Minutes of a meeting of the **POLICY DEVELOPMENT PANEL** held in the Meeting Room 1, Council Offices, Priory Road, Spalding, on Tuesday, 6 February 2024 at 6.30 pm.

PRESENT

L J Eldridge (Vice-Chairman, in the Chair)

J Avery	R A Gibson	S Hutchinson
A C Beal	J L Reynolds	G P Scalese
N Chapman	J Le Sage	I Sheard
S Chauhan	S-A Slade	
M Geaney	J Whitbourn	

In Attendance: The Assistant Director - Wellbeing and Community Leadership, the Assistant Director - Housing, the Assistant Director - Regulatory and Senior Responsible Officer (SRO) for RIPA, the Housing Transformation Manager, the Group Manager - Public Protection, the Group Manager - Organisational Development, the Housing Property Services Manager, the Business Intelligence and Change Manager, the Portfolio Holder for Public Protection and the Democratic Services Officer.

Apologies for absence were received from or on behalf of Councillors D Ashby, M Hasan, M Le Sage, T Sneath and A R Woolf. Councillor I Sheard was in attendance as substitute for Councillor M Le Sage for this meeting only. Councillor S Hutchinson was in attendance as substitute for Councillor T Sneath for this meeting only. Councillor G P Scalese was in attendance as substitute for Councillor A R Woolf for this meeting only.

Action By

42. MINUTES

AGREED:

That the minutes of the 12 December 2023 Policy Development Panel meeting be signed by the Chairman as a correct record.

43. ACTIONS

Consideration was given to the update on actions which arose at the 12 December 2023 Policy Development Panel meeting.

AGREED:

That the update to actions be noted.

44. DECLARATION OF INTERESTS.

There were none.

45. QUESTIONS ASKED UNDER STANDING ORDER 6

There were none.

46. TRACKING OF RECOMMENDATIONS

There were none.

47. ITEMS REFERRED FROM THE PERFORMANCE MONITORING PANEL

There were none.

48. KEY DECISION PLAN

Consideration was given to the Key Decision Plan dated 24 January 2024.

AGREED:

That the Key Decision Plan be noted.

49. HOUSING LANDLORD STRATEGY

Consideration was given to the report of the Assistant Director – Housing, which asked members to consider the Council's Housing Landlord Strategy 2024-2026.

The Assistant Director – Housing and the Housing Transformation Manager were in attendance for the item.

The Housing Transformation Manager introduced the report which set out the approach the Council intended to take with delivery of its Landlord Services over the next two years. The following documents were appended to the report:

- Appendix A was the Housing Landlord Strategy 2024-2026;
- Appendix B was the Housing Landlord Transformation and Improvement Programme Mandate;
- Consultation Responses were detailed at Appendix C; and
- The Equality Impact Assessment was at Appendix D.

The Assistant Director – Housing endorsed the strategy and stated that it supported the transition from being a reactive to a

pro-active landlord.

Members considered the report and made the following comments:

- Members noted that a number of Housing policies would be coming forward in the next two years as a result of the new legislation, and that these were being prioritised according to need, and queried:
    - The allocated budget for this process; and
    - The timescale for completion of the HRA Business Plan.
        - The Housing Transformation Manager responded that:
            - A budget was currently in place for staffing only;
            - Where work was recommended to the Transformation Board, approval would be sought for an associated budget; and
            - Quotations for the HRA Business Plan had been requested.

- Members asked how the strategy contributed to the Council's 'green' agenda.
    - The Housing Transformation Manager stated that:
        - The strategy and mandate included reference to:
            - Commitment of the council to improve the energy efficiency and performance of properties;
            - Green Home Grants that had been awarded from the Department for Levelling Up, Housing and Communities (DLUC) to improve the condition of properties; and
            - Minimum Energy Performance Certificate (EPC) standard for all council housing stock.

- Members queried the action that would be taken if residents were reluctant to accept required improvements to the building, for example, removal of coal fires for greener alternatives.
    - The Housing Transformation Manager responded that:
        - Work would be undertaken with residents to understand the reasons for resistance to the

changes, for example, where residents preferred electric to gas appliances for medical reasons, a move could look to be facilitated to a property that could accommodate this; and
        - Ultimately, where a reasonable approach was not forthcoming, the council had the power to enforce changes so that the property met the legal standards;
    - The Assistant Director – Housing stated that:
        - The council's ongoing Decent Homes Programme had reduced the amount of goal fired/solid fuel heating systems in council owned properties and further reductions would be seen when systems were due to be replaced;
        - A whole house retro-fit approach was taken in respect of improvements for the green agenda. In these cases, a Tenant Liaison Officer worked with tenants to understand concerns and assist with the transition and implementation of the legislative measures; and
        - The council had not yet needed to take 'last resort' enforcement action in order for works to be completed however there was a responsibility to ensure that all properties met legal standards and therefore all options would be considered.

- Members asked for the per centage of council owned properties which did not meet the Decent Homes Standard, and whether air source heat pumps were being installed.
    - The Housing Transformation Manager confirmed that:
        - 3 per cent of housing did not meet the standard and works were ongoing to reduce this further; and
        - Over 400 air source heat pumps had been installed and there was an ongoing programme of work dependent upon the age and type of property. Solid fuel systems were being phased out, and electric storage heating systems would be phased out in due course.

- Members queried whether the installation of woodburning stoves was legally acceptable.

- The Assistant Director – Housing responded that:
  - The installation of woodburning stoves was not permitted in SHDC housing stock; and
  - Regarding installation in private dwellings, this would be investigated and reported to members after the meeting.

- Members referred to point 5.8.2 of the report in respect of tenant engagement and asked if future engagement would be targeted at those who had requested it, or whether a wider approach would be taken.
  - The Housing Transformation Manager responded that:
    - The Tenant Census undertaken in 2023 garnered a 70 per cent response rate; of this:
      - 17 per cent wanted to be more involved;
      - 66 per cent wished to be more informed; of this:
        - 54 per cent wanted to be more informed about investment in their homes;
        - 46 per cent about home safety;
        - 42 per cent about how the neighbourhood was looked after;
        - 39 per cent regarding availability of financial support; and
        - 23 per cent about how the council spent their rent;
    - Engagement would initially be made with the cohort of tenants who stated they wished to be more involved in certain topics, but the team would reach out to all tenants;
    - Focus groups were to be established which would be based on the experiences of tenants;
    - The communication methods to reach out to tenants would be broad and tailored to profiled contact preferences; and
    - As a result of the new regulations, SHDC as landlord would be required to publish an annual report which included information such as: feedback and action taken from tenant satisfaction surveys, and transparency of how rent income was spent over the year.

- Members noted that the council did not currently have a Tenant Handbook and queried the information that tenants received.
    - The Housing Transformation Manager responded that:
        - All new tenants received:
            - A copy of the Terms and Conditions 2019 and documentation of the handbook;
            - In addition to the Tenancy Agreement, tenants received a document which included a summary of their rights and responsibilities;
        - Relevant documentation was sent to tenants at the point of need, for example, a Hints and Tips booklet was available where an enquiry had been submitted for a mutual exchange;
        - Customer Services had copies of documents which could be posted or emailed at the point of enquiry; and
        - Information on the dedicated 'tenants website' was regularly updated however information would also be available as a hard copy. The method of communication would be based on the preference of the tenant.

- Members asked how regularly properties were inspected.
    - The Housing Transformation Manager responded that:
        - Where a new tenant was in place, relevant properties were inspected three times during the first twelve months of the tenancy;
        - New tenants were subject to an introductory trial tenancy where tenants needed to demonstrate compliance to the terms and conditions. The trial period could be extended or the tenancy agreement could be terminated subject to a court decision;
        - Annual estate inspections were conducted and further visits where issues were identified ;
        - Ad hoc home visits were prompted by information received from tenants, neighbours and other agencies; and
        - The Cost of Living team supported tenants where relevant issues according to personal circumstances had been identified.

- Members queried whether Nene Court sheltered housing was regularly checked.
    - The Housing Transformation Manager responded that:
        - The Nene Court site was visited weekly by Housing Officers at 'meet and greet' sessions held in the Community Centre;
        - Residents had a Lifeline pull chord system which was connected to a telecare agency 24 hours per day; and
        - An individual situation referred to at the meeting would be investigated and any information reported back to the member.
    - The Assistant Director – Housing added that:
        - Revised proposals regarding future delivery of the sheltered housing service, which aimed to address many of the issues identified during a review, would be coming forward in the near future.

- Members asked whether properties were required to meet a minimum standard prior to letting.
    - The Housing Transformation Manager responded that:
        - The voids standard was published in the Tenant's section of the SHDC website under the Repairs Policy and the link would be forwarded to members; and
        - The 'void' standard would be reviewed towards the end of the financial year and this would involve tenants.

- Members acknowledged the large volume of policies needed to meet the requirements of the new legislation and asked whether this would be completed within the stated two-year period.
    - The Housing Transformation Manager expressed confidence that the timescale was realistic. Work had been prioritised according to risk and a schedule of work was being mapped out for the following year in association with Housing Managers.

AGREED:

Following consideration of the Housing Landlord Strategy by the Policy Development Panel:

a) That the comments of the Panel be noted; and

b) That the Panel recommended the Housing Landlord Strategy to Cabinet for adoption.

50. REGULATION OF INVESTIGATORY POWERS ACT 2000 - PARTNERSHIP POLICY

Consideration was given to the report of the Assistant Director Regulatory and Senior Responsible Officer (SRO) for RIPA to consult members on the development of a Regulation of Investigatory Powers Act 2000 – Partnership Policy; for the South and East Lincolnshire Councils Partnership.

The report was introduced by the Assistant Director – Regulatory and Senior Responsible Officer (SRO) for RIPA and the following verbal introduction was provided to assist members with consideration of the item:

The Regulation of Investigatory Powers Act (RIPA) governed all public authorities in their use of covert, directed surveillance and how this tool could be used to gather evidence in the pursuit of legal proceedings. RIPA allowed a local authority to conduct the following covert, investigative activities:

- Directed surveillance of an individual or individuals without their knowledge for a specific purpose;
- Use of a Covert Human Intelligence Source (informant / undercover officer); and
- To access personal communications and data such as mobile phone records, social media accounts, work IT networks and correspondence.

RIPA provided the regulatory framework which enabled local authorities to undertake lawful surveillance whilst ensuring that the rights of citizens to respect for a private family life, home and correspondence, enshrined by the European Convention on Human Rights and the Human Rights Act 1998, were protected.

Proposed surveillance activities were required to comply with the policy and could only take place following assessment that it was lawful, necessary, proportionate, and non-discriminatory.

Approval to conduct directed surveillance must have been obtained from the Magistrates Court following the initial, mandatory internal assessment of the proposed activity by an authorised officer of the Council with designated

responsibilities and training to do so under the RIPA Policy.

The Investigatory Powers Commissioner's Office (IPCO) was the regulatory body that provided oversight of public bodies in their use of RIPA. IPCO would undertake audits to evaluate compliance every three years with the onus being on the Council to demonstrate that its policy, procedures and working arrangements were compliant with RIPA and Home Office guidance.

In a recent self-assessment of the council's RIPA operational arrangements prepared by officers and submitted to IPCO, the current working arrangements and proposals to move towards a Partnership approach to Policy and operational arrangements, were endorsed by the Commissioner.

RIPA required that a public authority appointed a SRO for the provision of professional oversight and direction to all RIPA related activity. This role would continue to be designated to the Assistant Director Regulatory under shared RIPA arrangements.

Home Office Guidance required that the SRO report RIPA related activity to elected members at least once per year and consult with members on policy changes. The report being considered at the current meeting sought to fulfil the latter of the two requirements with the former being discharged through Audit and Governance Committee.

Appendix B consisted of the following:

- The Partnership RIPA Policy document; and
- The IPCO letter which demonstrated that the Regulator was satisfied with the partnership approach to, and implementation plans of, the RIPA Policy.

Members considered the report and made the following comments:

- Members asked whether the partnership had more than one authorised officer for RIPA.
    - The Assistant Director – Regulatory stated that upon implementation of the new RIPA Policy:
        - Four RIPA authorised officers would be in place for the partnership, of which two would be based at South Holland; and
        - The partnership would have two non-RIPA authorised officers.

- Members asked for an example of a non-RIPA related surveillance activity.
    - The Assistant Director – Regulatory responded that:
        - Certain conditions/benchmarks needed to met in order for RIPA to apply - this included a minimum sanction of a six month custodial sentence for the offence of which evidence was being sought. Where authorisation was technically not required for surveillance of 'lesser' offences, the non-RIPA process could be followed to ensure that civil liberties were upheld and human rights protected.

- Members referred to the widespread use of CCTV and requested clarity regarding the circumstances upon which RIPA would apply.
    - The Assistant Director – Regulatory responded that:
        - In general, public and visible CCTV usage did not require RIPA;
        - RIPA applied when CCTV cameras were focussed on a specific locality, such as a house, where personal information could be compromised. In such cases:
            - Although this type of surveillance was carried out at the CCTV Control Room, the application for RIPA authorisation would be made by the Police and they would undertake the surveillance; and
            - The role of the CCTV Operator would be to ensure that RIPA authority was obtained and held securely.

- Members asked for examples of RIPA surveillance activity.
    - The Assistant Director – Regulatory responded that the offence of fly-tipping met the custodial sentence benchmark of six months or more and therefore RIPA would apply where a fly-tipping 'hot-spot' was to be covertly surveilled; and
    - Overt surveillance, where CCTV was utilised as a deterrent, did not require RIPA authorisation, and these were currently utilised in a Spalding street and at Sainsburys.

- Members referred to the use of overt cameras as a deterrent to anti-sociable behaviour, and asked whether these could operate over a much larger area.
    - The Assistant Director – Regulatory responded that non-RIPA overt operations needed to be targeted

and focussed in order to avoid 'collateral intrusion' where information was obtained by accident. In such cases, data was managed in order to avoid any breach of human rights.

- Members asked whether responsibility for RIPA authorisation and surveillance installation fell to the Council or holders of the Enviro-Crime contract, Kingdom.
    - The Assistant Director – Regulatory responded that:
        - Compliance remained the responsibility of the council and this could not be discharged to a third party;
        - Any operations carried out by a contractor were on behalf of the council; and
        - The council held the responsibility for prosecution decisions and ensuing court costs.
- Members asked for clarity regarding the three-month period of RIPA authorisations.
    - The Assistant Director – Regulatory responded that whilst, in theory, an authorisation could be active for an extended period, Home Office guidance stipulated that re-evaluation was undertaken at least every three months to ensure that the benchmark was still achieved. An ongoing cycle of re-evaluation, determined on a case-by-case basis, could take place.

- Members asked how RIPA worked alongside GDPR in terms of privacy and captured footage.
    - The Assistant Director – Regulatory responded that:
        - Local authorities had responsibilities under both RIPA and GDPR;
        - Where data of a private nature was captured, this was handled and processed according to GDPR requirements; and
        - The protection of private information was intrinsic to the RIPA Policy.

AGREED:

Following consideration of the RIPA 2000 Partnership Policy by the Policy Development Panel:

a) That the comments of the Panel be noted; and

b) That the Panel recommended the policy to Cabinet for adoption.

51. HEALTH AND SAFETY POLICY - GENERAL STATEMENT OF INTENT AND ARRANGEMENTS

Consideration was given to the report of the Assistant Director – Regulatory that asked members to consider the Health and Safety Policy following a recent review, and make recommendations to Cabinet for approval.

The Assistant Director – Regulatory introduced the report and the following points were highlighted:

- The Health and Safety Policy was a mandatory requirement of all employers under the Health and Safety at Work etc Act 1974;
- The Policy set out the council's commitment to health, safety and welfare of all employees and others who could be affected by council activities;
- The Policy needed to be reviewed periodically to ensure that it remained compliant and fit for purpose; the policy had not materially changed as a result of the review; and
- The draft Health and Safety Policy was at Appendix A.

Members consideration the report and made the following comments:

- Members asked whether staff were encouraged to log 'near miss' incidents.
    - The Assistant Director – Regulatory responded that :
        - Part of Health and Safety management at the council included both accident and 'near miss' reporting;
        - Employee training, in respect of responsibilities to report accidents and 'near miss' incidents, was delivered as part of the induction programme and at regular intervals thereafter;
        - Certain categories of accidents were required to be reported to the Health and Safety Executive (HSE);
        - There was an obligation for the council to keep track of all accidents, not just the most serious;
        - Discussions and actions arising from the Health and Safety Working Group were shared with departments and also escalated to the Partnership Health and Safety

Governance Group, which was chaired by the Assistant Director – Regulatory. In turn, the minutes from the partnership meeting were seen by the Senior Leadership Team and this process demonstrated the Health and Safety performance mechanism within the organisation and ensured that opportunities for learning were captured across the partnership.

- Members asked whether the policy covered issues relating to mental health, and were incidents required to be recorded.
    - The Assistant Director – Regulatory responded that:
        - Responsibilities relating to mental health were intrinsic as part of the council's obligations and duties under the Health and Safety at Work Act and issues should be recorded;
        - Mental Health First Aiders were in place across the partnership as part of the regime to manage the wellbeing of employees;
        - The council also had an Employee Assistance Programme and employees could utilise mental health resources through Maximus; and
        - Although updates had been made to the 1974 Act, the issue of wellbeing and mental health in the workplace was still evolving in importance.

- Members asked whether resilience and conflict management training was offered to staff and whether processes were in place for managers to follow-up this type of training with employees.
    - The Assistant Director – Regulatory confirmed that, as part of statutory responsibilities, training to manage and mitigate workplace abuse or violence was provided to front-line staff and repeated at intervals. Management processes were in place as part of the overall Health and Safety management arrangements.

AGREED:

That after consideration of report by the Policy Development Panel, the Health and Safety Policy be noted and recommended to Cabinet for approval.

52. SHDC POLICY REGISTER AND S&ELCP POLICY REGISTER

The Panel considered the SHDC Policy Register and S&ELCP Policy Register.

The Business Intelligence and Change Manager introduced the report and gave the following update:

- In respect of the SHDC Policy Register:
  - All policies due for review were either scheduled for the current meeting or a future meeting;
  - The Counter Fraud and Corruption Policy was due for review in March 2024, in respect of this:
    - Risk mapping work for the policy was underway with Internal Audit;
    - Responsibilities for this area was constitutionally attributed to the Section 151 Officer; and
    - A timeline for the presentation of a report would come forward to members at the next Policy Development Panel meeting.
- In respect of the Partnership Policy Register:
  - The governance/approval route and responsible Portfolio Holder for each policy was to be included in the register.

Members considered the update and made the following comments:

- Members noted the extra information to be included on the Partnership Policy Register and requested that the register still be clear and easy to read.
  - The Business Intelligence and Change Manager responded that a draft would be produced and circulated to the Panel for comments.

- Members queried whether the Counter Fraud and Corruption Policy included the payment card process.
  - The Business Intelligence and Change Manager confirmed that this was the case; and
  - Details of the relevant Internal Auditor would be passed to a member who wished to make further enquiries.

- Members queried a batch of policies on the SHDC Policy Register that were due for review and approval at Full Council in March 2024, which were stated as already being approved.

- The Business Intelligence and Change Manager responded that several policies were part of the budget setting process and the dates needed to be amended according to the scheduled meetings; and
- The policies concerned had not historically been presented to the Policy Development Panel but all policies were captured on the register for completeness.

AGREED:

That the SHDC Policy Register and the S&ELCP Policy Register be noted.

53. REVIEW OF HR POLICIES

Consideration was given to the report of the Assistant Director – Corporate which sought the Policy Development Panel's views on the proposed H.R. policies prior to a report to Council.

The Group Manager – Organisational Development introduced the report and the following main points were highlighted:

- The report brought forward a new Equality, Diversity and Inclusion Policy at Appendix A; and
- Slight alterations had been made to the following existing policies:
  - Absence and Sickness Management Policy and Procedure;
  - Code of Conduct for Council Employees;
  - Disciplinary Policy and Procedure;
  - Grievance Policy and Procedure; and
  - Improving Performance Policy and Procedure.

  The revised policies were detailed at Appendices B to F, however point 2.5 of the report detailed the specific changes in a table format of which members were asked to give feedback.

Members considered the report and made the following comments:

- Members asked whether the policies were sent digitally to new recruits.
  - The Group Manager – Organisational Development responded that:
    - An employee 'onboarding platform' had been implemented which enabled new recruits to access certain information/documents

digitally prior to their commencement date, such as: contract of employment, corporate policies, and corporate strategies. The information could also be made available in hard copies and alternative formats where requested.

- Members noted the extensive process for new recruits and asked whether a similar process was undertaken when people left the organisation.
    - The Group Manager – Organisational Development responded that:
        - A set process was in place for when employees left the organisation, this included:
            - A leaver's checklist which was forwarded to H.R.; and
            - The notification to H.R. prompted management follow-up processes such as the return of computer equipment, phone, payment cards, employee access badge, and the opportunity for an exit interview with H.R.

- Members queried which departments had the highest staff turnover.
    - The Group Manager – Organisational Development responded that a workforce report was provided by H.R. to the Senior Leadership Team, Corporate Management Team, and Workforce Development Board. The report included reasons for staff turnover and leaver information at departmental level and therefore enabled the identification of trends.

- Members requested that where changes to policies were being considered by the Panel, that these be highlighted within the policies in the agenda pack.

AGREED:

After consideration of the report that the HR Policies be noted.

54. REVIEW OF LITTER AND FLY-TIPPING ENGAGEMENT AND ENFORCEMENT STRATEGY

Consideration was given to the report of the Assistant Director – Regulatory which asked the Panel to consider a review of the implementation of the Partnership Litter and Fly-Tipping

Engagement and Enforcement Strategy which was approved in February 2023.

The Group Manager – Public Protection and the Portfolio Holder for Public Protection were in attendance for the item.

The Group Manager – Public Protection introduced the report which detailed:

- The impact and performance monitoring of the enviro-crime contract awarded to Kingdom;
- The Litter and Fly-Tipping Engagement and Enforcement Strategy 2023 at Appendix A; and
- The Litter and Fly-Tipping Engagement and Enforcement Strategy Action Plan 2023 at Appendix B

Members considered the report and made the following comments:

- Members noted that SHDC had obtained one prosecution for fly-tipping and queried how this compared with Boston Borough Council (BBC) and East Lindsey District Council (ELDC).
    - The Group Manager – Public Protection responded that:
        - Prosecutions fell into two categories:
            - Direct prosecutions, which required evidence and a court process; and
            - Through the issue of fixed penalty notices, after which the matter was considered settled unless they remained unpaid in which case prosecution may follow.
        - Regarding comparisons with BBC and ELDC in 2022/23:
            - BBC reported 10 prosecutions which reflected targeted enforcement by the use of surveillance cameras at known fly-tipping ‘hot spots’ at recycling points; and
            - ELDC had not recorded any prosecutions for that period.
    - The Portfolio Holder for Public Protection stated that the enviro-crime contract with Kingdom had led to an increase in fixed penalty notices and was working well.

- Members asked whether the act of urinating was considered a littering offence.

  - The Group Manager – Public Protection responded that the act of urinating and spitting was legally classified as a littering offence. A pragmatic approach to prosecutions would be taken which would be dependent on the circumstances.

- Members queried the penalties that applied for the dropping of chewing gum and any prevention measures that could be taken.
  - The Group Manager – Public Protection responded that:
    - A fine of £150 for littering could be imposed where such offence had been witnessed;
    - Involvement in national campaigns could be sought, such as through Keep Britain Tidy;
    - Public Protection worked closely with Environmental Services to focus on identified key issues; and
    - SHDC communication campaigns could also focus on the issue.

- Members noted the Dog Fouling Public Space Protection Order (PSPO) included in the Action Plan for 2024/2025, and queried when and where the public consultation would take place; in addition, there appeared to be a lack of public knowledge that dog waste could be placed in general rubbish bins, and therefore could relevant information be placed on the bins.
  - The Group Manager – Public Protection responded that:
    - Discussions would be made with Environmental Services regarding information stickers for bins;
    - The Dog Fouling PSPO would be district-wide and patrols would concentrate on high footfall areas, and where intelligence was received by ward members or members of the public;
    - The PSPO needed to follow a statutory process including a public consultation. It was anticipated that the consultation would include the issue of dog control and the need for dog walkers to evidence the means of dog waste collection/disposal; and
    - The draft policy would be brought to the Policy Development Panel at the 9 April 2024 meeting.

Councillor Slade left the meeting at 20:02hrs and did not return for the remainder of the meeting.

- Members referred to point 2.3 of the report and queried the significant increase in fixed penalty notices issued for the period April 2023 to December 2023 compared with previous periods.
    - The Group Manager – Public Protection responded that the increase was a direct result of the work undertaken by the Kingdom contract which commenced in March 2023. Dedicated officers had concentrated on litter and fly-tipping in the district and this was reflected in the performance figures.

- Members asked for the location breakdown of the 932 fixed penalty notices issued for the period April 2023 to December 2023. Had this been district-wide?
    - The Group Manager – Public Protection responded that:
        - Patrols were district-wide, and the majority of fixed penalty notices were from the towns, and approximately 90 per cent were related to Spalding;
        - Fly-tipping enforcement locations were more wide-spread across the district;
        - Data was collected for fly-tipping reports at ward level and the predominant ward areas for these reports were Crowland, Spalding St Johns, Spalding St. Pauls, Spalding Castle, and Pinchbeck; and
        - A SHDC officer working group was being set up so that cross-departmental intelligence in respect of fly-tipping could be shared.

- Members referred to the increased fly-tipping incidents detailed on page 4 of the Litter and Fly-Tipping Strategy and suggested that longer opening hours of the Spalding Household Waste and Recycling Centre would alleviate the issue.
    - The Portfolio Holder – Public Protection responded that:
        - Longer opening hours would be helpful to residents; and
        - The management of the Spalding Household Waste and Recycling Centre fell under the remit of Lincolnshire County Council and so members needed to direct any feedback on the matter to County Councillors.

- The Assistant Director – Wellbeing and Community Leadership added that:
  - As business waste could not be collected at domestic waste and recycling centres, it may be useful to include the percentage of fly-tips which related to business waste as part of the data. Any findings may move concerns from the opening hours of the Spalding Household Waste and Recycling Centre to the imparting of advice in connection with private waste collections, some of which had been associated with fly-tipping incidents.
- The Group Manager – Public Protection added that:
  - The installation of remote CCTV equipment was complex and usually required a power source, but officers and Kingdom were actively looking at suitable locations and options.

- Members referred to the success rate of prosecutions and asked whether more enforcement officers would be employed.
  - The Group Manager – Public Protection stated that the enforcement officers were supplied by Kingdom and that they were looking to recruit another officer for South Holland.

- Members asked whether any fines had been issued as a result of evidence obtained through CCTV footage.
  - The Group Manager – Public Protection stated that cameras in one location had led to the issue of two fixed penalty notices. Challenges in respect of the identification of perpetrators prevailed however with assistance from the DVLA, numberplate recognition technology had led to the issuing of fixed penalty notices.

- Members relayed issues from residents where collected business waste was being stored on private property.
  - The Group Manager – Public Protection responded that accumulations of waste stored on private property leading to vermin or health issues could be considered by Environmental Health.

- Members asked whether private waste collection businesses which advertised online were investigated to ensure correct waste carrier licences had been obtained.
  - The Assistant Director – Wellbeing and Community

Leadership responded that:

- Social media was monitored for certain activity however random checking of all potential activity was not viable from a resource perspective;
- Intelligence received from ward members on this matter was useful;
- SHDC's communications to educate the public on legal responsibilities regarding the use of waste carriers was key; and
- Prosecutions could only follow where criminal activity had actually occurred.

- Members stated that the public needed to be aware not to interfere with any fly-tip contents as this could invalidate evidence.
  - The Group Manager – Public Protection stated that:
    - Where fly-tips were discovered by members of the public, they were urged not to touch the contents but to report and submit a photograph to the council; and
    - Kingdom used bodycams and were trained to deal with hazardous materials so that evidence was safeguarded, and officers protected from harm.

AGREED:

After consideration of the review of the Litter and Fly-Tipping Engagement and Enforcement Strategy by the Policy Development Panel:

a) That the contents of the report be noted; and

b) That the comments of the Panel be noted.

55. HOUSING DAMP, CONDENSATION AND MOULD POLICY (DC&M)

Consideration was given to the report of the Assistant Director – Housing which asked the Policy Development Panel to provide feedback on the Housing Damp Condensation and Mould Policy.

The Housing Property Services Manager and the Assistant Director – Housing were in attendance for this item.

The Housing Property Services Manager presented the report to the panel and the following points were highlighted:

- The Housing Damp, Condensation and Mould Policy was a new policy and did not replace an existing policy;
- Following the death of Awaab Ishak, the Housing Ombudsman had developed a spotlight report on the social housing sector response; and the Regulator of Social Housing had focussed on provider arrangements to ensure that damp, condensation and mould were a focus during inspections; and
- The Housing Damp, Condensation and Mould Policy set out the approach that the Council intended to take as landlord when dealing with all reports of such issues from its tenants and leaseholders.

The Housing Property Services Manager also presented the following update in relation to reports and inspections:

- In recent years, many providers had received increased reports relating to damp, condensation, and mould. SHDC had received the following reports for the period from 1 November 2023 to 31 January 2024:
    - 206 new cases had been reported, of which the following categorisation has been applied.
        - 13 emergencies;
        - 114 urgent;
        - 57 routine;
        - 4 monitor;
        - 14 no contact - 13 had subsequently been inspected through SHDC surveyor visits;
        - 2 were new build and dealt with under the defects process; and
        - 2 were unhabitable outbuildings and therefore were not assessed.
- As at 31 January 2024, 164 inspections had been carried out and 16 inspections had been booked with tenants; 5 properties could not be accessed; and a further 17 had been passed to SHDC surveyors to visit;
- As a result of the inspections, repairs had been raised at 120 properties, with common themes including: window seals, blocked gutters and broken or ineffective extractor fans; and advice was given as standard in all cases with literature given to the tenant regarding preventative measures;
- 24 cases had been closed, as follows:
    - 15 with full agreement of the tenant;
    - 3 where the tenant had refused agreement of closure;
    - 2 were outbuilding only cases; and
    - 4 have been closed where following inspection, the problem was classified as a repair and deemed not

to fall under the damp, condensation, and mould policy; and

- Due to recent mobilisation of the remedials contract, performance was being closely monitored to ensure Key Performance Indicators (KPIs) were met and cases remained 'open' until all repairs had been completed and the works signed off.

Members considered the report and update and made the following comments:

- Members asked how much repair work was undertaken previously in relation to damp, condensation and mould.
    - The Housing Property Services Manager responded that prior to the Awaab Ishak case, 3 or 4 cases per month were reported, however since that time, reports had risen to between 60 and 70 cases per month.

- Members queried whether damp, condensation and mould cases were only identified when reported by the tenant.
    - The Housing Property Services Manager responded that the issue could be raised by tenants or at the point of a general inspection and green energy works. Every effort was made to contact residents to gain access where reports had been submitted.

- Members referred to the Guidance to Tenants on page 6 of the report and requested that this be circulated to members.

- Members queried whether residents were charged for repairs where guidance had not been followed, such as not utilising the extractor fan.
    - The Housing Property Services Manager responded that recharge could occur however it was generally difficult to prove that guidance had not been followed.

- Members noted the significant increase in reports in the last two years and queried the reason for this. Were there any specific issues with the council's building stock?
    - The Housing Property Services Manager responded that:
        - The increase reports had related to increased media as a result of the Awaab Ishak court case; and
        - The council were investigating whether any

particular elements of the housing stock contributed to damp, mould and condensation, such as the type of construction and heating systems installed. Issues with certain heating systems had been identified and these were being removed and replaced. Assessments would be made when data had been received and collated.

- Members asked whether the widespread practice of UPV window installation in the 1990s had contributed to the problem.
    - The Housing Property Services Manager responded that:
        - The service had received reports regarding cracked seals around UPV windows; and
        - A review of the condition of older windows was taking place and this had led to the replacement of windows and doors.

- Members queried whether tenants received support for the deep cleaning of carpets and mattresses where mould had been identified.
    - The Housing Property Services Manager responded that this was the case, dependent on the issues and reason for mould.

- Members believed that window trickle vents were mandatory and queried whether these were in use.
    - The Housing Property Services Manager responded that the majority of windows had trickle vents however the installation of trickle vents appeared to be being phased out. Part of the inspection programme involved the cleaning and repairing of trickle vents.

- Members relayed a report from a resident where mould had been identified during a pre-inspection process. Whilst a cleaning process had taken place to remove the mould, it appeared that the cause of the mould had not been remedied. Members asked whether ‘acceptable standards’ of properties and ‘condition of voids’ would be included within the new housing policies.
    - The Housing Property Services Manager responded that the issue of damp and mould was investigated as part of the existing void process. Any signs of mould were treated and sealed. The Housing Property Services Manager would investigate the

issue raised by the resident outside of the meeting.

- The Assistant Director – Housing added that:
  - SHDC and the whole social housing sector had been required to transform their processes in respect of damp, condensation and mould, and aspects of previously established professional advice/practice no longer applied;
  - A holistic review of void property attributes was undertaken prior to re-letting so that deeper issues relating to condition could be addressed;
  - Retrofit assessments were undertaken to diagnose whether any inadvertent adverse effects were evident subsequent to improvement works;
  - Specialist survey reports were undertaken where necessary; and
  - The policy was under consultation and would develop over time.

- Members asked whether vulnerable tenants received welcome packs which included advice in relation to prevention measures; in addition, how were issues addressed for people with vulnerabilities where decampment was stressful.
  - The Assistant Director – Housing responded that new tenants received a 'New Tenant Pack' which included instructions on how everything worked within the property;
  - Visits were undertaken during the first year of any tenancy so that any issues could be addressed by officers;
  - Emergency repairs would be undertaken with the tenant remaining in residence where it was safe to do so. Where the property was unsafe and decampment necessary, discussions and engagement with the tenant would take place; and
  - The moving of personal belongings and subsistence relating to alternative accommodation would be covered by the Council and circumstances assessed on a case-by-case basis.

- Members asked whether tenants received a leaflet in respect of damp.
  - The Housing Property Services Manager responded that where damp was identified, tenants would be given an advice leaflet which outlined prevention

measures. The leaflet would be circulated to members of the Policy Development Panel as requested.

- Members therefore requested that the word 'also' be inserted to last point on page 6 of Appendix A to show that the information was available both in a leaflet format and on the SHDC website.

AGREED:

After consideration of the Housing Damp, Condensation and Mould Policy by the Policy Development Panel:

a) That the comments of the Panel be noted;

b) That the policy be recommended to Cabinet for adoption; and

c) That the recommendation to Cabinet to delegate minor operational amendments to the Assistant Director – Housing with the Portfolio Holder for Communities and Operational Housing, be supported.

56. POLICY DEVELOPMENT PANEL WORK PROGRAMME

The Panel considered a report by the Assistant Director – Governance (Monitoring Officer) which set out the Work Programme of the Policy Development Panel.

The Democratic Services Officer introduced the report and the following points were highlighted:

- Appendix A set out the dates of future Panel meetings along with proposed items for consideration.
    - The Unreasonable Behaviour and Vexatious Requests Policy was moved to the 9 April 2024 Policy Development Panel meeting with the agreement of the Chairman;
    - The Dog Fouling PSPO, discussed at agenda item 14 of the current meeting, would be added to the work programme for the 9 April 2024 Policy Development Panel meeting; and
- Appendix B set out the Task Groups that had been identified by the Panel. The new Street Scene Task Group had commenced its work.

AGREED:

That the Policy Development Panel Work Programme 2023/2024 be noted.

57. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT.

There were none.

(The meeting ended at 8.57 pm)

(End of minutes)