the certificate must be accompanied by a recommendation report.
- A recommendation report is one that contains recommendations for the improvement of the energy performance of the building, issued by the energy assessor who issued the EPC.
- A person required to produce such documents shall do so seven days beginning with the day after the requirement was imposed.

Breaches of the regulations are liable to a Penalty Charge Notice of £200.

Landlords can request a review of a penalty charge and this shall be submitted to the council within 28 days of the Penalty Charge Notice. The person may provide any information at this time, that they feel should be considered in the council's review. This may include information as to their ability to pay the level of the fine, to show they took all reasonable steps and exercise due diligence to avoid breaching the duty, or because of the circumstances of the landlord's case it was not appropriate for the penalty notice to be served. Further details of potential mitigating factors can be found in Appendix 5.

A senior officer not previously involved with the case will consider the appeal. This will usually be the Environmental Services Manager or another relevant officer at this level within the Council's structure. They will consider the information provided with the following options available to them:

- Withdraw the Penalty Charge Notice, or
- Reduce the amount specified, or
- Uphold the original decision.

If the decision is made to either reduce the amount or require the full financial

penalty to be paid this shall be received by the council within 28 days.

A person who receives a final notice may appeal within 28 days to the County Court and the penalty notice will not have effect until the appeal is heard.

16. The Minimum Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015

From 1st April 2020 a rental property let on a relevant tenancy with an EPC rating below E is in breach of the regulations, unless it is included on the Private Rented Sector (PRS) Exemptions Register.

Councils shall serve a Compliance Notice if it considers a property is being rented out, or has been at any time within the 12 months preceding requesting:

- The energy performance certificate which was valid at the time the property was let,
- Any other energy performance certificate for the property in the landlords possession,
- Any current tenancy agreement under which the property is let,
- Any qualifying assessment in relation to the property,
- Any other document that the authority considers necessary to enable it to carry out its functions under these regulations, and
- May request the landlord to register copies of any of them on the PRS exemptions register

The authority can serve a Penalty Notice where a landlord:

- Rents out a substandard relevant property, unless an exemption applies,
- Has registered false or misleading information when registering information on the PRS Exemptions Register, or
- Does not comply with a Compliance Notice.

The penalties available are as follows:

- £2000 for letting a substandard property for less than 3 months
- £4000 for letting a substandard property for 3 months or more
- £1000 for false or misleading information being provided
- £2000 for failure to comply with a Compliance Notice

If a landlord breaches more than one of the breaches the total of the penalty must not be greater than £5000.

Where a financial penalty has been imposed the local authority may publicise the following information on the PRS Exemptions Register for a minimum period of 12 months:

- Landlords name
- Details of the breach

- The address of the property in relation to the breach
- The amount of financial penalty imposed.

The level of penalty shall be as the maximum laid down in the Regulations.

Landlords can request a review of a penalty charge and this shall be submitted to the council within 28 days of the Penalty Notice. The person may provide any information at this time, that they feel should be considered in the council's review. This may include information as to their ability to pay the level of the fine, to show they took all reasonable steps and exercise due diligence to avoid breaching the duty, or because of the circumstances of the landlord's case it was not appropriate for the penalty notice to be served. Further details of potential mitigating factors can be found in Appendix 5.

A senior officer not previously involved with the case will consider the review. This will usually be the Environmental Services Manager or another relevant officer at this level within the Council's structure. They will consider the information provided with the following options available to them:

- Withdraw the Penalty Notice, or
- Reduce the amount specified, or
- Uphold the original decision.

The decision will be communicated to the landlord in writing at the earliest opportunity. If the decision is made to either reduce the amount or require the full financial penalty to be paid, this payment shall be received by the council within 28 days of the decision being communicated to the landlord.

A landlord may appeal the decision at the First-tier Tribunal (General Regulatory Chamber) and the penalty notice will not have effect until the appeal is heard. Appeals can be on the grounds that:

- The penalty notice was based on an error of fact or an error of law
- The penalty notice does not comply with a requirement imposed by the Regulations
- It was inappropriate to serve a penalty notice on them in the particular circumstances.

17. The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014.

This order requires letting agents and property managers to be members of an approved or designated Redress Scheme so that members can be investigated when complaints are made against them in connection with their work.

Failure to be a member of a scheme can result in a monetary penalty up to a maximum of £5,000. The level of any penalty is determined as laid down in the penalty fee structure in Appendix 4

If a breach of the Regulations is identified the council will issue the person considered to have committed the relevant offence a notice of its proposal (notice of intent) to impose a financial penalty. This will set out:

- The amount of the proposed financial penalty,
- The reasons for proposing to impose the penalty, and
- Information about the right of the person to make representations

The notice of intent must be given no later than 6 months after the conduct to which the penalty relates.

A person given notice of intent may make written representations to the council about the intention to impose a financial penalty within 28 days from the date the notice was given. The person may provide any information at this time, that they feel should be considered in the council's review. This may include information as to their ability to pay the level of the fine, to show they took all reasonable steps and exercise due diligence to avoid breaching the duty, or because of the circumstances of the person's case it was not appropriate for the penalty notice to be served. Further details of potential mitigating factors can be found in Appendix 5..

A senior officer not previously involved with the case will consider the review. This will usually be the Environmental Services Manager or another relevant officer at this level within the Council's structure. They will consider the information provided with the following options available to them:

- Withdraw the Penalty Notice, or
- Reduce the amount specified, or
- Uphold the original decision.

The decision will be communicated to the person in writing at the earliest opportunity. If the decision is made to either reduce the amount or require the full financial penalty to be paid, this payment shall be received by the council within 28 days of the decision being communicated to the person.

A person may appeal the decision at the First-tier Tribunal (General Regulatory Chamber) and the penalty notice will not have effect until the appeal is heard. Appeals can be on the grounds that:

- The decision to impose a penalty was based on an error of fact or an error of law
- The amount of the monetary penalty is unreasonable
- The decision was unreasonable for any other reason.

18. Monitoring and Review

The Service will keep its regulatory activities and interventions under review, with a view to considering the extent to which it would be appropriate to remove or reduce the regulatory burdens they impose, where the Council has direct control of these matters.

Changes will be introduced into this document where necessary to accommodate new legislation, guidance and local needs.

Fees will be reviewed annually.

19. Other legislation.

Where housing or other related legislation is introduced which is enforced by the Council and permits the imposition of any monetary penalty or penalty charge the Council will seek to fully implement any duty or power conferred upon it.

20. Application of the Policy

All Officers must have regard to this policy when making enforcement decisions.

The Environmental Services (Domestic Team) will use discretion to vary these standards in exceptional circumstances where appropriate, also considering Government Guidance and new and emerging legislation and best practice guidance. Enforcement will be carried out in line with this policy **and the East Cambridgeshire District Council Enforcement Concordat.**

If you have any comments or queries on this policy, please contact:

Senior Environmental Health Officer Karen See Domestic Team

By Email: Karen.see@eastcambs.gov.uk

By telephone: 01353 665555

Or at this address: Domestic Team, East Cambridgeshire District Council, Nutholt Lane, Ely CB7 4EE

Related policies and documents

- Previous Housing Enforcement Policy 2019
<https://www.eastcambs.gov.uk/sites/default/files/Housing%20Enforcement%20Policy%20FINAL%202019%20pdf.pdf>
 - East Cambridgeshire Private Sector Housing Renewal Policy 2015
https://www.eastcambs.gov.uk/sites/default/files/PSH%20jan%202015_1.pdf
 - Carbon Monoxide Statement Of Principles
<https://www.eastcambs.gov.uk/sites/default/files/Statement%20of%20Principles.pdf>
 - Housing Strategy
http://www.eastcambs.gov.uk/sites/default/files/housing/housing_strategy_24583.pdf
- Cambridgeshire Housing Adaptations and Repairs Policy 2019
<https://www.eastcambs.gov.uk/sites/default/files/Housing%20Adaptations%20Policy%202020.pdf>
- Homelessness Strategy
<http://www.eastcambs.gov.uk/sites/default/files/ECDC%20Homelessness%20Strategy-%20Action%20Plan.pdf>

Printed copies or translated/braille/ copies of this policy can be made available.

Please contact us on domesticteam@eastcambs.gov.uk

DATA PROTECTION

In line with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018, East Cambridgeshire District Council is fully committed to protect the privacy of our constituents, staff and members. We ensure the safe processing of personal data through strict guidelines for collection, storage and retention of information. Where appropriate, data sharing protocols are entered into and robust security measures are in place. The council maintains its Public Services Network (PSN) compliance, demonstrating its on-going commitment to supporting best practice in the maintenance and handling of data.

For further information contact: The Data Protection Officer, The Grange, Nutholt Lane, Ely, Cambs., CB7 4EE (email: dataprotection@eastcambs.gov.uk)

East Cambridgeshire District Council

The Grange, Nutholt Lane, Ely, Cambridgeshire. Tel: 01353 665555

**Appendix 1
(Revised Sept 2018)**

Adopted Standards for Houses in Multiple Occupation

The following standards and guidance notes have been compiled to comply with the requirements contained in the Housing Act 1985 as amended by the Local Government and Housing Act 1989, and the Housing Act 2004 and all associated Regulations. These standards may be varied at the discretion of the Environmental Services Manager and relate to Licensable and other Categories of HMO.

A House in Multiple Occupation is defined by the Housing Act 2004 and means:

- a house, hostel or flat occupied by more than one household where sharing of amenities and rent or other amounts are payable, or
- a converted building where one or more of the units of living accommodation do not consist of a self-contained flats.

A HMO may be considered a house converted into self-contained flats, which does not meet 1991 Building Regulations and less than two thirds of the flats are long leases (i.e. more than a third are tenanted).

A HMO must be in good repair, safe and meet East Cambridgeshire District Council's Minimum Standards.

Licensable HMO's must meet the following space standards as laid down by Regulations, that is:

- To ensure that the floor area of any room in the HMO used as sleeping accommodation by one person aged over 10 years is not less than 6.51 m²
- To ensure that the floor area of any room in the HMO used as sleeping accommodation by two persons aged over 10 years is not less than 10.22 m²
- To ensure that the floor area of any room in the HMO used as sleeping accommodation by one person aged under 10 years is not less than 4.64 m²
- To ensure that any room with a floor area less than 4.64 m² is not used as sleeping accommodation.

What dwellings are not considered Houses in Multiple Occupation for the purposes of these adopted Minimum Standards?

Exclusions include:

- People living together as one household
- Purpose built self-contained accommodation that complies with Building Regulations 1991
- Homes registered under the Registered Homes Act 1984
- Properties registered under the Children's Act 1989

The Environmental Services Manager may amend this from time to time, as necessary.

1. Standards for Houses in Multiple Occupation in Categories A, B and G

Category A

Houses occupied as individual rooms where there is some exclusive occupation (usually bedroom/living room) and some sharing of amenities (bathroom and/or toilet and/or kitchen). Each occupant lives otherwise independently of all others.

Category B

Houses occupied on a shared basis. These would normally be occupied by members of a defined social group e.g. students or a group of young single adults. The occupiers each enjoy exclusive use of a bedroom but would share other facilities.

N.B. Houses of more than 6 people are not likely to fall in this Category.

Category G

Houses with some degree of shared facilities, occupied by people whose occupation is connected to their employment or education and is made available through their employer or in connection with a recognised educational establishment.

1.1 Personal Washing Facilities

- a.** Every water closet compartment shall be provided with a wash hand basin together with its own supply of hot and cold water.
- b.** Where practicable each separate occupancy shall be provided with a wash hand basin together with its own supply of hot and cold water.
- c.** Each occupancy is to be provided with its own bath or shower in a proper room. Where this is impracticable a readily accessible and suitably located bathroom or shower room not more than one floor distance from any user to be provided in the following ratios:-

1 - 5 persons	-	1 bathroom or shower room
6 - 10 persons	-	2 bathrooms or shower rooms
11 - 15 persons	-	3 bathrooms or shower rooms
- d.** Every bath, shower and wash hand basin shall be properly plumbed with adequate hot and cold water supplies and waste drainage. Immediately adjacent walls should be non-porous and easily cleanable.

1.2 Drainage and Sanitary Conveniences

- a.** Each separate occupancy shall be provided with its own water closet compartment, but when not practicable, satisfactory and readily accessible water closet accommodation shall be provided in the following ratios:

1 - 5 persons	-	1 water closet
6 - 10 persons	-	2 water closets

11 - 15 persons - 3 water closets

- b.** The nearest water closet shall not be more than one floor distant from a unit of accommodation. Each bath/shower or W.C. room should have easily cleansable surfaces.
- c.** All above and below ground drainage shall comply with current Building Regulations

1.3 **Facilities for Storage, Preparation and Cooking of Food and for the Disposal of Waste Water**

If all meals are not provided then;

Each occupancy shall have its own kitchen facilities within their letting, as below, except suitably located shared kitchens may be provided where cooker and sink and associated facilities are shared by not more than five persons.

The kitchen shall be not more than one floor distance from any user unless a communal dining room is provided.

Separate kitchens whether shared or used exclusively in connection with a particular single tenancy must be of sufficient size for their purpose. The following sizes are a guide.

Kitchen used by Area of floor

1 – 3 persons	5m ²
4 persons	6m ²
5 persons	7m ²
9 persons	9m ²

a. Storage of Food

Each separate occupancy shall be provided with a refrigerator for the storage of perishable food (minimum capacity 0.15m³) and dry goods storage space (minimum 0.15m³) which may be within the unit accommodation or within the kitchen where kitchens are shared.

In shared kitchens the scale of such provision must be a minimum of 0.08m³ dry goods space and 0.075m³ refrigerator space per occupant, either in the kitchen or in an adjacent readily accessible position.

b. Preparation of Food

A suitable fixed worktop shall be provided being of a minimum size of 500mm x 1000mm with a smooth, durable, impervious surface, capable of being easily cleaned. In the case of shared kitchens, worktops shall be provided in a ratio of one to every three persons sharing the kitchen. Immediately adjacent walls to be non-porous and easily cleanable.

c. Kitchen Appliances

Two power points shall be provided, positioned immediately adjacent to any

worktop. In the case of shared kitchens power points shall be provided in the ratio

of two power points for every three persons.

d. Cooking of Food

A suitable cooking appliance which includes an oven, grill and four cooking rings shall be provided in each occupancy. In the case of shared kitchens cooking appliances that include an oven, grill and four cooking rings shall be provided in a ratio of one set for every five persons. Where there are up to eight persons the second cooking appliance may be a combination microwave rather than a traditional cooker.

Where there is single person occupancy an oven grill and two cooking rings will be acceptable.

1.4 Natural Lighting

- a.** All habitable rooms shall be provided with an area of clear glazing equivalent in total area of not less than 1/10th of the floor area of the room. Please note that all glazing within the common escape route (in case of fire) must comply with fire protection standards.
- b.** Where practicable, all kitchens, bathrooms and W.C. compartments shall comply with 4(a) above, although in the case of bathrooms and W.C. compartments, glazing shall normally be obscure. Where this is not practicable, adequate artificial lighting shall be provided in accordance with the requirement of part (b).

Artificial Lighting

- c.** All habitable rooms, kitchens, bathrooms, W.C. compartments, staircases, landings and passages shall be adequately lit by electricity.

All artificial lighting on landings, stairs and passageways must be operated by sufficient switches. Any time switches must stay on for an adequate time to allow persons to travel the distance and have entered the next lighting area.

1.5 Ventilation

- a.** All habitable rooms shall be ventilated directly to the external air by a window with an opening area of at least 1/20th of the floor area of the room.

A door giving access directly to the external air will not be acceptable for the purpose of this requirement.

- b.** Where practicable, kitchens, bathrooms and W.C. compartments shall comply with 1.5(a) above. Where not practicable, mechanical ventilation shall be provided which is capable of providing 3 air changes per hour. The installation must be fitted with an over-run device for a minimum of 15 minutes and connected to the lighting circuit of the room.

1.6 Space Heating

The main living room of each occupancy shall be provided with a fixed heating appliance capable of heating the room to a temperature of 21 °C when the outside

[Type here]

temperature is -1°C. All appliances should be of a sufficient output so as to adequately heat the rooms they serve.

Bedrooms should be able to be maintained at 18 °C when the outside temperature is -1°C. This provision should be efficient, safely designed, sited and guarded as to minimise the risks to health and safety.

1.7 Prevention of Overcrowding Space Standards

a. For the purpose of setting space standards:-

a child under 1 year is excluded (*this also applies to the provision of amenities and facilities*)

a child over 1 year and under 10 years is classed as ½ a person,

a child over 10 years or an adult is classed as 1 person.

b. The number of persons permitted to occupy each habitable room will be calculated according to the requirements of the Housing Act 1985 as follows:-

<u>Floor Area of Room</u>	<u>Max Number</u>
19.5 m ²	4 persons
15 m ²	3 persons
10.22 m ²	2 persons
6.51 m ²	1 person

- A single bedroom with a separate living room = 6.51 m² for 1 person
- A single bedroom with **no** separate living room = 10.22 m² for 1 person
- A double bedroom with a separate living room = 10.22 m² for 2 persons
- A double bedroom with **no** separate living room = 15 m² for 2 persons
- For each additional person there should be an additional 4.5m² floor area.

c. Where a unit of accommodation includes kitchen facilities and a separate living room, then minimum room sizes need to be increased.

<u>Floor Area of Room</u>	<u>Max Number</u>
13.5 m ²	2 persons
10.22 m ²	1 person

For each additional person there should be an additional 4.5m² floor area.

1.8 Refuse Storage and Disposal

Refuse storage containers shall be provided sufficient for the needs of the house of the type acceptable to the Local Authority. On average one bin should be provided for every three single persons.

All containers are to be located on a hard standing with suitable access for cleaning the area and the removal of containers. Bulk storage bins may be acceptable in certain circumstances.

1.9 Means of Escape in the Case of Fire

There must be an adequate means of escape in case of fire and other fire precautions within the property. The type of precautions required is dependent on the type of Category and the number of stories. Detailed requirements can be found in the Fire Standards Document.

The following are general requirements that may be required:-

- A fire warning system. Heat detectors in the kitchen areas. Hard wired smoke alarms in each dwelling.
- Fire doors with 30 minutes fire resistance with self-closing devices, smoke seals and intumescent seals.
- Walls and ceiling with 30 minutes fire resistance.
- Basement ceilings to have 60 minute fire resistance.
- Electrical meters in the escape route to be in a cupboard.

All cupboards in the escape route to have 30 minutes fire resistance.

1.10 Fire Safety of Furniture

All upholstered furniture in an HMO shall meet the current fire retardancy standard.

Upholstered furniture and furnishings includes chairs, three piece suites, beds, headboards, scatter cushions and pillows.

1.11 Gas Safety

Gas appliances, boilers and flues must be safe at all times and inspected annually by a registered installer or competent person on the Gas Safe Register.

A certificate confirming that an annual gas safety check has been carried out must be available for inspection by authorised officers of the Council and the Health and Safety Executive at their request.

A copy of the Certificate must be handed to any incoming tenant before the tenant occupies the premises.

There is a duty to retain a copy of the record of inspection for a period of two years.

1.12 Electrical Wiring and Appliances

Electrical wiring to lighting, power circuits and electrical appliances must be safe at all times. These should be checked and certified as being safe by a qualified electrician who is a member of an approved association and an Electrical Installation Condition Report, no more than 5 years old, shall be available for inspection. PAT testing of appliances must be undertaken.

1.13 Management

Every HMO must have a Manager. The Manager is the owner or the lessee of the premises who receives the rents paid by tenants. The person who collects the rents on his/her behalf may also be responsible as a Manager. A notice giving the name and address of the Manager should be on display in the premises.

The Housing (Management of Houses in Multiple Occupation) Regulations 2006 cover aspects relating to good management of the premises.

The Manager is required by the Regulations to ensure the repair, maintenance, cleansing or good order of the property including making sure the property remains safe, the water supply is sufficient, common parts and fixtures and fittings are in good order, the gas and electric supply is safe and that waste disposal options are sufficient. The Manager is also required to provide relevant information to the occupiers. The Regulations also imposes duties on persons who live in the house for the purpose of ensuring that the Manager can effectively carry out the duties imposed on him by the Regulations.

2. Standards Required for Houses in Multiple Occupation in Category C

Houses let in lodgings i.e. catering for lodgers on a small scale but not living as part of the main household normally with a resident/occupier. This is the traditional "house let in lodgings" where meals are provided in a dining room and would be typified by a family or household who might take in a small number of students or other individuals away from their primary residence.

2.1 Personal Washing Facilities

- a** Each bedroom/study room not occupied by the owner and his/her family shall be provided with a wash hand basin.
- b** Shared facilities will be accepted where there are 2 or less occupiers in addition to the owner-occupier and his/her family except where the total number of occupants exceed 6, when separate facilities as in (a) above will be required.
- c** Each occupancy to be provided with its own bath or shower in a proper room, but where this is impracticable a readily accessible and suitably located bathroom or shower room not more than one floor distance from any user to be provided in the following ratios:-

- 1 - 5 persons - 1 bathroom or shower room
- 6 - 10 persons - 2 bathrooms or shower rooms
- 11 - 15 persons - 3 bathrooms or shower rooms

d. Every bath, shower and wash hand basin shall be properly plumbed with adequate hot and cold water supplies and waste drainage. Immediately adjacent walls to be non-porous and easily cleansable.

2.2 Drainage and Sanitary Conveniences

a. Each separate occupancy shall be provided with its own water closet compartment, but when not practicable, satisfactory and readily accessible water closet accommodation shall be provided in the following ratios:

- 1 - 5 persons - 1 water closet
- 6 - 10 persons - 2 water closets
- 11 - 15 persons - 3 water closets

b. The nearest water closet shall not be more than one floor distance from a unit of accommodation. Each bath/shower or W.C. room should have easily cleansable surfaces.

c. All above and belowground drainage shall comply with current Building Regulations.

2.3 Natural Lighting

a. All habitable rooms shall be provided with an area of clear glazing equivalent in total area of not less than 1/10th of the floor area of the room. Please note that all glazing within the common escape route (in case of fire) must comply with fire protection standards.

b. Where practicable, all kitchens, bathrooms and W.C. compartments shall comply with above, although in the case of bathrooms and W.C. compartments, glazing shall normally be obscure. Where this is not practicable, adequate artificial lighting shall be provided.

Artificial Lighting

c. All habitable rooms, kitchens, bathrooms, W.C. compartments, staircases, landings and passages shall be adequately lit by electricity.

All artificial lighting on landings, stairs and passageways must be operated by sufficient switches. Any time switches must stay on for an adequate time to allow persons to travel the distance and have entered the next lighting area.

2.4 Ventilation

b. All habitable rooms shall be ventilated directly to the external air by a window with an opening area of at least 1/20th of the floor area of the room.

A door giving access directly to the external air will not be acceptable for the purpose of this requirement.

- c. Where practicable, kitchens, bathrooms and W.C. compartments shall comply with 5(a) above. Where not practicable, mechanical ventilation shall be provided which is capable of providing 3 air changes per hour. The installation must be fitted with an over-run device for a minimum of 15 minutes and connected to the lighting circuit of the room.

2.5 Space Heating

The main living room of each occupancy shall be provided with a fixed heating appliance capable of heating the room to a temperature of 21 °c when the outside temperature is -1°C. All appliances should be of a sufficient output so as to adequately heat the rooms they serve.

Bedrooms should be able to be maintained at 18 °C when the outside temperature is -1°C. This provision should be efficient, safely designed, sited and guarded as to minimise the risks to health and safety.

2.6 Prevention of Overcrowding Space Standards

- a. For the purpose of setting space standards:-

a child under 1 year is excluded (*this also applies to the provision of amenities and facilities*)

a child over 1 year and under 10 years is classed as ½ a person,

a child over 10 years or an adult is classed as 1 person.

- b. The number of persons permitted to occupy each habitable room will be calculated according to the requirements of the Housing Act 1985 as follows:-

<u>Floor Area of Room</u>	<u>Max Number</u>
19.5m ²	4 persons
15m ²	3 persons
10.22m ²	2 persons
6.51m ²	1 person

- A single bedroom with a separate living room = 6.51m² for 1 person
- A single bedroom with **no** separate living room = 10.22m² for 1 person
- A double bedroom with a separate living room = 10.22 m² for 2 persons
- A double bedroom with **no** separate living room = 15 m² for 2 persons
- For each additional person there should be an additional 4.5m² floor area.

- c. Where a unit of accommodation includes kitchen facilities and a separate living room, then minimum room sizes need to be increased.

<u>Floor Area of Room</u>	<u>Max Number</u>
13.5m ²	2 persons
10.22m ²	1 person

For each additional person there should be an additional 4.5m² floor area.

2.7 Refuse Storage and Disposal

Refuse storage containers shall be provided sufficient for the needs of the house of the type acceptable to the Local Authority. On average one bin should be provided for every three single persons.

All containers are to be located on a hard standing with suitable access for cleaning the area and the removal of containers. Bulk storage bins may be acceptable in certain circumstances.

2.8 Means of Escape in the Case of Fire

There must be an adequate means of escape in case of fire and other fire precautions within the property. The type of precautions required are dependent on the type of Category and the number of stories. Detailed requirements can be found in the Fire Standards Document.

The following are general requirements that may be required:-

- A fire warning system. Heat indicators in the kitchen areas. Hard wired smoke alarms in each dwelling.
- Fire doors with 30 minutes fire resistance with self-closing devices, smoke seals and intumescent seals.
- Walls and ceiling with 30 minutes fire resistance.
- Basement ceilings to have 60 minute fire resistance.
- Electrical metres in the escape route to be in a cupboard.

All cupboards in the escape route to have 30 minutes fire resistance.

Fire Safety of Furniture

All upholstered furniture in an HMO shall meet the current fire retardancy standard.

Upholstered furniture and furnishings includes chairs, three piece suites, beds, headboards, scatter cushions and pillows.

Gas Safety

Gas appliances, boilers and flues must be safe at all times and inspected annually by a Gas Safe registered installer.

A certificate confirming that an annual gas safety check has been carried out must

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be available for inspection by authorised officers of the Council and the Health and Safety Executive at their request.

A copy of the Certificate must be handed to any incoming tenant before the tenant occupies the premises.

There is a duty to retain a copy of the record of inspection for a period of two years.

Electrical Wiring and Appliances

Electrical wiring to both lighting, power circuits and electrical appliances must be safe at all times. These should be checked and certified as being safe by a qualified electrician who is a member of an approved association and an Electrical Installation Condition Report, no more than 5 years old, shall be available for inspection. PAT testing of appliances must be undertaken.

2.9 Management

Every HMO must have a Manager. The Manager is the owner or the lessee of the premises who receives the rents paid by tenants. The person who collects the rents on his/her behalf may also be responsible as a manager. A notice giving the name and address of the Manager should be on display in the premises.

The Housing (Management of Houses in Multiple Occupation) Regulations 2006 cover aspects relating to good management of the premises.

The Manager is required by the Regulations to ensure the repair, maintenance, cleansing or good order of the property including making sure the property remains safe, the water supply is sufficient, common parts and fixtures and fittings are in good order, the gas and electric supply is safe and that waste disposal options are sufficient. The Manager is also required to provide relevant information to the occupiers. The Regulations also imposes duties on persons who live in the house for the purpose of ensuring that the Manager can effectively carry out the duties imposed on him by the Regulations.

3. Standards Required for Houses in Multiple Occupation in Category D

(Hostels, guest houses, bed and breakfast)

Houses generally referred to as “hostels”, “guesthouses” and “bed-and-breakfast hotels” or the like. These will provide accommodation for people with no other permanent place of residence as distinct from hotels which provide accommodation for temporary visitors to an area. This category would include establishments used by Local Authorities to house homeless families pending permanent placement and similar establishments which provide accommodation for people who would otherwise be homeless. It would also include bona fide hotels used for such purposes, even on a casual basis and hotels housing. Foods must be prepared and served to tenants. The property will otherwise be classed as Category A or B.

3.1 Personal Washing Facilities

- a.** Every water closet compartment shall be provided with a wash hand basin together with its own supply of hot and cold water.
- b.** Each separate occupancy shall be provided with a wash hand basin together with its own supply of hot and cold water.
- c.** Each occupancy to be provided with its own bath or shower in a proper room, but where this is impracticable a readily accessible and suitably located bathroom or shower room not more than one floor distance from any user to be provided in the following ratios:-

1 - 5 persons	-	1 bathroom or shower room
6 - 10 persons	-	2 bathrooms or shower rooms
11 - 15 persons	-	3 bathrooms or shower rooms
- d.** Every bath, shower and wash hand basin shall be properly plumbed with adequate hot and cold water supplies and waste drainage. Immediately adjacent walls to be non-porous and easily cleansable.

3.2 Drainage and Sanitary Conveniences

- a.** Each separate occupancy shall be provided with its own water closet compartment, but when not practicable, satisfactory and readily accessible water closet accommodation shall be provided in the following ratios:

1 - 5 persons	-	1 water closet
6 - 10 persons	-	2 water closets
11 - 15 persons	-	3 water closets
- b.** The nearest water closet shall not be more than one floor distance from a unit of accommodation. Each bath/shower or W.C. room should have easily cleansable surfaces.
- c.** All above and belowground drainage shall comply with current Building Regulations.

5. Standards Required for Houses in Multiple Occupation in Category

E

(Registered Homes)

Registered (care) homes have increased considerably in number since the advent of Community Care policies. Many thousands of such premises now exist in both the public and increasingly the private sector. They are diverse in size and nature and cater for a wide range of clients, their common characteristic being their need for personal care.

These premises are subject to inspection by Registration Authorities (i.e. Social Services Authorities) and to regulation according to the Registered Care Homes Regulations 1984. These specify standards which not only cover the physical environmental pertinent to the care of the client (including standards for amenities) but requirements too for management systems including provisions for record keeping, complaints procedures etc.

6. Standards Required for Houses in Multiple Occupation in Category

F

Most houses or other buildings which by erection or conversion comprise of dwellings which are self-contained and which have access via a single "front door" from any common area. Such dwellings would normally contain all the standard amenities for the exclusive use of the occupants of that dwelling.

This category of HMO would under normal circumstances be created having regard to the provisions of the Building Regulations and therefore the following standards would be of use at design stage.

Each unit of accommodation should have exclusive amenities

The following space standards are recommended.

1 person, three roomed flat:

Bedroom	7m ²
Living Room	11.5 m ²
Kitchen	5.5 m ²

Total habitable area 24m²

1 person flatlet with separate kitchen:

Bed/Living room	14m ²
Kitchen	5m ²

Total habitable area 21.5m²

2 person one bedroom flat:

Bedroom	10.5m
Living room	13m ²

Kitchen 5.5m²

Total habitable area 31.5²

C Each occupancy shall be provided with its own bath or shower in a proper room, but where this is not practicable a readily accessible and suitably located bathroom or shower room not more than one floor distant from any user to be provided in the following ratios:-

1 - 5 persons	-	1 bathroom or shower room
6 - 10 persons	-	2 bathrooms or shower rooms

An owner-occupier and his/her family will be reckonable for this purpose.

D Every bath, shower and wash hand basin shall be properly plumbed with hot and cold water supplies and waste drainage.

5.1 Drainage and Sanitary Conveniences

a Each separate occupancy shall be provided with its own water closet compartment, but when not practicable satisfactory and readily accessible water closet accommodation shall be provided in the following ratios:-

1 - 5 persons	-	1 water closet
6 - 10 persons	-	2 water closets
11 - 15 persons	-	3 water closets

b Such water closets shall be not more than 1 floor distant from the letting.

5.2 Natural Lighting

a All habitable rooms shall be provided with an area of clear glazing equivalent in total area of not less than 1/10th of the floor area of the room.

b Where practicable, all kitchens, bathrooms and W.C. compartments shall comply with (a) above, although in the case of bathrooms and W.C. compartments, glazing shall normally be obscure.

Artificial Lighting

c All habitable rooms, kitchens, bathrooms, W.C. compartments, staircases, landings and passages shall be adequately lit by electricity.

5.3 Ventilation

a All habitable rooms shall be ventilated directly to the external air by a window with an opening area of at least 1/20th of the floor area of the room.

b Where practicable, kitchens, bathrooms and W.C. compartments shall comply with (a) above. Where not practicable, mechanical ventilation shall be

provided which is capable of providing 3 air changes per hour. The installation must be fitted with an over-run device and connected to the lighting circuit of the room.

5.4 **Space Heating**

The main living room of each occupancy shall be provided with a fixed heating appliance capable of heating the room to a temperature of 21 °C when the outside temperature is -1°C. This provision should be efficient, safely designed, sited and guarded as to minimise the risks to health and safety.

5.5 **Permitted Occupation**

In order to prevent overcrowding and over occupation the following shall apply:-

Bedrooms

1 person	6.51 m ²
2 persons	10.22 m ²
3 persons	16.5 m ²
4 persons	21.0 m ²

CATEGORIES OF HMO

- Category A Houses occupied as individual rooms where there is some exclusive occupation (usually bedroom/living room) and some sharing of amenities (bathroom and/or toilet and/or kitchen). Each occupant lives otherwise independently of all others.
- Category B Houses occupied on a shared basis. These would normally be occupied by members of a defined social group e.g. students or a group of young single adults. The occupiers each enjoy exclusive use of a bedroom but would share facilities.
- Category C Houses let in lodgings, i.e. catering for lodgers on a small scale but not living as part of the main household normally with a resident owner/occupier. This is the traditional “house let in lodgings” where meals are provided in a dining room and would be typified by a family or household who might take in a small number of students or other individuals away from their primary place of residence.
- Category D Houses generally referred to as “hostels”, “guesthouses” and “bed-and-breakfast hotels” or the like. These will provide accommodation for people with no other permanent place of residence as distinct from hotels which provide accommodation for temporary visitors to an area. This category would include establishments used by local authorities to house homeless families pending permanent placement and similar establishments which provide accommodation for people who would otherwise be homeless. It would also include bona fide hotels used for such purposes, even on a casual basis and hotels housing a mixture of homeless households and visitors.
- Category E Houses which require registration under the Registered Homes Act 1984 as amended, providing board and personal care for persons in need by reason of old age, disability, past or present drug or alcohol dependence or past or present mental order.
- Category F Most houses or other buildings which by erection or conversion comprise dwellings which are self-contained, all such dwellings comprising accommodation to which access is had via a single “front door” from any common area. Such dwellings would normally contain all the standard amenities but where any might not and be in an “improved” state – there would nevertheless be no sharing amenities with the occupiers of neighbouring dwellings.
- Category G Houses with some degree of shared facilities, occupied by people whose occupation is ancillary to their employment or education and is made available through their employer or in connection with a recognised educational establishment.

Appendix 2

Civil Penalty Matrix for specified offences under the Housing Act 2004

Step 1 Consideration of culpability factors

LEVEL	DESCRIPTION	EXAMPLES (not exhaustive)
Maximum	Where the landlord or agent has intentionally and seriously breached and flagrantly disregarded the law and knew their actions were unlawful	Failure to demonstrate compliance or shows a wilful refusal to comply with an Improvement Notice where defects are clearly dangerous to the occupants Breach of a Banning Order Wilful refusal to comply with an overcrowding notice Failure to comply with HMO management regulations where the conditions are clearly dangerous to the tenants or when a landlord or agent has not made appropriate inspections of the property.
Very High	Where the landlord or agent has seriously breached or flagrantly disregarded the law.	Failure to licence a HMO Failure to demonstrate compliance or shows a wilful refusal to comply with an Improvement Notice Failure to comply with an overcrowding notice within the date required Failure to comply with HMO Management Regulations.
High	Actual foresight of, or wilful blindness to the risk of a breach but nevertheless taken	Taken limited actions to resolve the hazards identified in an Improvement Notice but the majority of the work has not been completed by the specified date.
Medium	Breach committed through	Taken actions to resolve

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	an act or omission which a person exercising reasonable care would not commit.	the hazards identified in an Improvement Notice but less than half of the work required has been completed by the date specified on the notice.
Low	Breach committed with little fault as significant efforts were made to address the risk although inadequate.	The majority of the work identified in an Improvement Notice has been completed the specified date but work remains outstanding.
Minimum	Breach was committed with little fault because there was no warning or circumstances indicating a risk or the failing were minor and occurred as an isolated incidence.	Failure to provide documentation to prove works on an Improvement Notice have been completed satisfactorily.

Step 2 Consideration of harm factors

RATING	EXPLANATION	EXAMPLES
High	Serious adverse effect on individual or high risk of adverse effect	Category 1 Hazards identified (A-C)
Medium	Medium adverse effects, or medium risk of adverse effect.	High Category 2 Hazards (D-E)
Low	Low risk of an adverse effect	Low Category 2 Hazards (F-J)
Negligible	Harm not a consideration in the breach	Failure to Licence a HMO

Step 3 Use of culpability and harm to provide a point scale for the civil penalty range

CULPABILITY	CLASS OF HARM			
	HIGH	MEDIUM	LOW	NEGLIGIBLE
MAXIMUM	9	8	7	6
VERY HIGH	8	7	6	5
HIGH	7	6	5	4
MEDIUM	6	5	4	3
LOW	5	4	3	2
MINIMUM	4	3	2	1

Step 4 The scale point is then used to provide the penalty banding as below:

1. £1-£500
2. £501 - £1000
3. £1001- £3000
4. £3001 - £7000
5. £7001 - £11,000

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6. £11,001 - £15,000
7. £15,001 - £20,000
8. £20,001 - £25,000
9. £25,001 - £30,000

Step 5 – Fines shall be set to the mid-point within each band but on receipt of representation details an upward or downward adjustment within the banding will be considered.

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Appendix 3

Civil Penalty Matrix for specified offences under the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020

Step 1 Consideration of culpability factors

LEVEL	DESCRIPTION	EXAMPLES (not exhaustive)
Maximum	Where the landlord or agent has intentionally and seriously breached and flagrantly disregarded the law and knew their actions were unlawful	Failure to ensure national standards for electrical safety are met. These are set out in the latest edition of the 'Wiring Regulations' Failure to carry out further investigative or remedial work or completing work within 28 days or any shorter period if specified as required in the EICR.
Very High	Where the landlord or agent has seriously breached or flagrantly disregarded the law.	Failure to ensure all electrical installations in their rented properties are inspected and tested by a qualified and competent at least every 5 years. Failure to supply the local authority with an EICR within 7 days of receiving a written request for a copy and where the report is unsatisfactory. Failure to supply the existing tenant with an EICR within 28 days of the inspection and test and where the report is unsatisfactory.
High	Actual foresight of, or wilful blindness to the risk of a breach but nevertheless taken	Failure to obtain an EICR from the person conducting the inspection and test which gives the results and sets a date for the next inspection and test. Failure to supply a copy of an EICR to a new tenant before they occupy the

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		premises. Failure to supply a copy of the EICR to any prospective tenant within 28 days of receiving a request for the report
Medium	Breach committed through an act or omission which a person exercising reasonable care would not commit.	Failure to provide the local authority with a copy of the EICR within 7 days of receiving a written request for a copy when the report is satisfactory. Failure to provide the tenant with a copy of the EICR within 28 days of receiving a written request for a copy when the report is satisfactory.
Low	Breach committed with little fault as significant efforts were made to address the risk although inadequate.	Failure to supply written confirmation of the completion of further investigative or remedial works from the electrician to the tenant and the local authority within 28 days of completion of the works.
Minimum	Breach was committed with little fault because there was no warning or circumstances indicating a risk or the failing were minor and occurred as an isolated incidence.	Failure to retain a copy of an EICR to give to the inspector and tester who will undertake the next inspection and test.

Step 2 Consideration of harm factors

RATING	EXPLANATION	EXAMPLES
High	Serious adverse effect on individual or high risk of adverse effect	Multiple C1 ratings on the EICR
Medium	Medium adverse effects, or medium risk of adverse effect.	C1 rating on the EICR
Low	Low risk of an adverse effect	C2 ratings on the EICR
Negligible	Harm not a consideration in the breach	Absence of an EICR F1 rating on the EICR

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Step 3 Use of culpability and harm to provide a point scale for the civil penalty range

CULPABILITY	CLASS OF HARM			
	HIGH	MEDIUM	LOW	NEGLIGIBLE
MAXIMUM	9	8	7	6
VERY HIGH	8	7	6	5
HIGH	7	6	5	4
MEDIUM	6	5	4	3
LOW	5	4	3	2
MINIMUM	4	3	2	1

Step 4 The scale point is then used to provide the penalty banding as below:

1. £1-£500
2. £501 - £1000
3. £1001- £3000
4. £3001 - £7000
5. £7001 - £11,000
6. £11,001 - £15,000
7. £15,001 - £20,000
8. £20,001 - £25,000
9. £25001 - £30,000

Step 5 – Fines shall be set to the mid-point within each band but on receipt of representation details an upward or downward adjustment within the banding will be considered.

Appendix 4

Penalty Matrix for specified offences under The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014.

Step 1 Consideration of culpability factors

LEVEL	DESCRIPTION
Maximum	Where the landlord or agent has intentionally and seriously breached, or seriously and flagrantly disregarded the law and knew their actions were unlawful
Very High	Where the landlord or agent has seriously breached, or seriously and flagrantly disregarded the law.
High	Actual foresight of, or wilful blindness to, risk of breach but nevertheless taken.
Medium	Breach committed through an act or omission which a person exercising reasonable care would not commit.
Low	Breach committed with little fault as significant efforts were made to address the risk although they were inadequate on the relevant occasion.
Minimum	Breach was committed with little fault because there was no warning or circumstances indicating a risk or the failing were minor and occurred as an isolated incidence.

Step 2 Consideration of harm outcomes

LEVEL	EXPLANATION
High	High likelihood of harm <ul style="list-style-type: none">• Serious adverse effects on individual and/or having widespread impact due to the nature and/or scale of the landlord or agent's business, or• High risk of an adverse effect on individuals – including where persons are vulnerable
Medium	Medium likelihood of harm <ul style="list-style-type: none">• Adverse effect on individuals• Medium risk of an adverse effect on individuals• Tenants and/or legitimate landlords or agents substantially undermined by the conduct• Tenant or prospective tenant misled
Low	Low likelihood of harm

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	<ul style="list-style-type: none"> • Low risk of an adverse effect on actual or prospective tenants • Public misled but little or no risk of actual adverse effect on individuals
Negligible	Negligible likelihood of harm <ul style="list-style-type: none"> • Harm not a consideration in the breach

Step 3 Use of culpability and harm to provide a point scale for the civil penalty range

CULPABILITY	CLASS OF HARM			
	HIGH	MEDIUM	LOW	NEGLIGIBLE
MAXIMUM	9	8	7	6
VERY HIGH	8	7	6	5
HIGH	7	6	5	4
MEDIUM	6	5	4	3
LOW	5	4	3	2
MINIMUM	4	3	2	1

Step 4 The scale point is then used to provide the penalty banding as below:

1. £1-£83
2. £84 - £166
3. £167- £500
4. £501 - £1,166
5. £1,167 - £1,833
6. £1,834 - £2,500
7. £2,501 - £3,333
8. £3,334 - £4,166
9. £4,167 - £5,000

Step 5 – Fines shall be set to the mid-point within each band but on receipt of representation details an upward or downward adjustment within the banding will be considered.

Appendix 5

Aggravating and mitigating factors to consider when determining civil penalties

Potential factors increasing the seriousness of an offence

The penalty may be increased within a band up to a maximum of the top of the band level. In order to determine the final penalty, the Council will consider any aggravating factors relevant to the case. Below is a list that will be considered as part of the determination. This is not an exhaustive list and other factors may be considered depending on the circumstances of each case.

- Previous convictions having regard to the offence to which applies and time elapsed since the offence;
- Motivated by financial gain;
- Obstruction of the investigation;
- Deliberate concealment of the activity/evidence;
- Number of items of non-compliance – greater the number the greater the potential aggravating factor;
- Record of non-compliance;
- Record of letting substandard accommodation;
- Record of poor management/ inadequate management provision;
- Lack of a tenancy agreement/rent paid in cash; and
- Already a member of an accreditation scheme or letting standard

Mitigating Factors

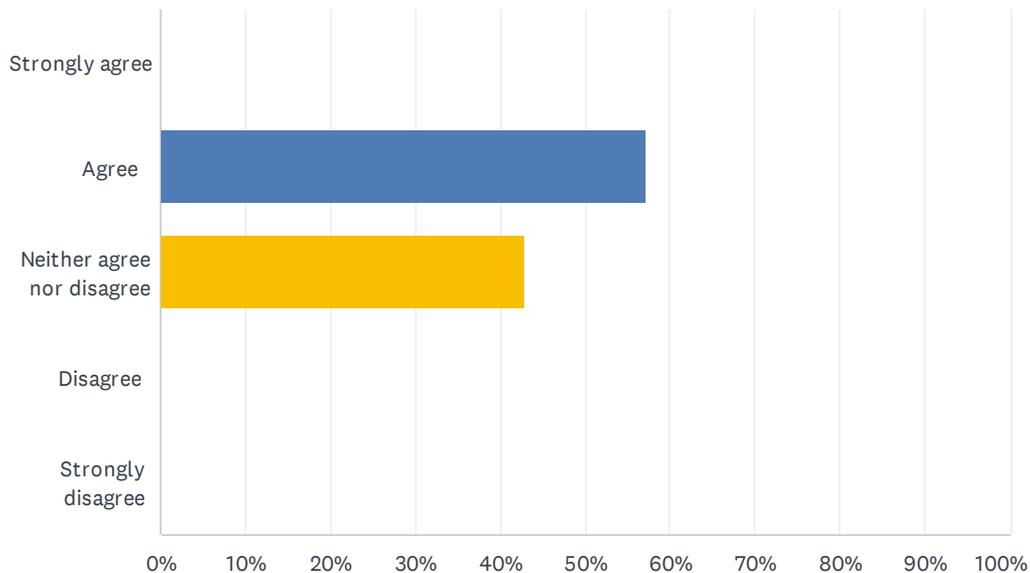
The penalty may be decreased within a band. In order to determine the final penalty, the Council will consider any mitigating factors relevant to the case. Below is a list that will be considered as part of the determination. This is not an exhaustive list and other factors may be considered depending on the circumstances of each case.

- Co-operation with the investigation;
- Voluntary steps taken to address issues e.g. submit a licence application;
- Willingness to undertake training;
- Evidence of health reasons preventing reasonable compliance – mental health, unforeseen health issues, emergency health concerns;
- No previous convictions;
- Vulnerable individual(s) where their vulnerability is linked to the commission of the offence; and
- Good character and/or exemplary conduct.

When considering aggravating and mitigating factors the Civil Penalty imposed must remain proportionate to the offence. Reference will be made to Magistrates Court Sentencing Council guidelines when considering relevant aggravating and mitigating factors. An offender will be assumed to be able to pay a penalty up to the maximum amount unless they can demonstrate otherwise.

Q1 The draft Policy is detailed and covers many areas of housing enforcement. One of its aims is to assist the Council in making consistent and fair decisions on the most appropriate action to take, when a substandard property is identified. Provide your view on the statement “The Policy will help the Council to make consistent and fair decisions.”

Answered: 7 Skipped: 1

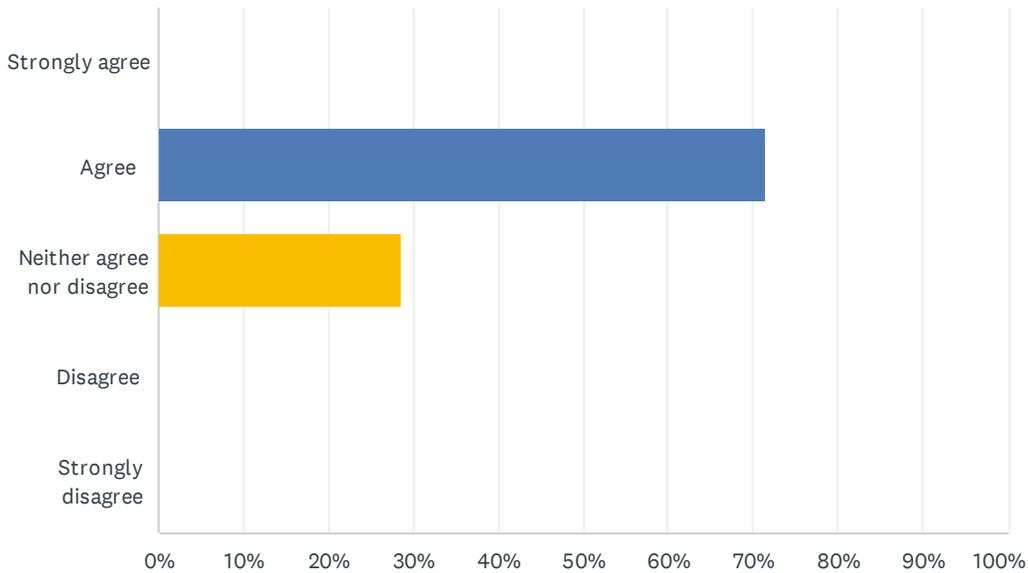


ANSWER CHOICES	RESPONSES	
Strongly agree	0.00%	0
Agree	57.14%	4
Neither agree nor disagree	42.86%	3
Disagree	0.00%	0
Strongly disagree	0.00%	0
TOTAL		7

#	ANY COMMENTS?	DATE
1	this policy sounds good on paper, but does it have the budget and manpower for it to actually work? how will tenants be made aware of this? will there be any way of explaining this to vulnerable people? and those whose English is poor?	7/28/2022 7:47 PM
2	It does seem improved but it's still not clear how someone other than the tenant can raise concerns. Many tenants don't for obvious reasons	6/27/2022 12:01 AM

Q2 The draft penalty matrices and the examples of aggravating and mitigating factors identified in Appendix 5 aim to assist the Council in making consistent and proportionate decisions on the level of penalty to be applied for different offences and situations. Provide your view on the statement "The matrices and Appendix 5 will help the Council make consistent and proportionate decisions for a range of different offences and situations."

Answered: 7 Skipped: 1

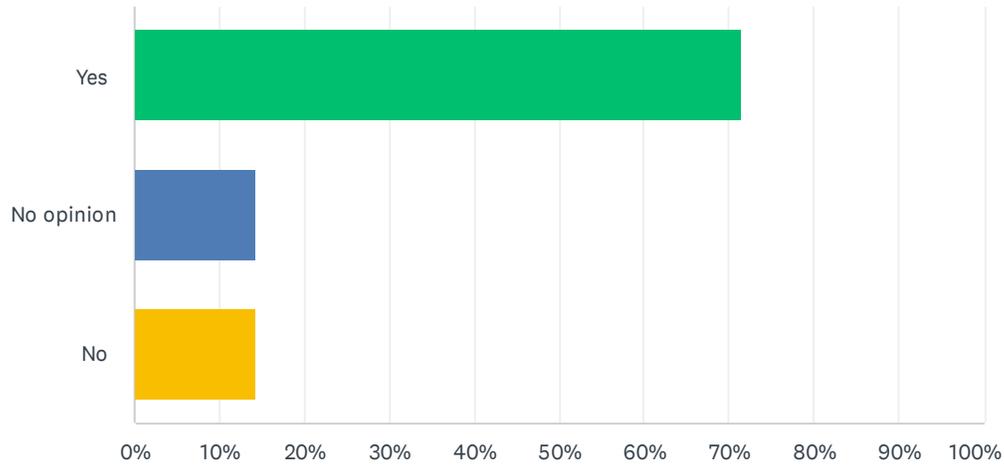


ANSWER CHOICES	RESPONSES	
Strongly agree	0.00%	0
Agree	71.43%	5
Neither agree nor disagree	28.57%	2
Disagree	0.00%	0
Strongly disagree	0.00%	0
TOTAL		7

#	ANY COMMENTS?	DATE
	There are no responses.	

Q3 Do you agree with the proposed penalty matrix for Housing Act offences (Appendix 2)?

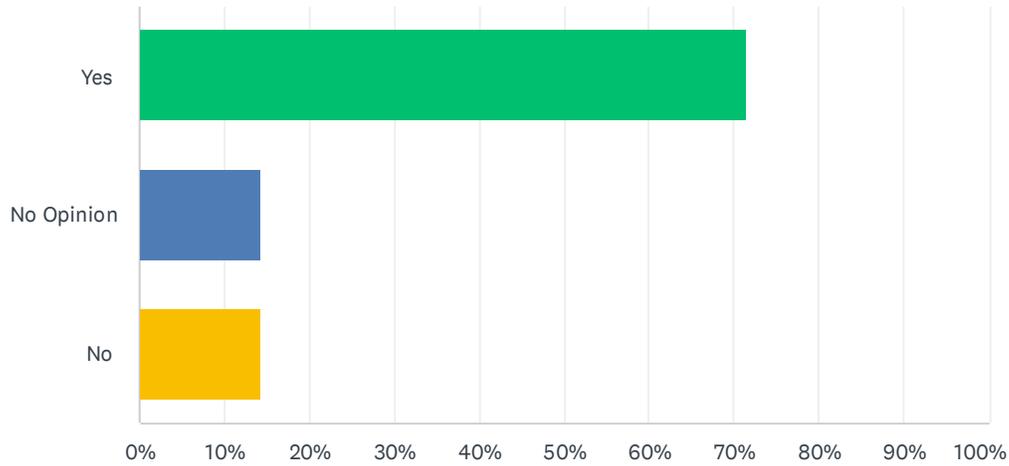
Answered: 7 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	71.43%	5
No opinion	14.29%	1
No	14.29%	1
TOTAL		7

Q4 Do you agree with the proposed penalty matrix for Electrical Safety Standards offences (Appendix 3)?

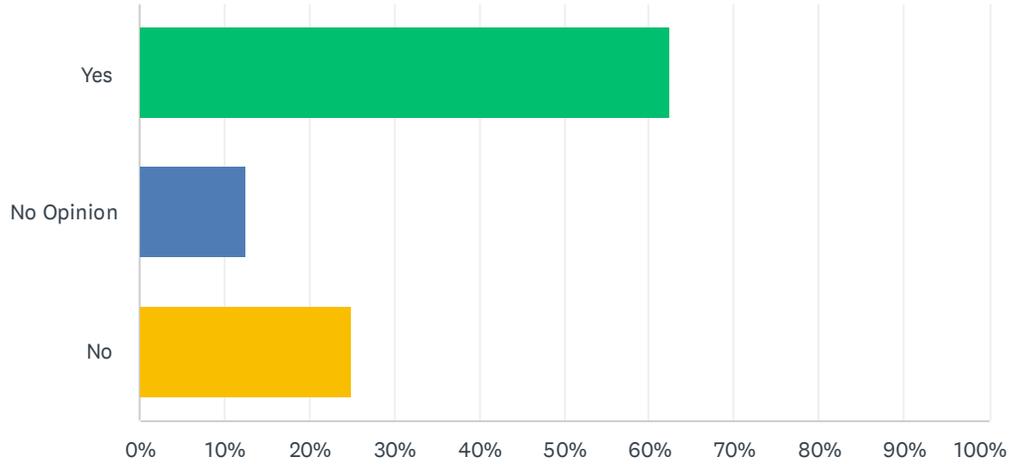
Answered: 7 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	71.43%	5
No Opinion	14.29%	1
No	14.29%	1
TOTAL		7

Q5 Do you agree that the proposed level of penalty for an offence under the Minimum Energy Efficiency Regulations should be the maximum as laid down in the Regulations (Pages 37 and 38 of the Policy)?

Answered: 8 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	62.50%	5
No Opinion	12.50%	1
No	25.00%	2
TOTAL		8

Q6 Additional Comments?

Answered: 4 Skipped: 4

#	RESPONSES	DATE
1	As and EPC is not a requirement for all properties, this should be the responsibility to the person living in the property. If a tenant would like to know the EPC of a property which has none, they will have to arrange that themself to make the decision if there is an impact of them moving into the property.	6/28/2022 2:42 PM
2	As a Landlord I welcome the statement "The supply of good quality, affordable, privately rented accommodation is essential to meeting local housing need". However, with every tranche of additional legislation landlords are exiting the market, so there is less rental property available and what remains becomes less affordable. Landlords have been hammered with tax changes, will no longer be able to serve S21 notices, and will soon be expected to magically turn all their EPC's into C or better. Although S21 ejections were described as 'no fault' there were mostly used when there WAS fault, as the quickest and easiest way to remove a bad tenant. Generally speaking landlords love long term tenancies and don't evict people without good reason. So, hopefully go light touch on the enforcement, otherwise a further shortage of rental properties will work against the interests of tenants.	6/28/2022 12:26 PM
3	There are run down properties rented out in ely, possibly risking neighbouring flats. There needs to be a more proactive approach to checking up on rented properties or getting feedback from non tenants	6/27/2022 12:01 AM
4	Good work, and encouraging for us tenants.	6/24/2022 7:04 AM

UPDATE TO THE PRIVATE SECTOR HOUSING RENEWAL POLICY

Committee: Operational Services Committee

Date: 12TH September 2022

Author: Karen See - Senior Environmental Health Officer

[X56]

1.0 ISSUE

1.1 The Private Sector Housing Renewal Policy 2015 has been reviewed and updated to reflect the changes to the East Cambridgeshire Housing Adaptations and Repair Policy in 2019 and in response to the findings of the 2021 Housing Stock Model Survey.

2.0 RECOMMENDATION(S)

2.1 Members are recommended to

(1) Approve the draft Private Sector Housing Renewal Policy as set out in Appendix 1

3.0 BACKGROUND/OPTIONS

3.1 The previous Private Sector Housing Renewal Policy was adopted in 2015. It's focus at that time was on the grant and loan assistance that was available to vulnerable persons to help them to remain in homes that were safe and suitable for their needs.

3.2 In 2016-17 a county-wide review of Disabled Facility Grants was carried out resulting in a Cambridgeshire Housing Adaptations Agreement, between district and county councils in partnership with the Cambridgeshire and Peterborough Clinical Commissioning Group.

3.3 The East Cambridgeshire Housing Adaptations and Repairs Policy was adopted in 2019 incorporating the key principles of the shared agreement and it contributes to the Cambridgeshire Better Care Fund Plan. Therefore, the Private Sector Housing Renewal Policy 2015 is no longer fit for purpose.

3.4 Housing Renewal and positively influencing the health outcomes for residents in owner occupied, tenanted or social housing properties requires a wide range of measures, in addition to grant support for adaptations and repairs. It is important to understand some of the key factors that may adversely impact the health of people in their homes in East Cambridgeshire now and in the future.

3.5 In 2021 the Building Research Establishment (BRE) was commissioned to undertake a series of modelling exercises on East Cambridgeshire District's Housing Stock. This was in place of the full Housing Stock Condition Survey. Commissioning the Housing Model rather than the Survey was a more cost-effective option whilst still complying with the Council's legal requirements to regularly review its private sector housing stock in order to write targeted, effective strategies.

3.6 Key Findings of the Housing Model 2021 are: (Glossary of terms - Appendix 2 and link to full Report - Appendix 3)

- There are 37,556 dwellings in East Cambridgeshire. 72% are owner occupied, 15% private rented and 13% social rented.
- 5,338 dwellings in the private sector have category 1 Housing Health and Safety Rating System (HHSRS) hazards. This equates to 16% of properties.
- 951 dwellings in the private rented sector have category 1 HHSRS hazards. This equates to 17% of properties in the private rented sector.
- The highest concentrations of all HHSRS hazards in the private sector are found in the wards of Downham, Haddenham and Woodditton.
- The highest concentrations of fuel poverty (Low Income High Costs definition) in the private sector are found in the wards of Woodditton, Haddenham and Downham; and for excess cold the highest concentrations are in Downham, Haddenham and Woodditton.
- The average SimpleSAP rating for all private sector dwellings in East Cambridgeshire is 58, which is worse than both England (60) and East of England (60). For owner occupied stock the figure is 57 and for private rented stock it is 61.
- The total cost of mitigating category 1 hazards in East Cambridgeshire's private sector stock is estimated to be £20 million – with £16.5 million in the owner-occupied sector, and £3.6 million in the private rented sector.
- 10.7% (3,487) of private sector dwellings, and 8.6% (472) of private rented dwellings in East Cambridgeshire are estimated to have an EPC rating (based on SimpleSAP) below band E.
- In the private sector stock, there are an estimated 4,680 dwellings with un-insulated cavity walls, and 3,251 dwellings with less than 100mm of loft insulation.
- Analysis of the energy efficiency variables indicates that the owner-occupied stock has the highest average figures for the majority of variables (SimpleCO2, energy and heat demand).

4.0 ARGUMENTS/CONCLUSIONS

4.1 A Private Sector Housing Renewal Policy must support the range of measures by which the local authority can influence the protection of public health. Good quality housing that is affordable for its occupants contributes significantly to a person's health and quality of life.

- 4.2 East Cambridgeshire Care and Repair has a vital role to play in providing advice, support and assistance to older and disabled people and those on low incomes who need to adapt, repair, improve or maintain their homes to meet their changing needs.
- 4.3 The role of the Domestic Team in Environmental Health in tackling poor housing conditions, licensing large shared HMO's, inspecting caravan sites, promoting and supporting energy efficiency initiatives and helping those on low income who may not be able to afford to heat their homes, dealing with empty properties and those that are hoarded, in addition to undertaking pest control investigations, are all further examples of the direct influence the council has over a person's home and on their health and wellbeing.
- 4.4 If approved in a separate agenda item, the updated Housing Enforcement Policy 2022 will provide a platform for Officers to use the full range of powers available to them to address poor housing conditions in all sectors, subject to resource and considering the circumstances of each individual case, with the focus on the private rented sector where some of the worst housing conditions can be found.
- 4.5 The detailed housing stock information provided within the Housing Model Report will facilitate the delivery of more effective housing interventions, ensuring that when undertaking proactive resources are targeted and used where they are needed most. It will assist with the development of policies within the District.
- 4.6 The key objectives of this policy are to:
- Enable the elderly, vulnerable and disabled people to live in comfort and security in their homes.
 - Increase the proportion of private sector housing that is of a decent standard, with a focus on those that are occupied by vulnerable households.
 - To reduce fuel poverty.
 - To support initiatives to bring long term empty homes back into use.
 - To provide accessible information to the public to enable them to obtain assistance and advice on all matters around housing disrepair and energy efficiency.
- 4.7 It is therefore important for East Cambridgeshire to develop suitable targeted strategies, policies and schemes to tackle these issues, working proactively with different departments and partner organisations, using enforcement action, where appropriate.
- 5.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT/CARBON IMPACT ASSESSMENT
- 5.1 This report has no additional financial implications.
- 5.2 The initial screening assessment did not identify the requirement to proceed to a full equality impact assessment

5.3 A Carbon Impact Assessment (CIA) has found positive carbon implications arising from the update to the Private Sector Housing Renewal Policy 2022 (Appendix 4)

6.0 APPENDICES

Appendix 1 – Draft Private Sector Housing Renewal Policy 2022

Appendix 2 - Glossary of terms

Appendix 3 – Housing Model Report available at

<https://www.eastcambs.gov.uk/sites/default/files/East%20Cambridgeshire%20Housing%20Stock%20Modelling%20Report%20FINAL%202021.pdf>

Appendix 4 - CIA

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer</u>
Housing Act 2004	Room SF203	Karen See
Regulatory Reform Order 2006	The Grange, Ely	Senior Environmental Health Officer (01353) 616358 E-mail: Karen.See@eastcambs.gov.uk

EAST CAMBRIDGESHIRE DISTRICT COUNCIL



The Private Sector Housing Renewal Policy Implementation 2022

If you require this document in different formats (e.g. Braille, large print, audiotape/CD) or other languages please contact the Council's main reception on 01353 665555 or e-mail customerservices@eastcamb.gov.uk

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Draft

SECTION 1 BACKGROUND

1.1 Introduction

The Private Sector Housing Renewal Policy (PSHRP) is an important part of the Environmental Services role in protecting public health.

It supports priorities identified in Cambridgeshire's Health and Wellbeing Strategy 2012-2017 which is currently under review, and at a local level the East Cambridgeshire Health and Wellbeing Strategy 2018-2021, where people's homes are recognised as one of the factors which can positively or negatively affect a person's physical and mental health and wellbeing.

https://www.eastcambs.gov.uk/sites/default/files/agendas/rs071215_Q143%20Ap.pdf

Cambridgeshire's Health and Wellbeing Strategy

The Strategy focuses on the following six priorities to improve the physical and mental health and wellbeing of Cambridgeshire residents. In particular, within each of these priorities, it's focus is to work to improve the health of the poorest fastest. The priorities are:

1. Ensure a positive start to life for children, young people and their families.
2. Support older people to be independent, safe and well.
3. Encourage healthy lifestyles and behaviours in all actions and activities while respecting people's personal choices.
4. Create a safe environment and help to build strong communities, wellbeing and mental health.
5. Create a sustainable environment in which communities can flourish.
6. Work together effectively.

<https://cambridgeshireinsight.org.uk/wp-content/uploads/2018/01/4-HWB-Strategy-Full-Document.pdf>

(please note that an engagement exercise is being undertaken for the Cambridgeshire & Peterborough Joint Health & Wellbeing Integrated Care Strategy [Joint Health and Wellbeing Integrated Care Strategy - Cambridgeshire County Council](#))

Cambridgeshire's Joint Strategic Needs Assessment (JSNA)

The Health and Wellbeing Strategy was developed using national and local evidence of health needs as measured, analysed and reported in the Cambridgeshire Joint Strategic Needs Assessment (JSNA) and includes information about a wide range of health and wellbeing indicators.

The aim of a JSNA is to:

- Provide analyses of data to show the health and wellbeing status of local communities.
- Define where inequalities exist.
- Provide information on local community views and evidence of effectiveness of existing interventions which will help to shape future plans for services.
- Highlight key findings based on the information and evidence collected.

The summary report on all JSNA's can be found here:

<https://cambridgeshireinsight.org.uk/jsna/published-joint-strategic-needs-assessments/>

The 2013 JSNA on Housing and Health can be found here:

<https://cambridgeshireinsight.org.uk/wp-content/uploads/2017/08/Housing-and-Health-JSNA-2013.pdf>

The seven broad housing priorities for Cambridgeshire agreed by the Cambridge sub-regional housing board are to:

- Deliver new homes to support economic success.
- Enable better health and wellbeing through housing, affordable housing and housing-related support.
- Create mixed, balanced, sustainable and cohesive communities.
- Improve standards in existing homes and encourage best use of all housing stock.
- Extend housing choice and meet housing need.
- Prevent and tackle homelessness.
- Promote the benefits good partnership working can bring to housing related issues.

The PSHRP explains how East Cambridgeshire District Council will support local people and work with other agencies, both statutory and voluntary, to help with housing renewal in all its forms whether that is by mandatory and discretionary grant aid for disabled and vulnerable persons, improving standards in existing homes through encouragement and/or enforcement, or at the other end of the spectrum through encouraging and supporting the bringing of empty homes back into use.

The Env Health Team work with private landlords, tenants, RSL's and home owners on a range of housing issues, some of them statutory including:

- Works and advice to improve the condition of homes, to put right serious disrepair.
- Enforcement action if a property fails to reach a minimum

standard.

- Ensuring houses in multiple occupation (HMOs) pass standards and are licensed if necessary.
- Give advice to help bring empty homes back into use, using enforcement action against those empty for longest and which may be having a significant detrimental effect on the locality.
- Issues around hoarding behaviours and/or pest control.
- License mobile home parks.
- Make sure resources are directed to improve housing standards for the most vulnerable households.
- Support for energy efficiency improvements to address fuel poverty and cold homes.

Access to decent housing reflects affordability. Low income households and vulnerable groups are the most likely to occupy poor standard homes, often related to issues of overcrowding, fuel poverty, disrepair, damp and mould. East Cambridgeshire District Council recognises the importance of good quality housing that is affordable to its occupants. Furthermore, we recognise the role that housing plays in the wider community and the contribution it makes to people's quality of life.

As fuel prices rise more rapidly than income and benefit levels heating will become increasingly difficult to afford for some groups. The risk to vulnerable and older residents is likely to increase and measures to improve energy efficiency will be needed even more than at present to maintain health and independence at home.

East Cambridgeshire Care and Repair, Handyperson Schemes and fuel poverty and sustainable warmth initiatives are there to help support older and more vulnerable people to maintain safety and independence in their homes and to help those vulnerable residents in reducing fuel bills at a time when energy prices are increasing rapidly.

The Environmental Health Team works closely with the Housing Team to support the aim of preventing homelessness. Officers work with landlords to advise on the requirement to provide safe and statutorily compliant rented accommodation and signpost vulnerable tenants to the services offered by the council to help prevent homelessness.

The first PSHRP was adopted in 2003 in response to the introduction of the Regulatory Reform Order 2002. This order provided local authorities with general powers to provide assistance for repairs, improvements and adaptations to enable people to continue to remain in their homes.

In preparing this revised policy from the previous policy dated 2015, we have considered all current legislation relevant to the council's role in this area and have also reviewed the findings of the most recent East Cambridgeshire Housing Stock Model Report, which was published in 2021.

<https://www.eastcambs.gov.uk/sites/default/files/East%20Cambridgeshire%20Housing%20Stock%20Modelling%20Report%20FINAL%202021.pdf>

1.2 Legislative and Policy Background

The Housing Act 2004 places a duty on local authorities to keep housing conditions under review. The Act introduced the Housing Health and Safety Rating System (HHSRS) risk assessment for residential properties.

The Act also introduced a mandatory duty on local authorities to licence Houses in Multiple Occupation in certain circumstances.

The Housing and Planning Act 2016 introduced an additional package of measures to help tackle rogue landlords in the private rented sector.

In 2020 the Electrical Safety Standards in the Private Rented Sector Regulations came into force and since April 2020 the Minimum Energy Efficiency Standards Regulations have applied to all domestic rented properties, subject to exemptions.

Local authorities are encouraged to work closely with landlords in the private rented sector but also to make full use of their enforcement powers for tackling dangerous and poorly maintained dwellings.

The Regulatory Reform Order 2002 repealed much of the Housing Renovation Grants regime of the previous Housing Grants, Construction and Regeneration Act of 1996 but left in place the Mandatory Disabled Facility Grants and discretionary grant duties.

In addition, the Home Energy Conservation Act 1995 continues to place a requirement on the authority to have a strategy for promotion and adoption of energy efficiency measures and to work towards the reduction of fossil fuel use.

Within the Council's Environment and Climate Change Action Plan one of the 20 Commitments for 2022/23 is to help improve the energy efficiency of existing housing stock in the district, in particular through:

- successfully implementing around £1.75m in home energy efficiency improvements, funding which has been awarded from the LAD3/HUG national funding stream;
- in partnership with Cambridgeshire Energy Retrofit Partnership (CERP), establish a framework of contractors that can undertake grant-funded and privately-funded retrofit schemes;

- establish with CERP a suite of communications (including a bespoke website) to assist residents in understanding the retrofit options available and access to potential contractors; and
- undertake further research to understand more fully from an East Cambridgeshire perspective the options and cost implications of achieving Government targets for 2035 and 2050 in relation to reducing carbon emissions from domestic dwellings.

The Government released its White Paper on Levelling Up in February 2022 with measures identified that will help support better housing standards, and in the private rented sector these measures include:

1. A commitment to consult on introducing a landlords register, and set out plans for a crackdown on rogue landlords
2. All homes in the private rented sector will have to meet a Decent Homes Standard, which currently only applies to the social rented sector
3. Re-confirming that Section 21 “no fault” eviction will be abolished which will stop renters being kicked out of their homes for no reason
4. Commitment to the new Social Housing Regulation Bill which will deliver upon the commitments that the government made following the Grenfell tragedy

Although at an early stage in the process and details must be agreed, East Cambridgeshire District Council welcomes the proposals and supports all future measures introduced that will address poor quality housing and which will help to improve the health and wellbeing of residents.

1.3 The Condition of the Local Housing Stock

In 2021 the Building Research Establishment (BRE) was commissioned to undertake a series of modelling exercises on East Cambridgeshire District’s Housing Stock. This was in place of a full Housing Stock Condition Survey. Commissioning the Housing Model rather than the Survey is a more cost-effective option whilst still complying with the Council’s legal requirements to regularly review its private sector housing stock. The information provided has informed this policy and will facilitate a more targeted intervention approach to improve housing

The headline findings are as follows:

- i) There are 37,556 dwellings in East Cambridgeshire. 72% are owner occupied, 15% private rented and 13% social rented.
- ii) 5,338 dwellings in the private sector have category 1 Housing Health and Safety Rating System (HHSRS) hazards. This equates to 16% of properties.
- iii) 951 dwellings in the private rented sector have category 1

HHSRS hazards. This equates to 17% of properties in the private rented sector.

- iv) The highest concentrations of all HHSRS hazards in the private sector are found in the wards of Downham, Haddenham and Woodditton.
- v) The highest concentrations of fuel poverty (Low Income High Costs definition) in the private sector are found in the wards of Woodditton, Haddenham and Downham; and for excess cold the highest concentrations are in Downham, Haddenham and Woodditton.
- vi) The average Simple SAP rating for all private sector dwellings in East Cambridgeshire is 58, which is worse than both England (60) and East of England (60). For owner occupied stock the figure is 57 and for private rented stock it is 61.
- vii) The total cost of mitigating category 1 hazards in East Cambridgeshire's private sector stock is estimated to be £20 million – with £16.5 million in the owner-occupied sector, and £3.6 million in the private rented sector.
- viii) 10.7% (3,487) of private sector dwellings, and 8.6% (472) of private rented dwellings in East Cambridgeshire are estimated to have an EPC rating (based on Simple SAP) below band E.
- ix) In the private sector stock, there are an estimated 4,680 dwellings with un-insulated cavity walls, and 3,251 dwellings with less than 100mm of loft insulation.
- x) Analysis of the energy efficiency variables indicates that the owner- occupied stock has the highest average figures for the majority of variables (Simple CO2, energy and heat demand).

1.3.1 House Conditions

(i) Housing Health and Safety Rating System (HHSRS)

The HHSRS is a risk-based evaluation tool to help local authorities identify and protect against potential risks and hazards to the health and safety of occupiers and visitors to a home. It assesses 29 categories of hazard and each hazard has a rating which helps determine whether the property is rated as having a Category 1 hazard (the most serious) and which requires formal action by the Council.

In the modelling results for all stock (private and social) the performance of the housing stock in East Cambridgeshire compared to the English House Condition England is mixed. East Cambridgeshire performs slightly worse for all hazards (15% compared to 12%) and fall hazards (8% compared to 7%) and notably worse for excess cold (15% compared to 12%). ECDC does better for disrepair (2% compared to 4%), fuel poverty and low-income households (19% compared to 26%).

When comparing East Cambridgeshire with the East of England region the picture is similar.

When looking at the private stock alone (discounting the social housing stock which is generally better than the private sector stock across the majority of variables) the private rented stock, in comparison to the owner-occupied stock, has slightly higher levels of all hazards, fall hazards, disrepair and fuel poverty. The owner occupied has the highest levels of excess cold at 8% and also has the poorest SimpleSAP rating at 57.

The data allows us to identify hazards which are most likely to occur and also those areas of the District where the higher concentrations of hazards occur, in addition to identifying the differences seen between tenures. This can help to target those areas where proactive work in raising understanding of the risks of hazards in the home can focus, thereby tackling potential poorer housing in the areas in which it is more likely to occur and on a more risk-based approach.

For example, the HHSRS Category 1 hazards map in the survey shows there are higher concentrations overall in Downham, Haddenham and Woodditton. Looking at tenure it can be seen that in Woodditton 24% and 18% of the owner-occupied stock is modelled as having a Category 1 hazards for all hazards and excess cold respectively, whereas the private rented stock shows 29% and 21% respectively.

(ii) Disrepair

The disrepair variable used in the modelling report was based on the disrepair component of the Decent Homes Standard.

<https://www.gov.uk/government/publications/a-decent-home-definition-and-guidance>

A dwelling fails the disrepair component if:

- One or more key building components are old and because of their condition need replacing or major repair; or
- Two or more other building components are old and because of their condition need replacement or major repair.

Key building components are those which if in a poor condition could have an immediate impact on the integrity of the building and cause further deterioration of other components. They are external components plus internal components that have potential safety implications and include:

- External walls
- Roof structure
- Windows/doors
- Chimneys
- Central heating boilers
- Electrics

Other building components are those which have a less immediate impact on the integrity of the dwelling. Their combined effect is therefore considered for example a kitchen and a bathroom in old and irreparable condition.

The housing model shows there are pockets of higher levels of disrepair distributed across the area, with the wards of Burwell, Downham and Fordham and Isleham showing the highest levels.

(iii) Energy Efficiency

Understanding the energy efficiency of the housing stock was an important aspect of the housing model report and a key element relating to energy efficiency is households in fuel poverty. A household is said to be in fuel poverty if they have required fuel costs that are above the average and were they to spend that amount, they would be left with a residual amount that leaves them below the official poverty line. Based on the low-income high costs' variable, areas of the District can be identified as having higher concentrations of fuel poverty than others.

When considering the amount of money, a household would require to remove them from fuel poverty (termed the fuel poverty gap and which is a measure that is more responsive to changes in energy prices and the economy) then under prices relevant to 2021 the estimated aggregated fuel poverty gap for fuel poor households in the private sector in East Cambridgeshire is £1.32 million of which £0.32 million is from the private rented sector.

The housing model allows us to identify where low-income households and therefore potentially vulnerable people are likely to be living in poor housing with an excess cold hazard. There are pockets distributed across the district but with an area to the west of Haddenham standing out.

1.3.2 Overall Conclusions from Survey

The cost of making the necessary improvements to dwelling conditions, including repairs along with improvements to energy efficiency is high.

A wide range of measures needs to be provided to assist and support residents to improve and maintain their homes.

It is essential for the Council to continue to support the most vulnerable people struggling to maintain their houses to enable them to remain living in their own home.

To achieve this, the Council should continue to develop and maintain partnerships with other organisations to support the above and improve energy efficiency measures.

The government recommendation is that a housing stock survey should be undertaken every five years to provide evidence to support the development of an appropriate housing strategy.

SECTION 2 HOUSING IN CONTEXT

2.1 Health and Financial Implications of Poor Housing

It has long been recognised that poor housing has adverse effects on health and leads to demands on other budgets in other areas of the public sector, for example the National Health Service (NHS).

Table 1: Causes of deaths and injuries in the UK (WHO Europe 2005)

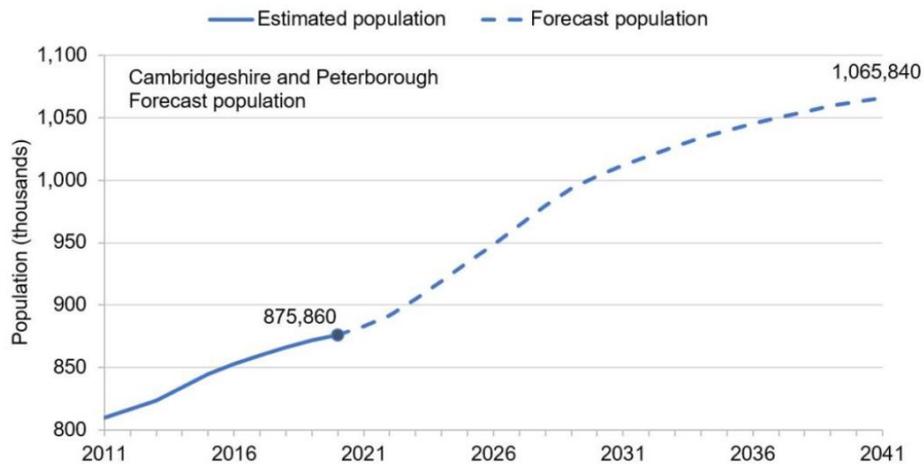
Per Year	Killed Persons	Injured Persons
At work	380	1,500,000
On the road	3,600	317,000
In the home	4,100	2,700,000

The above table highlights the importance of housing and the need to ensure adequate resources are allocated to address improvements needed and reduce the impacts of poor housing.

Table 2: Typical health outcomes and first year treatment cost for selected HHSRS hazards (CIEH 2013)

Hazard	Class 1	Class 2	Class 3	Class 4
Damp and mould	Not applicable	Type 1 allergy (£1,998)	Severe asthma (£1,120)	Mild asthma (£180)
Excess cold	Heart attack, care, death (£19,851)	Heart attack, (£22,295)	Respiratory condition (£519)	Mild pneumonia (£84)
Radon (radiation)	Lung cancer then death (£13,247)	Lung cancer survival (£13,247)	Not applicable	Not applicable
Falls on the level	Quadriplegic (£59,246)	Femur fracture (£25,424)	Wrist fracture (£745)	Treated cut or bruise (£67)
Falls on stairs and steps	Quadriplegic (£59,246)	Femur fracture (£25,424)	Wrist fracture (£745)	Treated cut or bruise (£67)
Falls between levels	Quadriplegic (£59,246)	Head injury (£6,464)	Serious hand wound (£1,693)	Treated cut or bruise (£67)
Fire	Burn, smoke, care, death (£11,754)	Burn, smoke, care, death (£7,878)	Serious burn to hand (£2,188)	Burn to hand (£107)
Hot surfaces and materials	Not applicable	Serious burns (£4,652)	Minor burn (£1,234)	Treated very minor burn (£107)
Collision and entrapment	Not applicable	Punctured lung (£3,439)	Loss of finger (£1,536)	Treated cut or bruise (£67)

Cambridgeshire is forecast to experience significant growth over the coming years.



East Cambridgeshire has an ageing population and if forecast assumptions hold, by 2041 the proportion of the population of East Cambridgeshire aged 65+ may see an increase of 58.8% compared to an increase in population of those under 65 of 13.7%. Data obtained from Cambridgeshire Insight Local Population and Dwelling Stock Estimates and Forecasts 2020:

<https://cambridgeshireinsight.org.uk/population/population-forecasts/>

SECTION 3 THE COUNCILS ROLE IN PRIVATE SECTOR HOUSING

The Council is committed to improving conditions across all tenures, including privately rented and owner-occupied houses. It is primarily an owner's responsibility to maintain their own home but the Council acknowledges that some homeowners, particularly the elderly and vulnerable do not have access to resources to keep their homes in good repair.

The result of poor-quality housing has an adverse impact on the health and safety of occupiers that in turn impacts upon other services provided throughout the district.

By improving housing conditions, contributions are made to broader policies such as health, regeneration, energy efficiency and environmental sustainability.

The Council has a number of legal duties as identified earlier in this policy in relation to private sector housing stock which it must undertake.

These may be summarised as follows:

1. Production and implementation of a Housing Renewal Policy.
2. Housing inspections using the HHSRS to address serious disrepair.
3. Fund and administer the provision of a Housing Adaptations and Repairs Policy.
4. Advice and support for energy efficiency improvements.

5. Operation of a licensing scheme for Houses in Multiple Occupation.
6. Issue site licences for mobile home parks and undertake annual inspections of the larger parks.
7. Action against properties that are considered long term empty and which may be having a significant detrimental effect on the locality.
8. The tackling of hoarding and/or pest control complaints.
9. Assessment of housing needs for Gypsy and Traveller Communities.
10. Production and implementation of a Homelessness Strategy

3.1 Housing Renewal Policy

Key strategic objectives of this policy are to:

- Enable the elderly, vulnerable and disabled people to live in comfort and security in their homes.
- Increase the proportion of private sector housing that is of a decent standard, with a focus on those that are occupied by vulnerable households.
- To reduce fuel poverty.
- To support initiatives to bring long term empty homes back into use.
- To provide accessible information to the public to enable them to obtain assistance and advice on all matters around housing disrepair and energy efficiency.

3.2 Housing inspections

Officers respond to all complaints received about property condition, whether that is from a tenant (social and private) with outstanding repairs, when concerns are raised about a property being used as an HMO, or when a neighbour is concerned about the condition of a property, its garden or the presence of vermin.

Officers will undertake inspections when required and will initially work with the owner or occupier if matters can be resolved informally. We will signpost residents to other forms of assistance when applicable, for example the Safe and Well service provided by the Fire Authority or Care and Repair if considered eligible for grant assistance etc. However formal enforcement action will be taken if issues cannot be resolved on this basis and there has been a clear and serious disregard for the safety of the tenants. Formal action against an owner occupier will only be taken as a last resort.

The Private Sector Housing Enforcement Policy 2022 identifies the actions Environmental Health will take in addressing poor quality rented accommodation. [Link to be added when approved policy on website](#)

3.3 Housing Adaptations and Repairs Grant Assistance

The East Cambridgeshire Housing Adaptations and Repairs Policy 2019 stemmed from a county-wide review of Disabled Facilities Grants carried out during 2016-17, and the need for housing, health and social care services to work in a more joined up way.

<https://www.eastcambs.gov.uk/sites/default/files/Housing%20Adaptations%20Policy%202020.pdf>

Key principles for how the district councils' Disabled Facilities Grant Allocation could be better used to support wider health and social care outcomes formed part of a Cambridgeshire Housing Adaptations Agreement which was developed, following the review, between the district and county councils in partnership with the Cambridgeshire & Peterborough Clinical Commissioning Group.

The Policy incorporates some of these key principles and contributes to the Cambridgeshire Better Care Fund Plan vision, which involves diverting resources away from acute health services and ongoing social care, focusing on helping people to help themselves, and returning people to independence wherever possible.

It also helps to support some of the priorities identified in a number of key local strategies, including: Cambridgeshire's Health and Wellbeing Strategy, Older People's Accommodation Strategy; an Ageing Well Strategy; and the district councils' own Housing Strategies. There are also links with the Cambridgeshire Housing and Health Joint Strategic Needs Assessment.

The Policy also helps to meet each of the five district councils' wider responsibilities around tackling hazards in the home, and will form part or all of each council's Regulatory Reform Order Repair & Renewal policies. Housing adaptations represent just one of a range of other interventions helping people to remain living at home. These include reablement services, provision of assistive technology and other daily living equipment, and Cambridgeshire Handyperson Service, to name a few.

One of the findings of the Review was that in order to achieve better outcomes for people, and to make best use of the resources available, providing repairs and adaptations in the home in which someone is currently living will not always be the best solution

With limited funding available, for the Policy to be successful it will need to be implemented hand in hand with a new approach to considering people's wider housing options. Independent advice and information on alternative housing options – for example sheltered or extra care housing or moving to a more suitable home – will, where appropriate, be made available at an early stage.

This is particularly important where someone's home is unlikely to remain suitable in the longer term.

An ageing population will increase the demand for all assistance but when considering the demand on grant assistance for those disabled or more vulnerable this may be particularly challenging, especially when combined with increases in the requirement for adaptations in complex children's cases and with increased build costs generally.

Table 3: East Cambridgeshire Capital budget provision for grants to support the elderly or vulnerable

	2020/21	2021/22	2022/23
Mandatory DFG	£697,299	£697,299	£697,299
Discretionary Grants	£75,000	£75,000	£75,000

3.4 Energy Efficiency

ECDC works in partnership with 4 other District Councils and Cambridgeshire County Council as the Cambridgeshire Energy Retrofit Partnership (CERP) to play our part in helping meet national & international carbon reduction goals through retrofitting the county's domestic buildings. We use the branding Action on Energy.

The Council is supporting residents who are Able To Pay for energy improvement measures to access clear guidance and support whilst continuing to bid and administer, Government Grant Funding to improve energy efficiency for Low Income High Cost (fuel) households.

The CERP has recently successfully bid for 2 rounds of Government Grant Funding and plan to continue to bid for additional funding as it becomes available.

ECDC were awarded:

- £670,000 to support planned upgrades to Social Housing & Private Homes (Scheme closes July 22)
- £1.775,000 to provide improvements to private housing (owned or rented) (Sustainable Warmth Scheme ends March 23)

Individual grants for Sustainable Warmth scheme can be up to £25,000 (depending on the energy inefficiency of a home and whether it is on or off the gas grid).

This work links extremely well with the Cambridgeshire and Peterborough Climate Action Plan recently published by the Cambridgeshire and Peterborough Independent Commission on Climate Change, on behalf of the Cambridgeshire and Peterborough Combined Authority (CPCA). The report makes 58 recommendations to set the area on a pathway to net zero emissions and to prepare for climate change impacts and the joint procurement exercise currently being undertaken is seen as an example of good practice.

3.5 Houses in Multiple Occupation (HMO)

There are 25 HMO's currently licensed or waiting for a licence within the District. These are properties where there are 5 or more people, from 2 or more households, with some shared facilities. All licensed HMO's are inspected at application stage to ensure compliance with all standards required within such higher risk properties. The Domestic Team work closely with the Fire Authority on premises which are considered higher risk from fire due to their size or construction.

Estimates of the number of HMO's that do not require a licence, as they are occupied by less than 5 persons, currently stands at 220. Inspections of such premises are only undertaken if a complaint is received, as there is no requirement on landlords to register with the local authority that they are operating a smaller HMO. Such premises must still comply with the Housing Act 2004, the HMO Regulations and other supporting legislation and the challenge arises in locating these premises. In addition, properties will change ownership over time or be reverted back to single occupancy. Local knowledge and close links with other Departments such as the Housing Team help in officers understanding of where such properties may be located.

3.6 Mobile Home Parks

Mobile Home Parks provide much needed and more affordable accommodation within the District. There are currently 15 licenced caravan sites within the District, 10 of which are classed as relevant protected sites which are the larger sites with year-round occupation by residents.

Officers inspect all larger sites on an annual basis to check compliance with licensing conditions, making recommendations for site safety improvements when required.

3.7 Empty Homes

At a time of housing shortages empty homes are a wasted resource and can have a blight on the neighbourhood in which they are situated.

Statistics obtained from Anglia Revenue Partnerships (ARP) allows a comparison in the percentage of empty homes from neighbouring Districts and the changes that have occurred over the last few years.

	Total number of dwellings	Total number of Empty Homes – April 2022 and % of total	Change in number of empty properties between April 2016 and April 2022
Breckland	63,436	577 (0.9%)	-52
East Suffolk	120,299	1,376 (1.1%)	-12
Fenland	46,688	526 (1.1%)	+44
West Suffolk	82,133	860 (1.04%)	+131
East Cambs	39,365	601 (1.5%)	+283

There are a number of issues with accurately identifying private sector vacant dwellings including the transient nature of vacant dwellings and the difficulties in identification. Properties are continually bought and sold, modernised and let, which means at any given time there will be naturally vacant properties in the district. The ones of most interest are those that are long term empty. Local authorities have a range of powers and incentives at their disposal to help bring empty homes back into use. These include compulsory purchase, empty dwelling management orders, council tax premiums or requiring the securing of vacant properties subject to, or at risk from antisocial behaviour.

3.8 Hoarding and other public health issues

Complaints or concerns are often raised about the condition of homes and/or gardens from a range of sources, for example from a neighbour or via a supported living representative who visits someone in their own home. These can sometimes include concerns about vermin.

Officers have a range of powers to investigate such issues, and will work with the occupier in the first instance to support and assist in addressing matters of a public health or housing concern, including partner agencies from both statutory and voluntary sectors to provide all the support options that may be available.

Enforcement action is taken when applicable, although in situations where an individual is exhibiting hoarding behaviours this is not usually considered an appropriate response.

The local authority is part of the Cambridgeshire Hoarding Forum. This is a forum for professionals who may come across and be required to support people who hoard, to come together and seek advice, best practice and guidance from others. It is a multidisciplinary forum that allows for a wide range of knowledge and experience to be shared, that ultimately helps to address the challenges that such situations pose.

SECTION 4 CURRENT INITIATIVES AND FUTURE CHALLENGES

4.1 Energy Efficiency

The Housing Model data has been used to identify 3 separate specific wards within the district, that may have larger numbers of eligible households experiencing an excess cold hazard and/or a higher fuel poverty gap. Woodditton was one of the wards identified and approximately 800 letters have been sent out to residents in this ward advising them that based on local information available, their property may be not be as energy efficient as it could be.

The offer is of full funding to eligible home owners to install measures such as loft, cavity, room in roof and external wall insulation and some clean heating and energy producing solutions such as Air Source Heat Pumps and Solar PV.

Depending on the success of this promotion, and the accuracy of the Model data, a similar exercise will be undertaken in the other areas of the District that have been identified as having a potentially higher concentration of cold homes and which are occupied by eligible homeowners.

The wide range of assistance available to help people to maintain warm and healthy homes will continue to be communicated widely, to reach as many people as possible, but in particular those most vulnerable.

4.2 Housing Adaptations and Repairs

The wide range of assistance available to help disabled and vulnerable people to remain safe and warm in their own homes will continue to be communicated widely, to reach as many people as possible, but in particular those most vulnerable.

The provision of independent advice and assistance to help residents obtain the financial benefits to which they may be entitled will continue.

The provision of independent advice and assistance to help residents to consider the best housing option for them, will remain a focus.

4.3 Housing Disrepair

Officers will continue to respond in a timely way, to all complaints about housing conditions, undertaking inspections as required and fully incorporating the guidance contained within the updated Private Sector Housing Enforcement Policy 2022, in any decisions made with respect to formal enforcement.

The Housing Stock Model data will continue to be interrogated to help identify those most likely to be in need and those areas where targeted promotions around housing disrepair and minimum energy efficiency standard requirements are likely to have the greatest impact. Such promotions could be undertaken using existing partner agencies, local community groups and other local resources, as well as using the option of mailshots, to help inform private rented occupiers of their rights and the assistance the council can provide.

Strong links will be maintained with other Council Departments and partner organisations who provide support to people in their own homes, to ensure that any concerns about housing conditions are directed at the earliest instance to the Domestic Team in Environmental Health.

Information about other support mechanisms and guidance that is available to residents will continue to be communicated when visiting people in their own homes, for example the Homelessness Prevention Service at the Council.

The Council website information will be regularly reviewed and updated to help landlords clearly understand their responsibilities with respect to housing conditions.

The Council website information will be regularly reviewed and updated to help tenants who may have concerns about property conditions, to understand the standards that rented properties are required to meet,

and how to seek help from the Council if such standards are not being met.

4.4 Empty Properties

The Domestic Team will investigate the range of options available to further encourage the bringing back into use of long-term empty properties within the District.

In comparison to some of our neighbouring districts East Cambridgeshire charges an additional empty property premium on its council tax charges of 50% after a property has been empty for longer than 2 years. Breckland, East Suffolk, West Suffolk and Fenland charge an additional premium of 100% on properties empty for greater than 2 years and this rises to a 200% premium for those empty for between 5 and 10 years and a 300% premium is charged for those empty for over 10 years.

Although this may not be the only factor in the higher rate of empty properties currently seen in East Cambridgeshire such financial penalties are likely to help encourage owners to sell or renovate empty properties and so this avenue will be explored in conjunction with ARP and the relevant council departments.

The Domestic Team will also be undertaking a fact-finding project, investigating schemes set up in other Districts, to understand the resource implications and the success of initiatives that have been developed to tackle the issue of long-term empty homes.

The Domestic Team will investigate the options available to the local authority should an Empty Dwelling Management Order be required, to understand the resource implications and the risk to the Council of either the Council taking over the management of a property or using a third party to take over the management of an empty property.

The Domestic Team will continue to monitor Empty Property numbers and will investigate complaints of empty properties, using advice and encouragement to help bring them back into use. Enforcement options will be fully considered, taking in to account the resources available and the circumstances of the case.

4.5 HMO's

Officers will continue to respond in a timely way, to all complaints about housing conditions in HMO's or complaints about potential unlicensed HMO's, undertaking inspections as required and fully incorporating the guidance contained within the updated Private Sector Housing Enforcement Policy 2022, in any decisions made with respect to formal enforcement.

Strong links will be maintained with other Council Departments and partner organisations who may become aware of unlicensed HMO's or HMO's that have unsafe conditions, to ensure that any concerns about housing conditions are directed at the earliest instance to the Domestic Team in Environmental Health.

The Domestic Team will continue to work in conjunction with the Housing Team to provide advice and guidance to prospective landlords of HMO's, on meeting the required standards for safe accommodation.

Information on unlicensed HMO's or those smaller shared houses can be difficult to obtain. Sources of data that may indicate a shared house are wide ranging and not easily accessible, for example actively searching rooms to rent websites and making enquiries as to availability would require a Covert Human Intelligence Source authority to be provided. Some data may be available from Anglian Revenues Partnership. Proactive searching for such properties is resource intensive. The Domestic Team will continue to maintain its own database of prospective HMO properties through its own intelligence gathering, and will continually review the resources available to undertake the proactive work required in this area.

The Domestic Team supports the Government proposals to develop a national landlord register and work may be required in this area going forward. Officers will monitor the implications of such a scheme and develop appropriate strategies should legislation be adopted.

4.6 Other forms of assistance

The Council will continue to work with the local landlord and managing agents' communities via landlord forums and other information sharing initiatives and/or publicity, to broaden the amount of information made available to these businesses and individuals around private sector housing conditions.

An example being that in August 2022 the Domestic Team contacted over 90 landlords and managing agents within East Cambs, to inform them of the open invitation to a landlord forum being run by the National Regional Landlord Forum and Cambridge City Council in September 2022. Topics of discussion included the highly relevant Government plans to introduce a legally binding Decent Homes Standard (DHS) in the private rented sector and the standards this may require for landlords/property managers to achieve.

SECTION 5 - ACCESS TO THE SERVICE

5.1 Equality, diversity and inclusion

The Council recognises and values the diversity of all people and communities in the district and in our workforce, and is committed to providing efficient, effective and relevant services to our residents and to ensuring that we are a good employer.

The policy can be accessed here <https://www.eastcambs.gov.uk/east-cambs-district-council/single-equality-scheme> or by telephone call, or personal, written or electronic inquiry.

A translation service is available at the District Council offices for non-English speaking inquiries. In addition, this document can be made available in large print or on audiotape if required. Please contact Customer Services on 01353 665555.

5.2 Sources of advice

East Cambridgeshire District Council, through the Environmental Services Domestic Team, the Energy Efficiency Team and Care and Repair Services, provides information and technical advice for a range of housing functions, ranging from Housing Conditions (for all tenures and for houseboats and mobile homes), Houses in Multiple Occupation, Empty Properties and Energy Efficiency through to Disabled Facilities Adaptation options and access to grants and other forms of financial assistance. They can be contacted on 01353 665555. If your enquiry is relevant to repairs and adaptations for vulnerable persons then please contact Care and Repair Services on 01353 616950.

The Community and Housing Advice Team at the District Council provides free and confidential advice on housing rights and options, benefits, homelessness, harassment and can assist you in finding accommodation. They can be contacted on 01353 665555.

For any of the above services you can call into the Council offices during normal office hours. The full address and office hours are shown in Appendix A.

5.3 Complaints and Feedback

East Cambridgeshire District Council is committed to providing a high standard of customer care, and aims to follow the published Customer Care Code at all times. This Council also has a complaints policy and welcomes comments and ideas on how individuals think the services can be improved. Details of how to do this are below.

Our Customer Care Standards can be found at:

<https://www.eastcambs.gov.uk/content/customer-charter-service-standards>

<https://www.eastcambs.gov.uk/customer-services/customer-feedback-complaints>

or these can be provided to you by contacting 01353 665555

APPENDIX A

Contact details

**Domestic Team,
Environmental Services,
East Cambridgeshire District Council
The Grange,
Nutholt Lane,
Ely,
Cambs
CB7 4PL**

Tel: 01353 665555
e-mail: DomesticTeamEH@eastcambs.gov.uk

Office hours: Monday – Thurs 8:45am – 5:00pm
Friday 8:45am – 4:30pm

**East Cambridgeshire Care and Repair Services
East Cambridgeshire District Council
The Grange,
Nutholt Lane,
Ely,
Cambs
CB7 4PL**

Tel: 01353 665555 or 616950
e-mail: careandrepairservices@eastcambs.gov.uk

Office hours: Monday – Thurs 8:45am – 5:00pm
Friday 8:45am – 4:30pm

**Housing Advice
East Cambridgeshire District Council
The Grange,
Nutholt Lane,
Ely,
Cambs
CB7 4PL**

Tel: 01353 665555
e-mail: communityadvice@eastcambs.gov.uk

Office hours: Monday – Thurs 8:45am – 5:00pm
Friday 8:45am – 4:30pm

Glossary of Terms

Private Sector Housing

Housing not owned by the local authority or a housing association.
This includes owner-occupied dwellings and private rented dwellings.

HHSRS-Housing Health and Safety Rating System

This is a risk assessment tool to help local authorities identify and protect against potential risks and hazards to health and safety related deficiencies in dwellings, covering 29 categories of hazards including excess cold, damp and mould, electrical hazards, etc.

Category 1 hazard

This is a major hazard where there is a score of greater than 1,000. A dwelling with Category 1 hazard is considered to fail the minimum statutory standard for housing and enforcement action would need to be considered by the Local Authority.

Fuel Poverty

The original definition of fuel poverty states that a household is in fuel poverty if it needs to spend more than 10% of their income on fuel to maintain an adequate level of warmth (10%) definition. The new definition now adopted by government is that a household is said to be in fuel poverty if they have fuel costs that are above average and were they to spend that amount they would be left with a residual income below the official poverty line (Low income High Costs definition).

SAP

Standard Assessment Procedure. The system for the measurement of the energy rating of residential buildings.

SimpleSAP

An estimate of a residual dwelling's likely SAP score, it is not based on the full required range of data for a SAP calculation or a reduced data SAP calculation (RDSAP), it should only ever be considered an estimate of the SAP score, and used as a guide.

EQUALITY IMPACT ASSESSMENT – INITIAL SCREENING TEMPLATE (IST)

Initial screening needs to take place for all new/revised Council policies. The word ‘policy’, in this context, includes the different things that the Council does. It includes any policy, procedure or practice - both in employment and service delivery. It also includes proposals for restructuring, redundancies and changes to service provision. This stage must be completed at the earliest opportunity to determine whether it is necessary to undertake an EIA for this activity.

Name of Policy:	Draft Private Sector Housing Renewal Policy 2022
Lead Officer (responsible for assessment):	Senior Environmental Health Officer
Department:	Environmental Services
Others Involved in the Assessment (i.e. peer review, external challenge):	Environmental Services Manager
Date Initial Screening Completed:	19 th August 2022

(a) **What is the policy trying to achieve?** i.e. What is the aim/purpose of the policy? Is it affected by external drivers for change? What outcomes do we want to achieve from the policy? How will the policy be put into practice?

The Private Sector Housing Renewal policy has been updated to include changes to related policies and information obtained from the Housing Stock Model Survey undertaken in 2021. The council must have policies in place to demonstrate how it will address housing disrepair and poor conditions in the housing stock to ensure resources are targeted at those most in need.

The key objectives of this policy are to:

- Enable the elderly, vulnerable and disabled people to live in comfort and security in their homes.
- Increase the proportion of private sector housing that is of a decent standard, with a focus on those that are occupied by vulnerable households.
- To reduce fuel poverty.
- To support initiatives to bring long term empty homes back into use.
- To provide accessible information to the public to enable them to obtain assistance and advice on all matters around housing disrepair and energy efficiency.

The draft is being submitted to the Operational Services Committee on 12th Sept 2022

(b) **Who are its main beneficiaries?** i.e. who will be affected by the policy?

Residential property owners and private sector tenants.

(c) **Is this assessment informed by any information or background data?** i.e. consultations, complaints, applications received, allocations/take-up, satisfaction rates, performance indicators, access audits, census data, benchmarking, workforce profile etc.

The Council must conform to statutory functions.

It must regularly assess the condition of the housing stock and introduce policies to support people to maintain their homes, to improve the energy efficiency of the housing stock and to deal with unsafe housing conditions.

The draft policy has been prepared having regard to East Cambridgeshire Equality framework.

(d) Does this policy have the potential to cause a positive or negative impact on different groups in the community, on the grounds of any of the protected characteristics (please tick all that apply):

Ethnicity	<input checked="" type="checkbox"/>	Age	<input checked="" type="checkbox"/>
Gender	<input type="checkbox"/>	Religion or Belief	<input type="checkbox"/>
Disability	<input checked="" type="checkbox"/>	Sexual Orientation	<input type="checkbox"/>
Gender Reassignment	<input type="checkbox"/>	Marriage & Civil Partnership	<input type="checkbox"/>
Pregnancy & Maternity	<input type="checkbox"/>	Caring Responsibilities	<input type="checkbox"/>

Please explain any impact identified: i.e. What do you already know about equality impact or need? Is there any evidence that there is a higher or lower take-up by particular groups? Have there been any demographic changes or trends locally? Are there any barriers to accessing the policy or service?

This is an updated policy document.

The draft policy supports the work undertaken by Environmental Health in addressing poor standard housing and energy efficiency in both the private rented and owner-occupied sector, and supports the existing East Cambs Housing Adaptations and repairs Policy 2019 which aims to have a positive impact on vulnerable groups by providing assistance to those most vulnerable either due to age or disability and others most in need. The aim of the Housing Renewal policy is to have a positive effect on all service users.

Age

Officer will need to evaluate cases and deal with these especially sensitively where necessary. Officers will also use the policy and feed into other appropriate groups where necessary i.e. Age UK, Safe and Well schemes etc to ensure the best outcome for the occupant.

Disability

These cases again will need to be evaluated appropriately with assistance provided depending on individual requirements, to achieve the best outcome for the occupier, linking with other support organisations as required.

Ethnicity

Where English is not be the first language of the occupier, landlord or tenant, translation services may be required and can be provided. Letters etc. can also be provided in the appropriate language where necessary. Utilise links with other support mechanisms for example the partnership working of the Housing Team with the Rosmini Centre, that works closely with foreign migrants.

(e) Does the policy affect service users or the wider community?	NO
(f) Does the policy have a significant effect on how services are delivered?	NO
(g) Will it have a significant effect on how other organisations operate?	NO
(h) Does it involve a significant commitment of resources?	NO
(i) Does it relate to an area where there are known inequalities, e.g. disabled people's access to public transport etc?	NO

If you have answered **YES** to any of the questions above, then it is necessary to proceed with a full equality impact assessment (EIA). If the answer is **NO**, then this judgement and your response to the above questions will need to be countersigned by your Head of Service and then referred to the

ECDC Carbon Impact Assessment (CIA) (updated June 2021)

Please complete all areas of this form and return to Richard Kay for approval.

Please see separate guidance note for more information on how to complete this form.

Important Note: This full CIA does not need adding to your committee report. However, the answer to Q10 of this CIA should be the exact words you do add to your committee report. Therefore, please make sure your response to Q10 is clear, is what you want to be made public and can be read as a 'stand alone' paragraph(s).

SECTION 1: Proposal Details

1. Proposal name (eg the title of the report to Committee):

Update to the Private Sector Housing Renewal Policy

2. Please indicate who the decision maker will be (eg name of Committee, or Full Council):

Operational Services Committee 12th Sept 2022

3. Please provide a brief description of the proposal including the proposed outcomes:

The Private Sector Housing Renewal policy has been updated to include changes to related policies and information obtained from the Housing Stock Model Survey undertaken in 2021. The council must have policies in place to demonstrate how it will address housing disrepair and poor conditions in the housing stock to ensure resources are targeted at those most in need.

4. Project or Proposal end or completion date (if applicable):

8 week consultation period and then full adoption of the policy.

SECTION 2: Proposal Impact

5. Now consider whether any of the following aspects will be affected

(Note: the questions are split into any impact on the Council and then any impact on the wider District)

:

Aspect	Likely carbon impact			Commentary <i>Please explain why it is likely to have this effect</i>
	+ve	-ve	neutral	
Buildings Energy				
Will the proposal have an impact on the COUNCIL's energy consumption via buildings (consider electricity, gas, oil & heating of buildings/water)? If the proposal involves the acquisition or sale of a building or equipment, in the commentary box explain energy efficiency been considered?			x	No change expected

Will the proposal have an impact on the DISTRICT's energy consumption via buildings (consider electricity, gas, oil & heating of buildings/water)?			x	No change expected.
Travel				
Will the proposal have an impact on the COUNCIL's energy consumption via travel (e.g. petrol/diesel usage)?			x	No change to travel requirements compared to those visits/inspections already undertaken as a statutory function to investigate and assess residential properties.
Will the proposal have an impact on the DISTRICT's energy consumption via travel (e.g. petrol/diesel usage)?			x	No change expected.
Water				
Will the proposal have an impact on the COUNCIL's water usage?			x	No change expected
Will the proposal have an impact on the DISTRICT's water usage?			x	No change expected
Renewable Energy				
Will the proposal have an impact on the COUNCIL's creation or use of renewable energy?			X	No change expected
Will the proposal have an impact on the DISTRICT's creation or use of renewable energy?	x			There may be a positive effect if as part of the policy, privately owned residential properties are identified for energy efficiency measures and are supported by the council to install measures such as loft insulation, solar PV or air source heat pumps.
Embodied Carbon (sometimes referred to as embodied energy)				
Does the proposal include the construction of buildings or other significant infrastructure, or the significant production of equipment (eg a vehicle)? Will measures be included to procure buildings/infrastructure/products which are known to have a lower embodied carbon content?			x	No
Natural Environment				

Are there any further ways in which your proposal will have an impact on the natural environment? For example, biodiversity, tree planting, land management etc.			x	No
--	--	--	---	----

SECTION 3: Actions

6. Have any of the above impacts identified been quantified and if not, is this possible as part of the project?

Records will be kept of those properties assisted to improve their energy efficiency and reduce their heating costs through the use of greener products. Recording of improved energy efficiency rating of individual homes.

7. Can any negative carbon impacts identified be justified as appropriate or necessary when considering other benefits of the project?

N/A

8. What steps, if any, will you take to reduce any negative carbon impact of the project?

N/A

9. Carbon impacts should be monitored as the project progresses. If you have identified any impacts, what information will you use to manage this process?

As above

10. Provide an overall summary to be included in your covering report.

The key objectives of this policy are to:

- Enable the elderly, vulnerable and disabled people to live in comfort and security in their homes.
- Increase the proportion of private sector housing that is of a decent standard, with a focus on those that are occupied by vulnerable households.
- To reduce fuel poverty.
- To support initiatives to bring long term empty homes back into use.
- To provide accessible information to the public to enable them to obtain assistance and advice on all matters around housing disrepair and energy efficiency.

11. Officer details and assessment approval

Please complete your details and return for approval

Assessment completed by:	Karen See
Service Lead sign off:	
Date Initial Assessment completed:	19 th August 2022
Approval	
Date approved by Richard Kay together with any additional comments:	

REVIEW OF OUTDOOR SPORTS FACILITIES STRATEGY

Committee: Operational Services Committee

Date: 21st September 2022

Author: Victor Le Grand (Senior Leisure Services Officer)

[X57]

1. ISSUE

- 1.1. To update Members on developments from the Outdoor Sports and Playing Pitch Strategy.

2. RECOMMENDATION

- 2.1. Members are asked to note the contents of this report.

3. BACKGROUND

- 3.1. The Outdoor Sports Facilities and Playing Pitch strategies were approved by this Committee in September 2021.
- 3.2. The purpose of the strategies was to conduct an audit of provision at the time, and to provide a basis for securing and developing facilities in partnership with local stakeholders, sports bodies and other interested parties such as housing developers. In this respect, the strategies should be seen as a framework, rather than a definitive plan. It will also be appreciated that any substantive developments in provision take time to carry through, and at any given time, most will remain work in progress.

4. ARGUMENTS

- 4.1. The most significant movement so far is towards football provision, where the ECDC strategies are in concert with the Football Association's Local Football Facilities Plan and associated Football Foundation funding. New or improved facilities are under active discussion in Burwell, Soham, Haddenham, Little Downham and Littleport, and - less immediately - in Sutton. The scope of these developments range from re-surfacing or improved drainage to existing facilities, to complete new grass or artificial pitches. In some cases, these facilities also represent an increase in local recreational amenity space. There is also some interest in potential developments in a range of other sports, but such discussions remain at an early stage, and it would be unsound to anticipate any particular outcome at this point.

- 4.2. Aside from specific development projects, the studies provide a regular day-to-day point of reference and information source for officers in general discussions with sports bodies and other stakeholder groups. The production of the strategies has also helped to support a more direct and active engagement with the planning team, which has already helped to inform some of the projects noted above, and should continue to do so as a regular organisational function. In these respects, the strategies are an important part of our work, and will continue to be so.
- 4.3. It is recognised in all such documents that usage and needs change in the detail at local level, and that the focus in practice is therefore on patterns and trends. Over time, the loss of accuracy will become more problematic and the work will need to be refreshed, though this should be less time-consuming than the original study. This is not an immediate issue, but the need for this should be considered during 2023-24, and will probably become more pressing in subsequent years as the original work loses currency.

5. **RECOMMENDATIONS**

- 5.1. The Committee is asked to note the content of this report

6. **FINANCIAL IMPLICATIONS / EQUALITY IMPACT ASSESSMENT / CARBON IMPACT ASSESSMENT**

- 6.1. There are no implications under these headings.

Background Documents

None

Contact Officer

Victor Le Grand

Senior Leisure Services Officer

(01353) 616361

COMMUNITY SPORTS FACILITIES GRANT PROPOSAL - LITTLEPORT

Committee: Operational Services Committee

Date: 21st September 2022

Author: Victor Le Grand (Senior Leisure Services Officer)

[X58]

1. ISSUE

- 1.1 To consider a grant recommendation under the Community Sports Facilities Grants programme.

2. RECOMMENDATION

- 2.1 Members are recommended to approve a grant of £10,000 to Littleport Leisure as set out in 4.1

3. BACKGROUND

- 3.1 The built leisure facility stock in East Cambridgeshire comprises the Hive (owned by ECDC and operated by GLL) and a number of older centres operated by local trusts and academies, which are self-financing, with user charges roughly covering their normal operating costs. The centres have historically received advisory support and modest grants from ECDC to support capital improvements, and develop their services.
- 3.2 The overall budget for such grants has – until this year - been £32,000 per annum, and this has necessarily limited the scope of potential projects. The new Community Sports Facilities grant programme is budgeted at up to £300,000 over a three-year period (to March 2025). The expansion in funding opens up the scope of the scheme, and presents an opportunity to upgrade facilities and develop services to meet contemporary standards.
- 3.3 The balance to be struck between responding to new opportunities, and addressing immediate issues, is however likely to vary between the centres and over time. As previously noted, most of the sites in East Cambridgeshire are dated, with associated liabilities for repairs and refurbishments – roofs, plant and internal finishes being among the most obvious. It is also clear that in general, business levels have not yet recovered to those before the pandemic; typical recovery rates appear to be around 75%, and the leisure sector as a whole remains financially stressed; it is perhaps fortunate that none of the free-standing trusts has a swimming pool, with the associated energy costs. It is therefore likely that some of the trusts will need support in re-balancing their operations over the next year or two. Officers therefore believe that some

pragmatism may be required in supporting the trusts, while not defaulting purely to reactive repairs and maintenance. It is hoped that the focus of projects will over time shift to investments with long-term added value.

- 3.4 From discussions with the trusts over the summer, two proposals have been received in time for consideration by this Committee, and for reasons of process are being presented separately.

4. **ARGUMENTS**

- 4.1 **Proposal:** Sanding, re-sealing and re-marking of sports hall floor, Littleport Leisure Centre

Anticipated Cost	£15,000
Partnership Funding (Trust)	£3,000
Grant requested	£12,000
Grant recommended	£10,000

4.2 **Comments**

- 4.2.1 The sports hall is part of the school (LECA) estate, though with extensive community use outside of school hours, and this is reflected in the award recommendation. It is not currently clear however that the work is seen as a priority for school, or that any financial contribution would therefore be forthcoming; officers will endeavour to provide an update on this at the meeting.
- 4.2.2 Restorative work of this kind is usually required at intervals; the need for it here may have been accelerated by the range and level of usage, and there are also some indications that the original installation was flawed (this is outside the control of the trust, as the build was commissioned by the County, but is under discussion between the parties). Periodic work of this kind would not normally be considered a priority for funding, but it has been put forward for consideration because the cost involved, following the disruption to business caused by the Covid pandemic, would undermine the momentum to the centre's recovery. Any support should therefore be considered as a reflection of these wider circumstances.
- 4.2.3 This project was originally put forward by the Trust for consideration earlier this year, but deferred pending the introduction of the new funding programme. As there is no specific mechanism by which the project could have proceeded at the trust's risk, but delay would have obstructed the outcome of the work, officers are asking the Committee to consider the project on its merits. The work has been scheduled for completion while this report is in preparation in order to fit with school programmes, and because the summer is a relative off-season for sports hall programmes generally.

5 **RECOMMENDATION**

- 5.1 Members are recommended to approve a grant of £10,000 to Littleport Leisure as set out in 4.1.

6 **FINANCIAL IMPLICATIONS / EQUALITY IMPACT ASSESSMENT / CARBON IMPACT ASSESSMENT**

- 6.1 The proposed funding allocations fall within the existing budget.
- 6.2 No equalities implications follow from these proposals.
- 6.3 There are no direct positive or negative carbon impact implications for ECDC.

Background Documents

None

Contact Officer

Victor Le Grand

Senior Leisure Services Officer

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COMMUNITY SPORTS FACILITIES GRANT PROPOSAL - SOHAM

Committee: Operational Services Committee

Date: 21st September 2022

Author: Victor Le Grand (Senior Leisure Services Officer)

[X59]

1. ISSUE

- 1.1 To consider a grant recommendation under the Community Sports Facilities Grants programme.

2. RECOMMENDATION

- 2.1 Members are recommended to approve a grant of £179,500 to Ross Peers Sports Centre as set out in 4.1.1

3. BACKGROUND

- 3.1 The built leisure facility stock in East Cambridgeshire comprises the Hive (owned by ECDC and operated by GLL) and a number of older centres operated by local trusts and academies, which are self-financing, with user charges roughly covering their normal operating costs. The centres have historically received advisory support and modest grants from ECDC to support capital improvements, and develop their services.
- 3.2 The overall budget for such grants has – until this year - been £32,000 per annum, and this has necessarily limited the scope of potential projects. The new Community Sports Facilities grant programme is budgeted at up to £300,000 over a three-year period (to March 2025). The expansion in funding opens up the scope of the scheme, and presents an opportunity to upgrade facilities and develop services to meet contemporary standards.
- 3.3 The balance to be struck between responding to new opportunities, and addressing immediate issues, is however likely to vary between the centres and over time. As previously noted, most of the sites in East Cambridgeshire are dated, with associated liabilities for repairs and refurbishments – roofs, plant and internal finishes being among the most obvious. It is also clear that in general, business levels have not yet recovered to those before the pandemic; typical recovery rates appear to be around 75%, and the leisure sector as a whole remains financially stressed; it is perhaps fortunate that none of the free-standing trusts has a swimming pool, with the associated energy costs. It is therefore likely that some of the trusts will need support in re-balancing their operations over the next year or two. Officers therefore believe that some

pragmatism may be required in supporting the trusts, while not defaulting purely to reactive repairs and maintenance. It is hoped that the focus of projects will over time shift to investments with long-term added value.

- 3.4 From discussions with the trusts over the summer, two proposals have been received in time for consideration by this Committee, and for reasons of process are being presented separately.

4. **ARGUMENTS**

- 4.1 **Proposal:** Full replacement of sports hall roof, Ross Peers Sports Centre

Anticipated Cost

Works as estimated (including VAT & contingency) £224,500

Cost based on a recent detailed estimate but would need to be firmly established prior to confirmation of any award. VAT is effectively irrecoverable, as much of the Centre's income is VAT-exempt. A contingency provision is also included to allow for unforeseen issues, and control mechanisms would be required to ensure that this is appropriately used.

Prior condition survey £3,300

Actual cost for a condition survey commissioned by the Trustees on officer recommendation, to identify any latent structural issues beyond those known. This is briefly discussed further below.

Total Project Costs £227,800

Partnership Funding Sought £48,300

A parallel application is in train to the Amey Community Fund. The outcome of this application – and the value of any award - may be known by the time the Committee meets, but this is not yet certain. This figure also includes costs incurred by the Trust on the condition survey as noted above.

Grant recommended £179,500

4.2 **Comments**

- 4.2.1 There remain some uncertainties in the figures, including the final price, works contingencies and partnership funding. So far as reasonably practical, these uncertainties have been reflected in the award recommendation. If the project proves not to be deliverable within this financial envelope, officers would propose to review the scope of the project with the Trustees and seek further guidance if necessary.
- 4.2.2 Estimates have been received both for outright replacement of the roof (stripping off and re-covering) and for overcladding, leaving the existing

asbestos cement covering in place. Officers believe that while outright replacement is more expensive, that cost is likely to carry more certainty than that for over-cladding, which would involve working with the existing structure and carry a number of project risks. It is also believed that outright replacement offers a more certain long-term outcome. The recommendation has been formulated accordingly.

- 4.2.3 Most areas of the centre are tired, but the roof is a particular problem as leaks are affecting use of the sports hall on a day-to-day basis. The sports hall is the largest single income generator, so disruption or loss of bookings poses a material threat to the future of the operation. Taking seasonal factors also into account, the works are considered urgent, and this has been a major consideration in the timing of this report and the approach recommended.
- 4.2.4 The Trust is aware of the need to identify partnership funding, but the Centre remains in deficit on its day-to-day operations (a legacy of the pandemic), and the Trust is therefore not currently in a position to commit significant capital sums. The Trustees have committed £3,300 to the prior condition survey, and officers propose that this should be considered in lieu of any further financial contribution. The Trust has also made an application to the Amey Community Fund, which would complement this proposal. The outcome of the application is not known at this stage (parallel funding applications often give rise to a slightly circular process, as each prospective funder waits for confirmation of the others), but it is thought that the bid is a credible one. Typical previous awards for sports capital projects have been up to around £30,000, but the fund has the capacity for higher awards and this is a somewhat larger project than most. Allowing for the requirement for 11% partnership funding (which effectively offsets against the nominal award value), a net contribution of £45,000 would appear a reasonable target, and the award recommendation here reflects this assumption.
- 4.2.5 Recognising the need to place this project in a more long-term context, a general condition survey has been commissioned by the Trust to identify and cost (approximations only at this stage) any further works which may be required. Most of the works identified appear relatively minor, and there is no evidence for further major liabilities; the roof therefore stands out both in urgency and financial scale, but the survey provides the basis for a five-year programme, which should also include replacing the sports hall floor and re-surfacing the outdoor pitch. Officers will discuss this further with the Trustees, but for the reasons given above (4.2.3) it would be preferable to progress the work with the roof at this stage.
- 4.2.6 In this context, and given the scale of investment under consideration, it is also proposed that a wider business review should be commissioned, to help the centre complete the recovery of the business following the pandemic and to identify future needs and opportunities for long-term planning. This would be explored further by officers in consultation with the Trustees.

5 **RECOMMENDATION**

- 5.1 Members are recommended to approve a grant of £179,500 to Ross Peers Sports Centre as set out in 4.1.

6 **FINANCIAL IMPLICATIONS / EQUALITY IMPACT ASSESSMENT / CARBON IMPACT ASSESSMENT**

- 6.1 The proposed funding allocations fall within the existing budget.
- 6.2 No equalities implications follow from these proposals.
- 6.3 There are no direct positive or negative carbon impact implications for ECDC.

Background Documents

None

Contact Officer

Victor Le Grand

Senior Leisure Services Officer

(01353) 616361

YOUTH ACTION PLAN PROGRESS UPDATE

Committee: Operational Services

Date: Monday 12th September 2022

Authors: Lewis Bage, Communities and Partnerships Manager, Liz Knox,
Environmental Services Manager, Angela Parmenter, Housing &
Community Advice Manager

[X60]

1.0 **ISSUE**

1.1 To note progress made against the East Cambridgeshire Youth Action Plan.

2.0 **RECOMMENDATION(S)**

2.1 Members are requested to:

- (i) Note progress made against the East Cambridgeshire Youth Action Plan.

3.0 **BACKGROUND**

3.1 The Council approved the East Cambridgeshire Youth Strategy and Action Plan in March 2021.

3.2 Members requested that progress made against the Action Plan be reported to Operational Services Committee every six months.

3.3 Implementation of the Action Plan commenced on 1st April 2021, and updates were presented on 13th September 2021 and 21st March 2022.

3.4 New actions were added to the Action Plan to address the findings of the most recent survey.

4.0 **ARGUMENTS/OPTIONS**

4.1 The Action Plan at Appendix 1 includes a column outlining progress made.

5.0 **CONCLUSIONS**

5.1 Members are requested to note the progress made against the Youth Action Plan.

5.2 Progress update reports will continue to be provided to Operational Services Committee every six months as agreed.

6.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT

6.1 There are no financial implications arising from this report's recommendations.

6.2 The EIA and CIA relating to the Youth Action Plan were agreed at March 2021's Operational Services Committee.

7.0 APPENDICES

Appendix 1 – Youth Action Plan - Progress Update September 2022

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer</u>
	The Grange, Ely, CB7 4EE	Lewis Bage Communities and Partnerships Manager lewis.bage@eastcambs.gov.uk Liz Knox Environmental Services Manager elizabetha.knox@eastcambs.gov.uk Angela Parmenter, Housing & Community Advice Manager angela.parmenter@eastcambs.gov.uk

Appendix 1 – Youth Action Plan - Progress Update September 2022

Area of Focus	ECDC Action	How	Timescales	Lead	Progress
Engagement	Seek continued feedback from young people on youth engagement platforms to ensure methods used by the Council are appropriate and fit for purpose KPI: Consult with a minimum of 50 young people to obtain feedback on engagement methods by July 2021	Youth Advisory Board (YAB)	October 2021 then ongoing	C+P	Consultation on engagement methods completed. Questions and approach informed following YAB feedback. 65 responses were received. The Council's Community Engagement Toolkit updated to reflect the results of this consultation. It was also used to ensure that the subsequent youth survey was promoted effectively
	Promote the Community Engagement Toolkit to ECDC officers that contains information on how to effectively engage with young people	Youth Officer Champion	January 2022	C+P	The Council's Community Engagement Toolkit has been updated following engagement with the YAB to ensure that it contains the most appropriate information and advice on how to effectively engage with local young people. It has been further updated using the feedback from young people from the recent engagement survey
	Invite local youth engagement networks to join the Council's Register of Consultees KPI: YAB signed up as a member of the Council's Register of Consultees	YAB Promote Register of Consultees on ECDC Youth webpages	July 2021 and promote on webpages from January 2022	C+P	YAB have been sent invitations to join ECDC's Register of Consultees however to date has not yet joined
	Engage with young people when developing promotional materials and platforms aimed at them	YAB Development of ECDC youth webpages	July 2021 then ongoing	C+P	YAB invited to comment on ECDC youth webpages however no response received

	KPI: Consult with a minimum of 250 young people to determine the impacts of COVID-19 by March 2022	District wide consultation to be conducted	March 2022	C+P	A consultation exercise was carried out to determine the impacts of COVID-19 on young people and understand what life is like as a young person in East Cambs. 326 children and young people responded. Responses have been analysed and shared with partners including the YAB
	Encourage local youth engagement platforms to engage with relevant partnerships, networks and organisations to ensure that the voice of young people is represented	YAB	April 2021 then ongoing	C+P, All	<p>YAB invited to join the East Cambs Climate Change Partnership and on email distribution list</p> <p>A separate meeting was undertaken between ECDC's Climate Change and Natural Environment Officer and two representatives of the YAB to discuss issues concerning them directly. Lack of public transport options to access friends in different villages highlighted and the lack of eco education/actions undertaken at schools. Discussion included the topic of climate anxiety and issues directly related to young people. A discussion of more accessible youth related material that is relevant to young people is to be delivered through schools ideally. Also discussed issues related to establishing and maintaining friendships and the need for young people to be able to travel sustainably between villages without having to rely on parents/carers for lifts.</p> <p>ECDC's Climate Change and Natural Environment Officer working with ECSS, partners at PECT and the YAB to create and share climate and environmental actions young people can take and developing visual</p>

					<p>materials that can be shared with schools about what actions young people can take to help with climate change</p> <p>Development of a youth climate action page to be added to ECDC youth webpages</p> <p>ECDC's Climate Change and Natural Environment Officer is planning to liaise with the YAB following the school summer holidays 2022</p>
	Appoint an East Cambs Youth Officer Champion to work alongside young people in order to ensure that their voice is heard and represented	Appoint using resources within existing communities and partnerships team	June 2021	C+P East Cambs Youth Officer Champions	Two ECDC Youth Officer Champions appointed from Communities and Partnerships team and Housing and Community Advice team
	Where relevant, devise engagement plans, initiatives and campaigns in partnership with other organisations (both voluntary and statutory) to maximise effective engagement with young people and seek feedback on action taken	Introduction of officer project group to meet twice a year	Officer project group first meeting to be held in August 2021 and twice annual meetings	All	YAB consulted during development of consultation exercises e.g. consultation on engagement methods. ECDC supported engagement efforts of CSP Delivery Group Young People's Task and Finish Group. ECDC support detached youth engagement carried out by CCC to promote the youth webpages, to obtain the views of local young people on particular matters and upskill officers by working with professional trained and experienced CCC youth officers
	Create a young person's webpage on the ECDC website that contains information and links to matters identified via the Youth Strategy consultation	New webpages with input from young people e.g. YAB	March 2022 then ongoing	C+P Customer services	Webpages live on ECDC website

	<p>and any future emerging matters identified as well as</p> <ul style="list-style-type: none"> • Promoting local youth engagement platforms • Providing links to consultations and surveys encouraging feedback • Provide a space for young people to engage with relevant partners, networks and organisations and to carry out consultations and surveys of their own 				
	<p>Develop and implement Communications Plan to raise the profile of the ECDC Youth webpages</p>	<p>Communications Plan</p>	<p>September 2022</p>	<p>ECDC Comms team</p>	<p>Reference to the Youth Pages is made at every available opportunity in relevant comms, for example, in the recent Court day press release</p> <p>A press release is being drafted highlighting youth activity the Council is involved with a referencing the Youth pages</p> <p>Statistics obtained from the Youth Survey will be used to promote the Youth Pages in a press release</p> <p>Promoted on the carousel on the website Promoted via visits to youth groups and to youths at community locations</p>

					Ongoing opportunities to promote the youth pages will be utilised in relevant comms opportunities.
	Map local youth engagement platforms for ongoing engagement and signposting purposes	Youth Officer Champion to carry out mapping exercise with partners	January 2022	C+P	Mapping completed and can be added to if new information becomes available. Local youth engagement platforms promoted on new ECDC youth webpages ECDC has sought to assist the YAB with recruitment by sharing recruitment information
	Promote the fact that the Council will be there to signpost and raise awareness of youth services to young people and stakeholders through the implementation of communication plans, webpages and via established networks	ECDC website Youth Officer Champion to promote to YAB and partners	March 2022 then ongoing	C+P Customer Services	Webpages live on ECDC website and promoted as outlined above
	Make the strategy available to young people by promoting it on the ECDC website and new youth webpages on the ECDC website and share strategy with relevant partners	ECDC website ECDC youth webpages Send to partner agencies	May 2021 on ECDC website January 2022 on new webpages August 2021	C+P to include on new webpages As above	Youth Strategy live on ECDC website and shared with partners in May 2021
Safety	Ensure that the voice of young people is represented on matters concerning local safety and there is a clear	Engagement with CSP, YAB and any other relevant youth	April 2021	C+P Youth Officer Champion to	Youth Officer Champions attend the CSP's Delivery Group's Youth Task and Finish Group which has been established to address local youth safety matters. The YAB has

	path for them to escalate any issues and offer their ideas and views	platforms or groups Promote pathways via ECDC website		attend Delivery Group YAB to engage with Delivery Group Engagement with YAB on safety related matters	attended this group. The group has undertaken engagement with local Members to understand youth matters and provision. The Council's latest youth survey findings have been shared with the group to inform their work going forward. Detached youth work taking place with CCC focusing on local community safety matters Community Forum held for residents including young people to voice their views Court experience event held with local young people at the Magistrates Court in Ely as an educational, awareness raising day focusing on youth related safety matters with opportunities for young people to feed back to agencies In summer 2022, the YAB sent information to be included in the court experience day post-event literature to promote the YAB and to promote youth support links
	Share the 2021/22 youth survey findings with the CSP and Delivery Group for them to consider and devise actions to address any safety issues identified	Survey findings shared	Summer 2022	CSP	Survey findings shared with CSP, YAB, Delivery Group, Police, Parish Councils, Schools, CCC Think Communities team and CCC research team.
	Support Community Safety Partnership initiatives where appropriate to ensure that young people are and feel safe in their community e.g.	Communities and Partnerships officers	April 2021 then ongoing	C+P	Eyes and Ears training available to schools via Healthy Schools website. Modules have obtained PHSE endorsement

	delivery of Eyes and Ears training to schools				
	Promote safeguarding reporting processes to all ECDC officers KPI: 100% of ECDC officers to complete safeguarding training	Housing and Community Advice Manager to promote to ECDC officers	April 2021 then delivered at all staff inductions	Safeguarding Officer	All safeguarding training and updates are sent out to all staff, all corporate inductions include safeguarding training and yearly refresher courses are rolled out to staff
	Input into partner strategies addressing prevention related matters affecting young people	Officer project group to input	August 2021 then ongoing	All	Neighbourhood & Community Safety Officer able to provide information on county lines. Relevant ECDC Officers are members of the CSP Delivery Group's Young People's Task and Finish Group that has been established to address local youth safety matters. The Neighbourhood & Community Safety Officer regularly inputs to County Boards including Safeguarding Children and Prevent
	Promote the location of safe routes being identified by other agencies	Promote via ECDC websites e.g. youth webpages	March 2022 then ongoing	C+P	Content for youth webpages includes a link to the Safe Places website which contains a map of locally registered safe places and details of how other safe places can register
Spaces and Activities	Ensure that local youth engagement networks are aware of how and where to submit their suggestions about spaces needed and advise them to proactively engage with parish councils about matters affecting young people	Promote via ECDC websites e.g. youth webpages	March 2022 then ongoing	C+P	A feedback form has been added to the new ECDC youth webpages inviting feedback on local spaces and activities along with a statement advising that young people can also contact their parish council to provide feedback
	Share the 2021/22 Survey findings with Parish Councils for them to consider regarding future	Survey findings shared	Sept 2022	C+P	Survey findings shared with Parish Councils

	development of open spaces and facilities				
	Provide advice and/or support to projects seeking to develop facilities and areas for young people to use and play	Provide feedback on feasibility studies for local projects	April 2021 then ongoing	C+P Connect YAB and Future Parks contact	Support provided to local groups aiming to develop local spaces. Funding advice and signposting provided as and when enquiries are received. YAB provided with details of Future Parks project with offer of follow up engagement
	Promote local youth clubs via the new young people's webpages	ECDC websites e.g. youth webpages	March 2022 then ongoing	C+P to carry out mapping exercise and provide web team with material	Mapping exercise completed in July 2021 and content now live on ECDC youth webpages
	KPI: Map existing youth provision throughout the district by September 2021	Conduct mapping exercise	September 2021	C+P	Mapping exercise of local youth provision was carried out in consultation with parish councils and was completed in July 2021
	Promote funding available for youth clubs and groups to access via new young people's webpages and communication channels	ECDC websites e.g. youth webpages	March 2022 then ongoing	C+P to carry out mapping exercise and provide web team with material	Mapping completed and added to ECDC youth webpages
	Promote local community and voluntary sector support that is available to assist the establishment of new groups (this may include special interest youth groups)	ECDC websites e.g. youth webpages	March 2022 then ongoing	C+P	Promoted on ECDC young people's webpages
	Consult with and effectively engage with young people when developing spaces that they may use	Promote opportunities for young people to have their say on via ECDC website e.g.	August 2022 then ongoing	All, Open Spaces	A feedback form has been added to the new ECDC Youth Webpages inviting feedback on local spaces, along with a statement advising that young people can also contact their parish council to provide feedback. Ely Country Park feedback surveys available on

	KPI: Consult with 50 users of Ely Country Park to seek feedback on the site and inform future priorities by November 2021	youth webpages, Register of Consultees			ECDC website and face-to-face surveys conducted. (73 of responses received as of 09/08/22).
	Promote local volunteering initiatives to young people	YAB Officer Champion New webpage Officer project team	March 2022 then ongoing	C+P	Promoted on ECDC young people's webpages
Travel	Promote local community transport schemes to young people	ECDC websites e.g. youth webpages	March 2022 then ongoing	C+P	Promoted on ECDC young people's webpages
	Promote railcards and other discounts for public transport on Youth webpages	Update ECDC youth Webpage	Sept 2022	C+P	Added to ECDC Youth webpages
Health	Identify and promote health services available to young people in response to the survey findings e.g. mental health services and promote them to local young people such as via ECDC website and to local youth engagement networks	ECDC websites e.g. youth webpages	March 2022 then ongoing	LK	Health services identified and promoted on ECDC youth webpages
Education and Careers	Identify and promote mentoring opportunities offered by local businesses to young people	New webpage Enterprise East YAB Housing and Community Advice	March 2022 then ongoing	C+P	Website content in development
	Promote 'job ready' training for young people that	ECDC websites e.g. youth webpages	March 2022 then ongoing	C+P	This work is ongoing, due to covid impact on service deliveries with both agencies has delayed this project, meetings with the new

	includes interview skills and CV writing			AP to engage with Job Centre and other relevant contacts	job centre manager are currently being finalised The youth webpages contain links to further information on education, further education, apprenticeships and work experience, volunteering, work, and financial support.
	Promote workshops for developing career skills to young people	ECDC websites e.g. youth webpages	March 2022 then ongoing	AP to engage with Job Centre and other relevant contacts	This work is ongoing, due to covid impact on service deliveries with both agencies has delayed this project, meetings with the new job centre manager are currently being finalised The youth webpages contain links to further information on education, further education, apprenticeships and work experience, volunteering, work, and financial support
	Identify and promote local volunteering reward programmes such as Time Banks to young people to encourage participation which could improve CVs and provide experience	ECDC websites e.g. youth webpages	March 2022 then ongoing	C+P to carry out mapping exercise and provide web team with material	Mapped and promoted on ECDC youth webpages
	Promote websites through the Council's youth webpage that list local job opportunities and apprenticeship programmes for young people	ECDC websites	March 2022 then ongoing	C+P AP to engage with Job Centre and other relevant contacts	ECDC youth webpages signposts to other sites that list local job opportunities and apprenticeship programmes for young people
	Promote local apprenticeship opportunities to young people	ECDC websites	March 2022 then ongoing	HR	ECDC work experience opportunities listed on ECDC youth webpages

	Identify and promote initiatives that are aimed at retaining local young people to the area	ECDC websites	March 2022 then ongoing	C+P AP to engage with Job Centre and other relevant contacts	This work is ongoing, due to covid impact on service deliveries with both agencies has delayed this project, meetings with the new job centre manager are currently being finalised
	Promote information on financial support available for further education on emerging youth webpage on ECDC website	ECDC websites	March 2022 then ongoing	C+P	Promoted on ECDC youth webpages
Working Together	Set up an ECDC officer project team to monitor and review performance of the strategy and action plan	ECDC officer project team	August 2021 and biannual meetings	All	Officer project team established and meetings taking place
	Circulate the approved strategy and consultation findings to relevant organisations requesting them to develop their own internal plans to address identified issues, and seek feedback on progress	Send strategy and consultation findings to relevant organisations ECDC officer project team to monitor	August 2021 Bi-annual monitoring of externally led action plans	C+P	Sent to partners in May 2021 including schools, police, parish councils, health agencies such as PCNs and GP surgeries, children centres, County Council youth contacts, housing providers Responses and comments were received from some partners including Littleport & East Cambs Academy, Voluntary and Community Action East Cambs and Littleport Parish Council. Feedback includes details of what partners are doing in relation to the Youth Strategy areas of focus Resent to partners on 20.06.22 for any updates. Responses received from CCC, Cheveley Parish Council, Combined Authority

	Support partners and multi-agency projects and initiatives that contribute towards achieving the aims of the East Cambs Youth Strategy and monitor progress via the officer project group	ECDC officer project team Youth officer champion	August 2021 – set up project group Biannual monitoring	All	Support offered to relevant agencies. To date no formal requests for specific support have been received
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**QUARTER 1 2022/23 PERFORMANCE REPORT FOR THE WASTE AND STREET
CLEANSING SERVICES**

Date: 12 September 2022

Author: James Khan, Head of Street Scene

[X61]

1.0 **ISSUE**

1.1 To provide the Committee with the Quarter 1 (April - June) performance report for the delivery of the waste and street cleansing services by East Cambs Street Scene Ltd (ECSS).

2.0 **RECOMMENDATION(S)**

2.1 Members are requested to note the performance of service delivery, for the first quarter of 2022/23

3.0 **BACKGROUND**

3.1 The first quarter of this financial year has proven to be the most challenging for ECSS, since its creation in 2018.

3.2 The start of this quarter saw the implementation of a district wide reconfiguration of the waste collections rounds. The largest project ECSS is likely to take on. The project, and its demand, has had all employees working tirelessly throughout the quarter, supporting its implementation and addressing concerns raised by crew members, internal departments and residents. During its first few months of implementation, ECSS faced unprecedented levels of staff shortages, causing abnormal levels of strain on service deployment and on all employees.

3.3 The national shortage of HGV drivers, twinned with normal levels of employee turnover and sickness absence ECSS experiences throughout the year, both waste collection and street cleansing services have suffered. Due to the shortage of HGV drivers, those who are normally deployed across street cleansing services, have had to be redeployed into the waste services to ensure domestic waste can be collected each week. This has obviously had a negative impact on the performance of street cleansing.

3.4 Continuing high levels of sickness absence plagued ECSS with cases of long and short term sickness amongst HGV drivers and loaders increasing. Due to the working environment, many loaders experience short term levels of sickness due to fatigue or strain on pre-existing injuries and health conditions. Additionally, this quarter saw the continuation of the long-term recovery of two HGV drivers, who had suffered major health concerns. These cases of absences, along with normal levels of annual leave added substantial strain to all services.

3.5 To assist with the completion of collections during the initial stages of implementation, ECSS enlisted the assistance of a local organisation, CountryStyle

Recycling. This assistance helped complete collections rounds when staffing pressures were at their extreme.

Forging this relationship has opened the opportunity for ECSS to work in partnership with other external contractors, adding resilience to the delivery of services.

- 3.6 This quarter saw the conclusion of the Council's Queen's Platinum Jubilee Design competition with the winning design and two runners up see their designs placed on this side of the refuse vehicles. These vehicles have been travelling all around the district displaying these wonderful designs as part of the celebrations. As part of the competition, all winners, with their families, attended the operational depot in Littleport to see the vehicles displaying their designs.
- 3.7 During this quarter, one of ECSS's Assistant Managers, Martin Norman left the business. Martin was a legacy employee working on the East Cambs contract with Veolia and was part of the TUPE process over to ECSS, totalling over a decade of service. His presence on the contract will be missed.
- 3.8 At the beginning of April, ECSS trialed the new specification of Dennis Eagle RCV. This trial saw one of our crews operate the new vehicle in the district for a week, testing out all the new specifications. The changes in vehicle design are heavily focused around the user, offering better visibility for the driver and greater safety for other road users and pedestrians as well as greater comfort for loaders. The trial went well with the crew reporting positive feedback.

4. PERFORMANCE UPDATE

- 4.1 The table below highlights the performance for the quarter against the KPIs highlighted within the business plan.

Description of Key Performance Indicator	Target	Quarterly Performance
Waste Collection		
Collections completed successfully	95%	99.26%
Successful completion of bin deliveries within 10 working days	92%	38%
Percentage of Waste Recycled	59%	DATA NOT AVAILABLE
Overall performance of the service	90%	33%
Street Cleansing		
Work completed as scheduled	95%	53%
Successful removal of offensive graffiti within 1 working day	98%	45%
Successful removal of fly tipped waste within 2 working days	98%	53%
Overall performance of the service	90%	21%
Communication, Education and Promotion		
Increase in social media presence	Increase number of posts, likes and shares by 5%	NO RECORDED INCREASE FOR THE QUARTER

School or Community groups engaged with	10	0
Number of local events attended	10	0

4.2 **Waste Collection KPIs**

As anticipated, the implementation of round reconfiguration, with crews collecting from new areas, increased the number of missed collections experienced. However, the percentage of successful collections remained above the target set, reducing by only 0.56% compared to the same quarter last year.

Maintaining a high level of successful collections, twinned with the extreme pressures caused by staffing shortages, has however resulted in other areas of the waste service suffering.

The backlog of bin deliveries, caused by refocusing resource onto waste collection, has resulted in a larger proportion of bins not being delivered within the SLA timeframe, which has resulted in the target not being met.

4.3 **Street Cleansing KPIs**

Due to the movement of staff to waste collection services, the overall service has suffered, resulting in low performance figures for all sections.

A skeleton service has always been maintained, with crews operating in the areas of the district that experience the highest levels of footfall, focusing on emptying litter and dog bins, litter picking, offensive graffiti removal and street sweeping.

With reduced resources available, it has been proven difficult to complete services requests outside these higher profile areas within the specified SLA timeframes.

4.4 **Communication, Education and Promotion KPIs**

During this quarter, the newly established development team heavily focused on assisting with the implementation and communication of the round reconfiguration project.

With the development manager new to the post, the team began to plan their strategy for the remainder of the year, designing communications plans and community and school events.

5.0 **SICKNESS ABSENCE**

5.1 Outlined in the table below are the targets for sickness absence set for the waste and street cleansing services. They reflect that the majority of staff work outside in all weathers carrying out physically arduous tasks.

Sickness Absence Targets Set for the Waste and Street Cleansing Services

Staffing Category	Number of Staff	Annual Sickness Target (Hours)	Annual Sickness Target (Working Days)	Monthly Sickness Absence Target (Hours)	Monthly Sickness Absence Target (Working Days)
HGV Drivers (Waste)	16	672	96	56	8
Driver/Operative (Waste)	3	126	18	10.5	1.5
Operatives (Waste)	29	1,218	174	101.5	14.5
HGV Drivers (Street Cleansing)	3	126	18	10.5	1.5
Driver/Operatives (Street Cleansing)	3	126	18	10.5	1.5
Operatives (Street Cleansing)	7	294	42	24.5	3.5
Ops Management & Admin	5	210	30	17.5	2.5
Waste Management Team	3	126	18	10.5	1.5

5.2 The table below includes a RAG rating with the following explanation:

Green rating = Actual is less or equal to the Cumulative Target

Amber rating = Actual is up to 12 hours greater than the Cumulative Target

Red rating = Actual is in excess of 12 hours of the Cumulative Target

5.3 With the classification changes to COVID, sickness figure now include absence related to COVID.

5.4 This quarter saw a dramatic increase in both short and long term sickness absence across the majority of staff areas.

5.5 One assistant manager was absent during the month of April.

5.6 Due to the nature of the aging workforce ECSS operates, many drivers and operative suffer flair ups of pre-existing injuries and health conditions.

Quarterly Sickness Absence Report for the Waste and Street Scene Services

Staff Category	HGV Drivers (Waste)	Driver/ Operatives (Waste)	Operatives (Waste)	HGV Drivers (SC)	Driver/ Operatives (SC)	Operatives (SC)	Ops Mgmt. & Admin Staff	Waste Mgmt. Team
Number of Staff/Target Hours	16 Target Hours - 56	3 Target Hours - 10.5	29 Target Hours - 101.5	3 Target Hours - 10.5	3 Target Hours - 10.5	7 Target Hours - 24.5	5 Target Hours - 17.5	3 Target Hours - 10.5
April	Actual = 210 Hours	Actual = 7 Hours	Actual = 483 Hours	Actual = 0 Hours	Actual = 231 Hours	Actual = 0 Hours	Actual = 70 Hours	Actual = 0 Hours
May	Actual = 280 Hour	Actual = 21 Hours	Actual = 301 Hours	Actual = 0 Hours	Actual = 154 Hours	Actual = 7 Hours	Actual = 0 Hours	Actual = 0 Hours
June	Actual = 161 Hours	Actual = 7 Hours	Actual = 434 Hours	Actual = 14 Hours	Actual = 0 Hours	Actual = 91 Hours	Actual = 0 Hours	Actual = 0 Hours
Cumulative Performance for the Quarter	Target = 168 Hours	Target = 31.5 Hours	Target = 304.5 Hours	Target = 31.5 Hours	Target = 31.5 Hours	Target = 73.5 Hours	Target = 52.5 Hours	Target = 31.5 Hours
	Actual = 651 Hours	Actual = 35 Hours	Actual = 1218 Hours	Actual = 14 Hours	Actual = 385 Hours	Actual = 98 Hours	Actual = 70 Hours	Actual = 0 Hours
RAG Rating								

6.0 RECYCLING RATES

6.1 Recycling rate data suffers a delay due to submitting and processing. Quarter 1 data will be included within the Quarter 2 report.

7.0 CONCLUSIONS

7.1 This quarter presented ECSS with many challenges, more complex than it had experienced before.

7.2 The implementation of round reconfiguration highlighted expected concerns as well as some unexpected. However, all employees worked relentlessly to rectify issues and concerns where raised, working with collection crews to implement solutions.

7.3 Sickness absence continued to play a large role in the effects on service delivery, with the difficulties of staff retention and recruitment causing additional pressures.

7.4 New employees started to settle into their roles within the business, supporting all aspects of the organisation and providing further support and development opportunities for the future.

8.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT

8.1 The waste and street cleansing services are being delivered within the contract value.

9.0 APPENDICES

None

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer</u>
None	The Grange, Ely	James Khan Head of Street Scene E-mail: james.khan@eastcambs.gov.uk

BRECKLAND COUNCIL
EAST CAMBRIDGESHIRE DISTRICT COUNCIL
EAST SUFFOLK DISTRICT COUNCIL
FENLAND DISTRICT COUNCIL
WEST SUFFOLK DISTRICT COUNCIL

At a Meeting of the

ANGLIA REVENUES & BENEFITS PARTNERSHIP JOINT COMMITTEE

Held on Tuesday, 21 June 2022 at 10.00 am in the
Level 5 Meeting Room, Breckland House, St Nicholas Street, Thetford. IP24 1BT

PRESENT

Cllr David Ambrose-Smith	Cllr Sarah Broughton
Cllr E. Back (Vice-Chair)	Cllr Jan French (Chairperson)

In Attendance

Sam Anthony	- Head of HR & OD (Fenland)
Alison Chubbock	- Section 151 Officer & Assistant Director Finance
Lorraine King	- Head of Benefits & Council Tax Billing (ARP)
Rachael Mann	- Director (Resources & Property) (West Suffolk)
Brian Mew	- Chief Finance Officer & S151 Officer (East Suffolk)
Adrian Mills	- Head of ARP
Matthew Waite-Wright	- Head of NNDR Recovery & Enforcement (ARP)
Ian Smith	- Finance Manager & S151 Officer (East Cambs)
Jill Keeler	- ARP Management Team Administrative Officer

13/22 CHAIR AND VICE-CHAIR (AGENDA ITEM 1)

The outgoing Chairman, Councillor David Ambrose-Smith, welcomed everyone to the meeting and explained the procedure in relation to the respective appointments.

After being duly proposed and seconded and with no other nominations being made it was:

RESOLVED that Councillor Jan French (Fenland DC) be appointed as Chairman for the ensuing year.

After being duly proposed and seconded and with no other nominations being made it was:

RESOLVED that Councillor Ed Black (East Suffolk DC) be appointed as Vice-Chair for the ensuing year.

Councillor Jan French in the Chair.

Action By

14/22 TREASURER (AGENDA ITEM 2)

After being duly proposed and seconded and with no other nominations being made it was **RESOLVED** that:

Breckland Council be appointed as Treasurer for the ensuing year.

15/22 MINUTES (AGENDA ITEM 3)

The Minutes of the meeting held on 1 March 2022 were agreed as a correct record.

16/22 APOLOGIES (AGENDA ITEM 4)

An apology for absence was received from Councillor Cowen. No substitutes were in attendance, but the meeting was still quorate with four Members present.

17/22 URGENT BUSINESS (AGENDA ITEM 5)

None.

18/22 DECLARATIONS (AGENDA ITEM 6)

None.

19/22 ARP SERVICE PLAN AND RISK REGISTER (AGENDA ITEM 7)

Adrian Mills, the Head of ARP presented the report and introduced the six-month review of the current year service plan and risk register, highlighting strong processing and collection performance, expansion of online services and debt recovery. Additionally, the team had embedded senior management changes and delivered Energy Rebate payments. The Council Tax Support Schemes for next year were being reviewed, with proposals to assist customers in the current economic climate.

RESOLVED that the progress in respect of the December 2021 Service Delivery Plan and the Risk Register be noted.

20/22 ARP 4 YEAR BUSINESS PLAN (AGENDA ITEM 8)

The Head of ARP introduced the report.

Following the Strategic review in December 2021, the ARP together with the Operational Improvement Board (OIB) had developed a four-year business plan. The Customer Strategy Team had been consulted, comprising of the partner Heads of Customer Services and Communications teams who all supported the plan. The Head of ARP advised that a detailed plan identifying the necessary actions had been agreed with the OIB.

RESOLVED that the ARP four-year Business Plan for 2022-2026 be endorsed.

21/22 PERFORMANCE REPORT (STANDING ITEM) (AGENDA ITEM 9)

Matthew Waite-Wright, Head of NNDR Recovery & Enforcement (ARP)

Action By

introduced the two Performance reports.

It was explained that for the 2021/2022 outturn, whilst the overall financial targets had been met, as highlighted on the front sheet for West Suffolk and East Cambridgeshire, Non-Domestic Rates, whilst on track throughout the year, had dipped below target in March due to the award of Covid Additional Relief Fund (CARF). For the first month of this year, all indicators were being met apart from Council Tax for all five partners, where collection rates were currently down by £1million across the whole partnership, out of £500 million annually. This was due to the short-term impact of Energy Rebate payments and reminders not being sent for low balances, as well as the current economic position. The situation was being monitored, and the end of June figures were due shortly, although a more accurate position would not be available until July. This formed part of a bigger picture, Council Tax collection was a barometer of the general economic situation.

The Chairman understood the position and thanked the Team for all their hard work.

The Head of ARP highlighted the fact that the take up of Direct Debits had increased as a consequence of the recent campaigns with Customer Services and the Energy rebate.

The Performance reports were otherwise noted.

22/22 WELFARE REFORM UPDATE (STANDING ITEM) (AGENDA ITEM 10)

Lorraine King, the Head of Benefits & Council Tax Billing & Systems (ARP) presented the report.

Referring to section 2.1.4 of the report, Members were provided with an update in relation to migration of Universal Credit (UC). Bolton and Medway were the first two sites under the new 'move to UC' trial. Initially 500 customers had been written to as part of the Department of Work & Pensions (DWP) forced migration process. Further details were awaited on any further roll out plans.

There had been a 27% reduction in DWP Discretionary Housing Payment (DHP) funding allocations this year and ARP continued to work closely with Housing teams to manage this going forward.

Under section 4 of the report, Homes for Ukraine's scheme, there would be no impact on Housing Benefit or Council Tax Rebate scheme for anyone entering the scheme as a host.

Cllr Broughton asked if the UC migration would create more fraud going forward?

The Head of ARP explained that the data received would come from DWP and there were various data matching processes in place to reduce fraud and error, but the position would continue to be monitored.

The Chairperson, Councillor French enquired how many were coming through the Homes for Ukraine scheme – the £200 welcome, and asked for a list for September

The Head of Benefits & Council Tax Billing & Systems advised that ARP were

Action By

not administering this, it was the County Councils

It was felt that it would be good to understand the amounts involved and it would be useful to monitor per district. In response, it was noted that this was not data that ARP could access or provide.

It was asked if ARP could provide a breakdown of UC claims per year by district.

The Head of ARP advised that the DWP had cut Discretionary Housing Payment (DHP) funding in last year's spending review and given economic pressures ARP were lobbying DWP with the Local Government Association (LGA) for more funding to help customers with rent shortfalls.

Cllr Ambrose asked if there was an update under section 2.1.8 of the report, in respect of future of Help to Claim.

Members were informed that DWP appeared reluctant to publish a review.

It was noted that section 2.1.8 of the report had been superseded by section 2.1.13 and Help to Claim had been awarded to Citizens Advice Bureau (CAB) for 2022/23 year, an announcement and tender exercise was expected in the Autumn, which would be included in the update in September.

The report was otherwise noted.

23/22 ARP FINANCIAL OUT-TURN 2021-22 (AGENDA ITEM 11)

Alison Chubbock, the Assistant Director of Finance & S151 Officer (BDC) presented the report and highlighted the small surplus outturn against budget as well as the fees and sales income from Government to offset Covid related losses. It was also highlighted that the partner share was different for this year.

The data cleanse work agreed by OIB with any associated costs added to the 2022/23 Joint Committee budget was also highlighted.

The report and appendix were otherwise noted.

24/22 NEW ENFORCEMENT AGENCY PARTNER (AGENDA ITEM 12)

The Head of ARP introduced the report.

Members were informed that ARP had been approached by Broadland Council to place their enforcement cases into the ARP Enforcement Agency now that they were working closely with South Norfolk Council, who had already passed their enforcement cases to ARP.

Broadland had conducted a review of their existing provision with an external enforcement agent company. They had considered placing enforcement work with ARP, creating their own Agency with South Norfolk or placing both Council's enforcement work with external enforcement agent companies. It had been concluded that passing their enforcement work to ARP was their preferred option.

It was highlighted that the arrangement would cover the costs of providing the

Action By

service.

The Head of NNDR Recovery & Enforcement confirmed that ARP would not need to increase complement within the team due to the anticipated volumes and the location of existing Agents to the Broadland area.

The options were as follows:

- Do not accept Broadland passing their enforcement cases to ARP; that may risk jeopardising the position with South Norfolk, or
- approve Broadland joining the Agency.

The recommendation that Members were being asked to approve was to agree that Broadland passed their enforcement cases to ARP.

Cllr Broughton asked about the Broadland area.

Members were informed that Broadland had a similar economical area to the other partners and that ARP was familiar with the area.

Cllr Broughton also asked if the arrangement was for a set period. The Head of ARP advised that it would be on a rolling basis, and upon checking, had a minimum two-month notice period.

Cllr Ambrose-Smith asked if such an arrangement should go through a section S113 agreement.

The Head of ARP advised that following legal advice ARP could continue with the existing process whereby a non-ARP Council could delegate their enforcement work to Breckland, given that all the enforcement staff were employed by Breckland Council, who in turn passed the cases to ARP.

If the Joint Committee was to approve Broadland joining the Enforcement Agency, the Breckland Cabinet Member would be asked to approve the delegation. A section 113 agreement was only required by employing authorities when they shared their staff, which was not the case.

The Head of NNDR Recovery & Enforcement reassured Members that the arrangement would be delivered with no extra staff.

RESOLVED that the further expansion of the Enforcement Agency be agreed with Broadland Council joining the Agency.

25/22 FORTHCOMING ISSUES (STANDING ITEM) (AGENDA ITEM 13)

None.

26/22 NEXT MEETING (AGENDA ITEM 14)

The arrangements for the next meeting on Tuesday, 20 September 2022 at 10am, Level 5 Meeting Room, Breckland House, St Nicholas Street, Thetford were noted.

It was also noted that a pre-meeting would take place at 9.30am.

27/22 EXCLUSION OF PRESS AND PUBLIC (AGENDA ITEM 15)

The exclusion of press and public was not required as none were present.

28/22 PRIVATE & CONFIDENTIAL MINUTES: 1 MARCH 2022 (AGENDA ITEM 16)

The private & confidential Minutes from the meeting held on 1 March 2022 were noted.

Action By

The meeting closed at 10.35 am

CHAIRMAN



EAST CAMBRIDGESHIRE DISTRICT COUNCIL MEMORANDUM

To: Councillor Julia Huffer Chairman, Operational Services Committee	My Ref: CllrJH/Is/memo/ElyZipper
cc: Cllr Mark Inskip (Liberal Democrat Lead Member) Cllr Paola Trimarco (Independent Lead Member) Tracy Couper Democratic Services Manager	
From: John Hill Chief Executive	Date: 30 June 2022

ACTION ON THE GROUNDS OF URGENCY – ELY ZIPPER BUS SERVICE

The Chief Executive is proposing to take action on the grounds of urgency (ref: Section 3 page 3(7) para 5.1) in relation to Community Transport funding for the Ely Zipper Bus Service.

Dews, the company delivering the service, contacted the Council in May 2022 highlighting that, due to increasing labour and fuel costs, without additional financial support they would terminate their contract and the Ely Zipper bus service would end after the seventy day notice period.

Dews agreed to wait until the end of June 2022 to serve notice, to enable the Council to have discussions with the Cambridgeshire and Peterborough Combined Authority (CPCA) to try and secure the additional funding required.

The District Council has contacted the CPCA on several occasions requesting additional funding for the Ely Zipper to enable the service to continue until the contract end in October 2022. No support has been offered and so the decision has been taken that the Council will fund the service up to £10,400 until the end of the contract in October 2022 via the Council's Community Transport budget.

The decision has been taken on the grounds of urgency, rather than wait until the next meeting of the Operational Services Committee on 12 September 2022, to secure the continuation of the Ely Zipper bus service for residents of the villages surrounding Ely and Ely itself as well as people working at the Lancaster Way Business Park. A break in the service until it is retendered in October would also make it very difficult to reinstate the service later in the year.

Under the Constitution I am required to consult with the Chairman of Operational Services Committee prior to delegated decisions being made. I will subsequently inform the spokespersons of the Committee.

Thank you for your attention.



John Hill
Chief Executive

I agree with action under grounds of urgency as proposed.



Councillor Julia Huffer
Chairman of Operational Services Committee

OPERATIONAL SERVICES COMMITTEE
ANNUAL AGENDA PLAN

AGENDA ITEM NO. 20

LEAD OFFICER: Emma Grima, Director Commercial

DEMOCRATIC SERVICES OFFICER: Tracy Couper

Mon 13 June 2022		Mon 11 July 2022		Mon 12 September 2022	
4:30pm		CANCELLED		4:30pm	
Report deadline	4pm Thurs 26 May	Report deadline	n/a	Report deadline	4pm Fri 26 Aug
Agenda despatch	Mon 30 May 2022	Agenda despatch	n/a	Agenda despatch	Wed 31 Aug 2022
Quarter 4 – Waste Performance	James Khan (Head of Street Scene)			Service Presentation – Customer Services	Annette Wade (Customer Services Manager)
Community Safety Partnership Update	Lewis Bage (Communities & Partnerships)			Quarter 1 – Waste Performance	James Khan (Head of Street Scene)
Housing Enforcement Policy	Liz Knox (Environmental Services)			Outdoor Sports Facilities & Playing Pitch Strategies	Victor Le Grand (Senior Leisure Services Officer)
Food Health and Safety Service Delivery Plan	Liz Knox (Environmental Services)			Progress Report Youth Strategy Action Plan	Lewis Bage (Communities & Partnerships) Angela Parmenter (Housing & Community Safety Manager) Liz Knox (Environmental Services Manager)
Environment Action Plan 2022	Richard Kay (Strategic Planning Manager)			ECSS Annual Accounts	Finance Manager ECSS
Annual Reports of Representatives on Outside Bodies	DSO			Housing Renewal Policy	Liz Knox (Environmental Services)
ARP Joint Committee Minutes – 1 st March 2022	DSO			Housing Enforcement Policy Consultation Results	Liz Knox (Environmental Services)
Forward Agenda Plan	DSO			Budget Monitoring Report	Anne Wareham (Senior Accountant)

Notes:

1. Agenda items which are likely to be “urgent” and therefore not subject to call-in are marked *
2. Agenda items in italics are provisional items / possible items for future meetings.

OPERATIONAL SERVICES COMMITTEE
ANNUAL AGENDA PLAN

AGENDA ITEM NO. 20

LEAD OFFICER: Emma Grima, Director Commercial

DEMOCRATIC SERVICES OFFICER: Tracy Couper

				VCAEC -Service Level Agreement Update	Mark Goldsack (presentation)
				Sports Grants	Victor Le Grand (Senior Leisure Services Officer)
				Building Control Fees & Charges	Building Control Manager
				ARP Joint Committee Minutes – 21 June 2022	DSO
				Forward Agenda Plan	DSO

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OPERATIONAL SERVICES COMMITTEE
ANNUAL AGENDA PLAN

AGENDA ITEM NO. 20

LEAD OFFICER: Emma Grima, Director Commercial

DEMOCRATIC SERVICES OFFICER: Tracy Couper

Mon 14 November 2022 4:30pm		Mon 16 January 2023 4:30pm		Mon 27 March 2023 4:30pm	
Report deadline	4pm Mon 31 Oct	Report deadline	4pm Fri 30 Dec	Report deadline	4pm Mon 13 March
Agenda despatch	Wed 2 Nov 2022	Agenda despatch	Wed 4 Jan 2023	Agenda despatch	Wed 15 March 2023
Review of Parking Enforcement Activity	Director Commercial	Quarter 3 – Waste Performance	James Khan (Head of Street Scene)	Service Delivery Plans 2023/24	Service Leads
Quarter 2 – Waste Performance	James Khan (Head of Street Scene)	Community Safety Partnership Update	Lewis Bage (Communities & Partnerships)	ECSS Business Plan	James Khan (Head of Street Scene)
Service Delivery Plans – 6 Month Performance Monitoring	Service Leads	Budget Monitoring Report	Anne Wareham (Senior Accountant)	ARP Joint Committee Minutes	DSO
Budget Monitoring Report	Anne Wareham (Senior Accountant)	ARP Joint Committee Minutes	DSO	Forward Agenda Plan	DSO
ARP Joint Committee Minutes	DSO	Forward Agenda Plan	DSO		
Forward Agenda Plan	DSO				
Local Heritage List	Christopher Patrick (Conservation Officer)				

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OPERATIONAL SERVICES COMMITTEE
ANNUAL AGENDA PLAN

AGENDA ITEM NO. 20

LEAD OFFICER: Emma Grima, Director Commercial

DEMOCRATIC SERVICES OFFICER: Tracy Couper

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4:30pm		CANCELLED		4:30pm	
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Environment Action Plan 2022	Richard Kay (Strategic Planning Manager)			ECSS Annual Accounts	Finance Manager ECSS
Annual Reports of Representatives on Outside Bodies	DSO			Housing Renewal Policy	Liz Knox (Environmental Services)
ARP Joint Committee Minutes – 1 st March 2022	DSO			Housing Enforcement Policy Consultation Results	Liz Knox (Environmental Services)
Forward Agenda Plan	DSO			Budget Monitoring Report	Anne Wareham (Senior Accountant)

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ANNUAL AGENDA PLAN

AGENDA ITEM NO. 20

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				VCAEC -Service Level Agreement Update	Mark Goldsack (presentation)
				Sports Grants	Victor Le Grand (Senior Leisure Services Officer)
				Building Control Fees & Charges	Building Control Manager
				ARP Joint Committee Minutes – 21 June 2022	DSO
				Forward Agenda Plan	DSO

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Report deadline	4pm Mon 31 Oct	Report deadline	4pm Fri 30 Dec	Report deadline	4pm Mon 13 March
Agenda despatch	Wed 2 Nov 2022	Agenda despatch	Wed 4 Jan 2023	Agenda despatch	Wed 15 March 2023
Review of Parking Enforcement Activity	Director Commercial	Quarter 3 – Waste Performance	James Khan (Head of Street Scene)	Service Delivery Plans 2023/24	Service Leads
Quarter 2 – Waste Performance	James Khan (Head of Street Scene)	Community Safety Partnership Update	Lewis Bage (Communities & Partnerships)	ECSS Business Plan	James Khan (Head of Street Scene)
Service Delivery Plans – 6 Month Performance Monitoring	Service Leads	Budget Monitoring Report	Anne Wareham (Senior Accountant)	ARP Joint Committee Minutes	DSO
Budget Monitoring Report	Anne Wareham (Senior Accountant)	ARP Joint Committee Minutes	DSO	Forward Agenda Plan	DSO
ARP Joint Committee Minutes	DSO	Forward Agenda Plan	DSO		
Forward Agenda Plan	DSO				
Local Heritage List	Christopher Patrick (Conservation Officer)				

Notes:

1. Agenda items which are likely to be “urgent” and therefore not subject to call-in are marked *
2. Agenda items in italics are provisional items / possible items for future meetings.

EAST CAMBS STREET SCENE ACCOUNTS 2021/22

Committee: Operational Services Committee

Date: 12 September 2022

Author: ECSS Finance Manager

[X51]

1.0 **ISSUE**

1.1 To receive the East Cambs Street Scene accounts 2021/22.

2.0 **RECOMMENDATION**

2.1 Members are requested to note the East Cambs Street Scene accounts 2021/22 as set out in Appendix 1.

3.0 **BACKGROUND/OPTIONS**

3.1 East Cambs Street Scene (ECSS) auditors, Price Bailey, have issued an unqualified opinion on the statements, and confirmed that they give a true and fair view of the state of the ECSS's affairs as at 31 March 2022. They also confirm they have been prepared in accordance with the relevant laws and regulations.

3.2 The ECSS 2021/22 Accounts were approved by ECSS Board on 1 September 2022. These are now provided to the Operational Services Committee, as shareholder committee, as stated in the Shareholder Agreement.

4.0 **FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT/CARBON IMPACT ASSESSMENT**

4.1 There are no financial implication arising from this report.

4.2 EIA not required.

4.3 CIA not required.

5.0 **APPENDICIES**

5.1 Appendix 1- East Cambs Street Scene Accounts 2021/22.

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer</u>
None		Nigel Ankers ECSS Finance Manager

EAST CAMBS STREET SCENE LIMITED

**DIRECTORS' REPORT AND
FINANCIAL STATEMENTS**

FOR THE YEAR ENDED 31 MARCH 2022

EAST CAMBS STREET SCENE LIMITED

COMPANY INFORMATION

Directors	P J Remington J Hill J E Brooks (resigned 30 April 2022) S M Bonnett (appointed 19 May 2022)
Company secretary	E L Grima
Company number	11150811
Registered office	The Grange Nutholt Lane Ely Cambridgeshire CB7 4EE
Auditors	Price Bailey LLP Chartered Accountants & Statutory Auditors Tennyson House Cambridge Business Park Cambridge CB4 0WZ

EAST CAMBS STREET SCENE LIMITED

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Statement of Financial Position	7
Statement of Changes in Equity	8
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EAST CAMBS STREET SCENE LIMITED

DIRECTORS' REPORT FOR THE YEAR ENDED 31 MARCH 2022

The directors present their report and the audited financial statements of the company for the period ended 31 March 2022

Directors

The directors who served during the period were:

P J Remington
J Hill
J E Brooks (Resigned 30 April 2022)

Statement of directors' responsibilities

The directors are responsible for preparing the Annual Report and the financial statements in accordance with applicable law and regulations.

Company law requires the directors to prepare financial statements for each financial period. Under that law the directors have elected to prepare the financial statements in accordance with UK adopted international accounting standards. Under company law the directors must not approve the financial statements unless they are satisfied that they give a true and fair view of the state of affairs of the company and of the profit or loss for that period. In preparing these financial statements, the directors are required to:

- select suitable accounting policies and then apply them consistently;
- make judgements and accounting estimates that are reasonable and prudent;
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the company will continue in business.

The directors are responsible for keeping adequate accounting records that are sufficient to show and explain the company's transactions and disclose with reasonable accuracy at any time the financial position of the company and enable them to ensure that the financial statements comply with the Companies Act 2006. They are also responsible for safeguarding the assets of the company and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

The directors are responsible for the maintenance and integrity of the corporate and financial information included on the company's website. Legislation in the United Kingdom governing the preparation and dissemination of financial statements may differ from legislation in other jurisdictions.

Statement as to disclosure of information to auditors

So far as the directors are aware, there is no relevant audit information (as defined by Section 418 of the Companies Act 2006) of which the company's auditors are unaware, and each director has taken all the steps that he ought to have taken as a director in order to make himself aware of any relevant audit information and to establish that the company's auditors are aware of that information.

Auditors

The auditors, Price Bailey LLP, will be proposed for re-appointment at the forthcoming Annual General Meeting.

EAST CAMBS STREET SCENE LIMITED

DIRECTORS' REPORT (CONTINUED) FOR THE YEAR ENDED 31 MARCH 2022

Small companies note

In preparing this report, the directors have taken advantage of the small companies exemptions provided by section 415A of the Companies Act 2006.

This report was approved by the board on 01/09/22 and signed on its behalf.



J Hill
Director

EAST CAMBS STREET SCENE LIMITED

INDEPENDENT AUDITORS' REPORT TO THE SHAREHOLDERS OF EAST CAMBS STREET SCENE LIMITED

Opinion

We have audited the financial statements of East Cambs Street Scene Limited (the 'Company') for the year ended 31 March 2022 which comprise The Statement of Comprehensive Income, Statement of Financial Position, Statement of Changes in Equity, Cash Flow Statement and notes to the financial statements, including a summary of significant accounting policies. The financial reporting framework that has been applied in their preparation is applicable law and UK adopted international accounting standards.

In our opinion the financial statements:

- give a true and fair view of the state of the company's affairs as at 31 March 2022 and of the profit for the year then ended;
- have been properly prepared in accordance with UK adopted international accounting standards;
- have been prepared in accordance with the requirements of the Companies Act 2006.

Basis for opinion

We conducted our audit in accordance with International Standards on Auditing (UK) (ISAs (UK)) and applicable law. Our responsibilities under those standards are further described in the Auditors' responsibilities for the audit of the financial statements section of our report. We are independent of the company in accordance with the ethical requirements that are relevant to our audit of the financial statements in the UK, including the FRC's Ethical Standard, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Conclusions relating to going concern

In auditing the financial statements, we have concluded that the director's use of the going concern basis of accounting in the preparation of the financial statements is appropriate.

Based on the work we have performed, we have not identified any material uncertainties relating to events or conditions that, individually or collectively, may cast significant doubt on the company's ability to continue as a going concern for a period of at least twelve months from when the financial statements are authorised for issue.

Our responsibilities and the responsibilities of the directors with respect to going concern are described in the relevant sections of this report.

Other information

The other information comprises the information included in the annual report, other than the financial statements and our auditor's report thereon. The directors are responsible for the other information contained within the annual report. Our opinion on the financial statements does not cover the other information and, except to the extent otherwise explicitly stated in our report, we do not express any form of assurance conclusion thereon. Our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the course of the audit, or otherwise appears to be materially misstated. If we identify such material inconsistencies or apparent material misstatements, we are required to determine whether this gives rise to a material misstatement in the financial statements themselves. If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact.

We have nothing to report in this regard.

EAST CAMBS STREET SCENE LIMITED

INDEPENDENT AUDITORS' REPORT (CONTINUED) TO THE SHAREHOLDERS OF EAST CAMBS STREET SCENE LIMITED

Opinions on other matters prescribed by the Companies Act 2006

In our opinion, based on the work undertaken in the course of the audit:

- the information given in the Director's Report for the financial year for which the financial statements are prepared is consistent with the financial statements; and
- the Director's Report has been prepared in accordance with applicable legal requirements.

Matters on which we are required to report by exception

In the light of the knowledge and understanding of the company and its environment obtained in the course of the audit, we have not identified material misstatements in the Director's Report.

We have nothing to report in respect of the following matters where the Companies Act 2006 requires us to report to you if, in our opinion:

- adequate accounting records have not been kept, or returns adequate for our audit have not been received from branches not visited by us; or
- the financial statements are not in agreement with the accounting records and returns; or
- certain disclosures of Directors' remuneration specified by law are not made; or
- we have not received all the information and explanations we require for our audit; or
- the Directors were not entitled to take advantage of the small companies exemptions in preparing the Director's Report and from the requirement to prepare a Strategic Report.

Responsibilities of Directors

As explained more fully in the Directors' Responsibilities Statement set out on page 1, the Directors are responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view, and for such internal control as the Directors determine necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Directors are responsible for assessing the company's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the Directors either intend to liquidate the company or to cease operations, or have no realistic alternative but to do so.

Auditors' responsibilities for the audit of the financial statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an Auditor's Report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

Irregularities, including fraud, are instances of non-compliance with laws and regulations. We design procedures in line with our responsibilities, outlined above, to detect material misstatements in respect of irregularities, including fraud. The extent to which our procedures are capable of detecting irregularities, including fraud is detailed below:

EAST CAMBS STREET SCENE LIMITED

INDEPENDENT AUDITORS' REPORT (CONTINUED) TO THE SHAREHOLDERS OF EAST CAMBS STREET SCENE LIMITED

We obtained an understanding of the legal and regulatory framework applicable to the company and the industry in which it operates and considered the risk of non-compliance with the applicable laws and regulations including fraud, in particular those that could have a material impact on the financial statements.

This included those regulations directly related to the financial statements, including financial reporting, tax legislation and distributable profits. In relation to the industry this included employment laws and health and safety.

The risks were discussed with the audit team and we remained alert to any indications of non-compliance throughout the audit. We carried out specific procedures to address the risks identified. These included the following:

Reviewing minutes of Board meetings, correspondence with their regulators, agreeing the financial statement disclosures to underlying supporting documentation, enquiries of management including those responsible for the key regulations for any instances of actual, suspected or alleged fraud or non-compliance.

To address the risk of management override of controls, we reviewed systems and procedures to identify potential areas of management override risk. In particular, we carried out testing of journal entries and other adjustments for appropriateness, and evaluating the business rationale of significant transactions to identify large or unusual transactions. We reviewed key authorisation procedures and decision making processes for any unusual or one-off transactions. We also assessed management bias in relation to the accounting policies adopted and in determining significant accounting estimates.

Because of the inherent limitations of an audit, there is a risk that we will not detect all irregularities, including those leading to a material misstatement in the financial statements or non-compliance with regulation. This risk increases the more that compliance with a law or regulation is removed from the events and transactions reflected in the financial statements, as we will be less likely to become aware of instances of non-compliance. The risk is also greater regarding irregularities occurring due to fraud rather than error, as fraud involves intentional concealment, forgery, collusion, omission or misrepresentation.

A further description of our responsibilities for the audit of the financial statements is located on the Financial Reporting Council's website at www.frc.org.uk/auditorsresponsibilities. This description forms part of our Auditor's Report.

Use of our report

This report is made solely to the company's members, as a body, in accordance with Chapter 3 of Part 16 of the Companies Act 2006. Our audit work has been undertaken so that we might state to the company's members those matters we are required to state to them in a Report of the Auditors and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the company and the company's members as a body, for our audit work, for this report, or for the opinions we have formed.

Paul Cullen FCCA (Senior Statutory Auditor)
for and on behalf of Price Bailey LLP
Chartered Accountants & Statutory Auditors
Tennyson House
Cambridge Business Park
Cambridge
CB4 0WZ
Date:

EAST CAMBS STREET SCENE LIMITED
REGISTERED NUMBER: 11150811

STATEMENT OF COMPREHENSIVE INCOME
FOR THE YEAR ENDED 31 MARCH 2022

	Notes	2022 £	2021 (restated) £
CONTINUING OPERATIONS			
Revenue from contracts		2,911,469	2,857,802
Revenue from recycling credits		766,706	591,018
Other income		142,337	128,141
		<u>3,820,512</u>	<u>3,576,961</u>
Cost of sales		<u>(2,333,985)</u>	<u>(2,296,297)</u>
Gross profit		1,486,527	1,280,664
Administrative expenses		<u>(1,478,645)</u>	<u>(1,277,126)</u>
Operating profit		7,882	3,538
Interest received		3	-
Profit before taxation		7,885	3,538
Tax on profit	5	<u>220</u>	<u>874</u>
Profit/ (loss) and total comprehensive income for the period		<u>8,105</u>	<u>4,412</u>

There were no recognised gains and losses from 2022 or 2021 other than those included in the Statement of Comprehensive Income.

The notes on pages 10 - 20 form part of these financial statements.

EAST CAMBS STREET SCENE LIMITED

REGISTERED NUMBER: 11150811

STATEMENT OF FINANCIAL POSITION AS AT 31 MARCH 2022

	Notes	2022	2021 £
Non-current assets			
Property, plant & equipment	6	30,826	28,026
Current assets			
Inventories	7	12,166	28,816
Trade and other receivables	8	178,859	154,530
Cash at bank and in hand	9	363,863	179,353
		<u>554,888</u>	<u>362,699</u>
Current Liabilities			
Trade and other payables	10	(568,675)	(381,791)
		<u>(568,675)</u>	<u>(381,791)</u>
Net current assets		(13,787)	(19,092)
		<u>(13,787)</u>	<u>(19,092)</u>
Net assets		<u>17,039</u>	<u>8,934</u>
		<u><u>17,039</u></u>	<u><u>8,934</u></u>
Equity			
Called up share capital	12	1	1
Retained earnings		17,038	8,933
		<u>17,039</u>	<u>8,934</u>
		<u><u>17,039</u></u>	<u><u>8,934</u></u>

The financial statements were approved and authorised for issue by the board and were signed on its behalf by:

J Hill

Director

Date:

The notes on pages 10 – 20 form part of these financial statements.

EAST CAMBS STREET SCENE LIMITED

STATEMENT OF CHANGES IN EQUITY FOR THE YEAR ENDED 31 MARCH 2022

	Share Capital £	Retained earnings £	Total equity £
Balance as at 31 March 2020	1	4,521	4,522
Profit for the period	-	4,412	4,412
Total comprehensive income	-	4,412	4,412
Balance as at 31 March 2021	1	8,933	8,934
Comprehensive income			
Profit for the period	-	8,105	8,105
Total comprehensive income	-	8,105	8,105
Balance as at 31 March 2022	1	17,038	17,039

EAST CAMBS STREET SCENE LIMITED
CASH FLOW STATEMENT
FOR THE YEAR ENDED 31 MARCH 2022

		2022	2021
	Notes		
Cash flows from operating activities			
Net cash inflow/(outflow) from operating activities	15	192,216	(25,847)
		<u>192,216</u>	<u>(25,847)</u>
Net cash inflow from operating activities		192,216	(25,847)
Cash flows from investing activities			
Purchase of fixed assets	6	(7,709)	-
Interest received		3	-
		<u>(7,706)</u>	<u>-</u>
Net increase (decrease) in cash and cash equivalents		184,510	(25,847)
Cash and cash equivalents at beginning of year		179,353	205,200
Cash and cash equivalents at end of year	9	<u>363,863</u>	<u>179,353</u>

EAST CAMBS STREET SCENE LIMITED

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2022

1. Accounting policies

1.1 Statutory information

East Cambs Street Scene Limited is a private company limited by shares incorporated and domiciled in England and Wales, United Kingdom. The address of the registered office is The Grange, Nutholt Lane, Ely, Cambridgeshire, CB7 4EE.

The Company is primarily involved in providing waste and street cleansing services to the residents of East Cambridgeshire.

The Financial Statements are presented in sterling which is the functional currency of the Company and rounded to the nearest £.

1.2 Going concern

The Directors have prepared cash flow forecasts for a period of 12 months from the year end which demonstrate that the cash reserves of the company will be sufficient for it to be able to continue as a going concern.

The financial statements do not contain any adjustments that would be required if the Company were not able to continue as a going concern.

1.3 Critical accounting estimates and judgements

The preparation of the financial statements requires management to make judgements, estimates and assumptions that affect the amounts reported for revenues and expenses during the year and the amounts reported for assets and liabilities at the statement of financial position date. However, the nature of estimation means that the actual outcomes could differ from those estimates.

1.4 Compliance with accounting standards

These financial statements have been prepared in accordance with International Financial Reporting Standards and IFRIC interpretations and with those parts of the Companies Act 2006 applicable to reporting entities under IFRS.

The financial statements have been prepared under the historical cost convention.

EAST CAMBS STREET SCENE LIMITED

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED) FOR THE YEAR ENDED 31 MARCH 2022

1. Accounting policies (continued)

1.5 Revenue recognition

Revenue from contracts with customers

Revenue is recognised at an amount that reflects the consideration to which the Company is expected to be entitled in exchange for transferring goods or services to a customer. For each contract with a customer, the Company: identifies the contract with a customer; identifies the performance obligations in the contract; determines the transaction price which takes into account the time value of money; allocates the transaction price to the separate performance obligations on the basis of the relative stand-alone selling price of each distinct good or service to be delivered; and recognises revenue when or as each performance obligation is satisfied in a manner that depicts the transfer to the customer of the goods promised. It also gives consideration to significant payment terms, obligations for returns and/or refunds.

The Company carries out waste collection and street cleansing service for and on behalf of East Cambridgeshire District Council. The contract value is agreed on an annual basis for the performance during the following financial year.

Recycling Credits are received upon meeting relevant criteria set by Cambridgeshire County Council in terms of recycling.

Sale of goods

The Company's other revenue mainly comprises the sale of recycling bins. Revenue is recognised at the point in time when the customer obtains control of the goods, which is generally at the time of delivery and the time when the performance obligation of the Company has been satisfied.

1.6 Property, plant and equipment

Property, plant and equipment is stated at historical cost less accumulated depreciation and any accumulated impairment losses. Historical cost includes expenditure that is directly attributable to bringing the asset to the location and condition necessary for it to be capable of operating in the manner intended by management.

Depreciation is charged so as to allocate the cost of assets less their residual value over their estimated useful lives, using the straight-line method.

The estimated useful lives range as follows:

Plant & Machinery	- 8 years
Fixtures & Fittings	- 8 years

The assets' residual values, useful lives and depreciation methods are reviewed, and adjusted prospectively if appropriate, or if there is an indication of a significant change since the last reporting date.

1.7 Trade and other receivables

Short term receivables are measured initially at transaction price, and are measured subsequently at amortised costs.

EAST CAMBS STREET SCENE LIMITED

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED) **FOR THE YEAR ENDED 31 MARCH 2022**

1. Accounting policies (continued)

1.8 Cash and cash equivalents

Cash is represented by cash in hand and deposits with financial institutions repayable without penalty on notice of not more than 24 hours.

1.9 Operating profit

Operating profit is stated before investment income and finance costs.

1.10 Financial Instruments

Financial assets and liabilities are recognised on the statement of financial position when the Company becomes a party to the contractual provisions of the instrument.

- Cash and cash equivalents comprise cash held at bank and short term deposits
- Trade payables are not interest bearing and are stated at their nominal value
- Trade receivables are measured initially at transaction price, and are measured subsequently at amortised costs.

1.11 Trade and other payables

Short term payables are measured fair value, and subsequently at amortised cost. Other financial liabilities, including bank loans, are measured initially at fair value, net of transaction costs, and are measured subsequently at amortised cost using the effective interest method.

1.12 Pensions

Defined contribution pension plan

The Company operates a defined contribution plan for its employees. A defined contribution plan is a pension plan under which the Company pays fixed contributions into a separate entity. Once the contributions have been paid the Company has no further payment obligations.

The contributions are recognised as an expense in the Statement of Comprehensive Income when they fall due. Amounts not paid are shown in accruals as a liability in the Statement of Financial Position. The assets of the plan are held separately from the Company in independently administered funds.

1.13 Taxation

Current taxes are based on the results shown in the financial statements and are calculated according to local tax rules, using tax rates enacted or substantially enacted by the statement of financial position date.

Deferred tax is recognised in respect of all timing differences that have originated but not reversed at the statement of financial position.

EAST CAMBS STREET SCENE LIMITED

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED) FOR THE YEAR ENDED 31 MARCH 2022

1. Accounting policies (continued)

1.14 New IFRS standards and interpretations not yet adopted

New Standards, Interpretations and Amendments that are not yet effective and have not been adopted early

The Company has adopted all of the new or amended Accounting Standards and Interpretations issued by the International Accounting Standards Board ('IASB') that are mandatory for the current reporting period.

The following new and revised Standards and Interpretations are relevant to the company but not yet effective for the year commencing 1 April 2021 and have not been applied in preparing these financial statements:

- IAS 1 Presentation of Financial Statements – classification of liabilities as current and non-current.
- IAS 1 Presentation of Financial Statements – disclosure of accounting policies
- IAS 8 Accounting Policies – definition of accounting estimates.

The Directors do not consider that the implementation of any of these new standards will have a material impact upon reported income or reported net assets.

1.15 Key sources of estimation uncertainty

The key assumptions about the future, and other key sources of estimation uncertainty at the reporting date that may have a significant risk of causing a material adjustment to the carrying amount of assets and liabilities within the next financial year are detailed below.

Useful lives of depreciable assets

Estimates have been made in respect of useful economic lives of property, plant and equipment, which determine the amount of depreciation charged in profit or loss. Uncertainties in these estimates relate to the technological obsolescence that may change the utility of plant and machinery and could result in a material change to the amount of depreciation recognised. These estimates are reviewed annually at the reporting date based on the expected utility of the assets.

Further detail on useful life estimates is included in the accounting policy note 1.6.

2. Profit before tax is stated after charging

	2022 £	2021 £
Rent – licence fee	35,700	35,000
Depreciation	4,909	4,004
Auditors' remuneration	18,400	15,000
	<u> </u>	<u> </u>

EAST CAMBS STREET SCENE LIMITED

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED) FOR THE YEAR ENDED 31 MARCH 2022

3. Employees and directors

	2022 £	2021 £
Wages and Salaries	1,517,079	1,537,288
Social security	126,474	120,439
Other pension costs	33,686	34,739
	<u>1,677,239</u>	<u>1,692,466</u>

The average monthly number of employees during the year was as follows:

	2022	2021
Directors	3	3
Direct labour	56	60
Administration	6	6
	<u>65</u>	<u>69</u>

4. Directors' remuneration

The Directors did not receive any remuneration from the Company as a result of their employment.

5. Income tax

	2022 £	2021 £
Corporation tax		
Current tax on profit for the period	(220)	(874)
	<u>(220)</u>	<u>(874)</u>

Factors affecting the tax expense

The tax assessed for the year is lower than the standard rate of corporation tax in the UK. The difference is explained below:

	2022 £	2021 £
Profit/ (loss) per accounts	<u>7,885</u>	<u>3,538</u>
Profit multiplied by the standard rate of corporation tax in the UK of 19%	1,498	672
Expenses not deductible for tax purposes, other than goodwill, amortisation and impairment	-	-
Group relief	(1,498)	(672)
Loss carry back	220	874
Tax expense	<u>(220)</u>	<u>(874)</u>

EAST CAMBS STREET SCENE LIMITED

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED) FOR THE YEAR ENDED 31 MARCH 2022

6. Property, plant and equipment

	Fixtures & Fittings	Plant & Machinery	Total
Cost			
As at 1 April 2021	-	34,165	34,165
Additions	4,456	3,253	7,709
Disposals	-	-	-
As at 31 March 2022	<u>4,456</u>	<u>37,418</u>	<u>41,874</u>
Depreciation			
As at 1 April 2021	-	(6,139)	(6,139)
Charge for the year	(304)	(4,605)	(4,909)
Disposals	-	-	-
As at 31 March 2022	<u>(304)</u>	<u>(10,744)</u>	<u>(11,048)</u>
Net Book Value			
As at 31 March 2022	<u>4,152</u>	<u>26,674</u>	<u>30,826</u>
As at 31 March 2021	=	<u>28,026</u>	<u>28,026</u>
Cost			
As at 1 April 2020	-	34,165	34,165
Additions	-	-	-
Disposals	-	-	-
As at 31 March 2021	=	<u>34,165</u>	<u>34,165</u>
Depreciation			
As at 1 April 2020	-	(2,135)	(2,135)
Charge for the year	-	(4,004)	(4,004)
Disposals	-	-	-
As at 31 March 2021	=	<u>(6,139)</u>	<u>(6,139)</u>
Net Book Value			
As at 31 March 2021	=	<u>28,026</u>	<u>28,026</u>
As at 31 March 2020	=	<u>32,030</u>	<u>32,030</u>

7. Inventories

	2022 £	2021 £
Finished goods	<u>12,166</u>	<u>28,816</u>

Inventories recognised as an expense and included in cost of sales totalled £114,452 (2021: £115,009).

EAST CAMBS STREET SCENE LIMITED

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED) FOR THE YEAR ENDED 31 MARCH 2022

8. Trade and other receivable

	2022 £	2021 £
Trade receivables	61,984	57,905
Prepayments and accrued income	116,875	96,625
	<u>178,859</u>	<u>154,530</u>

9. Cash and cash equivalents

	2022 £	2021 £
Cash at bank and in hand	363,863	179,353
	<u>363,863</u>	<u>179,353</u>

10. Trade and other payable

	2022 £	2021 £
Current		
Trade payables	154,250	114,025
Other taxation and social security	98,539	105,609
Other payables	7,084	29,321
Accruals and deferred income	308,802	132,836
	<u>568,675</u>	<u>381,791</u>

11. Financial Instruments

Financial assets and liabilities

The carrying value of the company's financial assets and liabilities as recognised at the year end of the years under review may also be categorised as follows:

As 31 March 2021	Financial assets at amortised cost £	Financial liabilities at amortised cost £	Total balance sheet heading £
Cash and cash equivalents	179,353	-	179,353
Trade receivables	57,905	-	57,905
Other receivables	96,625	-	96,625
Trade payables	-	(114,025)	(114,025)
Other payables - current	-	(162,157)	(162,157)
Total	<u>333,883</u>	<u>(276,182)</u>	<u>57,701</u>

EAST CAMBS STREET SCENE LIMITED

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED) FOR THE YEAR ENDED 31 MARCH 2022

11. Financial Instruments (continued)

As 31 March 2022	Financial assets at amortised cost £	Financial liabilities at amortised cost £	Total balance sheet heading £
Cash and cash equivalents	368,863	-	368,863
Trade receivables	61,983	-	61,983
Other receivables	116,875	-	116,875
Trade payables	-	(154,250)	(154,250)
Other payables - current	-	(315,886)	(315,886)
Total	<u>547,721</u>	<u>(470,136)</u>	<u>77,585</u>

Financial risk management objectives and policies

The company's financial risk management policy seeks to ensure that adequate financial resources are available for the development of the company's business whilst managing its risks. The company does not engage in speculative transactions or hedging transactions.

The company's principal financial instruments consist of cash and cash equivalents and loans. The main purpose of these financial instruments is to finance the company's operations. The company has other financial instruments such as trade receivables and trade payables that arise directly from its operations.

The directors have overall responsibility for the establishment and oversight of the company's risk management and they recognise that financial risk management is an area in which they may need to develop specific policies should the company become exposed to further financial risks as the business develops. The directors currently ensure that the company has sufficient cash and cash equivalents to ensure there is sufficient reserves to support the business operations. The exposure to other financial instruments are limited to those generated through the operations and borrowings.

The main risks arising from the company's financial instruments are credit risk, interest rate risk and liquidity risk. The Board have also considered currency and market risk but do not believe these to be significant. This note presents information about the company's exposure to each of the main risks. The Board reviews and agrees policies for managing each of these risks as and when they arise. Further quantitative disclosures are included throughout the financial information.

There have not been any material changes in respect of the exposure to financial risks during the periods presented.

Credit risk

The company's exposure to credit risk is limited to the carrying amount of cash deposits and trade and other receivables recognised at the year end of £542,721 (2021: 333,883). The risks associated with cash deposits are limited as the banks used are reputable. The principal credit risk therefore lies with trade receivables and in order to manage credit risk, limits are set for customers based upon a combination of payment history and third party credit references.

The company held cash and cash equivalents of £363,863 at 31 March 2022 (2021: £179,353). The cash and cash equivalents are held at NatWest Bank which is rated A- to A at leading credit rating agencies and so the company considers these to have a low credit risk.

EAST CAMBS STREET SCENE LIMITED

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED) FOR THE YEAR ENDED 31 MARCH 2022

11. Financial Instruments (continued)

Interest rate risk

Interest rate risk is the risk that the value of financial assets will fluctuate due to changes in market interest rates. The company's income and operating cash flows and the value of its financial assets are largely independent of changes in market interest rates. Low levels of surplus funds are invested in short term secured deposit accounts such that the company is not unduly exposed to market interest rate fluctuations.

Liquidity risk

Liquidity risk is the risk that the company will not be able to meet its financial obligations as they fall due. The company's policy throughout the year has been to ensure that it has adequate liquidity to meet its liabilities when due by careful management of its working capital.

	Less than one year	More than one year	Total
2022	£	£	£
Trade and other payables	568,675	-	568,675

	Less than one year	More than one year	Total
2021	£	£	£
Trade and other payables	381,791	-	381,791

Fair values

The carrying amounts of all financial assets and liabilities of the company as disclosed in the notes to the financial information are approximately their fair values.

Capital management

The company's objectives when managing capital are to safeguard the company's ability to continue as a going concern in order to provide returns for shareholders, benefits for other stakeholders and to maintain an optimal capital structure to reduce the cost of capital with an appropriate level of leverage for the size of the business so as to maintain investor, creditor and market confidence and to sustain future development of the business. In order to maintain or adjust the capital structure, the company may return capital to shareholders, issue new shares or sell assets to reduce debt.

EAST CAMBS STREET SCENE LIMITED

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED) FOR THE YEAR ENDED 31 MARCH 2022

12. Share capital

	2022 £	2021 £
Share classified as equity		
Allotted, called up and fully paid		
1 Ordinary share of £1	1	1
	=	=

13. Related Party Transactions

In line with paragraph 25 of IAS24, the company has taken advantage of the exemption from the requirement to disclose transactions with East Cambridgeshire District Council (ECDC) and connected companies due to the control exercised by ECDC by virtue of it being the only shareholder.

All of the income categorised under revenue from contracts derives from the contract the company has with ECDC.

14. Details of Parent Undertaking

The Ultimate parent undertaking is East Cambridgeshire District Council, registered address The Grange, Nutholt Lane, Ely, Cambridgeshire, CB7 4EE.

15. Note to the cash flow statement

	2022 £	2021 £
Profit (loss) before tax	8,105	3,538
Depreciation	4,909	4,004
Interest received	(3)	-
	<u>13,011</u>	<u>7,542</u>
Decrease/(Increase) in inventories	16,649	(930)
Decrease/(Increase) in trade and other receivables	(24,329)	(13,799)
(Decrease)/Increase in trade and other payables	186,885	(18,660)
Net cash outflow from operating activities	<u><u>192,216</u></u>	<u><u>(25,847)</u></u>

16. Reserves

The following is a description of each of the reserve accounts that comprise equity shareholders' funds:

Share capital The share capital comprises the issued ordinary shares of the company at par.

Retained earnings Retained earnings comprise the company's cumulative accounting profits and losses since inception.

EAST CAMBS STREET SCENE LIMITED

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED) **FOR THE YEAR ENDED 31 MARCH 2022**

17. Events after the reporting period

No matter or circumstance has arisen since 31 March 2022 that has significantly affected, or may significantly affect the Company's operations, the results of those operations, or the Company's state of affairs in future financial years.

18. Contingent Liability

A company vehicle was involved in an RTA during 2020/21. The company has not been subject to a third party claim to date and expects in the event of any liability to be covered fully by its insurance policy.

19. Prior period restatement

In the prior period revenue of £172,753 relating to recycling credits was netted against recycling expenses. The comparative figures for recycling credits revenue and cost of sales have been restated, but this had no effect on the retained earnings brought forward.