

# **Economic and Environmental Wellbeing Scrutiny and Policy Development Committee (Special)**

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**Thursday 2 November 2017 at 10.00 am**

**To be held at the Town Hall, Pinstone Street, Sheffield, S1 2HH**

**The Press and Public are Welcome to Attend**

## **Membership**

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Councillors Denise Fox (Chair), Ian Auckland (Deputy Chair), Mike Chaplin, Neale Gibson, Mark Jones, Abdul Khayum, Ben Miskell, Robert Murphy, Moya O'Rourke, Colin Ross, Jackie Satur, Gail Smith, Martin Smith and Paul Wood

## **Substitute Members**

In accordance with the Constitution, Substitute Members may be provided for the above Committee Members as and when required.

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## **PUBLIC ACCESS TO THE MEETING**

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The Economic and Environmental Wellbeing Committee exercises an overview and scrutiny function in respect of the planning, development and monitoring of service performance and other issues in respect of the area of Council activity relating to planning and economic development, wider environmental issues, culture, leisure, skills and training, and the quality of life in the City.

A copy of the agenda and reports is available on the Council's website at [www.sheffield.gov.uk](http://www.sheffield.gov.uk). You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. on Friday. You may not be allowed to see some reports because they contain confidential information. These items are usually marked \* on the agenda.

Members of the public have the right to ask questions or submit petitions to Scrutiny Committee meetings and recording is allowed under the direction of the Chair. Please see the website or contact Democratic Services for further information regarding public questions and petitions and details of the Council's protocol on audio/visual recording and photography at council meetings.

Scrutiny Committee meetings are normally open to the public but sometimes the Committee may have to discuss an item in private. If this happens, you will be asked to leave. Any private items are normally left until last. If you would like to attend the meeting please report to the First Point Reception desk where you will be directed to the meeting room.

If you require any further information about this Scrutiny Committee, please contact Alice Nicholson, Policy and Improvement Officer on 0114 27 35065 or [email alice.nicholson@sheffield.gov.uk](mailto:alice.nicholson@sheffield.gov.uk)

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## **FACILITIES**

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There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in meeting rooms.

Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

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**ECONOMIC AND ENVIRONMENTAL WELLBEING SCRUTINY AND POLICY  
DEVELOPMENT COMMITTEE AGENDA  
2 NOVEMBER 2017**

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**Order of Business**

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- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**  
To identify items where resolutions may be moved to exclude the press and public  
  
**Note:** The appendices to the report in Item 6 – Changes to Environmental Maintenance Services are not available to the public and press because they contain exempt information described in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972, as amended, relating to the financial or business affairs of any particular person
- 4. Declarations of Interest** (Pages 1 - 4)  
Members to declare any interests they have in the business to be considered at the meeting
- 5. Public Questions and Petitions**  
To receive any questions or petitions from members of the public
- 6. Call-in of the Leader's Decision on Changes to Environmental Maintenance Services** (Pages 5 - 32)  
Report of the Policy and Improvement Officer
- 7. Date of Next Meeting**  
The next meeting of the Committee will be held on Wednesday, 29<sup>th</sup> November, 2017, at 5.00 pm, in the Town Hall

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## ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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If you are present at a meeting of the Council, of its executive or any committee of the executive, or of any committee, sub-committee, joint committee, or joint sub-committee of the authority, and you have a **Disclosable Pecuniary Interest (DPI)** relating to any business that will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

You **must**:

- leave the room (in accordance with the Members' Code of Conduct)
- make a verbal declaration of the existence and nature of any DPI at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.
- declare it to the meeting and notify the Council's Monitoring Officer within 28 days, if the DPI is not already registered.

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. You have a pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period\* in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

\*The relevant period is the 12 months ending on the day when you tell the Monitoring Officer about your disclosable pecuniary interests.

- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority –
  - under which goods or services are to be provided or works are to be executed; and
  - which has not been fully discharged.

- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) –
  - the landlord is your council or authority; and
  - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -
  - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
  - (b) either -
    - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
    - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

If you attend a meeting at which any item of business is to be considered and you are aware that you have a **personal interest** in the matter which does not amount to a DPI, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent. You should leave the room if your continued presence is incompatible with the 7 Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership).

You have a personal interest where –

- a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in land and easements over land) of you or a member of your family or a person or an organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the Authority's administrative area, or
- it relates to or is likely to affect any of the interests that are defined as DPIs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously.

You should identify any potential interest you may have relating to business to be considered at the meeting. This will help you and anyone that you ask for advice to fully consider all the circumstances before deciding what action you should take.

In certain circumstances the Council may grant a **dispensation** to permit a Member to take part in the business of the Authority even if the member has a Disclosable Pecuniary Interest relating to that business.

To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's Audit and Standards Committee in relation to a request for dispensation.

Further advice can be obtained from Gillian Duckworth, Director of Legal and Governance on 0114 2734018 or email [gillian.duckworth@sheffield.gov.uk](mailto:gillian.duckworth@sheffield.gov.uk).

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## Report to Economic and Environmental Wellbeing Scrutiny and Policy Development Committee Thursday 2<sup>nd</sup> November 2017

**Subject:** Call in of decision on “Changes to Environmental Maintenance Services”

**Author of Report:** Alice Nicholson, Policy & Improvement Officer  
0114 2735065, [alice.nicholson@sheffield.gov.uk](mailto:alice.nicholson@sheffield.gov.uk)

**Type of item:** The report author should tick the appropriate box

Reviewing of existing policy	
Informing the development of new policy	
Statutory consultation	
Performance / budget monitoring report	
Cabinet request for scrutiny	
Full Council request for scrutiny	
Community Assembly request for scrutiny	
Call-in of Leader’s decision	X
Briefing paper for the Scrutiny Committee	
Other	

### 1.0 Background

1.1 On the 10th October 2017 the Leader of the Council took the following decision:

***Decision:***

*(i) the proposed changes to the street cleaning and grounds maintenance elements of the environmental maintenance service detailed in section 1.3 and Appendix A of the report are implemented in full subject to:*

- a. the capital costs associated with implementing the proposed changes do not exceed the costs listed in Closed Appendix A of this report; and*
- b. the associated changes to the Contract are commercially acceptable to the Council; and*

*(ii) the Leader delegates authority to the Interim Director of Finance and Commercial Services in consultation with the Executive Director, Place and the Director of Legal and Governance to vary the Streets Ahead*

*contract following the finalisation of the capital costs required to fund the contract change and finalisation of the associated commercial changes required to the Streets Ahead contract.*

- 1.2 The Call-In notice - including a second page with 4 additional signatories - is attached to this report as Appendix 1. Additional documents for this item include the Individual Cabinet Member Decision Record and the original report of Executive Director, Place to Leader of the Council, note appendices A and B of the Report to Leader of the Council are not for publication.
- 1.3 As per Part 4, section 16 of Sheffield City Council's Constitution, this decision has been called in, preventing implementation of the decision until it has been considered by this Scrutiny Committee.
- 1.4 The Call-In notice states that the reason for the Call-in is *"To further scrutinise the decision process and environmental and financial impacts"*.

## **2.0 The Scrutiny Committee is being asked to:**

- 2.1 As per the Scrutiny Procedure rules, scrutinise the decision and take one of the following courses of action:
  - (a) refer the decision back to the decision making body or individual for reconsideration in the light of recommendations from the Committee;
  - (b) request that the decision be deferred until the Scrutiny Committee has considered relevant issues and made recommendations to the Executive;
  - (c) take no action in relation to the called-in decision but consider whether issues arising from the call-in need to be fed back to the decision maker or added to the work programme of an existing Scrutiny Committee;
  - (d) if, but only if (having taken the advice of the Monitoring Officer and/or the Chief Finance Officer), the Committee determines that the decision is wholly or partly outside the Budget and Policy Framework, refer the matter, with any recommendations, to the Council after following the procedures in the Budget and Policy Framework Procedure Rules

(If a Scrutiny Committee decides on (a), (b) or (d) as its course of action, there is a continuing bar on implementing the decision).

- 2.2 The Scrutiny Procedure rules state that if a decision is referred back, it is referred back to the individual or body that made the decision. In this case the decision maker is the Leader of the Council.

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## **Background Papers**

- Appendix 1 - Call in notice dated 14.10.2017
- Individual Cabinet Member Decision Record dated 10.10.2017
- Report of Executive Director, Place to Leader of the Council dated 28.07.2017

**Category of Report:** OPEN

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**SHEFFIELD CITY COUNCIL**

**CALL-IN PROCESS FOR EXECUTIVE DECISIONS**

I ROBERT MURPHY (Name of Member in Block Capitals)  
 under the provision of Scrutiny Procedure Rule 16, wish to call-in Item No. ....  
 relating to changes to environmental maintenance services  
 of the meeting of Leaders Decision (meeting title)  
 on 10th October 2017 (date) for consideration by the  
Economic & Environmental Well Being Scrutiny Committee.

*The relevant Scrutiny Committee will be indicated on the Checklist within the report relating to this matter.*

**Reason for Call-In**

To further scrutinise the decision process  
and environmental & financial impacts

Signed Robert Murphy Date 14/10/17

I have obtained the following signatures of the other Members who wish to call-in this item:-

Name (in Block Capitals)	Signature
1. <u>DOUGLAS JOHNSON</u>	<u>[Signature]</u>
2. <u>SHAFFAQ MOHAMMED</u>	<u>[Signature]</u>
3. <u>MAGID MAGID</u>	<u>[Signature]</u>
4. <u>ALISON C TEAR</u>	<u>[Signature]</u>

(NOTE: Scrutiny Procedure Rule 16 requires five Members, including two from the appropriate Scrutiny Committee to 'call-in' an Executive decision for scrutiny. This can be done **up to 4 working days after the decision publication.**

*The five signatures required for the call-in process must be submitted by the deadline date, but need not all be on one form.*

**Completed forms to be returned to the  
 Head of Democratic Services (Room G13/14, Town Hall),  
 by the deadline referred to above.**

**The request will be logged and forwarded to Policy and Improvement Team  
 for action.**

Amended 8 July 2013

**SHEFFIELD CITY COUNCIL**

**CALL-IN PROCESS FOR EXECUTIVE DECISIONS**

I ..... Col ..... (Name of Member in Block Capitals)  
under the provision of Standing Order A35, wish to call-in Item No. ....  
relating to changes to environmental maintenance services  
of the meeting of .....(meeting title)  
on ..... (date) for consideration by the  
Environmental & Environmental Wellbeing Scrutiny Committee.

*The relevant Scrutiny Committee will be indicated on the Checklist within the report relating to this matter.*

**Reason for Call-In**

To further scrutinise the decision process and the environmental and financial impact.

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Signed ..... Date .....

I have obtained the following signatures of the other Members who wish to call-in this item:-

Name (in Block Capitals)	Signature
1. <u>COLIN ROSS</u>	<u>Colin Ross</u>
2. <u>ANDY NASH</u>	<u>Andy Nash</u>
3. <u>ANDREW SANGAR</u>	<u>Andrew Sangar</u>
4. <u>PEVELOPE A. BAKER</u>	<u>Penelope A. Baker</u>

(NOTE: Standing Order A35(1) requires five Members, including two from the appropriate Scrutiny Committee to 'call-in' an Executive decision for scrutiny. This can be done **up to 4 working days after the decision publication**.

*The five signatures required for the call-in process must be submitted by the deadline date, but need not all be on one form.*

**COMPLETED FORMS TO BE RETURNED TO  
THE HEAD OF DEMOCRATIC SERVICES (ROOM G12, TOWN HALL),**

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## SHEFFIELD CITY COUNCIL

### INDIVIDUAL CABINET MEMBER DECISION RECORD

The following decision was taken on 10 October 2017 by the Leader of the Council.

Date notified to all members: Tuesday 10 October 2017

The end of the call-in period is 4:00 pm on Monday 16 October 2017

Unless called-in, the decision can be implemented from Tuesday 17 October 2017

1. **TITLE**

Changes to Environmental Maintenance Services

2. **DECISION TAKEN**

(i) the proposed changes to the street cleaning and grounds maintenance elements of the environmental maintenance service detailed in section 1.3 and Appendix A of the report are implemented in full subject to:

- a. the capital costs associated with implementing the proposed changes do not exceed the costs listed in Closed Appendix A of this report; and
- b. the associated changes to the Contract are commercially acceptable to the Council; and

(ii) the Leader delegates authority to the Interim Director of Finance and Commercial Services in consultation with the Executive Director, Place and the Director of Legal and Governance to vary the Streets Ahead contract following the finalisation of the capital costs required to fund the contract change and finalisation of the associated commercial changes required to the Streets Ahead contract.

3. **Reasons For Decision**

The street cleaning and grounds maintenance regimes delivered under the Streets Ahead contract have been reviewed in order to:

(1) identify where operational savings can be identified using lean thinking to address the increasing budgetary pressures in the Council, and specifically the Streets Ahead Contract and;

(ii) explore the latest industry innovations to determine where new technology and techniques can be implemented to drive out operational and financial efficiencies.

The proposals in this Report are the product of that review. More specifically, the reasons for the recommendations are: -

General

- Most importantly the cost savings need to be achieved in order to help balance the Council's budget;
- Cost savings not achieved in this service will put pressure on other Council services
- The service changes are proportionate and during trials the public did not notice the difference;
- The Council wishes to introduce innovation by utilising Amey's expertise
- 90% of all other Councils are cutting budgets in this area

#### Street Cleaning

- The current higher and in many respects gold plated street cleaning standards are not affordable when the Council's budgets are under such pressure;
- Even if all proposed changes are implemented our Street Cleaning standards will still be higher than all other local authorities in the UK.
- Some mitigation will be provided through the Councils Cleaner Sheffield campaign which aligns to the government drive for greater community involvement in keeping streets clean.
- Further mitigation is from a Keep Britain Tidy employee funded and seconded into the Council's Streets Ahead team for a year to deliver the campaign and work with local businesses and organisations to encourage them to exercise their corporate social responsibility on or around shop/work sites. This is fully funded until August 2017, at which point we will review the post.

#### Grounds Maintenance

- Outdated shrub beds will be replaced increasing public safety and improving the street scene
- Most grass areas will receive the same treatment

## 4. **Alternatives Considered And Rejected**

### **Do Nothing**

The significance of the cuts to the Council's budget require all services to identify efficiency savings including outsourced services such as highway maintenance. The Council continuously strives for improvement in the services delivered by the Council and the Council's best value duty means that doing nothing is not an option.

Councils' are constantly challenged to be innovative. Services cannot remain unaffected by budgetary constraints but where possible, technological innovations are being introduced. Some of the proposed changes have been generated by joint working with other local authorities, some who work with Amey. Doing nothing in the current budgetary climate is not a viable option.

### **Significantly reduce standards**

The street cleaning service could not have further standards reductions without significantly increasing the risk of legal challenge. Public opinion would in our opinion soon grow against the changes.

Consideration was given to implementing more significant changes such as



identifying areas where a purely reactive service could be introduced or reduce the number of grass cuts further by allowing the grass to grow longer. However, such changes would alter the streetscene environment in a manner that would not be accepted by the public. The trials detailed in section 4 of this report have shown that there is a public tolerance of the proposals. The Wildlife Trust has offered full support for the naturalisation elements of the proposals. Other maintenance regimes have been considered such as growth retardants which are too expensive and ineffective in the long term.

5. **Any Interest Declared or Dispensation Granted**

None

6. **Respective Director Responsible for Implementation**

Executive Director, Place

7. **Relevant Scrutiny Committee If Decision Called In**

Economic and Environmental Wellbeing Scrutiny Committee

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**Author/Lead Officer of Report:** Steve Robinson,  
Head of Highway Maintenance

**Report of:** Laraine Manley, Executive Director, Place  
**Report to:** Leader of the Council  
**Date of Decision:** 28 July 2017  
**Subject:** Changes to Environmental Maintenance Services

Is this a Key Decision? If Yes, reason Key Decision:-

- |  |     |
|--|-----|
| - Expenditure and/or savings over £500,000 | Yes |
| - Affects 2 or more Wards                  | Yes |

Which Cabinet Member Portfolio does this relate to?

*Cabinet Member for Environment*

Which Scrutiny and Policy Development Committee does this relate to?

*Economic and Environmental Wellbeing Scrutiny and Policy Development Committee*

Has an Equality Impact Assessment (EIA) been undertaken? Yes

If YES, what EIA reference number has it been given? 764-Grounds Maintenance, 765-Street Cleaning

Does the report contain confidential or exempt information? Yes  No

The closed appendices A and B are not for publication because they contain exempt information under Paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended) and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**Purpose of Report:**

To seek approval to implement changes to parts of the Environmental Maintenance Service delivered under the Streets Ahead contract to realise efficiency benefits.

**Recommendations:**

It is recommended that:

- (1) the proposed changes to the street cleaning and grounds maintenance elements of the environmental maintenance service detailed in section 1.3 and Appendix A of this report are implemented in full subject to:
  - a. the capital costs associated with implementing the proposed changes do not exceed the costs listed in Closed Appendix A of this report; and
  - b. the associated changes to the Contract are commercially acceptable to the Council
  
- (2) Cabinet delegates authority to the Interim Director of Finance and Commercial Services in consultation with the Executive Director, Place and the Director of Legal and Governance to vary the Streets Ahead contract following the finalisation of the capital costs required to fund the contract change and finalisation of the associated commercial changes required to the Streets Ahead contract.

**Background Papers:**

HM Treasury - Making Savings in Operational PFI Contracts

<https://www.gov.uk/government/publications/making-savings-in-operational-pfi-contracts>

Lead Officer to complete:-		
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.	Finance: Paul Schofield, Finance & Commercial Services Business Partner Resources and Place.
		Legal: Sarah Bennett, Service Manager (Commercial)
		Equalities: Annmarie Johnston, Business Improvement Manager
<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>		
2	<b>EMT member who approved submission:</b>	Laraine Manley
3	<b>Cabinet Member consulted:</b>	Cllr Bryan Lodge
4	I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Decision Maker by the EMT member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.	
	<b>Lead Officer Name:</b>  Steve Robinson	<b>Job Title:</b>  Head of Highway Maintenance
	<b>Date:</b> 6/6/2017	

## 1. PROPOSAL

### 1.1 Introduction

The Streets Ahead contract ('the Contract') is a 25-year PFI Contract which commenced in 2012 with services provided by Amey Hallam Highways Ltd ('Amey'). The Contract comprises highway maintenance services:

- Road and pavement maintenance
- Winter gritting and snow clearance
- Bridge and other highway structures maintenance
- Tree maintenance and replacement
- Grounds maintenance
- Traffic lights and road sign maintenance
- Street lights maintenance
- Road drainage maintenance
- Street cleaning
- Street furniture

A programme of continuous improvement is underway which seeks to improve how efficiently and effectively the services are delivered. The proposals detailed in this report are an opportunity for the Council to implement changes to the environmental services element of the Contract which will realise efficiency benefits whilst maintaining an acceptable level of service to the citizens of Sheffield. The proposed changes will still leave Sheffield's standards equal to or better than most other UK cities given that our existing standards are amongst the highest of any town or city.

All the changes proposed in this report have been successfully trialled in the city recently with little or no adverse public reaction

Benchmarking has demonstrated that several other authorities have significantly reduced their environmental maintenance standards whilst the Council has, thus far, opted not to. However, due to increasing budgetary pressures it is now necessary for Sheffield City Council to explore our options. A recent APSE survey of the Councils found that around 90% are cutting budgets in this area.

### 1.2 Current Service

#### 1.2.1 *Street Cleaning*

Street cleaning operations include picking up litter and sweeping footways and carriageways; removing detritus; providing and emptying litter bins; removing fly tipping; removal of graffiti and fly-posting; and cleaning up hazardous items such as hypodermic needles and broken glass.

The standards for litter removal and the frequency of litter picks depend on the location and foot fall on a street and vary from the city centre to residential streets. Amey deliver the service through a combination of

proactive street cleaning and responding to requests for service.

Currently, the city centre is cleansed to an exemplary standard in comparison to other towns and cities around the UK, including the City of London, which is widely regarded as the highest standard in the industry. Principal shop site (eg Ecclesall Road) standards are also very good in comparison to most of the rest of the UK. Other areas, such as neighbourhood shop sites (eg Hillsborough) and residential streets etc, have cleaning standards that vary considerably between cities making it difficult to benchmark. Although Sheffield has a very good overall standard of service there are still some issues in certain areas in the city which may be performing slightly worse than some comparative areas in other cities. Litter is not however a natural event such as grass growing and it is caused by the public and businesses and so is a shared responsibility. As a part of this proposal we will do even more to engage with the public and businesses and act responsibly in order to reduce the levels of litter..

The service now needs to evolve and take advantage of innovative industry technology and use methods comparable with other cities that include increased use of mechanical sweepers.

### **1.2.2 *Grounds Maintenance***

The grounds maintenance service includes cutting highway grass and maintaining shrub beds. Highway grass generally is cut when it reaches a specific length and so the numbers of cuts each year will vary depend on the weather. Benchmarking has demonstrated that despite some challenges at the beginning of each season that our grass cutting service is of an exemplary standard nationally.

Shrub beds are maintained to preserve their aesthetic value and to keep them clear of litter. The city currently has over 200,000 square metres of shrub beds. These are currently attended fortnightly for tidying, in comparison with similar cities such as Manchester who attend around every 12 weeks, so we have noted a disparity in our service levels being significantly more labour intensive than other similar cities.

This excellent standard of service gives scope for exploring how efficiencies in service delivery can be employed in light of increasing budgetary pressures.

Some shrub beds have been used for unsavoury activities including drug dealing and to hide muggers. It is clear that there are public safety issues from some shrub beds, for example when Streets Ahead removed shrub beds on Park Square 17,000 needles were found when we worked with drug advisory groups and the Police and Universities noted the improved public safety after some crimes in the area.

### 1.3 **Proposed Service Changes**

#### 1.3.1 ***Street Cleaning***

##### Litter Picking

The main part of the proposal is to take advantage of the efficiencies of using street cleaning vehicles rather than manual labour. Machines offer significantly higher outputs and achieve very high standards but some areas (for example small items litter trapped between parked cars and the kerb line, behind bollards or in shop doorways) cannot always be reached in the same way as they would be with a manual collection. It is envisaged that the standard of cleaning across shopping and retail areas outside the city centre, currently cleaned to grade A, may reduce by one cleaning grade as a consequence of our cleaning method changes for the reasons outlined above. Descriptions of the different cleaning grades are set out below.

Cleansing standards across the city are categorised as set out in the table below. The grading system follows the same principles as the Code of Practice on Litter and Refuse (known as COPLAR), which identifies four grades of cleanliness: A, B, C and D.

<b>Grade</b>	<b>Description</b>
A	Free from the presence of litter
B	Predominately free from litter minor instances only
C	Widespread with some accumulations
D	Heavily affected

Key areas within the heart of the city centre will still be cleansed to the same grade A standard although cleaning frequencies will change to focus on peak times and the rectification times to get the area back to grade A will be slightly longer in the early morning and early evening. Please see the photographs contained in Appendix B for current standards against photographs showing the effect of the change in frequencies, noting that the cleansing will remain at the same grading standard whilst the time taken to get it back to the original standard may differ.

Any areas of the city reported to the council at either C or D grade will receive restorative service in line with COPLAR timings to meet the Council's legislative obligations

The cleansing regime in residential area will change from the current 4 cleanses a year to 3.

##### Hot spots

Known litter hot spots, such as routes to school and side streets close to busy shop sites will continue to receive an enhanced cleansing regime in comparison to typical residential streets, however this will change from a



manual cleanse to mechanical in most instances to achieve efficiency savings.

#### Fly Tipping Responses

Response times for fly-tipping will be extended from 1 day to 2 business days. This is still a better service than many other Local Authorities such as Doncaster and Barnsley (who remove within 5 and 7 days respectively) and also allows greater opportunity for evidence gathering to support prosecution of offenders and gives a lot more scope for some pro-active removal in the cyclical cleansing rounds.

#### Litter Bins

By introducing innovative bin sensor technology, it is proposed that the emptying frequency of litter bins is changed to trigger a collection when they are approximately 85% full or 75% in key areas in the heart of the city centre. The use of the sensors means reduced wastage of resources attending partially full bins and a more accurate assessment of how full each bin actually is. The innovative technology also will allow greater capacity for dynamic working and will allow greater route efficiency including through longer term analysis of bin usage

It is envisaged that the efficiency changes proposed will reduce the street cleaning workforce, the details of which are set out in closed Appendix A to this report.

### 1.3.2 **Grounds Maintenance**

#### Shrub Beds

The main changes proposed are in relation to reducing the amount of shrub beds on the highway by around 80%. The proposal will involve changing some of the shrub beds, which have become neglected for many years, into grass verges and formalise allowing former areas of young tree planting on highway areas at the edge of woodlands, which are now maturing as trees to become reclassified to recognise that they are now an integral part of these woodlands. This means that in some areas there will be a noticeable change in the amount of shrub beds on the highway, giving a cleaner look of grassed areas and allowing for a more efficient maintenance regime. This will be supplemented with additional tree planting in these grassed areas to mitigate any loss of habitat and food source for wildlife.

#### Grass Cutting

In terms of grass cutting, the Council proposes to allow an increase in the length of grass on high profile verges and roundabouts thereby reducing the amount of cuts required. Additionally approximately 20% of suburban grassed areas will be placed on a new biodiversity mowing regime which means it will be cut annually in order to create new habitat for wildlife.

In rural areas we propose to reduce the grass cutting frequency from an average of 3 cuts per year to 2 cuts. Cuts designed to maintain clear sight lines will remain at current frequency for safety purposes.

Of the 2.9 million square metres of grass in the city 2.32 million square metres are unaffected by these plans. Biodiversity mowing will not typically be carried out on the narrow verges outside homes which will predominantly remain unchanged.

No significant reduction in full time staff will be required as a result of these changes as this work is largely seasonal and sub-contracted. There will be an impact on the level of work sub-contractors will receive from Amey.

## **2. HOW DOES THIS DECISION CONTRIBUTE?**

### **2.1 Corporate Plan**

Finding efficiency savings in the areas of Street Cleaning and Grounds Maintenance negates the impact of cutting vital services elsewhere in the council.

No one neighborhood will be targeted specifically by the proposed City wide changes; there will be no impact to the health and wellbeing of residents or change to us being an in-touch organisation. There will be a potential but minimal impact on local economy due to job losses within Amey through efficiency savings, and potentially a perceived decline in the aesthetics of neighborhoods as street cleaning cyclical maintenance is reduced.

### **2.2 What will this mean to residents?**

#### **2.2.1 *Street Cleaning***

##### Litter Picking

It is likely that residents will notice an increase in litter in residential areas due to the lower cleansing frequency and the fact that reaction times for removing reported litter will be relaxed which could result in litter being left on the highway for longer periods of time. Please see Appendix B for photographic examples of potential changes to standards.

Shop sites and other high frequency use areas such as the city centre would continue to get a high frequency cleanse however, there would be changes to cyclical and reactive timescales throughout the day, which will lead to some increase in litter accumulations. There will be a later start to cleansing cycles which may mean early commuters may see an increase in litter levels before 8am.

### Mitigation Measures

The government encourages greater community involvement in keeping streets clean such an approach will form part of our Cleaner Sheffield campaign. The Council has a Keep Britain Tidy employee funded and seconded into the Council's Streets Ahead team for a year to deliver a Cleaner Sheffield campaign and work with local businesses and organisations to encourage them to exercise their corporate social responsibility on or around shop/work sites.

The aim of the Cleaner Sheffield campaign is to raise awareness of the fact that litter is not a naturally occurring phenomenon, and that alongside education and enforcement, another pivotal part of reducing litter is the need to engage with Sheffield communities and get people involved in street cleaning activity. We recognise the important role that both volunteers in the local community and Sheffield's business community can contribute to reducing the problem at source. Streets Ahead have implemented the 'Phil the Bin' campaign and have worked with local businesses to encourage them to sponsor highways assets (such as bins) and to take further pride in their local environment by cleaning in front of their businesses. They have also supported and assisted community groups, volunteer activity and local litter picking with both materials and waste collection. Amey has always been supportive of such initiatives. The Clean Sheffield initiative plans to increase this engagement from all sectors across Sheffield.

### **2.2.2 Grounds Maintenance**

Generally, the main areas of concern for residents are the narrow grass verges immediately outside their houses and these will be largely unaffected by the changes. However, there will be a decrease of cutting frequencies across other areas of the city, which may result in reactive complaints as they could look less tidy.

It is intended that the removal of shrub beds will result in a cleaner and tidier street scene across the city, but we are aware that some residents do appreciate the shrub beds in some locations. We believe that this proposal will result in improved public safety from removing areas where criminal activity can be based.

### **3. HAS THERE BEEN ANY CONSULTATION?**

In accordance with the Council's policy on non-statutory consultation, it is not deemed necessary to formally consult with stakeholders as the changes are technical and operational in nature and impact equally across the whole of the city. The lack of any significant public response to the trials detailed in section 4 of this report has confirmed that view. The trials are regarded as an effective and practical test of public opinion and in the case of changing environmental standards, trials are a more effective form of gauging public reaction than more traditional forms of consultation

## 4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

### 4.1 Trials and results

In order to assess the risks and impact of the proposed changes a number of trials were carried out in different areas of the city. The results of these trials are detailed below.

#### 4.1.1 **Street Cleaning**

The trials were successfully carried out from 13<sup>th</sup> September 2016 to 13<sup>th</sup> October 2016 and we have supplemental evidence from Amey's normal cleaning cycles and customer reports that most areas will tolerate some reduced cleaning.

The information in the table below details the areas of the city the trials were carried out; a description of the location; and the result of the trial.

<b>Type of Site</b>	<b>Trial Area</b>	<b>Findings from Trial</b>
City Centre	Area of mixed classifications, including very high profile areas to the south of the city centre.	No change visible from formal monitoring) No change in customer enquiries, but One complaint on one street, which is not unusual.
Principal Shop Site	Ecclesall Road / Sharrow Vale Road	No change visible from formal monitoring) Slight increase in customer contacts, though due to the current cyclical nature of the cleaning this is not unusual.
Type 1 Shop Site	Spital Hill	No change visible from formal monitoring) No change in customer contacts
Type 2 Shop Site	Crosspool Shops	No changes were noticed via customer or stakeholder communication. No change visible on formal monitoring ) No change in customer contacts
Type 3 Shop Site	Shay House Lane	No changes were noticed. No change visible from formal monitoring) No change in customer contacts

Gateway	Brightside Lane / Meadowhall Road	No change visible from formal monitoring e) No change in customer contacts
Residential Area	Mixed area in Mosborough	Due to short timescale of the trial, it bears little meaning to this category, but no reactive customer complaints at all.

Results from the trials can be summarised as:-

- Customer contacts – Down on previous years for the same areas at the same time; therefore show no signs of concern from reduced standards.
- Complaints – One within the city centre trial area, which is a decrease for the same area, last year; therefore show no signs of concern.
- Operational findings – There are some operational challenges relating to the Type 1 Shop classification. However, the flexibility of the proposed new standard does leave scope to get a better balance in this area. No other real issues were noted, other than in Principal Shop Sites where standards later in the day appeared improved.
- Public perception – it could be argued that the public do not appreciate the current costly gold plated service

#### **4.1.2 Grounds Maintenance**

Trials were carried out from 1<sup>st</sup> April 2016 to 1<sup>st</sup> October 2016 and were an element of the 'Living Highways' project which is supported by the Wildlife Trust due to the increased environmental benefits that changing grass cutting regimes offer. More can be found out about this ongoing project here <https://www.sheffield.ac.uk/aps/research/ke/living-highways>

The scope of the grounds maintenance trials included monitoring wildlife on the cities roadside verges comparatively, should we implement changes in grass cutting regimes. In the trial areas one side of the road was mowed in accordance as normal and the other side of the road mowed in the proposed alternate cycles.

All trial locations were leafleted and signs erected for information. If the proposed changes are made permanent these positive communications will continue with the support of the Wildlife Trust.

The trials received no complaints through the Streets Ahead complaints route. An additional survey was carried out in the trial areas and feedback from members of the public suggested that they had some concerns about the alternative mowing proposals on residential streets. In response to that more rural areas in non-residential areas have been identified instead.

Our alternative mowing proposals will achieve environmental and biodiversity benefits. Biodiversity research is ongoing to measure the benefits and we continue to work with our partners on the Living Highways project to gain greater understanding of different management regimes that could increase the realisation of biodiversity benefits.

Details of the trial sites is given below:-

South West Sheffield	South East Sheffield	North East Sheffield	North West Sheffield
Blackbrook Avenue	Bochum Parkway	Elm Lane (away from the big fields)	Southey Hill
Cavendish Avenue	Ridgeway Road	Lindsay Avenue	Middlewood Road North A610
Lyndhurst Road	Thornbridge Crescent	Ecclesfield Road	Holgate Road
Greystones Grange Road	Bowden Wood Crescent	Sheffield Parkway (A57)	Crowder Avenue
Greystones Hall Road	Ravenscroft Drive	Sicey Avenue	Colley Avenue
Whirlowdale Road	Moss Way	Bawtry Road A631	Binsted Avenue
Folds Crescent	Spring Lane	Wincobank Lane	Herries Road

Results from the trials can be summarised as:-

- Customer contacts – no increase on the same time the previous year; Complaints – none around affected sites.

The benefits the trials are being assessed but early results show:

- improvement the diversity of species in the verges; and
- potential for wildlife nesting and breeding.

## **4.2 Equality of Opportunity Implications**

As these proposals are technical in nature and operational changes, there is no equality of opportunities implications. An Equalities Impact Assessment has been undertaken under number 764 for Grounds Maintenance and number 765 for Street Cleaning.

## **4.3 Financial and Commercial Implications**

### ***4.3.1 Innovation Investment Costs***

The introduction of the innovative Smart Bin technology will require initial capital investment. The forecasted cost of this innovation is c. £220,000. There are currently two options; utilising existing technology or developing

and using an up-coming Wi-Fi model – linking in with existing Streets Ahead infrastructure. Both options provide significant innovation as the reports generated by the bin sensors feed directly into Amey's operational teams about bin capacity. The sensors will be fitted to 1500 (90%) of bins throughout the city. The type of sensor will be determined following the finalisation of discussions with suppliers.

It is proposed that the initial capital investment will be borne by the Council funded from borrowing the cost of which will be netted off the monetary savings realised from implementing the proposed efficiency savings.

#### **4.3.2 *Leased Vehicle Re-deployment Costs***

In order to realise an efficiency saving to street cleaning and grounds maintenance there is a need to reduce the number of existing leased vehicles. Amey are investigating the option of re-deploying the leased vehicles to an alternative Amey contract however, this might not be possible. If the leases have to be terminated early this will incur a cost. The estimated cost of terminating the leases assuming no vehicle transfers is £176,000.

It is proposed that, should it be necessary, the cost of terminating the leases will be borne by the Council funded from borrowing, the cost of which will be netted off the monetary savings realised from implementing the proposed efficiency savings.

#### **4.3.3 *Cost Savings***

The proposed changes to environmental maintenance will reduce the annual unitary charge payment to Amey by approximately:

- Street Cleaning £600,000
- Grounds Maintenance £200,000

This would give a total cost saving of £16,000,000 over the remainder of the Contract term. Exact figures have not been finalised with Amey but commercial discussions have been underway for sufficient time for there to be reasonable confidence in this level of saving. Factors that may affect the final saving realised include workforce changes, capital investment costs in new machinery and finalisation of the changes.

### **4.4 Legal Implications**

#### **4.4.1 *Street Cleaning***

Section 89 of the Environmental Protection Act 1990 imposes duties on local authorities and the Secretary of State to keep clean public highways for which they are responsible. COPLAR, published by the Secretary of State in accordance with other duties under section 89 of the Environmental Protection Act, provides a practical guide to the discharge of these duties, including indicative frequencies of cleansing.

Section 91 of the Environmental Protection Act 1990 gives magistrates' courts the power to act on a complaint made by a member of the public that he or she is aggrieved by the levels of litter or refuse on the highway. COPLAR would be relevant evidence in such proceedings and so for a complaint to be upheld the presence of litter or refuse would need to exceed the acceptable standards set out in COPLAR. If the Magistrates Court are satisfied that the Council has failed in its duty then it may make a litter abatement order or impose a fine.

It is recognised in COPLAR that Grade A cannot be maintained at all times and the presence of a few small items of litter and refuse, not yet accumulating, are regarded by the public as acceptable for short periods of time. It is expected that managers of land should, through monitoring and the appropriate use of resources, keep their land clear of litter and refuse so that it does not fall below a Grade B and is cleansed to an A on a regular basis.

Metalled highways must be free from detritus after cleansing (to a Grade A). Duty bodies are expected to set their cleansing schedules so that they meet the duty to keep their relevant land clear of litter and refuse, and highways clean.

In some areas, these standards can be effectively maintained during daylight hours. However, in others longer hours of management are required, for example, in town and city centres. If the standard in high intensity areas should fall to an unacceptable level during the evening, it should be restored to Grade A by 8am.

The proposed changes do carry a risk of the Council not complying with this legislation and code of practice but it is felt that the risk is largely mitigated by Amey's operatives still being onsite by 8am; Amey's obligation to respond to requests for service from members of the public; and the robust contract monitoring undertaken by the Council's Streets Ahead team and it is recommended that the residual level of risk be accepted as a proportionate response to the financial constraints on the Council.

#### **4.4.2 *Grounds Maintenance***

The Council has a legal responsibility for the highway network in terms of keeping routes available and ensuring "safe passage" for highway users. This is most notable in section 41 of the Highways Act, which requires a Highway Authority to "maintain and repair the highway" and to keep the surface of the highway free from anything which might obstruct or prevent safe use.



The Well Maintained Highways - Code of Practice for Highway Maintenance Management, which is typically the yardstick by which highway services are measured in court in the absence of more prescriptive legislation, has a number of recommendations and good practice guidance for the cutting of highway owned grassed areas:

- The CoP recommends that Authorities should develop local standards based on “*fitness for purpose to provide the level of service required*” and “*assessment of the risk*” of this being compromised by failure.
- In terms of Sheffield, Amey currently deliver this by means of a three tier system comprising herbage A (high profile areas), herbage B (standard estate roads) and herbage C (rural verges).
- The Code also recommends that Authorities should cut the grass as follows on rural roads (herbage C):
  - On identified visibility splays;
  - To provide a pedestrian refuge by cutting 1 swathe width (approximately one metre) from the edge of carriageway;
  - Areas of highway verge should be cut back to boundary every three years unless a positive decision is taken to allow it to vegetate (applicable to our cost savings here); and
  - The code recommends that in urban areas (herbage B) grass cutting needs to achieve:
    - highway safety
    - serviceability
    - sustainability

The proposed changes do not contravene the legislation or the CoP.

#### **4.4.3 Proposed Contract Variation**

The Contract contains a High Value Change mechanism that would allow the proposed changes to be made and the Council has a general power under section 1 of the Localism Act 2011 to do things an individual may generally do (including vary a contract in accordance with its terms) provided, it is not prohibited by other legislation and the power is exercised in accordance with the limitations specified in the Act e.g. around charging for the provision of a service.

When it was procured the Contract was above the public procurement financial thresholds and consequently was procured under a regulated procurement procedure. If the Contract is changed to a material degree, it may be held that there is, in fact, a new contract, which should have been re-tendered in accordance with European and national procurement law and the resultant contract could be held ineffective.

The proposed changes to environmental services are not a material change to the existing contract because these services are still being delivered but by using new methods and technology; or to slightly amended standards and there is no change in the balance of risk between the Council and Amey. Amey still retain operational risk in terms of service delivery and the financial risk of performance failure for each of the performance standards remains unchanged.

#### **4.4.4 HR Implications**

There are no Council staff HR implications associated with the proposed changes but it is anticipated that Amey will need to undertake a redundancy process which will involve consultation with the Trades Unions and affected employees. There will be reductions in staff at Amey as a consequence of these savings proposals.

### **5. ALTERNATIVE OPTIONS CONSIDERED**

#### **5.1 Do Nothing**

The significance of the cuts to the Council's budget require all services to identify efficiency savings including outsourced services such as highway maintenance. The continuous strive for improvement in the services delivered by the Council and the Council's best value duty means that doing nothing is not an option.

Councils' are constantly challenged to be innovative. Services cannot remain unaffected by budgetary constraints but where possible, technological innovations are being introduced. Some of the proposed changes have been generated by joint working with other local authorities, some who work with Amey. Doing nothing in the current budgetary climate is not a viable option.

#### **5.2 Significantly reduce standards**

The street cleaning service could not have further standards reductions without significantly increasing the risk of legal challenge. Public opinion would in our opinion soon grow against the changes.

Consideration was given to implementing more significant changes such as identifying areas where a purely reactive service could be introduced or reduce the number of grass cuts further by allowing the grass to grow longer. However, such changes would alter the streetscene environment in a manner that would not be accepted by the public. The trials detailed in section 4 of this report have shown that there is a public tolerance of the proposals. The Wildlife Trust has offered full support for the naturalisation elements of the proposals. Other maintenance regimes have been considered such as growth retardants which are too expensive and ineffective in the long term.

## 6. REASONS FOR RECOMMENDATIONS

The street cleaning and grounds maintenance regimes delivered under the Streets Ahead contract have been reviewed in order to:

- (1) identify where operational savings can be identified using lean thinking to address the increasing budgetary pressures in the Council, and specifically the Streets Ahead Contract and;
- (2) explore the latest industry innovations to determine where new technology and techniques can be implemented to drive out operational and financial efficiencies.

The proposals in this Report are the product of that review. More specifically, the reasons for the recommendations are: -

### General

- Most importantly the cost savings need to be achieved in order to help balance the Council's budget;
- Cost savings not achieved in this service will put pressure on other Council services
- The service changes are proportionate and during trials the public did not notice the difference;
- The Council wishes to introduce innovation by utilising Amey's expertise
- 90% of all other Councils are cutting budgets in this area

### Street Cleaning

- The current higher and in many respects gold plated street cleaning standards are not affordable when the Council's budgets are under such pressure;
- Even if all proposed changes are implemented our Street Cleaning standards will still be higher than all other local authorities in the UK.
- Some mitigation will be provided through the Councils Cleaner Sheffield campaign which aligns to the government drive for greater community involvement in keeping streets clean.
- Further mitigation is from a Keep Britain Tidy employee funded and seconded into the Council's Streets Ahead team for a year to deliver the campaign and work with local businesses and organisations to encourage them to exercise their corporate social responsibility on or around shop/work sites. This is fully funded until August 2017, at which point we will review the post.

### Grounds Maintenance

- Outdated shrub beds will be replaced increasing public safety and improving the street scene
- Most grass areas will receive the same treatment

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