

Environment Overview and Scrutiny Committee



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Tuesday, 23 September 2025 at 2.00 pm
Council Chamber - South Kesteven House, St. Peter's Hill,
Grantham. NG31 6PZ

Committee Members: Councillor Elvis Stooke (Chairman)
Councillor Emma Baker (Vice-Chairman)
Remaining Committee members to be confirmed...

Agenda

This meeting can be watched as a live stream, or at a later date, [via the SKDC Public-I Channel](#)

1. **Public Speaking**
The Council welcomes engagement from members of the public. To speak at this meeting please register no later than 24 hours prior to the date of the meeting via democracy@southkesteven.gov.uk
2. **Apologies for absence**
3. **Disclosure of Interests**
Members are asked to disclose any interests in matters for consideration at the meeting.
4. **Minutes of the meeting held 10 June 2025** (Pages 3 - 8)
5. **Announcements or updates from the Leader of the Council, Cabinet Members or the Head of Paid Service**

- 6. Update on South Kesteven District Council carbon emissions for 2024/25** (Pages 9 - 29)
The climate and carbon dashboard provides an overview of South Kesteven District Council's operational carbon emissions for the 2024/25 period, including progress against the Council's carbon reduction targets of at least 30% by 2030.
- 7. Food Waste Update** (Pages 31 - 39)
To update the Committee on the progress of the weekly food waste collection service rollout.
- 8. Air Quality Annual Update** (Pages 41 - 45)
To provide the Annual Air Quality Status Report (ASR 2025) and to provide an update on the proposals for Management Area (order No.6) (AQMA).
- 9. Corporate Enforcement Policy** (Pages 47 - 93)
To provide a new draft Corporate Enforcement Policy for consideration.
- 10. Update on Tree Planting Proposals for Winter 2025 Onwards** (Pages 95 - 117)
To update the Committee on the Council's tree planting programme for the 2025/26 season, including planned planting numbers, locations, and delivery methods. The report also explains how planting sites have been selected to ensure fair distribution across the district and outlines future improvements to site selection using canopy cover data and the Woodland Trust's 'Tree Equity Scores'.
- 11. Work Programme 2025 - 2026** (Pages 119 - 121)
To consider the Committee's Work Programme for 2025 – 2026.
- 12. Any other business which the Chairman, by reason of special circumstances, decides is urgent**

Meeting of the Environment Overview and Scrutiny Committee

Tuesday, 10 June 2025, 2.00 pm



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Committee Members present

Councillor Elvis Stooke (Chairman)
Councillor Emma Baker (Vice-Chairman)
Councillor Barry Dobson
Councillor Paul Martin
Councillor Max Sawyer
Councillor Sarah Trotter
Councillor Matthew Bailey
Councillor Mark Whittington

Officers

Alison Hall-Wright, Director of Housing and Projects (Deputy Monitoring Officer)
David Scott, Assistant Director of Finance and Deputy Section 151 Officer
Debbie Roberts, Head of Corporate Projects, Policy and Performance
Charles James, Policy Officer
Kay Boasman, Head of Waste Management and Market Services
Louise Case, Sustainability Project Support Officer
Andrew Igoea, Tree Project Officer
Ayeisha Kirkham, Head of Public Protection
Joshua Mann, Democratic Services Officer

Other Members present

Councillor Tim Harrison
Councillor Ian Selby
Councillor Rhea Rayside

Cabinet Members

Councillor Ashley Baxter
Councillor Rhys Baker
Councillor Philip Knowles

1. Public Speaking

Ms Anne Gayfer – Question regarding air pollution

“People in Grantham are fed up of air pollution from traffic. Idling engines play a small but significant part in the problem. I have written to all schools to ask them to ask parents to stop idling their engines outside people’s home whilst they wait for their children.

If I see an idling car, I ask them politely if they would mind turning off their engine. Most people haven’t even thought of the consequences (which could also be an on the spot fine).

Notices are now appearing in Grantham asking people to stop idling their engine. Could SKDC play a small part in this by asking idling taxis to turn off their engines?"

In response to the above question, the Head of Service (Public Protection) thanked Ms Gayfer for her question and highlighted South Kesteven District Council's (SKDC) Annual Air Quality Report which had demonstrated improvement in the air quality levels in Grantham. An annual air quality report was published on the councils website. Monthly test results were published on SKDC's website. Traffic related pollution in Grantham was below the air quality objectives and in general was continuing to improve.

The commitment was made to continue promoting the importance of turning off idling engines. Furthermore, preparations had been made for communications relating to National Clean Air Day on 19 June 2025.

It was also noted that penalty points could be issues under the taxi licensing agreements.

2. Apologies for absence

Apologies for absence were received from Councillors Gloria Johnson and Nikki Manterfield, substituted by Councillors Mark Whittington and Matt Bailey respectively.

3. Disclosure of Interests

There were none.

4. Minutes of the meeting held 18 March 2025

The minutes of the meeting held 18 March 2025 were proposed, seconded, and AGREED as an accurate record.

5. Updates from the previous meeting

It was agreed that the Cabinet Member for Environment would continue to chase Lincolnshire County Council regarding the outstanding action.

6. Announcements or updates from the Leader of the Council, Cabinet Members or the Head of Paid Service

The Cabinet Member for Environment noted it was the 'Great Big Green Week' with events ongoing in market towns across the district. The aim of the event was to raise awareness of environmental matters such as the work being undertaken by SKDC around biodiversity and to offer advice on matters such as energy efficiency.

The Cabinet Member also urged the public, Members, and Parishes to engage with SKDC's Biodiversity Consultation available online. This was in response to biodiversity initiatives over the previous year, such as identifying sites solely dedicated as nature sites across the district.

7. Corporate Plan 2024-27: Key Performance Indicators Report - End-Year (Q4) 2024/25

The Corporate Plan 2024-27: Key Performance Indicators Report - End-Year (Q4) 2024/25 report was introduced by the Policy Officer and report author.

Appendix A of the report provided the overall performance against the twelve actions being presented. Commentary by the responsible officer was provided for each action.

Eleven of the actions were rated Green. These were actions which were on or above target as planned.

Zero actions were rated as Amber, these were off target by less than 10% or where milestone achievement was delayed but with resolution in place to be achieved within a reasonable timeframe.

Zero actions were rated as Red. These were actions that are significantly below target.

One action was rated as N/A. These actions where work had not yet commenced as they were reliant upon the completion of other pieces of work, or where data was unavailable.

The Policy Officer also noted that the expiry of the current Corporate Plan would coincide with the anticipated dissolution date of SKDC under the current Local Government Reorganisation (LGR) guidance.

During discussions, Members commented on the following:

- Praise was given regarding the twin-stream recycling indicators. However, financial clarity was sought regarding the mandatory weekly food waste collections. The Head of Waste and Markets confirmed that central government were yet to release exact figures, but there was a report going to the September Committee meeting outlining SKDC's estimates and costs. The Cabinet Member urged central government to reconsider the proposed calculation methodology and fund the service sufficiently.
- It was confirmed that the 'Free Tree Scheme' was not being utilised as the size of the trees available were not suitable for the proposed locations.

- Feedback was given that a Member would like to see more macro trends within the KPIs.
- Referring to ENVIRO13, disappointment was expressed by Members and the Cabinet Member that LCC had withdrawn from negotiations.
- It was queried whether the sustainability of the Local Plan had been considered. The Cabinet Member expressed his confidence and clarified that the Planning Policy Manager had given a thoroughly insightful overview of the sustainability considerations of the Local Plan.

14.39 – The Leader of the Council and the Cabinet Member for Corporate Governance & Licensing entered the Chamber.

- Clarity was sought about SKDC's response to fly tipping. It was noted that SKDC had the authority to issue Fixed Penalty Notices and such a case was currently going to prosecution.
- It was confirmed that any land, environmental or otherwise, owned by LCC would transfer to the successive organisation following LGR.

The Corporate Plan 2024-27: Key Performance Indicators Report - End-Year (Q4) 2024/25 was noted by the Committee.

8. Restructure of Waste Collection Rounds

The Restructure of Waste Collection Rounds report was introduced by the Head of Waste and Markets.

The report outlined that the waste collection routes had been in situ since 2012 and were now outdated given the new developments across the district since. In light of this, a full review had been conducted and determined new waste collection routes to maximise financial efficiency, decrease missed bins and speed up the resolution of any subsequent missed bins. However, it was acknowledged that some bin days would be changed to facilitate these more efficient routes.

The commitment was also made to conducting annual route reviews.

During discussions, Members commented on the following:

- Praise was given to the Head of Waste and Markets for her extensive work on the matter.
- Concern was noted that a review had not been conducted since 2012.
- Given the projected financial savings, it was queried whether the cost of green bins could be reduced. It was confirmed that this was not a consideration at this time as this financial resource would allow the service to operate in a more flexible way.
- It was clarified that section 3.7 of the report should read biennially, rather than biannually.

- Emphasis was given on the role of communications given that some bin days would be changing. The Cabinet Member acknowledged that the bin day changing may cause frustration for some residents. However, it was confirmed that a targeted communications campaign would commence on 1st August 2025. In the meantime, Members were urged to promote the information and to liaise with Parish Council.
- The Cabinet Member outlined that they were seeking for a bin collection calendar to be included within the Council Tax letter.

The Restructure of Waste Collection Rounds Report was noted by the Committee.

15.39 – Councillor Tim Harrison entered the Chamber.

9. Update on draft tree management policies

The update on draft tree management policies was presented by the Cabinet Member for Environment and Waste.

The report outlined the proposal for the draft policies attached at appendix A of the report would replace the existing 'Tree Guidelines' document that was adopted in 2019, reflecting the ambition expressed through the adoption of the tree and woodland strategy.

During discussions, Members commented on the following:

- The suggestion was made for Members of the public to report tree-related matters on the Fix My Street App.
- Regarding the zoning by which trees were categorised, it was confirmed that there could be multiple zones in a single park if necessary.
- It was confirmed that maps showing the inspected areas could be made available. It was suggested that StatMap could be utilised.
- The request was made for pressure to be applied to Lincolnshire County Council (LCC) to attend to the growth of the lime trees on Ryhall Road and Uffington Road, Stamford, which was impeding on motorists.
- It was queried if a recently removed tree on Green Lane, Stamford, could be replaced. The Tree Officer agreed to raise this with the Highways Agency.

The Committee noted the update on the draft tree management policies.

10. Work Programme 2025 - 2026

The Chairman outlined that the following items had been added to the Work Programme:

23rd September 2025:

- Food Waste Update
- Air Quality Update
- Flooding Working Group Update

10th November 2025:

- Corporate Plan: Key Performance Indicators (KPIs) Q2
- Climate and Biodiversity Action Plans
- Green Fleet Update
- Tree Management Policy Update

11. Any other business which the Chairman, by reason of special circumstances, decides is urgent

There was no other business.

The meeting concluded at 16.15.



**SOUTH
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COUNCIL**

Environment Overview and Scrutiny Committee

Tuesday, 23 September 2025

Report of Councillor Rhys Baker,
Cabinet Member for Environment and
Waste

Update on Carbon Emissions in respect of Council Operations 2024/25

Report Author

Louise Case, Sustainability Project Support Officer

✉ louise.case@southkesteven.gov.uk

Purpose of Report

The climate and carbon dashboard provides an overview of South Kesteven District Council's operational carbon emissions for the 2024/25 period, including progress against the Council's carbon reduction target of at least 30% by 2030.

Recommendations

That the Committee:

- 1) Notes the reported carbon emissions for the 2024/25 period which cover operations from South Kesteven District Council buildings and vehicles.**

Decision Information

Does the report contain any exempt or confidential information not for publication?	No
What are the relevant corporate priorities?	Sustainable South Kesteven Effective council
Which wards are impacted?	All wards

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

- 1.1 There are no direct finance or procurement implications from the report. A specific climate change reserve has been approved by Council that can be utilised to fund specific carbon and energy reduction initiatives. Any projects and initiatives to reduce carbon emissions and seek financial support are considered on a case by case basis.

Completed by: David Scott – Assistant Director of Finance and Deputy s151 Officer

Legal and Governance

- 1.2 To demonstrate good governance and leadership on climate related issues in South Kesteven, it is important that Members are updated on the Council's annual carbon emissions and on progress towards the declared carbon reduction target for council operations.

Completed by: James Welbourn, Democratic Services Manager

Climate Change

- 1.3 The climate and carbon dashboard sets out the emissions reductions seen in the 2024/25 financial year. There is an overall reported reduction in the year of 29.24% against the baseline.

Completed by: Louise Case, Sustainability Projects Support Officer

Property Services

- 1.4 The Council has noted a significant uplift in carbon emissions relating to the refrigerants category, linked to several reported leaks of refrigerant gas. As further detailed within the report, work has been completed to repair the identified systems. The Calorex units at the Grantham Meres Leisure Centre have been removed under planned works for the Public Sector Decarbonisation Scheme,

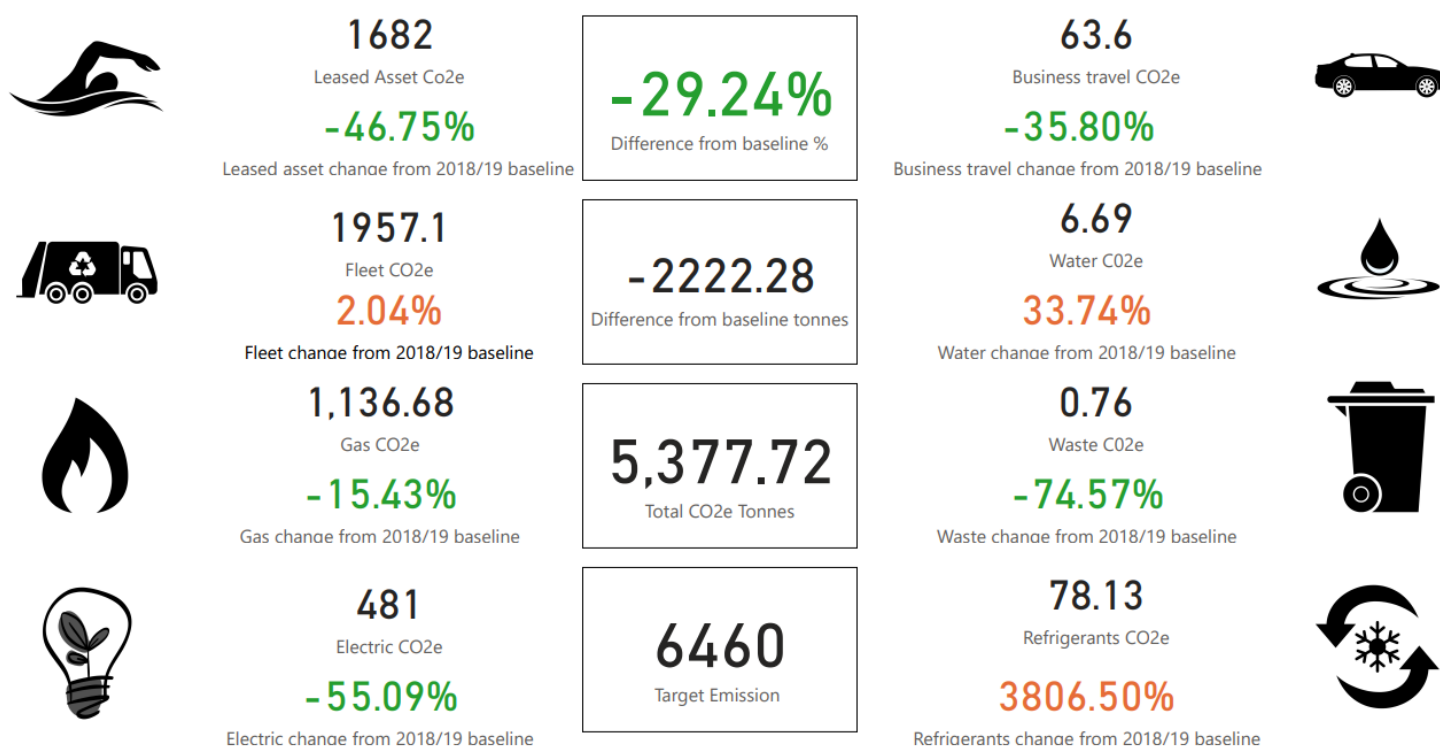
whilst equipment at Mowbeck House has since been repaired, pressure tested and recommissioned.

Completed by: Gyles Teasdale, Head of Property Services and IT

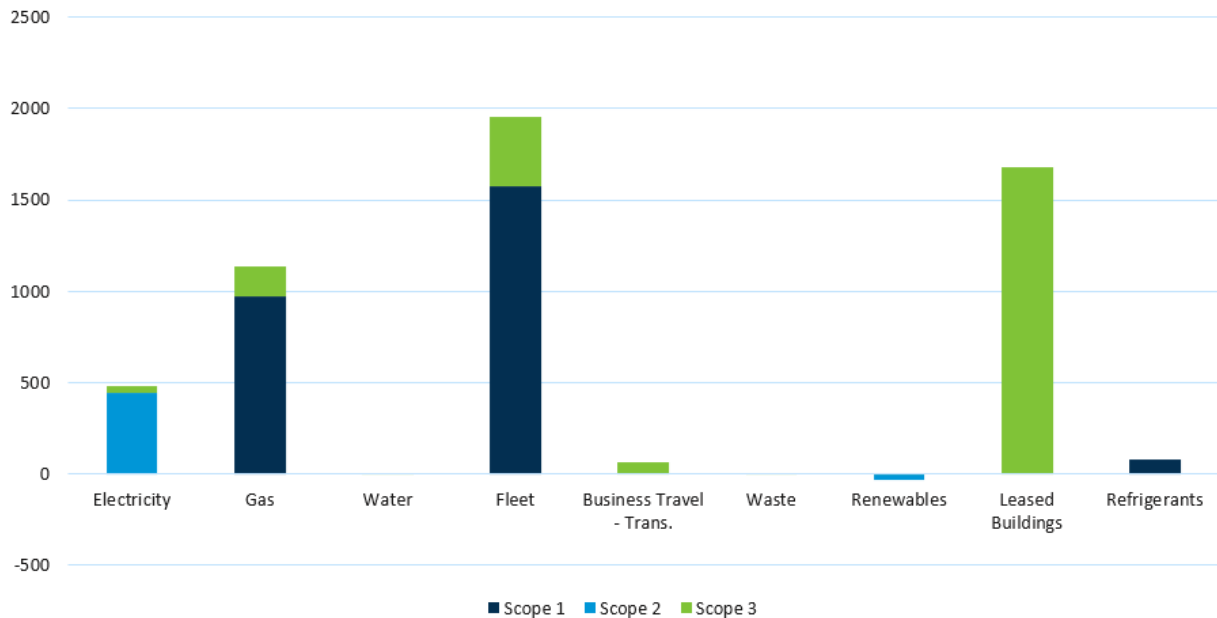
2. Background to the Report

- 2.1. In September 2019, South Kesteven District Council formally declared a climate emergency with cross party support. As part of this declaration, the Council agreed to reduce its operational carbon emissions by at least 30% by 2030, and to endeavour to become net zero as soon as viable before 2050. To monitor progress against this target, an annual carbon emissions report is produced to review any change in the emissions arising from Council operations against the baseline year of 2018/19.
- 2.2. Greater understanding of changes in the Council's annual carbon emissions is essential to track progress towards the Council's carbon reduction target of at least 30% by 2030 and to net zero carbon as soon as viable before 2050.
- 2.3. Figure 1 provides a dashboard overview of South Kesteven District Council's carbon emissions for the period covering April 2024 - March 2025, including the use of gas and electricity in council owned buildings, emissions from the vehicle fleet and the operation of three Leisure Centres.

South Kesteven District Council Emissions 2024/2025

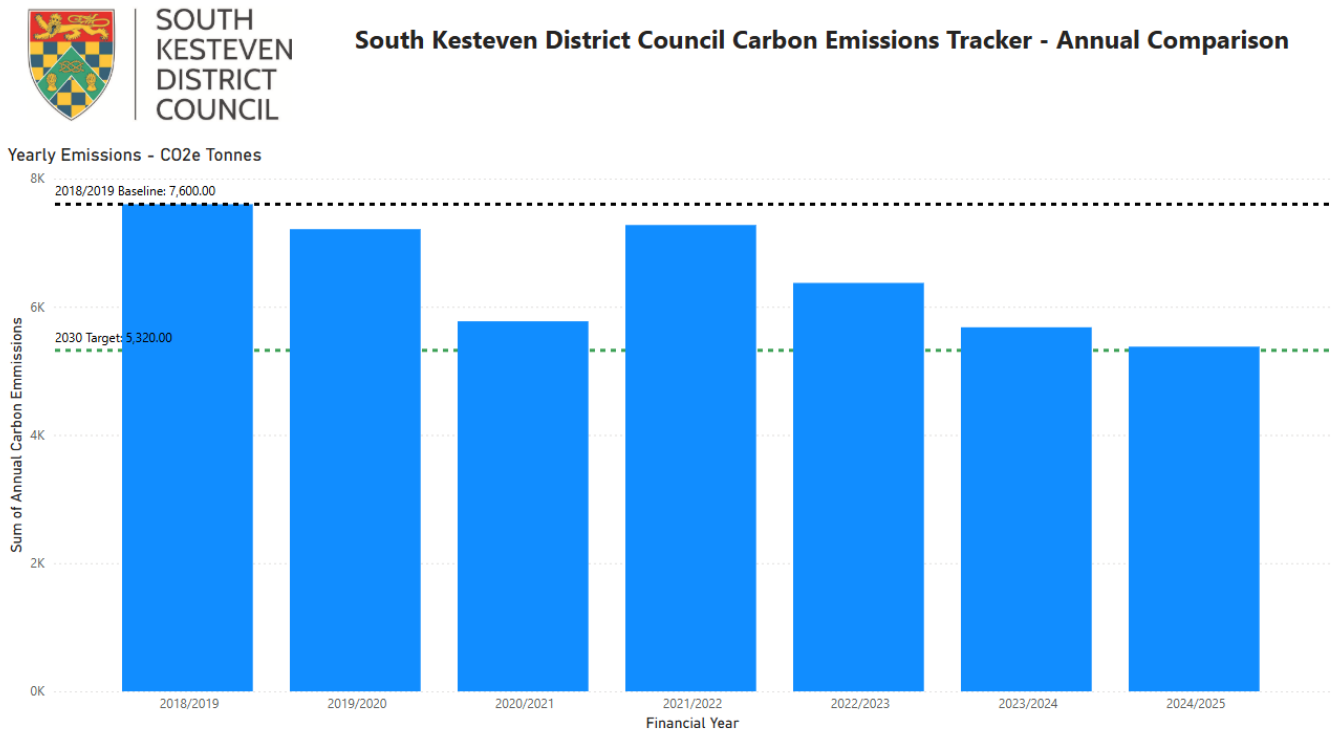


- 2.4. The Council's overall footprint for the 2024/25 financial year is 5,378 tCO₂e. This is a decrease of 302 tonnes of carbon since the last reporting year and an overall reduction in carbon emissions of 29.24%, or 2222 tonnes, since the baseline year. Greenhouse gas (GHG) emissions are categorised into one of three different scopes by the GHG Protocol. A breakdown of the Council's emissions by scope can be seen below in Figure 2.



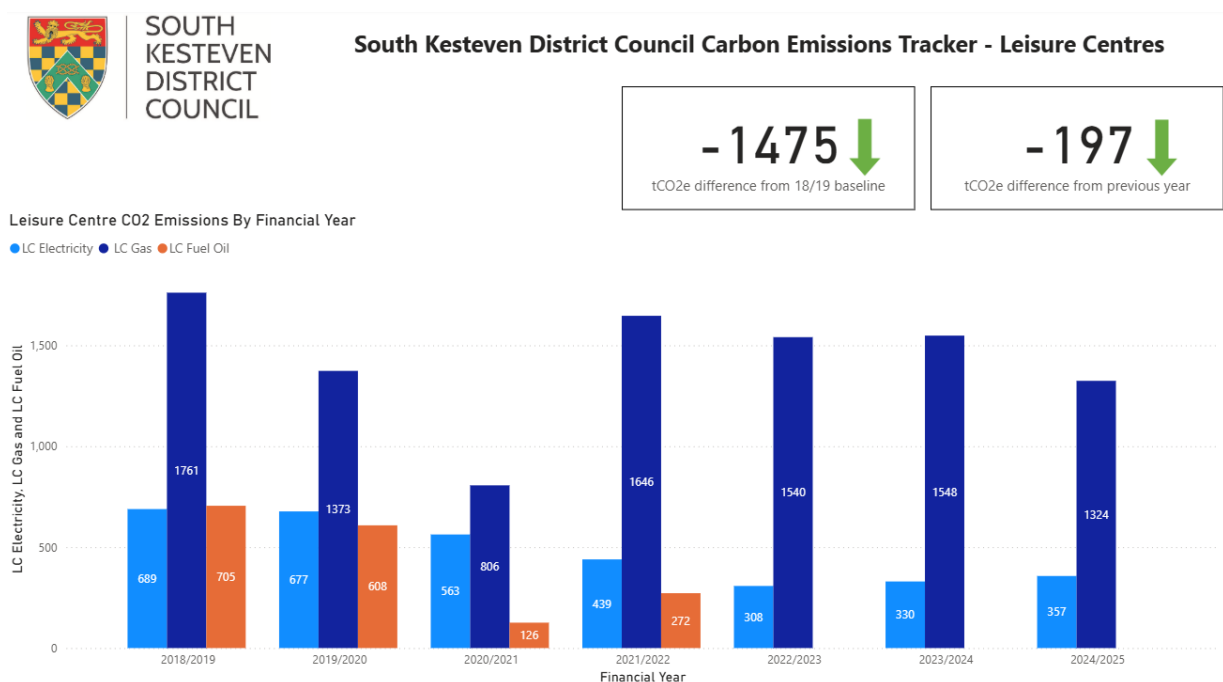
- 2.5. Scope 1 covers the direct emissions from sources that the Council owns or controls. For example, the emissions resulting from fuel use in the vehicle fleet.
- 2.6. Scope 2 are the emissions that the Council indirectly cause, resulting from the production of the energy we purchase and use. The emissions resulting from the generation of the electricity that we use in our buildings would fall into this category.
- 2.7. Scope 3 emissions include all sources not within the scope 1 and 2 boundaries. Scope 3 encompasses emissions that are not produced by the Council itself and are not the result of activities from Council owned or controlled assets. Instead, Scope 3 emissions occur in the value chain.

- 2.8. The Council's overall progress in yearly carbon emission tracking can be seen below in Figure 3.



Leisure Centres

- 2.9. The Council has seen a sustained annual reduction in carbon emissions reported for its leisure centres. Leisure centres were responsible for 41% of carbon emissions in the Council's baseline. This has reduced to 31% for the 2024/25 reporting year, as seen in Figure 4 below:



- 2.10. This has been partly attributed to the return of the Deepings Leisure Centre to Lincolnshire County Council in 2021, alongside the completion of several projects which has further decreased the emissions associated with South Kesteven's leisure facilities. These changes include:
- the installation of new pool covers to all pools in Grantham Meres, Stamford and Bourne Leisure Centres, funded via the Swimming Pool Support Fund.
 - the upgrade of the 3G pitch floodlighting to LED at the Grantham Meres Leisure Centre, facilitated by the Council's Climate Change Reserve
 - an upgrade of the lighting to LED in the small and large sports halls at Grantham Meres Leisure Centre
 - The installation of new solar panels at the Grantham Meres Leisure Centre.
- 2.11. A substantial project is currently underway to further decarbonise facilities at the Grantham Meres Leisure Centre. The Council previously secured £3,587,500 in Government funding, granted by The Department for Energy Security and Net Zero as part of its Public Sector Decarbonisation Scheme (PSDS), to support the installation of an energy-efficient, low-carbon heating system to replace the current inefficient gas boilers. Delivered in partnership with leisure development specialists Alliance Leisure and renewable energy specialist Leisure Energy, the £4 million project will use pioneering Air Source Heat Pump Technology to dramatically reduce operational costs, boost efficiency and cut carbon emissions.
- 2.12. The Net Zero Pod (NZP) will make use of carbon dioxide (CO₂) as a natural refrigerant due to its low global warming potential (GWP) and reduced environmental impact, when compared to alternative refrigerants.
- 2.13. It is expected that the installation of the NZP will reduce carbon emissions by a predicted 550 tonnes once complete.

Electricity use

- 2.14. The Council has observed a 55.09% reduction in carbon emissions associated with electricity use since the baseline year of 2018/19. This can be attributed to a reduction in overall electricity consumption across all Council occupied assets by 38% compared to the baseline, as well as the continued decarbonisation of the electricity grid at a national level, thanks to increased contribution from renewable electricity generation. This equates to a reduction of 590.6 tonnes of carbon, as shown in Figure 5 below.
- 2.15. The Council also has a current contract for green electricity. This means that the electricity the Council receives is generated by either wind, wave or solar generation sources. These renewable forms of energy generation lead to lower

overall greenhouse gas emissions than non-renewable fuel sources like natural gas.

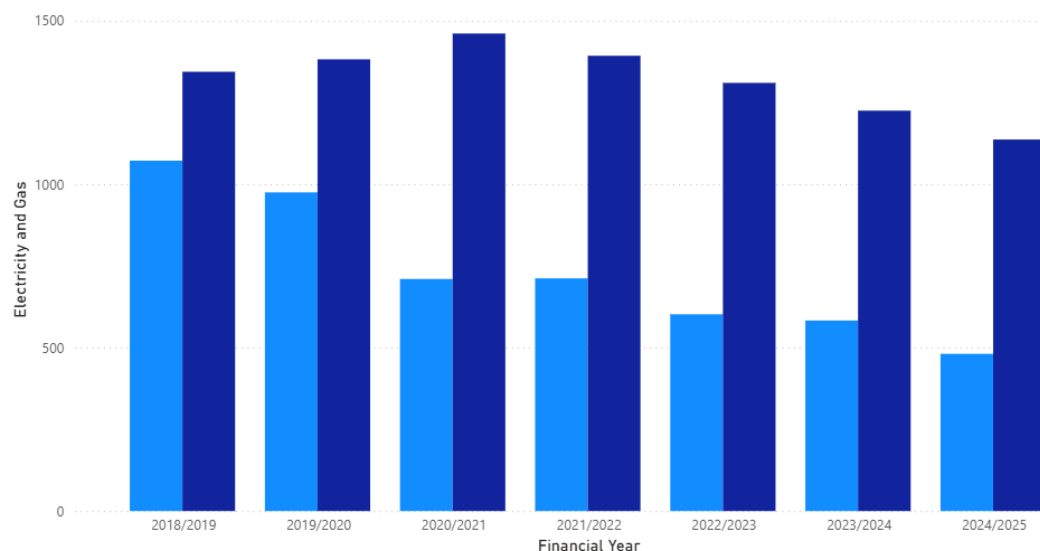
2.16. This reduction has been supported by several key changes:

- Deployment of energy efficient LED lanterns across the Council's Streetlights as part of an ongoing commitment to reduce energy consumption. The Council manages almost 4,000 streetlights in the district. So far more than 3,550 have been upgraded to LED, more than 90% of the total stock. Since the upgrades started in 2022, the Council has seen a 62.31% reduction in the emissions attributed to Streetlights compared to the 2018/19 baseline.
- Overall reduction in electricity consumption from HRA assets included within the reporting boundary
- Energy efficiency projects including upgrade of lighting in Guildhall Arts Centre and Wharf Road car park to energy efficient LEDs

2.17. It is important to note that reported emissions in the electricity category are largely attributed to the Council's General Fund assets, with a proportion of emissions occurring from the energy consumption of communal areas of properties maintained under the Housing Revenue Account. The percentage of electricity consumed by communal HRA properties in 2024/25 is 36.3%.

SK Gas & Electric CO2 Emissions By Financial Year

● Electricity ● Gas



-207.322 ↓

tCO2e difference from 18/19 baseline (gas)

-88.322 ↓

tCO2e difference from previous year (gas)

-590.555 ↓

tCO2e difference from 18/19 baseline (electric)

-101.555 ↓

tCO2e difference from previous year (electric)

Gas Use

2.18. Gas consumption across the Council has decreased over the last financial year, further reducing the Council's carbon emissions for the category by 15.43% since the baseline. This equates to an overall reduction of 207 tonnes of carbon since

2018/19, as shown in the above Figure 5. A total of 80.6% of gas consumption for 2024/25 can be attributed to communal HRA properties.

2.19. These positive changes have been supported by several changes since the last report:

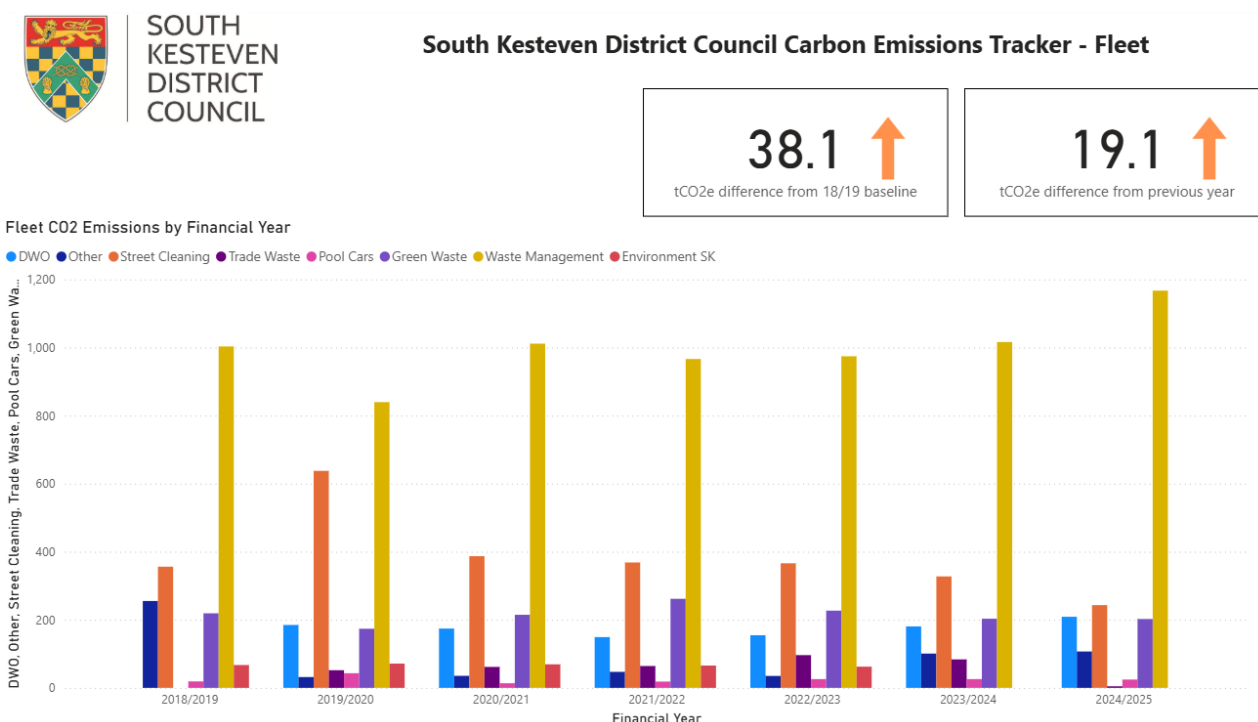
- Relocation of the Council main offices to The Picture House, which benefits from being electrically heated and cooled, and associated disposal of previous premises
- Upgraded boilers installed at Guildhall Arts Centre resulting in a large reduction in gas consumption

Water Use

2.20. The emissions associated with 2024/25 water consumption have increased by 33.74% from a reported 5 tCO₂e in the baseline year, to 6.7 tCO₂e in the current reporting period. The Council has acknowledged a low confidence in the data supplied for water consumption of its buildings. Work is currently being undertaken to better understand known discrepancies and identify the potential absence of data in relation to metered water charges.

Vehicle Fleet

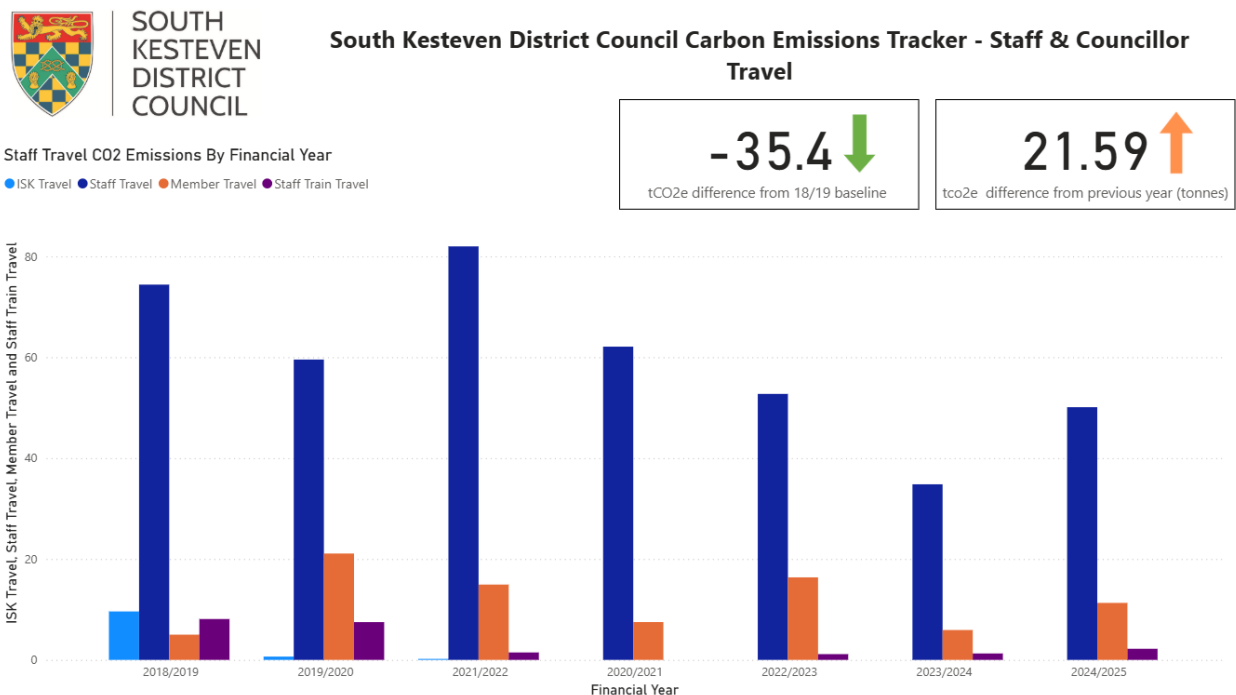
2.21. Consistent with the last reporting year, the fleet remains the greatest single emission category with 36% of the Council's emissions attributed to this category.



- 2.22. Figure 6 (above) shows an annual summary of fleet-related emissions, categorised into the Council's different departments. In 2023, the Council's wholly owned company EnvironmentSK was brought in-house, so these emissions now sit in the 'other' category.
- 2.23. Whilst fuel consumption and associated carbon emissions has remained broadly static, the adoption of a Green Fleet Strategy and an accompanying action plan has meant that future priorities will focus on reducing emissions associated with the fleet:
- A new waste round will be launched in September 2025. This is set to reduce waste collection vehicles by one round (vehicle) per waste stream, which is estimated at a 5.15% overall fuel reduction across waste vehicles.
 - Furthermore, the implementation of the actions of SKDC's Green Fleet Strategy, approved by Cabinet in February 2025, will encourage more efficient vehicle use and manage demand to facilitate an overall reduction in fuel consumption, review the provision of alternative fuels and implement further electric vehicles within the Council's fleet.

Business Travel

- 2.24. Business travel conducted by staff and councillors in personal vehicles has reduced by 35.80% since the baseline year as more meetings and conferences are now held online. However, the category has seen a significant increase of 51.30%, or 21.6 tonnes of carbon, since the previous 2023/24 reporting year. This is partially the result of increased consultant mileage under Building Control and the region-wide Rough Sleeper initiative. Figure 7 provides a breakdown of staff travel by category.



- 2.25. As part of the Green Fleet Strategy, staff travel within own vehicles will be reviewed in further detail to understand where reductions in travel or use of SKDC vehicles can be used to travel to complete duties.

Refrigerants

- 2.26. Hydrofluorocarbons (HFCs) are a category of synthetic chemicals primarily used as refrigerants in air conditioning and refrigeration systems. Refrigerant gases contribute to carbon emissions if they are seen to escape out of internal systems' equipment or pipe work into the atmosphere.
- 2.27. A record logbook is maintained for all equipment containing fluorinated gases. The refrigerant gases used within systems operated by SKDC are all classed as HFCs - specifically R407c, R410a and R32. Whilst these blends do not contain chlorine and do not deplete the ozone layer, they have a high global warming potential. This means that they can trap significant amounts of heat in the atmosphere.
- 2.28. The Council can confirm that there has been an uplift in refrigerant-related carbon emissions by 78 tonnes for 2024/25, attributed to several refrigerant gas leaks from equipment over the course of the current reporting period. The most significant of which have been attributed to two Calorex units on site at the Grantham Meres Leisure Centre. These poolside Air Handling Units (AHUs) are already set to be replaced under the ongoing Public Sector Decarbonisation Scheme (PSDS) as part of a wider low-carbon heating project. Table 1 expands on the maintenance response action that is already underway:

Location	Refrigerant	Action being taken
Mowbeck House BT Room 1 (AC unit)	R410A	The system has been pressure tested, refilled and recommissioned.
Grantham Meres Leisure Gym Unit 3	R410A	This unit has been repaired and recommissioned.
Grantham Meres Leisure Pool Calorex Unit	R407C	Both Air Handling Units will be removed as part of the planned works for the PSDS scheme.
Grantham Meres Main Leisure Pool Calorex Unit	R407C	

- 2.29. The issue of low refrigerant in the systems, indicative that a leak had occurred, were raised via a routine service report for each location, and orders were raised to repair the remaining units.
- 2.30. Overall, this represents an increase of 3806.50% since the baseline and places the contribution of refrigerants at 1% of the Council's total emissions for 2024/25. For reference, the carbon attributed to this category in the 2018/19 baseline was measured at 2 tonnes.

Waste

- 2.31. 0.76 tonnes of carbon was attributed to the waste category over the 2024/25 reporting period, demonstrating a 74.57% reduction from the baseline and a decrease of 1.37 tonnes since the last reporting year.
- 2.32. It is important to note that there has been a significant change in the government emission conversion factor for waste for the 2024 reporting year. Previously named 'combustion' in prior reporting years, this category has been renamed to 'incineration with energy recovery' to clarify that energy recovery is assumed to take place.
- 2.33. The emissions attributed to SKDC as the organisation generating the waste cover only the collection of waste from its site and deposit at the first point of processing. The emissions from combustion are zero for SKDC (as the reporting organisation), as these emissions should instead be allocated to the end user of the energy. At present there is no factor for incineration without energy recovery, but this may be added in future years.

Wider Initiatives

- 2.34. Other projects that sit outside of the scope of the Council's annual carbon report, further demonstrate its commitment to reducing the district's wider environmental impact:
- Under the Social Housing Decarbonisation Fund (SHDF) Programme, the Council as of April 2025 has upgraded 367 of its Housing Revenue Account (HRA) dwellings with energy efficiency measures. These include upgrades such as the installation of solar PV arrays, cavity wall extractions and re-fills, loft insulation upgrades and ventilation measures. Whilst the majority of HRA properties are excluded from the Council's carbon reporting, as the Council is not directly responsible for the consumption of energy in tenanted dwellings, the completion of the SHDF Programme will have a significant impact on the energy efficiency of the Council's housing stock. By targeting the lowest performing properties, the energy and carbon savings from upgrades will be significant and help to address issues of fuel poverty for tenants.
 - The Home Energy Upgrade Scheme, comprised of two funding streams, offers a range of fully funded energy efficient retrofit home improvements to eligible homeowners in South Kesteven and helped to upgrade 40 properties within the district to the end of April 2025. The Home Energy Upgrade Scheme is from a consortium of councils which include City of Lincoln Council, North Kesteven District Council, South Kesteven District Council and West Lindsey District Council. The scheme helps residents

living in homes with poor energy efficiency ratings of EPC band D or below who also have a low income of under £30,000 or receive means tested benefits. The scheme will deliver external wall insulation, cavity wall insulation, loft insulation, solar panels and high heat retention electric storage heaters for properties that are suitable and fit the criteria.

3. Key Considerations

- 3.1. The report is provided for information rather than decision. Members are asked to take note of the reported emissions and associated emission categories.

4. Other Options Considered

- 4.1 There is no statutory obligation to monitor or report on carbon emissions which arise from Council operations, nor to set or adhere to a reduction in carbon emissions. Nevertheless, regular review of carbon emissions is considered good practice to monitor progress against the Council's declared target to reduce carbon emissions.

5. Reasons for the Recommendations

- 5.1. The report is provided for information to track progress towards the Council's carbon reduction target.

6. Appendices

- 6.1 Appendix 1 Carbon Dashboard 2024-25



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South Kesteven District Council Carbon Emissions Tracker

Commentary :

This dashboard provides an overview of South Kesteven District Council's carbon emissions for the period of April 2024 - March 2025, including the use of gas and electricity in council owned buildings, emissions from the vehicle fleet and the operation of its three Leisure Centres. Greater understanding of carbon emission changes is essential to track progress towards the Council's carbon reduction target of at least 30% by 2030 and to net zero carbon as soon as viable before 2050. The 2024/25 financial year saw a decrease in carbon emissions of 29.24%, or an overall reduction of 2222 tonnes of carbon compared to the 2018/19 baseline.

A significant reduction of over 55% from the baseline has been seen in the carbon emissions associated with electricity use in the Council's buildings. This can be attributed to a reduction in overall electricity consumption across all Council occupied assets, as well as the continued decarbonisation of the electricity grid at a national level, thanks to increased contribution from renewable electricity generation.

A reduction is also reported for gas used in Council buildings. Over the past year alone, the amount of carbon associated with gas consumption decreased by 76 tonnes since 2023/24, factoring a total 15.43% reduction from the 2018/19 baseline. The collective emissions associated with the gas and electric consumption of the leisure centres has decreased by 199 tonnes since the last reporting year, a decrease of 46.75% from the baseline. However, the Council can confirm that there has been an uplift in refrigerant-related carbon emissions by 78 tonnes for 2024/25, largely due to escaped f-gas from equipment at the Grantham Meres Leisure Centre. Overall, this represents an increase of 3806.50% since the baseline and places the contribution of refrigerants at 1% of the Council's total emissions for 2024/25. The responsible poolside Air Handling Units are already set to be replaced under the wider Public Sector Decarbonisation Scheme, with one already removed.

The carbon emissions from the operation of the Council's vehicle fleet remains consistently high, showing little change from the 2018/19 baseline. The fleet is now the largest contributor to the Council's carbon emissions, responsible for 36% of emitted carbon during the 2024/25 financial year.

Business travel associated with staff and councillor movement in personal vehicles has seen a significant decrease of 35.80% since the baseline as more meetings and conferences are now held online. As part of the Green Fleet Strategy staff travel within own vehicles will be reviewed in further detail to understand where reductions in travel or use of SKDC vehicles can be used to travel to complete duties.

Whilst some important reductions in carbon emissions have been seen in select categories, the Council continues to look for further decarbonisation opportunities to ensure a downward trajectory in emissions towards the declared carbon reduction target of at least 30% by 2030. Several upcoming decarbonisation and energy efficiency projects will contribute to significant projected carbon savings for the Council.

Confidence	Description
	Moderate Level of confidence in the data supplied. May include estim proxy data.
	High Level of confidence in the data supplied.
	Low Level of confidence in the data supplied.

Source	Frequency	Confidence
Electric	Quarterly	
Fleet	Quarterly	
Gas	Quarterly	
Green Waste	Annual	
Lesiure Centres	Variable	
Member Travel	Monthly	
Refridgerants	Annual	
Solar	Annual	
Staff Travel	Quarterly	
Waste	Quarterly	
Water	Annual	

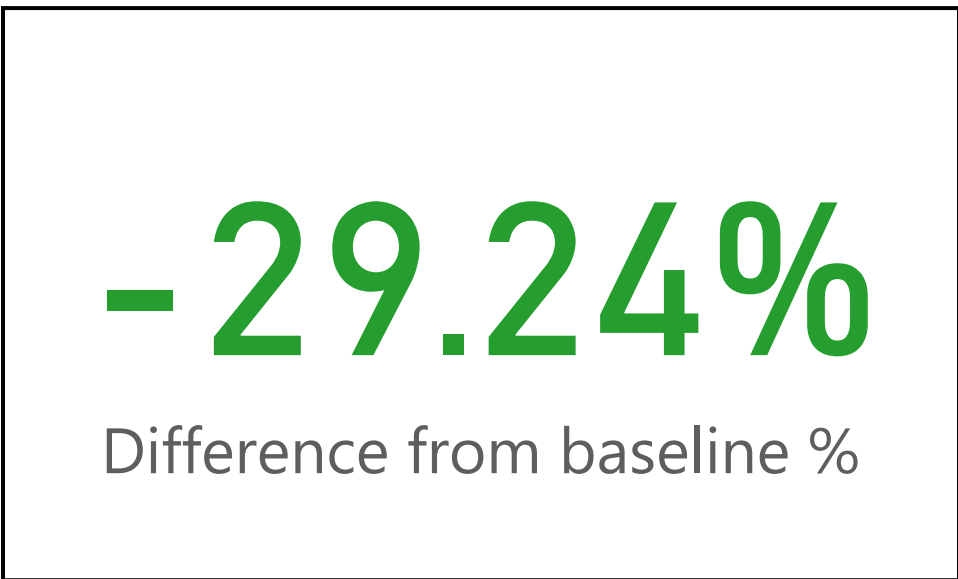
South Kesteven District Council Emissions 2024/2025



1682
Leased Asset Co2e

-46.75%

Leased asset change from 2018/19 baseline



63.6
Business travel CO2e

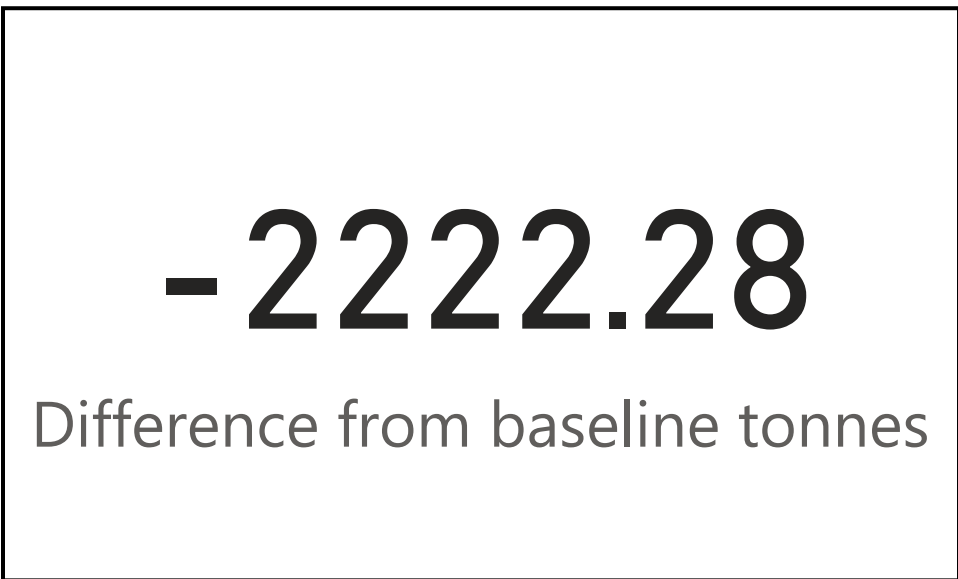
-35.80%

Business travel change from 2018/19 baseline



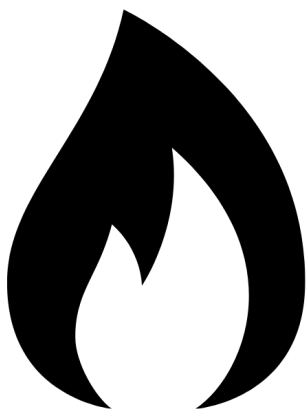
1957.1
Fleet CO2e
2.04%

Fleet change from 2018/19 baseline



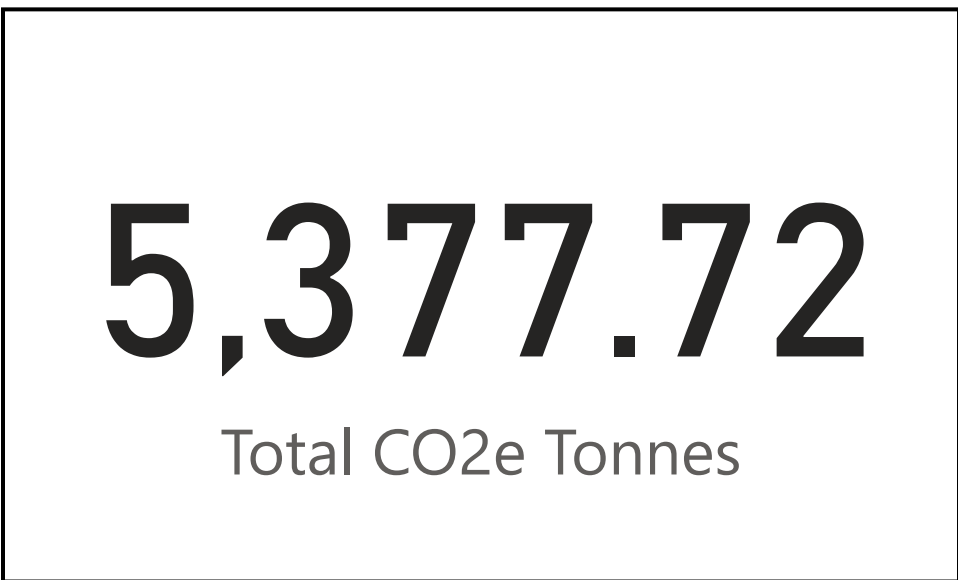
6.69
Water CO2e
33.74%

Water change from 2018/19 baseline



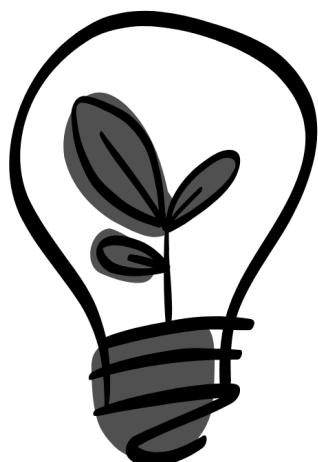
1,136.68
Gas CO2e
-15.43%

Gas change from 2018/19 baseline



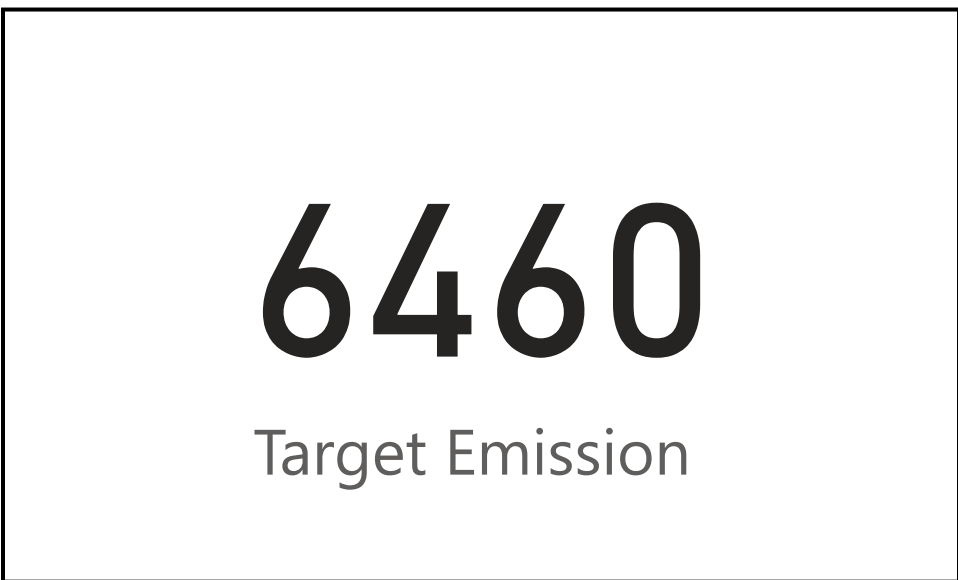
0.76
Waste CO2e
-74.57%

Waste change from 2018/19 baseline



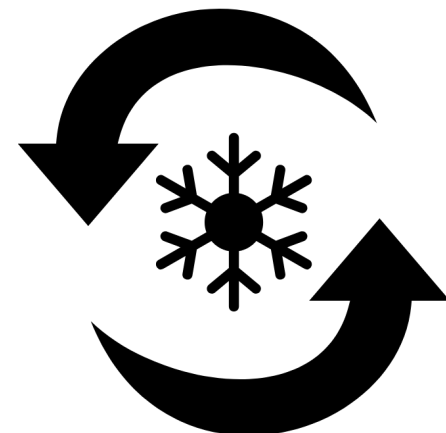
481
Electric CO2e
-55.09%

Electric change from 2018/19 baseline



78.13
Refrigerants CO2e
3806.50%

Refrigerants change from 2018/19 baseline

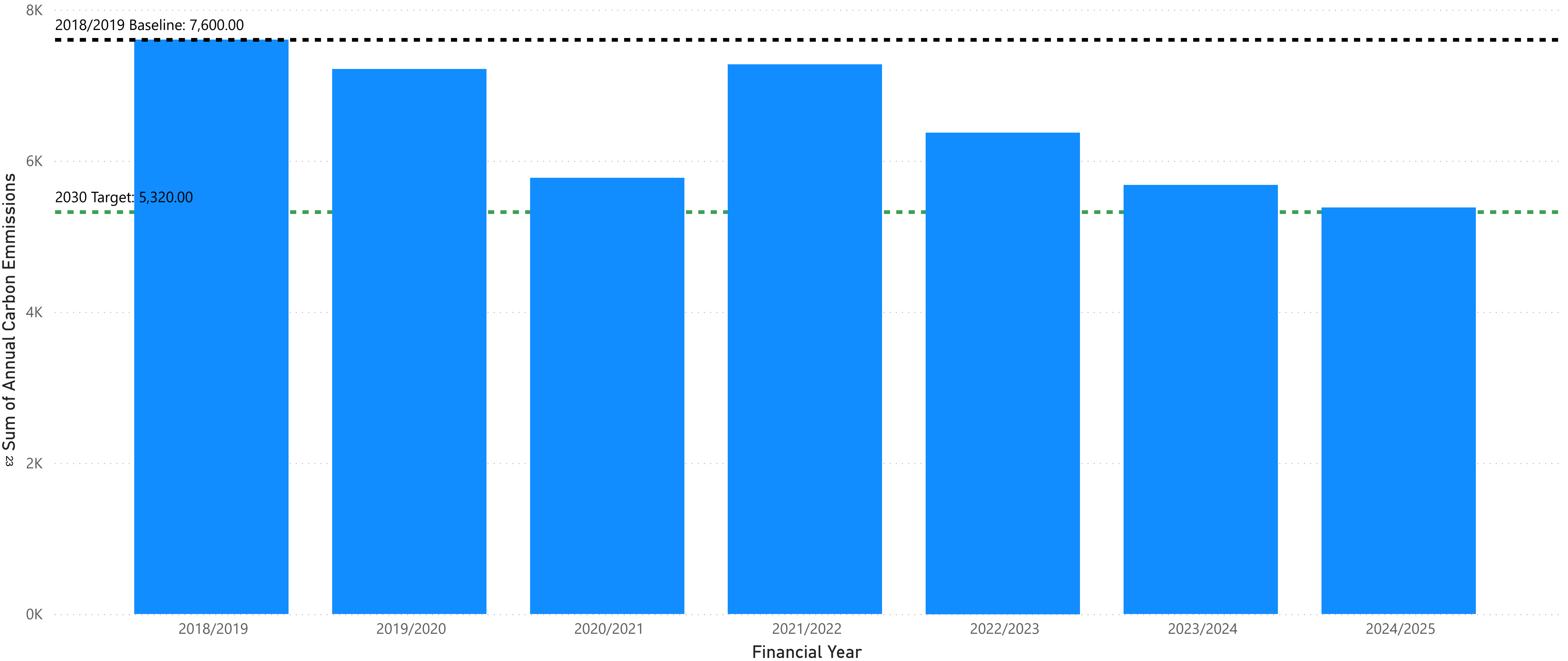




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South Kesteven District Council Carbon Emissions Tracker - Annual Comparison

Yearly Emissions - CO2e Tonnes





**SOUTH
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South Kesteven District Council Carbon Emissions Tracker - Leisure Centres

-1475 ↓

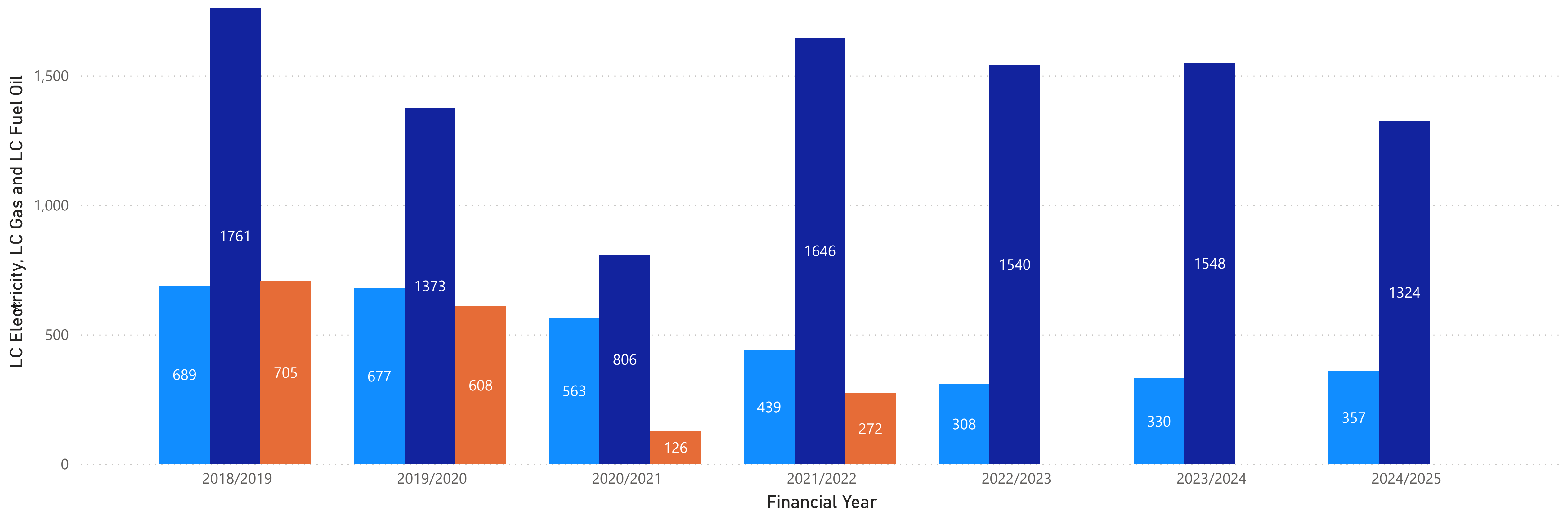
tCO2e difference from 18/19 baseline

-197 ↓

tCO2e difference from previous year

Leisure Centre CO2 Emissions By Financial Year


● LC Electricity ● LC Gas ● LC Fuel Oil






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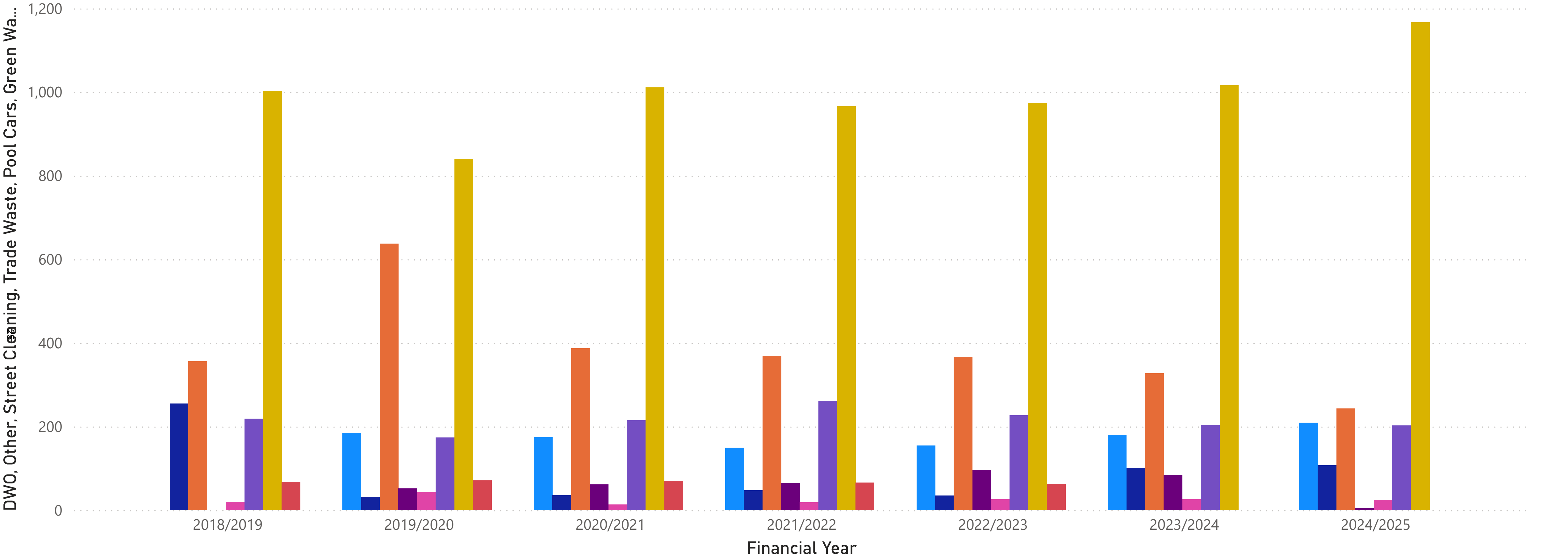
South Kesteven District Council Carbon Emissions Tracker - Fleet

38.1 
tCO2e difference from 18/19 baseline

19.1 
tCO2e difference from previous year

Fleet CO2 Emissions by Financial Year

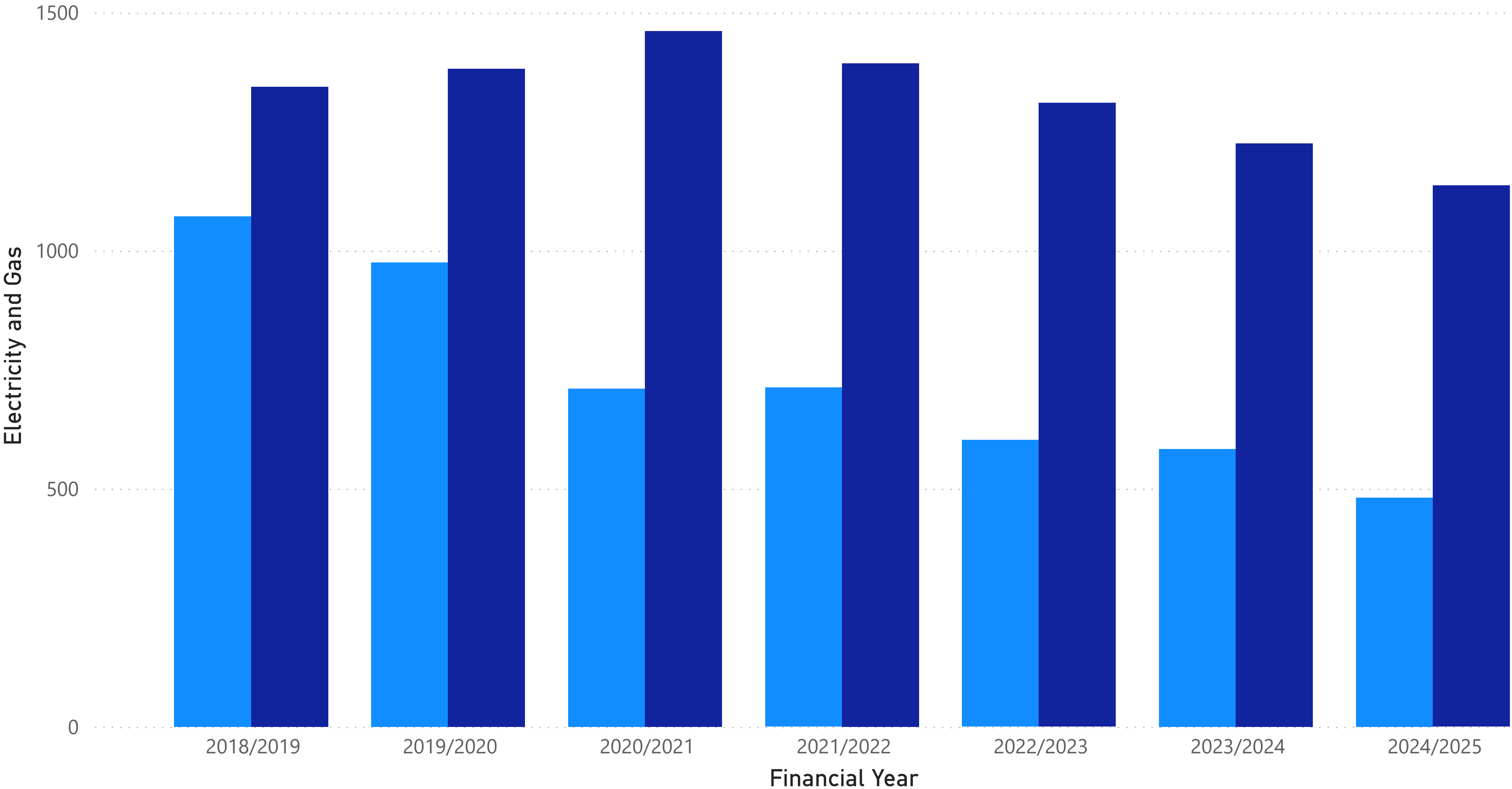
DWO Other Street Cleaning Trade Waste Pool Cars Green Waste Waste Management Environment SK





SK Gas & Electric CO2 Emissions By Financial Year

Electricity Gas



-207.322↓

tCO2e difference from 18/19 baseline (gas)

-88.322↓

tCO2e difference from previous year (gas)

-590.555↓

tCO2e difference from 18/19 baseline (electric)

-101.555↓

tCO2e difference from previous year (electric)



**SOUTH
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DISTRICT
COUNCIL**

South Kesteven District Council Carbon Emissions Tracker - Staff & Councillor Travel

Staff Travel CO2 Emissions By Financial Year

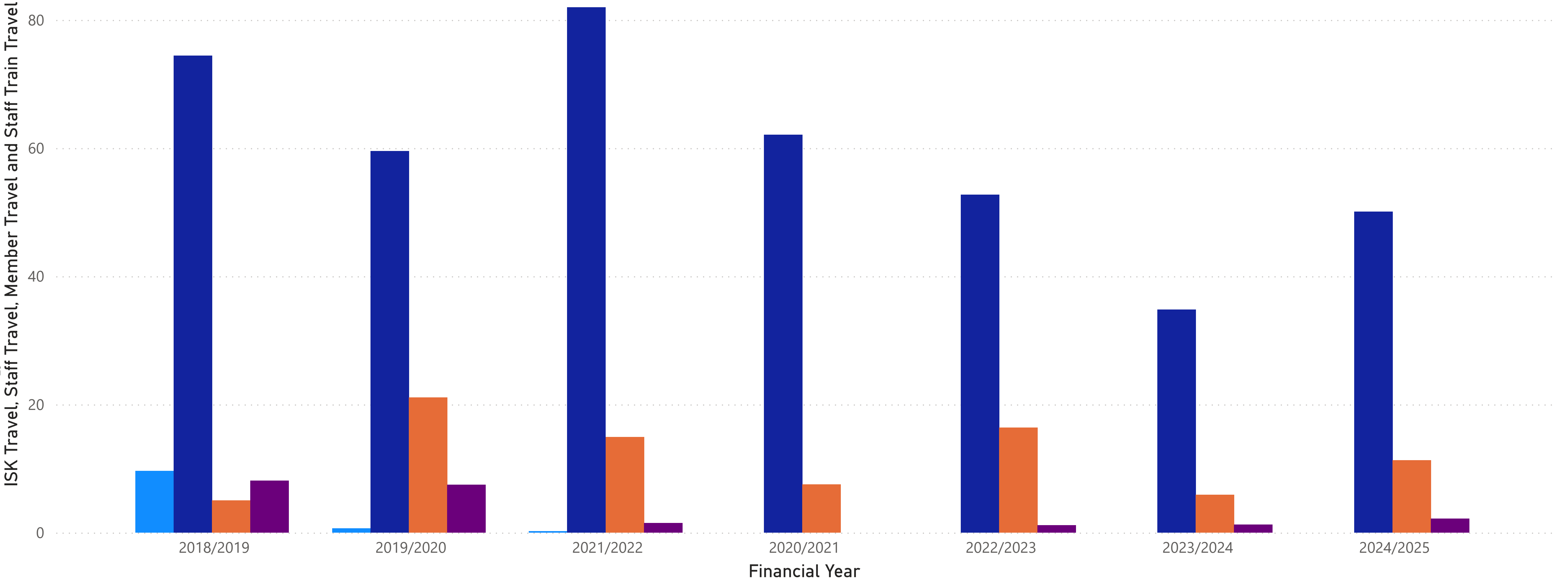
ISK Travel Staff Travel Member Travel Staff Train Travel

-35.4↓

tCO2e difference from 18/19 baseline

21.59↑

tco2e difference from previous year (tonnes)





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COUNCIL**

South Kesteven District Council Carbon Emissions Tracker - Water

-3.11



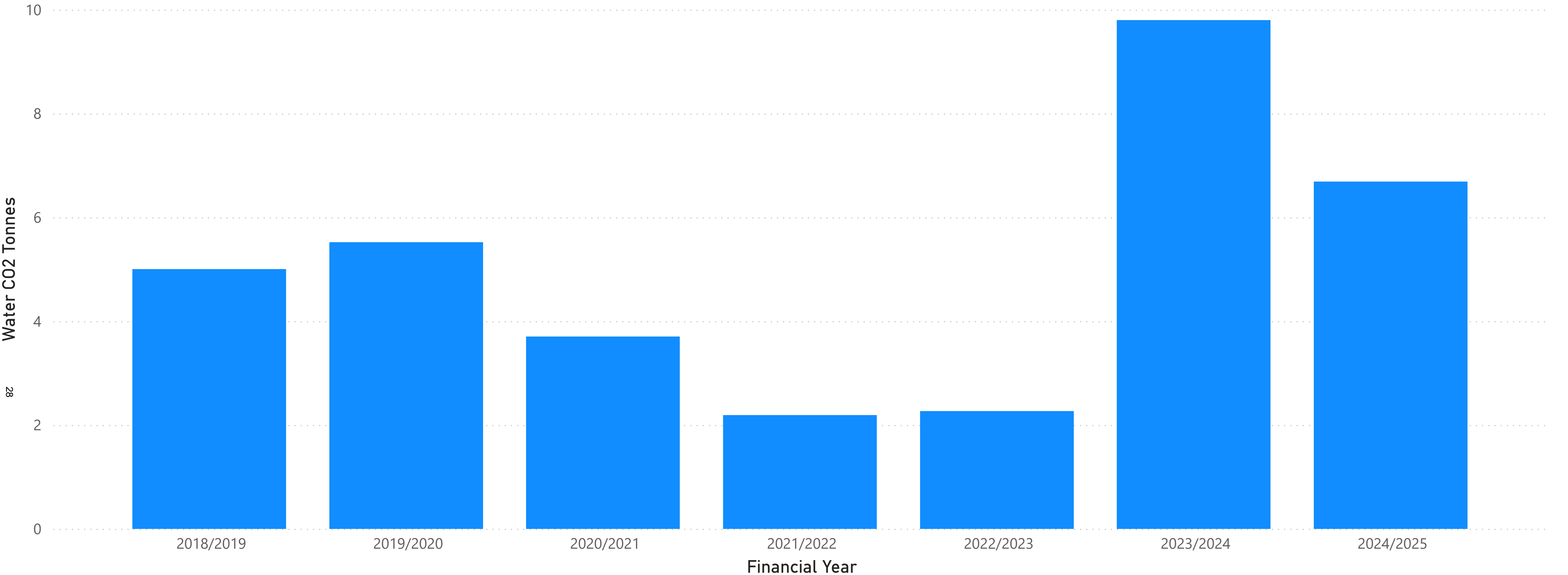
tCO2e difference from previous year

1.69



tCO2e difference from 18/19 baseline

Water CO2 Tonnes by Financial Year





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COUNCIL**

South Kesteven District Council Carbon Emissions Tracker - Solar

19.1



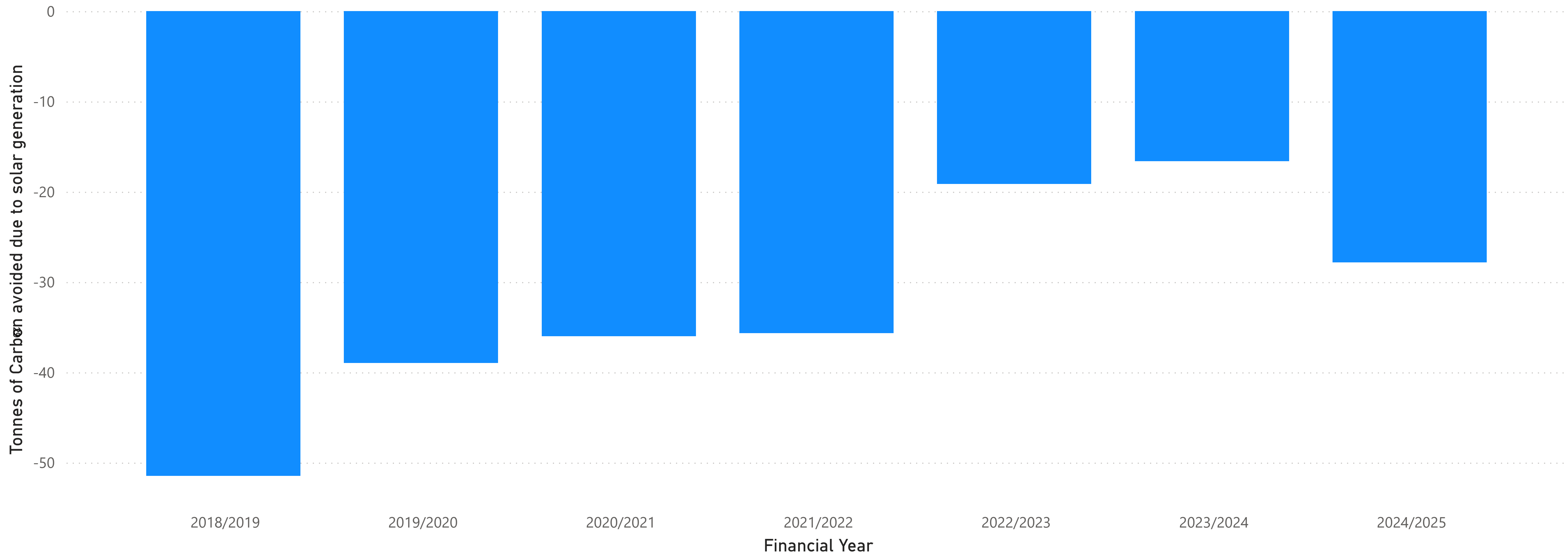
tCO2e difference previous year

38.1



tCO2e difference from 18/19 baseline

Tonnes of Carbon avoided due to solar generation by Financial Year



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**SOUTH
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DISTRICT
COUNCIL**

Environment Overview and Scrutiny Committee

Tuesday, 23 September 2025

Report of Councillor Rhys Baker
Cabinet Member for Environment and
Waste

Weekly Food Waste Collection Service Update

Report Author

Kay Boasman, Head of Waste Management and Market Services

✉ kayleigh.boasman@southkesteven.gov.uk

Purpose of Report

This report provides an update on the Council's rollout of the weekly kerbside food waste collection service from 13th April 2026. The introduction of this service is mandated by the Environment Act 2021.

Recommendations

The Committee is recommended to:

- 1. Note the contents of the report, the proposed timelines and the associated costs.**

Decision Information

Does the report contain any exempt or confidential information not for publication?	No
What are the relevant corporate priorities?	Sustainable South Kesteven Effective council
Which wards are impacted?	All wards

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

- 1.1 There are significant capital and revenue costs associated with establishing the weekly food waste collection service. Although the Government has agreed to provide new burden funding to support the new service, the level of revenue funding for 2026/27 has not yet been released. The funds received for initial capital purchases is confirmed at £1.371m, this was £171,850 below the level required to purchase vehicles and caddies. Furthermore, the transitional revenue funding awarded by government is £142,069 below the level required to initiate the service.
- 1.2 To support this deficit in funding, Council have been asked to approve the creation of a revenue budget to support the transitional arrangements alongside an increase to the vehicle replacement budget to cover the costs incurred when purchasing vehicles. Council have been asked to approve the use of the Waste Services Fund to fund these shortfalls. At the time of publishing the approval from Council for the additional funding is awaited.

Completed by: Richard Wyles, Deputy Chief Executive and s151 Officer

Legal and Governance

- 1.3 The introduction of food waste collections is mandated by the Environment Act 2021. It is important that members are kept updated on developments as the date for collections approaches.

Completed by: James Welbourn, Democratic Services Manager

Climate Change

- 1.4 Food waste makes up around one third of residual waste bins, it is also a major contributor to carbon emissions via its current disposal route. The new food waste collection service will ensure that food waste is taken out of the residual waste stream (black bins) and disposed of through anaerobic digestion, which is a more environmentally friendly way of disposing of this waste stream.

- 1.5 Introduction of a new way of separating and disposing of food waste will reduce carbon emissions associated with their current disposal route, as well as improving the recycling and reuse opportunities of other materials in the waste stream. Nevertheless, the operation of an additional 12 vehicles has the potential to increase fuel consumption overall for the fleet and therefore carbon emissions associated with the operation of the Council's vehicle fleet.

Completed by: Serena Brown, Sustainability and Climate Change Manager

2. Background to the Report

- 2.1. On the 29th November 2024 the Government announced the new default requirements for business and household waste collections under the Simpler Recycling collection reforms. These reforms form part of the updated Environment Act 2021.
- 2.2. The reforms are designed to simplify the rules and make recycling easier for people in England; they enable consistent, more streamlined collections from all households and businesses. The approach is designed to ensure the same set of materials are collected everywhere in England. The reforms aim to reduce confusion, end the postcode lottery of bin collections and ensure the correct materials are captured for recycling.
- 2.3. The new default requirements include four containers for:
 1. Residual (non-recyclable) waste,
 2. Food waste,
 3. Paper and card,
 4. All other dry recyclable materials (plastic, metal and glass).
- 2.4. It is because of these new requirements that the Council will be required to introduce weekly kerbside collections from the 31st March 2026. SKDC will introduce the service from Monday 13th April 2026, this date has been selected as part of a staggered rollout across Lincolnshire which ensures disposal facilities are not overwhelmed. The Lincolnshire Waste Partnership (LWP) wrote to DEFRA in September 2025 to confirm this arrangement.
- 2.5. To facilitate the introduction of the service, the Council is working with the LWP to seek out joint procurement opportunities which achieve economies of scale. In addition, we are working with Lincolnshire County Council to ensure adequate disposal facilities are available.

3. Key Considerations

- 3.1. The service roll out is made up of two aspects – one off capital purchases (vehicles, caddies) and ongoing revenue costs (fuel, salaries, vehicle maintenance etc.).

Capital Purchases

- 3.2. The capital purchases are split into two forms – vehicles and caddies. The Council has received £ 1,371,150 in capital funding from central Government to establish the food waste collections.
- 3.3. This service requires two caddies for each household – a 5l indoor caddy and an 23l outdoor caddy. SKDC is a member of the Lincolnshire Waste Partnership

(LWP), and it was agreed that a joint caddy procurement would be an opportunity to ensure all Lincolnshire residents received the same caddies (minimising confusion) and to achieve a better price per item due to the large quantities required.

- 3.4. The procurement was completed through the ESPO framework and approval for the purchase was granted through an Officer Delegated Decision which was finalised on 16th December 2024.
- 3.5. The food waste collection vehicles also need to be purchased. Route estimates indicate that 12 vehicles will be needed to deliver the service, and the vehicles cost around £95,000 per vehicle; the cost for 12 x 7.5tonne food waste collection vehicles is £1,140,000. This is substantially more than the £920,700 in capital funding granted by DEFRA. This figure has been challenged, however, to date no response has been received.
- 3.6. The total cost of capital purchases (vehicles + caddies) is £1,543,000; this is around £171,850 more than the £1,371,150 payment from DEFRA. At the time of publishing, the approval from Council for an increase in the Vehicle Replacement Budget of £171,850 from the Waste Services Reserve to cover this deficit, is awaited.

Revenue Costs

- 3.7. Table 1 shows the estimated revenue costs for year 1 of the service. All costs shown in Table 2 are prorated for a period of 3-months (January – March 2026) and they are reflective of the costs expected to be incurred when initiating the service.
- 3.8. The total estimated revenue costs are £542,195 for year 1 (2025/26). Although the service doesn't start until April 2026, there are costs associated with introducing the service (vehicle costs, staff recruitment, communications, caddy delivery etc). The transitional revenue funding provided by Government covers £400,125.45 of these costs, meaning a further £142,069.55 of funding is required to establish the service.
- 3.9. At this time, no information has been provided on the level of ongoing revenue funding for service provision from 31st March 2026. Despite DEFRA acknowledging that the funding will be released this year, there has been no indication on how much this will be and when it will be received. Based on this, a further update will be provided once the ongoing revenue funding figures have been released.
- 3.10. To bridge the gap between the transitional revenue payment provided by DEFRA (£400,125) and the actual costs in 2025/26, Council have been asked to approve the creation of a revenue budget made up of the transitional funding payment with additional revenue from the Waste Services Reserve. At the time of publishing the approval from Council for the additional funding is awaited.

- 3.11. The costs associated with the 2026/27 service will be included in the budget proposals for the next financial year and any financial shortfall will be highlighted through the budget setting process for 2026/27.

Table 1: Revenue costs for weekly kerbside food waste collections (2025/26)

	2025/26 £
Transport Revenue Costs	
Road Tax	910
Tyres	2840
Maintenance	27,500
Fuel Usage	24,960
Vehicle insurance	20,000
Total Transport Revenue Costs (a)	76,210
Other Revenue Costs	
Training	3,000
Protective Clothing	11,400
Route Optimisation	18,302
Caddy Liners	15,000
Communications Strategy	90,000
Total Other Revenue Costs (b)	137,702
Additional Staff Revenue Costs	
10 x Drivers	103,160
20 x Loaders	167,510
Project Support Officer (Estimate SK9)	20,967
Refuse Supervisor (SK9MS)	21,852
Additional Workshop Hours (25 hours)	14,794
Additional Staff Total Costs (c)	328,283
Total Revenue Costs (a+b+c)	542,195

Timelines

- 3.12. A full breakdown of key milestones and timescales can be found at Appendix 1.

4. Other Options Considered

- 4.1. No other options have been considered, the roll out of a weekly food waste collection service has been mandated by the Environment Act 2021.

5. Reasons for the Recommendations

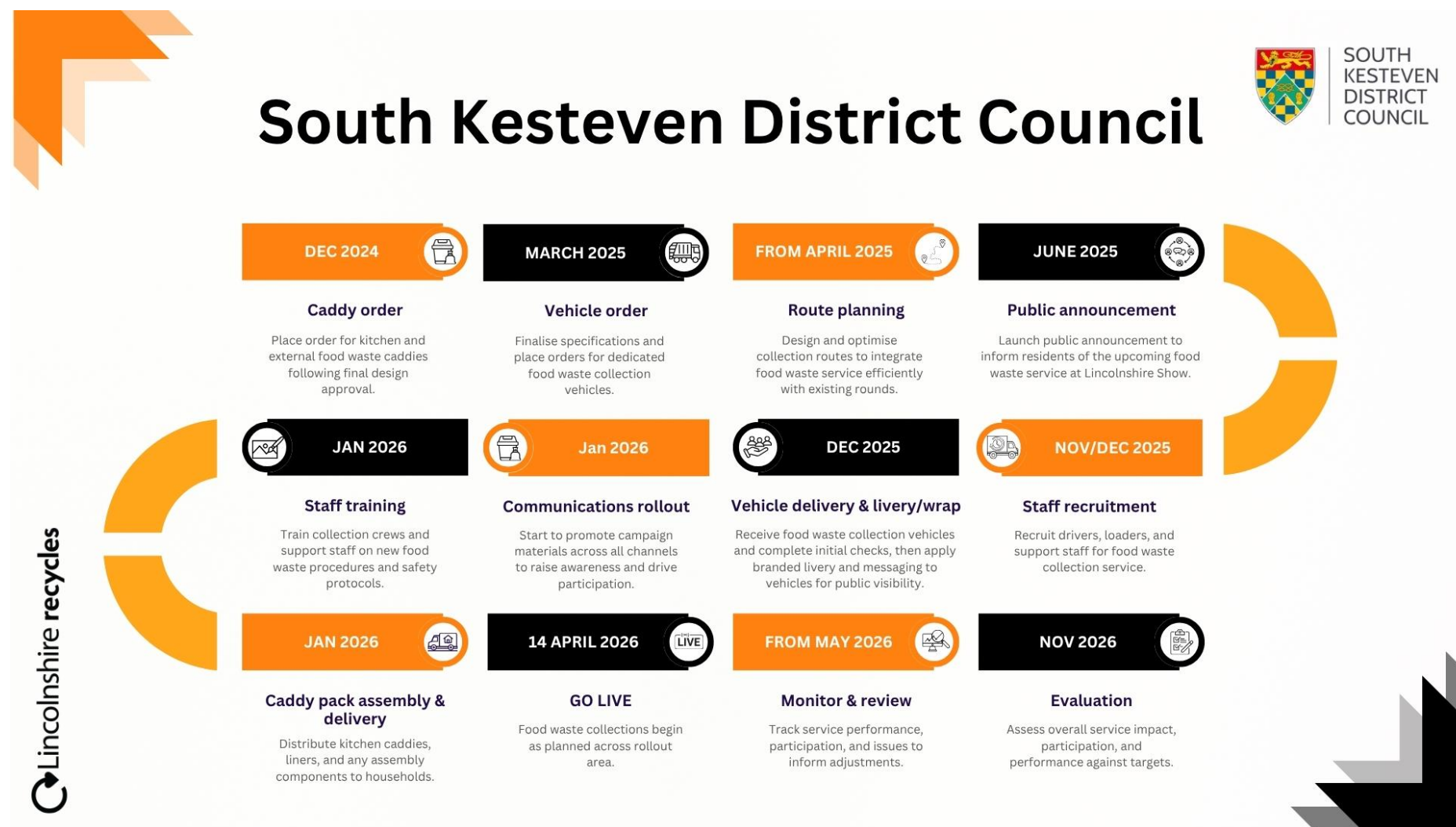
- 5.1. The recommendation is that the Committee note the contents of the report and the proposed timeline for the implementation of the domestic food waste collection service. The timeline proposed will allow the Council to deliver the new service in line with the legislative requirements of the Environment Act 2021.

6. Appendices

- 6.1. Appendix 1: Key actions and dates for the SKDC weekly food waste collection service rollout

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Appendix 1: Key actions and dates for the SKDC weekly food waste collection service rollout



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**SOUTH
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COUNCIL**

Environment Overview and Scrutiny Committee

Tuesday, 23 September 2025

Report of Councillor Phil Dilks, Cabinet
Member for Planning

Air Quality Annual Update

Report Author

Tom Amblin-Lightowler, Environmental Health Manager – Environmental Protection & Private Sector Housing

✉ tom.amblin-lightowler@southkesteven.gov.uk

Purpose of Report

To provide the Annual Air Quality Status Report (ASR 2025) and to provide an update on the proposals for Management Area (order No.6) (AQMA).

Recommendations

The Committee is recommended to:

- 1. Note the content of Annual Air Quality Report (ASR 2025).**
- 2. Note the update on the status of the Air Quality Management Area (AQMA)**

Decision Information

Does the report contain any exempt or confidential information not for publication?

No

What are the relevant corporate priorities?

Sustainable South Kesteven

Which wards are impacted?

All Wards

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

1.1 There are no financial implications associated with this report.

Completed by: David Scott – Assistant Director of Finance and Deputy s151 Officer

Legal and Governance

1.2 This is an information report for members, there are no further governance implications other than those contained within the report below.

Completed by: James Welbourn, Democratic Services Manager

Climate Change

1.3 South Kesteven District Council previously declared an Air Quality Management Area which primarily relates to the exceedance of Nitrogen Dioxide (NO₂), one of the numerous greenhouse gases contributing to the acceleration of climate change. The principal source of NO₂ derives from high-temperature combustion processes such as road transport and associated traffic emissions. Actions included within the Air Quality Action Plan seek to limit the need to travel and to reduce the overall level of vehicle traffic in Grantham. This will have the simultaneous impact of reducing carbon emissions while improving public health.

Completed by: Serena Brown, Sustainability and Climate Change Manager

2. Background to the Report

2.1 Under the Environment Act 1995 and the associated Local Air Quality Management Framework, local authorities have a duty to review and assess air quality against National Air Quality Standards. When a pollutant fails to comply with an objective and there is relevant public exposure, an Air Quality Management Area (AQMA) must be declared and an Air Quality Action Plan (AQAP) prepared, detailing measures which will be implemented to improve air quality in the designated area.

- 2.2 Local air quality in South Kesteven is managed via an extensive diffusion tube monitoring network comprising fifty-eight passive NO₂ diffusion tubes at thirty five separate locations (some have triplicate/duplicate tubes at one location). The diffusion tube network is used to monitor NO₂ concentrations across the District, identify potential new areas of concern and monitor at known hotspot areas. Tubes are located in Stamford and Grantham, in addition to a three months of tubes being located in Bourne. These tubes are used to monitor the annual mean objective of 40µg/m³ of NO₂.

Grantham- Air Quality Management Area (AQMA)

- 2.3 South Kesteven District Council declared an AQMA in 2013 encompassing the main roads in the town centre of Grantham (see Appendix 1). The main pollutant of concern is Nitrogen Dioxide (NO₂), which is largely attributable to road transport emissions, with cars being the dominant source within the AQMA.
- 2.4 The Air Quality Strategy Objectives for England pertinent to the current AQMA designation are as follows:
- NO₂ annual mean objective of 40µg/m³
 - NO₂ 1 hour mean objective of 60µg/m³
- 2.5 When an AQMA is in place, an Air Quality Action Plan (AQAP) is required to be produced every five years. The last AQAP (for the AQMA in Grantham) was approved in 2025 and is included in Appendix 2.
- 2.6 Implementation of the actions contained within the existing AQAP are monitored as part of an Annual Air Quality Status Report (ASR) (Appendix 3) which the Council is required to produce.

Annual Status Report (ASR 2024) for the District

- 2.7 The 2025 ASR a contains monitoring data from 2024 and trends relating to data captured (Appendix 3)
- 2.8 The 2025 ASR has identified that during 2024 there were no exceedances of the 1 hour mean objective when using annual mean as a proxy for hourly mean. This is a positive and supports the overall improvement in air quality.
- 2.9 The ASR reports that there is compliance with the annual mean objective for nitrogen dioxide NO₂ at all fifty eight passive monitoring tubes across the thirty-five monitoring locations. This is a continuing trend since 2019.
- 2.10 The highest reported concentration of NO₂ was at diffusion tube monitoring location SK33,34 which is located on A607 Manthorpe Road, Grantham. It has

shown an overall decline in concentrations between 2022- 2024 at this site in comparison to the previous years data.

- 2.11 Within the 2025 ASR, Figure A.1 to Figure A.4 presents graphs showing the annual mean NO₂ concentrations between 2019 and 2024. The graphs demonstrate a general trend of reduction of NO₂ over this five year period. The significant decreases in 2020 are likely to be attributed to changes in behaviour due to Covid-19 restrictions impacting on travel.
- 2.12 Within the 'conclusions and priorities' section of the 2025 ASR report it recommends that the Council continue to use the passive monitoring network to monitor air quality levels, and to ensure that compliance is maintained throughout the District. The report recommends (in order to comply with the AQS objectives): :
- - Continue passive monitoring within the AQMA to ensure the NO₂ concentration remains below 40 µg/m³
 - Continue to consider amending AQMA No.6 to remove the pollution declaration of 1- hour NO₂ mean exceedances and potential revocation of the AQMA'.
- 2.13 The LAQM Policy Technical Guidance 22 identifies that Authorities that wish to reduce or revoke an AQMA must demonstrate that air quality objectives are being met and have confidence that the improvements will be sustained. It advises that long term, rather than short term, compliance should be considered.
- 2.14 Given that monitoring site SK33,34 has recorded some months concentrations within 10% of exceedance and despite demonstrating a decline in levels from the previous years it is still uncertain as to whether the trend will continue in the future due to the delay in the completion of the Southern Relief Road. It is not recommended that the AQMA be revoked in its entirety at present, but consideration should be given to revoking the NO₂ 1-Hour objective.
- 2.15 In summary the 2025 ASR demonstrates an overall continual improvement in the levels of NO₂ across the district which is a positive but it is recommended that it is still premature to consider revocation of the AQMA in its entirety.

The 2025 ASR was submitted to the Department for Environment, Food and Rural Affairs (DEFRA) in line with our statutory obligations. The ASR was subsequently reviewed and accepted with the positive feedback received included in Appendix 4.

- 2.16 An additional three diffusion tubes were installed in Bourne in locations along North/South Road during the months of September, October and November. The results from this demonstrated that levels of NO₂ are below the national air quality

objectives. No further monitoring is currently proposed to take place at this time as part of the wider monitoring program based upon the recent results.

3. Key Considerations

- 3.1 Overall, the general trend shows that concentrations of NO₂ are decreasing, with all sites being below both the hourly and annual objective levels. However, monitoring location SK33, 34 is still monitoring occasions within 10% of exceedance of the annual objective.
- 3.2 There are no recorded exceedances of the hourly mean objective for nitrogen dioxide, when using annual mean as a proxy for hourly mean. Exceedances of this objective have not been observed for over 8 years, therefore an amendment for this particular objective within the AQMA may be appropriate.
- 3.3 If the Council was to amend the AQMA Order No. 6 to remove the pollution declaration of the 1-hour NO₂ mean, the annual mean requirement would remain and the diffusion tube monitoring network would continue to be monitored.
- 3.4 The NO₂ monitoring data for 2025 will be reported in the ASR for 2026 next year.

4. Other Options Considered

- 4.1 None

5. Reasons for the Recommendations

- 5.1 To provide an overview of the current NO₂ levels within the district against the national air quality objectives.

6. Background Papers

- 6.1 The Local Air Quality Management – P22 Guidance:
[LAQM-TG22-August-22-v1.0.pdf](#)

7. Appendices

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**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Environment Overview and Scrutiny Committee

Tuesday 23 September 2025

Report of Councillor Philip Knowles,
Cabinet Member for Corporate
Governance and Licensing

Corporate Enforcement Policy

Report Author

Ayeisha Kirkham, Head of Public Protection

✉ ayeisha.kirkham@southkesteven.gov.uk

Purpose of Report

To consider a new draft Corporate Enforcement Policy.

Recommendations

The Environment Overview and Scrutiny Committee are recommended to:

Consider the draft Corporate Enforcement Policy and provide any feedback or amendments prior to this being adopted by Cabinet.

Decision Information

Does the report contain any exempt or confidential information not for publication?	No
What are the relevant corporate priorities?	Effective council
Which wards are impacted?	All Wards

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

- 1.1 There are no direct financial implications arising from this report. All enforcement policies across the Council should be reviewed regularly to ensure consistency with collection and enforcement activities. The fee for each type of fixed penalty notice, where not set by law, will be set by the Council during the annual budget cycle.

Completed by: David Scott – Assistant Director of Finance and Deputy s151 Officer

Legal and Governance

- 1.2 It is good governance for the Policy to be scrutinised by Overview and Scrutiny Committees with a view to it being considered for adoption by Cabinet. Lincolnshire Legal Services are satisfied with the contents of the Policy.

Completed by: James Welbourn, Democratic Services Manager

2. Background to the Report

- 2.1. The Council's Corporate Enforcement Policy was last revised in February 2017, and a review and update is necessary.
- 2.2. A revised draft Corporate Enforcement Policy ("the Policy") has been developed and is attached at Appendix One. This is a full revision of the 2017 Policy and covers enforcement activities across all the Council's Regulatory Services, setting out what regulated businesses and individuals can expect from the Council in terms of regulation. The Policy is targeted only at cases where action is needed and is based on the guiding principles of consistency, transparency, proportionality, and accountability.
- 2.3. This Policy applies to functions carried out within the following Regulatory Services:
- Public Protection (this includes Environmental Health, Environmental Protection, Private Sector Housing, Community Safety (Neighbourhoods) and Licensing)

- Development Management
- Building Control
- Finance
- Tenancy Services

Each Manager of a regulatory service covered by this Policy will be responsible for its effective implementation through the enforcement activities of their team. Each Officer within these teams will be responsible for applying it in relation to the enforcement activity covered by this Policy.

- 2.4. The Policy also incorporates three other South Kesteven District Council Enforcement Policies as specific content within the appendices. This is to aid ease of reference and consistent application of approach. These policies are:
 - Enviro Crime Enforcement Policy (adopted April 2018)- now Appendix A to the policy titled Environmental Crime and Antisocial Behaviour- Fixed Penalty Notices.
 - Environmental Services Enforcement Policy (dated February 2017) - now Appendix B to the policy titled Environmental Health Approach to Investigation and Enforcement.
 - Private Sector Housing Enforcement Policy (dated November 2018) - now Appendix C to the policy titled Private Sector Housing Approach to Investigation and Enforcement.
- 2.5. The Policy is an overarching document covering all enforcement functions undertaken by South Kesteven District Council. Under this, there are more detailed policies which cover specific service functions in more detail, for example, the Development Management Enforcement Policy (Planning Control).
- 2.6. The Policy will ensure that the Council achieves and maintains consistency in its approach to enforcement and identifies that all enforcement activities, including investigations and formal actions, will be conducted in accordance with the following:
 - The statutory powers of the Officer dealing with the matter.
 - All other relevant legislation including the Enforcement Concordat (Regulators Compliance Code)
 - Any other relevant policies.
- 2.7. The Policy requires the investigations that South Kesteven District Council undertakes to be carried out in accordance with the relevant legislation, and in consideration of any relevant Codes of Practice and Guidance.
- 2.8. The enforcement options listed within the Policy range from no action to prosecution, and identifies that when deciding whether to prosecute, South Kesteven District Council will have regard to the provisions of The Code for Crown

Prosecutors as issued by the Director of Public Prosecutions. This Code provides two tests that must be satisfied when deciding to prosecute, these are the following: Evidential Test and the Public Interest Test.

3. Key Considerations

- 3.1. The Policy is also due to be considered by Housing OSC and Rural and Communities OSC in October 2025. Once a final draft is agreed the Policy will be formatted and graphics applied before being presented to Cabinet for adoption.
- 3.2. Within Appendix A of the Policy a Flytipping and Littering fixed penalty matrix is proposed. This approach has been discussed at the Lincolnshire Environmental Crime Partnership with Legal Services Lincolnshire supporting this as a proportionate approach to fixed penalty application. If the matrix is adopted, South Kesteven District Council would be trialling this approach for Lincolnshire, and this would be fed back the Lincolnshire Environmental Crime Partnership and wider partners such as the National Flytipping Prevention Group. If the matrix is not adopted a standard fixed penalty would continue, which currently is £1000 for Flytipping and £500 for Littering offences (with early repayment reductions applicable).
- 3.3. Within Appendix C of the Policy, a new section is included regarding The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020, providing a penalty matrix scheme to those not meeting the standards required.

4. Other Options Considered

- 4.1 To take no action. In this situation the 2017 Corporate Enforcement Policy would remain without review.
- 4.2 To update the Corporate Enforcement Policy separately to the following policies and not include them within the corporate enforcement policy within the appendices:
 - Enviro Crime Enforcement Policy (adopted April 2018)
 - Environmental Services Enforcement Policy (dated February 2017)
 - Private Sector Housing Enforcement Policy (dated November 2018)

5. Reasons for the Recommendations

- 5.1 The Council's Corporate Enforcement Policy was last revised in February 2017, and a review and update is necessary. This new over-arching policy is a full revision of the 2017 policy and covers the enforcement activities across all the Council's Regulatory Services. This policy also incorporates and updates three

other enforcement policies to support ease of reference and consistent application. The new policy also provides an option for other enforcement policies to be added to the over-arching policy as an appendix.

6. Consultation

- 6.1. Lincolnshire Legal Services have been consulted and are satisfied with the content of the Policy, the draft appended to this report incorporates the advice received.
- 6.2. Senior Managers and the Corporate Management Team have also been consulted, and feedback has been incorporated into the Policy.

7. Background Papers

- 7.1. [SKDC Corporate Enforcement Policy Feb 2017](#)
- 7.2. [SKDC Enviro Crime Enforcement Policy April 2018](#)
- 7.3. [Environmental Services Enforcement Policy FEB 2017](#)
- 7.4. [Private Sector Housing Enforcement Policy](#)

8. Appendices

- 8.1. Draft Corporate Enforcement Policy 2025.

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Corporate Enforcement Policy

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1. Introduction

This policy covers the enforcement activities across all the Council's Regulatory Services and sets out what regulated businesses and individuals can expect from the Council in terms of regulation. The policy is targeted only at cases where action is needed and is based on the guiding principles of consistency, transparency, proportionality, and accountability. Its purpose is to secure compliance with the law whilst minimising the burden on individuals, businesses, and the Council itself. The policy will not affect the discretion of the Council to take legal proceedings where it is in the public interest. Enforcement actions will be carried out in accordance with the relevant legislation.

This policy applies to functions carried out within the following Regulatory Services:

1. Public Protection (this includes Environmental Health, Environmental Protection, Private Sector Housing, Community Safety (Neighbourhoods) and Licensing)
2. Development Management
3. Building Control
4. Finance
5. Tenancy Services

Each manager of a regulatory service covered by this Policy will be responsible for its effective implementation throughout the enforcement activities of their team. Each officer within these teams will be responsible for applying it in relation to the enforcement activity covered by this policy.

This corporate enforcement policy is an overarching policy for all enforcement functions undertaken by South Kesteven District Council. Under this, there are more detailed policies which cover specific service functions in more detail, for example, the **Development Management Enforcement Policy (Planning Control)** ([insert link](#)) or the **Local Authority Building Control (LABC) Enforcement Policy** ([insert link](#)). Where no service-specific enforcement policy is in place and enforcement action is being considered, this overarching policy will apply.

2. Approach to Enforcement

It is important to achieve and maintain consistency in our approach to enforcement. In many cases the decision to enforce is discretionary and any enforcement action taken must be proportionate to the risks posed and the seriousness of any breach of the law.

All enforcement activities, including investigations and formal actions, will be conducted in accordance with:

- The statutory powers of the officer dealing with the matter.
- All other relevant legislation including the Enforcement Concordat (Regulators Compliance Code)
- Any other relevant policies

The actions and decisions that the council decides to take will be determined on a case-by-case basis and will be judged on its own merits in line with the actions listed in the following policy.

3. Regulators' Code

The Regulators' Code is an important part of the Government's better regulation principles. The aim of the Code seeks to promote an approach to regulatory inspection and enforcement that is: proportionate, consistent, and targeted. The Regulators' Code can be found using this link: <https://www.gov.uk/government/publications/regulators-code>

Whilst this Council has had regard to the Regulators' Code in preparing this policy, it is important to note that in some instances we may conclude that a provision within the code is not relevant or is outweighed by another provision. If this occurs, then it will be properly reasoned, based on material evidence, and documented.

The Council will continue to have regard to the Regulators' Code and in particular, will undertake the following:

- Carry out our activities in a way that supports those we regulate to comply and grow
- Provide simple and straightforward ways to engage with those who we regulate and to hear their views
- Base our regulatory activities on risk
- Share information about compliance and risk
- Provide clear information, guidance and advice to those we regulate to help them meet their responsibilities
- Ensure our approach to regulatory compliance is transparent

Where we consider that formal action is necessary each case will be considered on its own merits subject to the general overriding principles that apply to the way each case must be approached. These principles are set out in this document and in the Regulators' Compliance Code.

4. The Code for Crown Prosecutors

When deciding whether to prosecute, South Kesteven District Council will have regard to the provisions of The Code for Crown Prosecutors as issued by the Director of Public Prosecutions. This code provides two tests that must be satisfied when deciding to prosecute, these are the following:

4.1 Evidential Test

This test is to determine if there is enough evidence to prosecute and to consider the quality of evidence (what evidence can be used in court and if it is reliable).

They must be satisfied that, against each alleged offender for each offence, there is sufficient evidence to provide a "realistic prospect of conviction".

4.2 Public Interest Test

This test is to determine if there is a public interest for the case to be brought to court. It balances and considers factors that in large supports or opposes the case being brought to court. The Code for Crown Prosecutors identifies that when applying this test, the following factors for and against prosecution should be considered:

- How serious is the offence committed?
- What is the level of culpability of the suspect?
- What are the circumstances and harm caused to the victim?
- What was the suspects age and maturity at the time of the offence?
- What is the impact on the community?
- Is prosecution a proportionate response?
- Do sources of information require protecting?

In addition, in certain limited circumstances, where the full test under this code is not met, a threshold test may be applied. This will depend on the seriousness or circumstances of the case.

5. Regulatory Enforcement and Sanctions Act 2008

The Regulatory Enforcement and Sanctions Act 2008, as amended, was designed to enable more consistent enforcement of regulations across local authority boundaries, better coordination between local authorities and central government, and more effective enforcement of regulations. It also requires regulators to conform to certain principles. The Primary Authority scheme aims to ensure that any company trading across council boundaries in the scheme is guaranteed access to advice.

South Kesteven District Council, when considering taking enforcement action against a business or organisation that has primary authority, will comply with the requirements of the act. We will have due regard to guidance issued by the Secretary of State in relation to Primary Authority.

6. Principles of Good Regulation

South Kesteven District Council operates its services with due regard to the “Principles of Good Regulation” which is set out in the Legislative and Regulatory Reform Act 2006. This covers the following:

- **Proportionate** – Endeavouring to minimise costs of compliance for businesses, reflecting the harm and impact on victims. Our actions will relate to the seriousness of the offence, and to the previous actions taken by the Council or its partners.
- **Accountable** – Our activities will be open to scrutiny, with clear and accessible policies and a fair and efficient complaints procedure.
- **Consistent** – Our advice to those we regulate will be robust and reliable, respecting advice provided by others. Carrying out our duties in line with service standards and endeavouring to act in a similar manner to other enforcement authorities.
- **Transparent** – We will make clear the difference between legal requirements and recommendations, ensuring those we regulate understand their duties and what

they can expect from us. We will provide information and any advice on the legislation we enforce in plain language and will be open and transparent in our actions.

- **Targeted** – Focusing resources on higher-risk enterprises and activities, utilising intelligence to direct our priorities wherever possible.

7. Conduct of Investigations

The investigations that South Kesteven District Council undertakes will be carried out in accordance with the relevant legislation, and any relevant Codes of Practice and Guidance will also be considered.

Relevant legislation and codes of practice include but are not limited to:

- Police and Criminal Evidence Act 1984 (PACE)
- Criminal Procedure and Investigations Act 1996
- Regulation of Investigatory Powers Act 2000
- Criminal Justice and Police Act 2001
- Human Rights Act 1998
- The Protection of Freedoms Act 2012 (Code of Practice for Powers of Entry and Description of Relevant Persons) Order 2015
- Data Protection Act 2018
- Equalities Act 2008
- Consumer Rights Act 2015
- Any other relevant legislation that may be in force

All investigations will be conducted in accordance with:

- i. The statutory powers delegated to the officer dealing with the matter.
- ii. Compliance with the Legislation, Guidance and/or Codes of Practice associated with the matter under investigation, for example, the Food Standards Agency Code of Practice and Practice Guidance, HSE Enforcement Management Model, Health and Safety Rating System Enforcement Guidance.
- iii. Local in-house procedures and delegated authority to assist in the making of consistent enforcement decisions.

Subject to the needs of an investigation, officers will notify the individuals or businesses they are subject to an investigation as soon as is reasonably practicable. The Council will make timely decisions to enable the progression of the investigation and decision making. The person or business subject to an investigation will be informed of the outcome.

During an investigation, officers may utilise specific equipment to gather evidence and carry out overt and covert surveillance. This can include, but is not limited to the use of camera, video, sound level meters, light meters etc. This equipment will be used primarily to gather evidence, but may also be used as a deterrent, where it is necessary and proportionate to do so, and in line with legislation. This will be in accordance with the Council's Regulatory

Investigatory Powers Act Policy which can be found here:
[Regulation of Investigatory Powers Act Policy.pdf \(southkesteven.gov.uk\)](https://www.southkesteven.gov.uk/Regulation%20of%20Investigatory%20Powers%20Act%20Policy.pdf)

The investigation process may include the interviewing of those persons suspected in the breach of legal requirements. Where the offence being investigated is an either way offence (could be heard in Magistrates or Crown Court) and/ or carries imprisonment as a sanction, then those persons suspected of breaching legal requirements will, where appropriate be offered an interview in accordance with Police and Criminal Evidence Act 1984 (PACE).

8. Officer's Powers of Entry

Enforcement officers have a wide variety of duties and must act as investigators. This is supported by strong powers of entry, seizure and inspection contained in various statutes. If individuals or businesses obstruct officers or refuse to provide information, they could be subject to criminal sanctions. Officers use these powers at their discretion with the support of the Council who will uphold them.

Officers will use their powers of entry only, when necessary, but usually to carry out an inspection of premises or in the process of an investigation. The Council will always support officers who act in good faith. This includes prosecuting those individuals who obstruct or assault officers during investigations or inspections.

If the legislation allows, officers may examine premises and articles, remove articles, label samples, request information, issue enforcement notices and may in some instances be accompanied by other persons. In appropriate cases, a warrant from a Magistrate may be obtained to obtain entry to premises.

An officer must be able to explain the legal basis for any action and justify all separate actions used.

9. Appointment of Officers and Identification

All officers are trained and authorised to act under relevant legislation enforced or administered by the service in which they are employed. Their authorisation will follow the scheme of delegation's procedure adopted by the Council.

All officers are issued with an identification card bearing their photograph. This identification must also be produced on request.

10. Liaison with Other Regulatory Bodies and Enforcement Agencies

Where appropriate, enforcement activities within all services with regulatory responsibilities will be coordinated with other regulatory bodies and enforcement agencies to maximise the effectiveness of any enforcement.

Where an enforcement matter affects a wide geographical area beyond the boundaries of the district or involves enforcement by one or more other local authorities or organisations, the relevant authorities and organisations will be informed as soon as possible and all enforcement activity coordinated with them.

Services with regulatory responsibilities will share information relating to wider regulatory matters with other regulatory bodies and enforcement agencies. Examples include:

- Government Agencies.
- Health and Safety Executive.
- Police Forces.
- Fire Authorities.
- Statutory undertakers.
- Other Local Authorities.

Confidentiality, data protection and information sharing are covered in detail in separate Council policies and all information shared will be in accordance with the principles of data protection and freedom of information legislation.

11. Enforcement Actions

The enforcement options available include the following:

11.1 No Action

In certain circumstances, contraventions of the law may not warrant any action. This may be because the cost of compliance to the offender outweighs the detrimental impact of the contravention, or the cost of the required enforcement action to the Council outweighs the detrimental impact of the contravention on the community or in the public interest to pursue any form of action.

11.2 Informal Action and Advice

For minor breaches of the law, we may give verbal or written advice. In such cases, we will clearly identify any contraventions of the law and give advice on how to put them right. This advice will include a timeframe for compliance.

We will also advise offenders of any relevant 'good practice.' Where good practice advice is issued, we will make clear what needs to be done to remedy any breach of law and what is advice only.

We will make offenders aware that failure to comply with any information, action or advice given could result in an escalation of enforcement action.

We may take informal action when:

- The act or omission is not serious enough to warrant formal action.
- From the individuals or businesses past history we can reasonably expect that informal action will achieve compliance
- We have high confidence in an individual or business proprietor.
- The consequences of non-compliance will not pose a significant risk to public health, public safety, or the environment.

This can include compliance advice, guidance and support

11.3 Fixed Penalty Notices

Fixed Penalty Notices (FPN) provide a quick, visible, and effective way of dealing with matters as an alternative to prosecution.

Fixed Penalty Notices (FPN) may be issued by authorised officers for certain offences, enabling the offender to discharge liability by payment of a specified amount within a specified time period.

Where the council has discretion to set the amount of the fixed penalty this will be detailed in the Council's Fees and Charges scheme, otherwise, the fixed penalty amount will be as determined in relevant legislation. Where a fixed penalty amount is reduced for early payment, this will also be detailed in the Council's Fees and Charges scheme.

If a FPN remains unpaid after the expiry of the specified payment period, the case will be referred to be considered for prosecution.

FPNs may be issued either "on the spot" or by post.

Further information relating to the issuing of FPNs regarding environmental crime related matters can be found within **Appendix A** attached to this Policy.

11.4 Forfeiture Proceedings

This procedure may be used in conjunction with seizure and/or prosecution. This course of action should be used where there is a need to dispose of goods in order to prevent them from re-entering the marketplace or to avoid a further problem. In appropriate circumstances, we will make an application for forfeiture to the Magistrates Courts.

11.5 Seizure

Certain legislation enables authorised officers to seize goods, equipment or documents for example unsafe food, sound equipment or any items that may be required as evidence for possible future court proceedings. An appropriate receipt will be given for any goods taken.

11.6 Administrative Penalties

In certain circumstances, the Council can impose a penalty if a Council Taxpayer fails to provide information. It is very important that a Council Taxpayer notifies the Council when there is a change in their circumstances, which could affect a discount or exemption. The council can charge a penalty of £70 when the resident does not advise the council of this within 21 days that:

- They are no longer entitled to a discount.
- Their property is no longer entitled to an exemption.

And

- They do not respond to a written request for information to identify the person liable to pay Council Tax
- They knowingly supply false information regarding the identification of the person liable to pay Council tax.

Where a £70 penalty has been imposed as above, and the person, on a further request for information still fails to provide the information, or continues to provide false information, the Council may impose a further penalty of £280. A further penalty of £280 will apply each time information is withheld, or false information is given.

11.7 Injunctive Actions

Injunctive action may be used where offenders are repeatedly found guilty of similar offences or where it is considered the most appropriate course of enforcement i.e. to deal with dangerous circumstances, significant consumer detriment or serious anti-social behaviour problems.

For cases that involve antisocial behaviour, where other interventions have failed or is not appropriate, a civil injunction could be sought to give prohibitive or positive requirements.

11.8 Formal Notices

Certain legislation allows notices to be served requiring offenders to take specific actions or cease certain activities. Notices may require activities to cease immediately. In other circumstances, the time permitted to remedy the breach will be reasonable and will take into account the seriousness of the contravention and the implications of the non-compliance.

All notices issued will include details of any applicable appeals procedures.

11.9 Criminal Behavior Orders (CBO)

When the legal breach under investigation is anti-social behaviour, in that the offender's behaviour has caused, or was likely to cause, harassment, alarm or distress to any person, or the activity is deemed detrimental to quality of life. If considered appropriate, an application can be made to the Court for a CBO on conviction, to stop this activity.

An application for a CBO could be made to the court on the back of a prosecution. The court may also specify additional positive engagements or requirements to prevent re-offending.

11.10 Simple Caution

Where appropriate, a caution may be issued as an alternative to prosecution.

A caution will be issued to:

- i. Deal quickly and simply with less serious offences.
- ii. Divert less serious offences away from the courts.
- iii. Reduce the chance of repeat offences.

For a Simple Caution to be issued several criteria must be satisfied:

- i. Sufficient evidence must be available to prove the case.
- ii. The offender must admit the offence.
- iii. It must be in the public interest to use a Simple Caution

- iv. The offender must be 18 years or over.
- v. The offender should not have received a simple caution for a similar offence within the last 2 years.

A simple caution will not be considered in the case of a second or subsequent offence.

If the offender commits a further offence, the caution may influence our decision to prosecute. If during the time the caution is in force the offender pleads guilty to, or is found guilty of, committing another offence anywhere in England and Wales, the caution may be cited in court, and this may influence the sentence that the court imposes.

Simple Cautions are administered and issued by the relevant Assistant Director/ Director.

11.11 Work in Default

In place of or as well as prosecutions we have certain powers to carry out work in default (South Kesteven District Council may carry out any action necessary and recharge the costs to the offender). We will only use these powers after a notice to carry out work has ended. We will claim back all our charges either through the courts or as a land charge on the property.

11.12 Demand for Payment

The Council will ensure that the method of collecting money owed to the Council is collected in a fair and efficient manner. The Council will ensure early contact is made to minimise large debts accumulating and ensure the debtor does not suffer from unnecessary hardship.

11.13 Prohibition/ Stop Notices and Injunctions

Where an offender is required to take immediate action, it may be necessary for a statutory notice to be served. These include Prohibition Notices, Planning Enforcement Notices, Closing Orders, Stop Notices Criminal Behaviour Orders or Injunctions, and can be issued in one or more of the following circumstances:

- i. There is an imminent risk of injury to health or safety.
- ii. There is a serious hazard to residential premises.
- iii. There is an imminent risk of serious environmental pollution.
- iv. The consequences of not taking immediate and decisive action, to protect the public, would be unacceptable.
- v. Where an unauthorised development is unacceptable and is causing serious harm to public amenity near to the site, or where there has been breach of a condition notice.
- vi. Where unauthorised development is unacceptable, and continuing work is or may cause irreversible damage, and remedial action is not a satisfactory option; vii the guidance criteria on when prohibition may be appropriate are met.

- vii. We have no confidence in the integrity of an unprompted offer by a proprietor to close premises voluntarily, or stop using any equipment, process or treatment associated with the imminent risk.
- viii. A proprietor is unwilling to confirm in writing his/her unprompted offer of a voluntary prohibition.
- ix. Where it would be the most effective remedy available

We will make offenders aware of any right of appeal they may have against any action we have taken.

The act of serving a prohibition/stop notice or injunction does not prevent us from deciding to prosecute depending on the seriousness of the circumstances that led to the serving of that notice.

11.14 Refusal / Suspension / Revocation of Licences

We issue licences and approval for a variety of activities such as hackney carriages, caravan sites, food premises, selling alcohol and providing entertainment, animal welfare licences, houses in multiple occupations etc. with specific conditions which control how facilities at the premises are managed and provided, these are mandatory and voluntary conditions and site specific.

If there has been a relatively minor incident where licence conditions have been broken and the duty holder is willing to take the necessary action to have things right, it may be appropriate to give a verbal or written warning first. If there are serious failures to meet the licence conditions or if the informal approach fails to bring about the necessary improvements, we will present a formal report to the relevant authorised Head of Service or where required report to the relevant Council Committee or panel and make representations as to whether a licence will be granted, renewed, withdrawn or amended. The duty holder will be entitled to make a statement to support their case.

If there is a serious incident where licensing or registration conditions have been broken, we will consider it in line with the conditions relating to prosecutions and if appropriate, start legal proceedings. In some cases, we may need to suspend a licence or approval until the relevant Head of Service, Committee, or panel can consider the matter.

There are several separate Policies relating to Licensing, for example, Gambling Act Statement of Principles, Statement of Licensing Policy, Hackney Carriage and Private Hire Licensing Policy and Houses of Multiple Occupation Licensing Policy.

11.15 Closure Orders

Under the Antisocial Behaviour Crime and Policing Act 2014, the Local Authority may issue a closure notice on a premise(s). That is, if we are satisfied on reasonable grounds that the use of the particular premises, has resulted in, or is likely soon to result in nuisance to members of the public. Or that there has been or is likely soon to be disorder near those premises

associated with their use, and that the notice is necessary to prevent the nuisance or disorder from continuing, recurring or occurring.

11.16 Power to Charge for Enforcement

Where legislation allows, we will make reasonable charges as we consider appropriate as a means of recovering expenses associated with the service of enforcement notices e.g. under Section 49 of the Housing Act 2004. Charges will be published in accordance with the Council's Fees and Charges scheme.

11.17 Proceeds of Crime applications

The provisions of the Council Proceeds of Crime Act 2002 (POCA) will be used by this Local Authority where it is appropriate, to ensure the recovery of an offender's financial gain or benefit following conviction. Where a Proceeds of Crime Act application is considered as appropriate. This will seek to recover the financial benefit that the offender has gained through the course of their criminal activities and will look to confiscate the assets from the offender. Where such an approach is considered as appropriate, the council, at its earliest opportunity, will seek advice from an accredited financial investigator, so that a financial investigation can be run parallel. All relevant timescales required as part of this process will be followed.

11.18 Prosecution

It is recognised that the decision to prosecute is significant and could have far reaching consequences for the suspected offender. In all cases, the decision to instigate and undertake a prosecution, rests with the Assistant Director of that service, and in line with the council's scheme of delegation within the constitution.

The criteria for the issue of proceedings are:

- i. The alleged offence involves a breach of the law with the result that public health, safety, or wellbeing is, or has been, put at risk, or there has been irreversible damage.
- ii. There has been a reckless disregard for the environment.
- iii. Someone has died as a result of the law being broken.
- iv. Someone has failed to pay a Fixed Penalty Notice
- v. Officers have been intentionally obstructed while carrying out their duties.
- vi. The alleged offence involves deception which may or may not result in a loss or potential loss of public funds.
- vii. A serious potential risk has been identified which the suspected offender has not rectified despite having been given a reasonable opportunity to comply with the law.

- viii. The alleged offence involves a failure to comply in full, or in part, with the requirements of a statutory notice.
- ix. There is a history of similar offences.
- x. The alleged offence is considered to be anti-social behaviour or causes public alarm, and it is desirable to reassure the public and deter other potential offenders.
- xi. A prosecution is in the public interest, there is a realistic prospect of conviction and sufficient evidence to support proceedings.

We will consider all material evidence and information before deciding upon a prosecution in order to make a fair and objective decision. When determining whether to prosecute, we will have due regard to the provisions of the Code for Crown Prosecutors as issued by the Director of Public Prosecutions.

Section 222 of the Local Government Miscellaneous Provisions Act 1972 states that where a local authority finds it expedient to commence or defend legal proceedings, for the promotion or protection of the inhabitants of their area, they can do so. This therefore allows for a pragmatic approach when dealing with offences.

11.19 Appeals

Where any enforcement action is undertaken using legislation that includes a specific appeals procedure, we will advise you of that procedure at the required time.

12. Complaints

The Council will aim to provide effective, timely complaint responses in accordance with SKDC's Customer Feedback Process, Compliments, Comments & Complaints process.

If a customer is still not satisfied with the response, they may complain to the Local Government Ombudsman if they feel they have been unfairly treated. A leaflet about this is available on request.

13. Review

This Policy will review periodically in the light of any significant changes in legislation, Codes of Practice, or other guidance.

14. Appendix

Appendix A: Environmental Crime and Antisocial Behaviour- Fixed Penalty Notices.

Appendix B- Environmental Health Approach to Investigation and Enforcement

Appendix C- Private Sector Housing Approach to Investigation and Enforcement

Appendix D- Example of a Decision Log & Action Plan

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Appendix A

Environmental Crime and Antisocial Behaviour- Fixed Penalty Notices.

Fixed Penalty Notices (FPN) provide a quick, visible, and effective way of dealing with straightforward environmental crimes and they are an alternative to prosecution. Normally offences resulting in a FPN will be witnessed directly by the officer. However, an officer may consider it appropriate to issue a FPN to an offender if they have not directly witnessed the offence but have reliable witness testimony.

An FPN will be appropriate for first-time offenders and one-off incidents meaning the recipient can avoid a court appearance and possible conviction. The Council will adopt a robust approach in its use of FPNs and all other associated enforcement powers. Our officers, or those working on behalf of the Council, will be fair but firm, polite and consistent.

An FPN will only be issued when:

- An offence has been committed
- A FPN is a proportionate response
- There is evidence to support prosecution if the offender does not pay the fixed penalty
- The offender understands why the FPN is being issued

Offences

This policy applies to the categories of offences set out in the following Table:

Littering	A person commits an offence if they throw down, drop or otherwise deposit any litter in any place which is open to the air and which the public has access to, with or without payment. This will also apply to littering from vehicles as of 1st April 2018.
Public Spaces Protection Orders (PSPO)	Under the Anti-social Behaviour Crime and Policing Act 2014, authorised officers have the power to issue fixed penalty notices (FPNs) to anyone they reasonably believe is in breach of the PSPO).
Fly tipping	A person commits an offence if they deposit (or knowingly causes/permits) controlled waste to be deposited in or on any land unless a waste management licence authorising the deposit is in force and the deposit is in accordance with the licence.
Duty of Care	A householder or commercial operator has a legal obligation (duty of care) to take all reasonable measures to ensure any waste is disposed of correctly. The Environmental Protection Act requires all householders and businesses to ensure their waste is only removed by registered waste carriers.
Household Waste	Domestic waste control and presentation of the bin is covered under s.46 and 47 of the Environmental Protection Act 1990 and is a civil penalty, where there is an obligation to first issue the notice. There is the appeal process described in s.47 of the legislation.
Commercial Waste	A person commits an offence if they store waste in a manner that causes a nuisance or is detrimental to the amenities of the locality.
Graffiti	A person is guilty of an offence if they deface with graffiti any property that is not their own or that they do not have the permission of the owner to deface.
Fly Posting	A person commits an offence if they display advertising material on buildings and street furniture without the consent of the owner.
Abandoning a Vehicle	Vehicle A person commits a criminal offence if they abandon a motor vehicle or anything that has formed part of a motor vehicle on any land in the open air or on any other land forming part of a highway.
Nuisance Parking	A person commits an offence if they leave (or causes to be left) two or more motor vehicles parked within 500m of each other on a road or roads where they are exposed or advertised for sale for the purposes of a business.
Repairing vehicles on a road	It is an offence to run a business which carries out repairs to motor vehicles on the highway.

Age

The issue of a FPN will only be considered for those persons who commit an offence and are aged 16 years or above.

Where a person under the age of 16 has committed an offence, officers will seek to work with parents and/or schools to prevent further offences and educate the young person where possible. Appropriate adults will be sought in all cases.

Fee and Payment

The fee for each type of fixed penalty notice, where not set by law, will be set by the Council during the annual budget cycle. Where a new offence is established or variation to the existing penalty fee takes place within the budget year, then the relevant legislated default penalty fee will be adopted.

If the person either refuses to accept a FPN or, having accepted such a notice, does not pay before the end of the suspended enforcement period of 14 days, a reminder letter will be issued giving a further seven days' notice from the date of this letter. If the fixed penalty remains unpaid and to ensure the credibility of a FPN scheme, the assumption will be that all cases involving non-payment will be considered for referral to court.

Payment of a fixed penalty by instalments will not be accepted.

Appeals

Fixed Penalty Notices (FPN) for criminal offences do not have a formal ground of appeal.

The legislation that governs fixed penalty notices means that a person who receives an FPN can challenge the offence in court if they believe the penalty should not have been issued to them.

It is important to note that payment of a fixed penalty notice is an invitation for the person issued with the FPN to discharge their liability to prosecution.

Flytipping and littering - Fixed Penalty Matrix

In relation to Section 33, 34 and 87 of the Environmental Protection Act 1990, for fixed penalty notices (FPN) the council will utilise the FPN matrix and consider the application of the below matrix in certain circumstances:

Fly Tipping	Maximum Fine (each offence) £1,000	Optional FPN Amount (case by case basis): <ul style="list-style-type: none">• Car Boot or Less - £600*• Small Van Load - £800*• Transit Van or Above - £1,000
Littering	Maximum Fine (each offence) £500	Optional FPN Amount (case by case basis): <ul style="list-style-type: none">• Single Item - £250*• Multiple Items - £500
<p>The optional FPN amount stated* could be raised back to the maximum amount, depending on the following factors:</p> <ul style="list-style-type: none">• Size of item(s)• Location of item(s)• Risk to public health and safety• Risk to the environment• Court likely to impose a nominal penalty.• Previous advice/warning given.• Oversight/ignorance of the law.		

Court Action

A FPN may not be appropriate where it is known that the offender has previously been issued with a FPN for a similar offence, particularly if they have not paid. Court action will be considered in such cases as will offences where the impact of the offence upon the local environment and the cost related to rectifying is significant. Court action will be considered if:

- Payment has not been made
- The offence is major, e.g. significant fly tip, dumping of hazardous waste
- The offence is committed by a persistent offender
- The offender is violent or aggressive

Appendix B- Environmental Health Approach to Investigation and Enforcement

General Principles

This policy guides all officers involved in investigation, enforcement action and recommending or deciding upon the commencement of legal proceedings within the scope of Environmental Health.

Inspections and Visits

Inspections or visits will not take place without a reason. They may be undertaken in response to a complaint; in accordance with risk-based programmes; in accordance with statutory requirements or on receipt of relevant intelligence.

Where complaints are being investigated, notice of inspections/visits will not normally be given unless we are required to do so by legislation.

In accordance with the Food Standards Agency Food Law Code of Practice, most food hygiene inspections will be carried out unannounced during normal hours of operation of the business. In some circumstances, appointments to undertake an inspection have to be made.

On occasion, if admission has been refused, premises are unoccupied or prior warning of entry is likely to defeat the purpose of the entry, we may apply to a Justice of the Peace for a Warrant to enter premises, by force if necessary.

Liaison with other Enforcement Agencies and Regulatory Bodies

Where appropriate, enforcement activities within Environmental Services will be coordinated with other regulatory bodies and enforcement bodies to maximise effectiveness.

The Primary Authority Scheme was established by the Regulatory Enforcement and Sanctions Act 2008 (as amended). Officers will liaise with Primary Authorities when applicable e.g. before taking enforcement action. We will comply with the requirements of this Act when we are considering taking enforcement action against any business or organisation that has a primary authority and will have regard to any guidance issued by the Secretary of State in relation to Primary Authority.

Where there has been a work-related death at a premise where the local authority is the enforcing authority, we will work with other regulators involved in the investigation to consider any health and safety offences as effectively and efficiently as possible. This will be undertaken in accordance with the Work-related Deaths Protocol for the Police, Crown Prosecution Service, Local Authorities, and the Health and Safety Executive.

We will have regard to the Health and Safety Executive Enforcement Management Model (EMM) and associated guidance when considering enforcement decisions relating to health and Safety at Work.

Appendix C- Private Sector Housing Approach to Investigation and Enforcement

Introduction

The private rented sector is growing rapidly and although the majority of landlords provide well-managed and safe homes, the Council recognises that there are some landlords who neglect their responsibilities and put their tenants at risk due to the poor condition of their homes.

This document is intended to provide guidance for officers, landlords, letting agents and residents in respect of our approach to improving standards in private sector housing and dealing with enforcement. It should be read in conjunction with the Council's Environmental Services and Corporate Enforcement Policies which set out our commitment to the Principles of Good Enforcement and the Regulators Code.

Throughout this document, the term "landlord" also includes "property agents" and "letting agents" unless specified otherwise.

Approach to Enforcement

The Council recognises that most landlords and individuals wish to comply with the law and will seek to assist them in doing so by providing assistance to enable them to comply with legal requirements. Reasonable efforts will be made to ensure compliance without the need for formal action and in most circumstances, landlords will first be given the opportunity to investigate and resolve any issues at their properties. However, formal action will be considered where necessary, for example, where there is a serious or imminent risk to public health, a history of non-compliance or where landlords have failed to take action within informally agreed timescales.

The Council expects landlords to have a good understanding of the standards required in privately rented accommodation and refer to published guidance. The Council works closely with DASH Services (Decent and Safe Homes) to provide the Lincolnshire Landlord Accreditation Scheme to encourage and promote good property standards and management practices in the private rented sector.

The Private Sector Housing team will respond to complaints from tenants and other residents about the condition of private housing, prioritising them on the basis of an assessment of risk. Unless there appears to be an imminent risk, tenants are encouraged to contact their landlord initially to try to resolve the matter themselves in the first instance.

The Council may proactively target enforcement activity where intelligence suggests that this may be necessary, or to support the Council's wider priorities. This may include but is not restricted to; houses in multiple occupation, properties with poor energy efficiency ratings, poorly built/converted properties, and area-based interventions.

Housing Health and Safety Rating System (HHSRS)

The assessment of housing conditions will be carried out using the Housing Health and Safety Rating System as set out in the Housing Act 2004. This is a risk-based evaluation tool

used to identify and protect against risks and hazards to health and safety from deficiencies identified in dwellings. The HHSRS is based on statistical evidence relating to the likelihood and outcome of the occurrence of 29 different hazards. The assessment method results in a score for each relevant hazard which falls within one of two categories:

- Category 1 hazards – these represent a serious hazard to health and the Council has a duty to take appropriate action.
- Category 2 hazards – these represent a lesser hazard to health and the Council has a discretionary power to take action.

The Council will not normally take enforcement action to remedy (or reduce) minor or moderate Category 2 hazards. However, where any significant Category 2 hazards are identified, a number of Category 2 hazards exist which in combination present a greater cumulative risk, or where the vulnerability of the occupants is a particular factor, appropriate formal action to secure improvements will be considered.

The HHSRS can be used to assess hazards across all tenures. However, the Council will not normally require owner occupiers to undertake works to their own homes unless there is an imminent risk to the occupier or deficiencies at the property are adversely affecting another property or person.

Overcrowding

The Housing Act 2004 introduced “crowding and space” as a hazard under the HHSRS, however, the Housing Act 1985 was not repealed and as such there are two provisions in force. The standards in the Housing Act 1985 are prescriptive based on the number and size of rooms in a property, often including living and dining rooms as being suitable sleeping rooms. It takes no account of the remaining living space.

The Council will follow the Government’s HHSRS enforcement guidance which advises councils to use the HHSRS in respect of overcrowding. The Council will have regard to guidance in considering appropriate action on a case-by-case basis.

Where enforcement action may result in a family having to leave their home the Council will work with all parties to mitigate the impact.

Summary of Enforcement Options

A range of enforcement powers are available to the Council relating to the regulation of the Private Rented Sector the table below details some of these and describes the circumstances as to when they may be considered appropriate.

Action	Circumstances
1. No Action	<ul style="list-style-type: none"> • Complaints or allegations of housing legislation breaches or statutory nuisances are of minor or low risk to health and the landlord has not been informed by the complainant, or allegations are unsubstantiated and unwitnessed. • Formal action is inappropriate in the circumstances.
2. Advisory notices and letters	<ul style="list-style-type: none"> • Where conditions are evidenced to justify action and investigation and it is appropriate to give the opportunity to landlords and tenants to make representations, provide information or effect change to meet compliance. • No health impacts are present which pose a risk to health or nuisance
3. Formal notices or Orders	<ul style="list-style-type: none"> • The defect/conditions present a risk to health and/or a nuisance. • There are previous failures of statutory requirements. • Previous advisory notices/letters were ignored, or action was not taken in a timely manner or to the correct standard. • There is a lack of confidence in the individual or management i.e. the willingness to respond to an informal approach. • The Council is legally required to serve a statutory notice
4. Financial Penalties (up to £30,000 if under the Housing and Planning Act 2016, The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 or Tenant Fees Act 2019. Up to £5000 under other legislation)	<ul style="list-style-type: none"> • Non-compliance with an improvement or overcrowding notice. • Failure to obtain a property licence (Both parts 2 and 3 Housing Act 2004). • Significant and/or repeated breaches of HMO management regulations. • Breaches of the conditions of the property licence. • The amount of penalty decided by Financial Penalty Matrix for Housing Act 2004 offences is detailed below. • Used as an alternative to a prosecution. • Other financial penalty powers are within breaches of the following legislation: • The Electrical Safety Standards in the Private Rented Sector (England) Regulations

	<p>2020, Amount of penalty decided by Financial Penalty Matrix for offences is The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 detailed below.</p> <ul style="list-style-type: none"> • The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 • Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc.) (England) Order 2014 and • The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 and subsequent amendments.
5. Works in Default - Emergency Remedial Action & Emergency Prohibition Order	<ul style="list-style-type: none"> • There is an imminent risk to the health and safety of the occupant and/or public. • Awaiting the service of a notice or a prosecution would not adequately protect the public interest. • However, this does not rule out subsequent action being taken in conjunction with a prosecution, financial penalty, RRO or other legal action.
6. Works in Default – noncompliance with a notice.	<ul style="list-style-type: none"> • We may choose to carry out works required by notice if they have not been completed within the permitted time or are not likely to be completed within the permitted time. • This may be taken in conjunction or followed with a prosecution or financial penalty and/or RRO.
7. Rent Repayment Orders (RRO)	<ul style="list-style-type: none"> • RROs will be considered after every successful prosecution for failure to comply with an Improvement Notice (section 30); Prohibition Order, including Emergency Prohibition Orders (section 32); Offences in relation to licensing of HMOs (section 72) and in relation to licensing of houses under Part 3 of the Act (section 95). • Where a landlord fails to licence a licensable property and they received a significant amount of Housing Benefit or Universal Credit, a RRO application may be made to the First Tier Tribunal.
8. Banning Orders	<ul style="list-style-type: none"> • The Council may decide to seek a Banning Order following the breach of 'banning

	order offences' by landlords and agents. A banning order lasts for a minimum of 12 months and prevents landlords or agents from letting their own properties or being involved in the lettings and property management industry across England.
9. Interim & Final Management Order	<ul style="list-style-type: none"> The Council may decide to seek an Interim Management Order (IMO), following the breach of certain licensing offences, where the health and safety or welfare of the occupants is at serious risk (the 'health and safety condition' section 104 Housing Act 2004) and/or breach of a banning order by landlords and agents. An IMO lasts for a maximum of 12 months and gives control of the subject property to the Council. At the end of the Interim period, a Final Management Order (FMO) of up to 5 years may be sought, which follows the same principles but on a longer-term basis.
10.	

Housing Act 2004 offences Financial Penalty Matrix.

The following matrix is used by officers in determining the penalty amounts for a Financial Penalty Notice under the Housing Act 2004 which were introduced as an alternative to prosecution by the Housing and Planning Act 2016. It has been created having specific regard to the Government Guidance for Local Authorities: Civil Penalties under the Housing and Planning Act 2016, published in April 2018.

Each of the rows in the matrix takes into account certain criteria set out in the guidance. Each row produces a score dependent on the severity of the issue, being either 1, 5, 10, 15 or 20. At the end of every row, the officer will have to justify the most appropriate score chosen based on evidence in the case. The sum of the scores of each of the 4 rows produces a total. This final total is then compared against the council's set fee ranges, which determines the exact penalty amount; see table below. For example, a matrix total of 17 would result in a penalty of £7,500, a score of 55 would result in a penalty of £20,000 etc.

Consequently, the officer using the matrix will at no point be setting the penalty amount themselves as it is automatically calculated by the matrix, dependent on their assessment and resultant scores in each of the 4 rows.

In setting the financial penalty the Council assumes that the offender is able to pay any penalty imposed unless they supply suitable and sufficient financial evidence to the contrary. It is for the offender to provide this information. If the Council is not satisfied that reliable or suitable information has been provided, reasonable inferences relating to their ability to pay will be drawn from the information available and any other evidence available to the Council.

The ability of an offender to raise finance against their rental portfolio may be taken into consideration where the offender claims they are unable to pay a financial penalty and shows they have only a low income.

Score Range	Fee
1-5	£1,000
6-10	£2,500
11-15	£5,000
16-20	£7,500
21-30	£10,000
31-40	£15,000
41-60	£20,000
61-80	£25,000
81-100	£30,000

Factors	Score = 1	Score = 5	Score = 10	Score = 15	Score = 20	Total	Justification
1. Deterrence & Prevention.	High confidence that a financial penalty will deter repeat offending. Informal publicity not required as a deterrence	Medium confidence that a financial penalty will deter repeat offending. Minor informal publicity required for mild deterrence in the landlord community.	Low confidence that a low financial penalty will deter repeat offending (e.g. no contact from offender). Some informal publicity will be required to prevent similar offending in the landlord community.	Little confidence that a low financial penalty will deter repeat offending. Likely informal publicity will be required to prevent similar offending in the landlord community.	Very Little confidence that a low financial penalty will deter repeat offending. Informal publicity will be required to prevent similar offending in the landlord community		
2. Removal of Financial Incentive	No significant assets. No or very low financial profit made by offender	Little asset value. Little profit made by offender.	Small portfolio landlord (between 2-3 properties). Low asset value. Low profit made by offender.	Medium portfolio landlord (between 4-5 properties) or a small Managing Agent. Medium asset value. Medium profit made by offender	Large portfolio landlord (over 5 properties) or a medium to large Managing Agent. Large asset value. Large profit made by offender.		

3. Offence & History	No previous enforcement history. Single low-level offence.	Minor previous enforcement. Single offence	Recent second time offender. Offence has moderate severity or small but frequent impact(s).	Multiple offender. Ongoing offences of moderate to large severity or a single instance of a very severe offence.	Serial offender. Multiple enforcement over recent times. Continuing serious offence		
4. Harm to Tenants(s) (*Score is doubled on this section in line with Statutory Guidance)	Very little or no harm caused. No vulnerable occupants. Tenant provides no information on impact.	Likely some low-level health/harm risk(s) to occupant. No vulnerable occupants. Tenant provides poor quality information on impact.	Likely moderate level health/harm risk(s) to occupant. Vulnerable occupants potentially exposed. Tenant provides some information on impact but with no primary or secondary	High level of health/harm risk(s) to occupant. Tenant(s) will be affected frequently or by occasional high impact occurrences. Vulnerable occupants more than likely exposed. Small HMO (3-4 occupants), multiple occupants exposed. Tenant	Obvious high-level health/harm risk(s) and evidence that tenant(s) are badly and/or continually affected. Multiple vulnerable occupants exposed. Large HMO (5+ occupants), multiple occupants exposed. Tenant provides excellent information on impact with primary and secondary evidence provided (e.g. medical, social services reports).		

				provides good information on impact with primary evidence (e.g. prescription drugs present, clear signs of poor health witnessed) but no secondary evidence.			
					Total:		

The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 Penalty Matrix

The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 provide duties for landlords of certain rented domestic properties in relation to managing risks associated with the electrical installation. Without prejudice to the wording of the regulations, these include:

- Ensure national standards for electrical safety are met. These are set out in the 18th edition of the 'Wiring Regulations', which are published as British Standard 7671.
- Ensure all electrical installations in their rented properties are inspected and tested by a qualified and competent person at least every 5 years.
- Obtain a report from the person conducting the inspection and test which gives the results and sets a date for the next inspection and test.
- Supply a copy of this report to the existing tenant within 28 days of the inspection and test.
- Supply a copy of this report to a new tenant before they occupy the premises.
- Supply a copy of this report to any prospective tenant within 28 days of receiving a request for the report.
- Supply the local housing authority with a copy of this report within 7 days of receiving a written request for a copy.
- Retain a copy of the report to give to the inspector and tester who will undertake the next inspection and test.
- Where the report shows that further investigative or remedial work is necessary, complete this work within 28 days or any shorter period if specified as necessary in the report.

The full wording of the regulations can be found online and at the time of draft are located here: www.legislation.gov.uk/uksi/2020/312/contents/made.

Where a local housing authority is satisfied, beyond reasonable doubt, that a private landlord has breached a duty under regulation 3, the authority may impose a financial penalty of up to £30,000.

The regulations detail the steps required by a local authority to take as well as the right of a landlord to make representations and the right of appeal against any subsequent decision to issue a financial penalty. In determining the value of a financial penalty, the Council will have regard to the matrix below.

In using this matrix, the council has regard to the non-statutory guidance issued by the government “Guide for local authorities: electrical safety standards in the private rented sector.”

General principles (to be applied to all financial penalties made under the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020
No penalty charge shall be issued above the statutory maximum of £30,000
No penalty charge shall be less than 20% of the starting value after all aggravating and mitigating factors are considered and taken into account.
Mitigating factors will be considered based on evidence submitted by the landlord or their agent to the Private Sector Housing Team prior to and including any representations that the landlord provides following service of a Notice of Intent to issue a Financial Penalty

The offences under the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 have been split into two tiers of offences as detailed below:

The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020	Regulation	Tier
Ensure national standards for electrical safety are met. These are set out in the 18th edition of the ‘Wiring Regulations’, which are published as British Standard 7671.	3(1)(a))	Tier 1
Ensure all electrical installations in their rented properties are inspected and tested by a qualified and competent person at least every 5 years	3(1)(b))	Tier 1
Obtain a report from the person conducting the inspection and test which gives the results and sets a date for the next inspection and test.	3(3)(a)	Tier 1
Supply a copy of this report to the existing tenant within 28 days of the inspection and test.	3(3)(b)	Tier 2
Supply a copy of this report to a new tenant before they occupy the premises.	(3(3)(e)(i)	Tier 2
Supply a copy of this report to any prospective tenant within 28 days of receiving a request for the report	3(3)(e)(ii)	Tier 2
Supply the local housing authority with a copy of this report within 7 days of receiving a written request for a copy.	3(3)(c)	Tier 2
Retain a copy of the report to give to the inspector and tester who will undertake the next inspection and test.	3(3)(d)	Tier 2
Where the report shows that further investigative or remedial work is necessary, complete this work within 28 days or any shorter period if specified as necessary in the report.	3(4) – 3(6)	Tier 1

Failure to comply with duties under the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020

Starting Value of penalty charge (Note 1)	Tier 1	Tier 2
1 st Relevant Penalty	£6,000	£1,200
2 nd subsequent penalty issued to the same person/company	£15,000	£3,000
Subsequent penalty issued to the same person/company	£24,000	£4,800

Aggravating Factors (use all that apply) (note 2)	Tier 1	Tier 2
Evidence of failure to comply with multiple duties. (note 6)	£3,000	N/A
Acts or omissions demonstrating high culpability (note 4)	£3,000	£600
Large housing portfolio (note 5)	£3,000	£600
Vulnerable occupant and/or significant harm occurred as a result of failure to comply with regulations (note 7)	£3,000	£600

Mitigating Factors (use all that apply) (note 3)	Tier 1	Tier 2
Evidence of Low culpability (note 8)	-£3,000	-£600
Rapid action taken to remedy failings (note 9)	-£3,000	-£600

Notes 1-3 set out the overall process for determining the value of a given financial penalty. Notes 4-10 give details on specific other issues.

Note 1 Determining the starting value of a financial penalty.

The starting point for a financial penalty is based on the number of previous financial penalties issued under these regulations in the previous four years. The Council will take into account any such financial penalties irrespective of the locality to which the breach of legal duty relates.

Note 2 Aggravating factors.

After the starting point as per note 1 has been determined any relevant aggravating factors are considered and where appropriate to do so, the given value is added to the starting point to provide the maximum level of financial penalty. At this stage, it is possible for the notional penalty to be above the statutory maximum, but once mitigation and income are considered if the value is still above the statutory maximum, it will be capped as per the “general principles.”

Note 3 Mitigating factors.

After aggravating factors are considered and applied where appropriate, mitigating factors are considered and where there is sufficient and compelling evidence the relevant value will be discounted from the Financial Penalty. In considering whether it is appropriate to include a mitigating factor, evidence shall be considered that has been gathered by the inspecting officer in the course of any investigation as well as any representations that have been provided following a served Notice of Intent.

Note 4 Acts or omissions demonstrating high culpability.

This aggravating factor will be applied where, the person to which the financial penalty applies, acted in a reckless or deliberate manner in not complying with a statutory notice or previous relevant formal advice.

Note 5 Large housing portfolio.

The aggravating factor is applied where the perpetrator has control or manages of 10 or more units of accommodation. For the purposes of this aggravating factor, the definition of a person having control and person managing are as defined by Housing Act 2004 Section 263.

Note 6 Multiple failings.

To be included where there is evidence of a failure to comply with three or more regulations, irrespective of whether they are defined as “Tier 1” or “Tier 2”. For the avoidance of doubt, multiple failures of the same regulation do not apply, it is based on evidence of failure of duties under separate provisions within the regulations.

Note 7 Vulnerable persons and/or serious harm.

This factor will be applied if either the property is occupied by a vulnerable person or if significant harm has occurred as a result of the failure to comply with the duties imposed by these regulations. A vulnerable person is defined as:

A person who suffers or is at risk of suffering harm or detriment which the ordinary person would not suffer or be at risk of suffering due to age, disability, or severe financial insecurity.

This factor applies where an occupant is vulnerable and, due to the underlying failure to comply with the relevant legislation is placed at additional risk or harm compared with a non-vulnerable resident.

For purposes of this factor, significant harm is defined as:

A physical or mental illness or injury that corresponds to one of the four classes of harm as recorded in Housing Act 2004 Section 9 Operating Guidance for the Housing Health and Safety Rating System.

Note 8 Low culpability.

This factor will apply where the perpetrator provides sufficient evidence that they only marginally fell short of their legal obligations, for instance:

- Significant efforts were made to address the relevant breach of duty, although they were inadequate to mitigate the underlying cause to issue the penalty.
- They have offered a reasonable defence for why they were unaware of the breach of duty.
- Failings were minor and occurred as an isolated incident.

It will not be sufficient to claim not to have known of the legal requirement or deficiency that forms the underlying reason for the financial penalty in order to benefit from this factor.

It will also not apply where the underlying failure was due to the inaction of the perpetrator in properly managing rented properties, responding to complaints of poor standards, carrying out routine visits, instructing others to assist where necessary etc.

Note 9 Rapid action taken to remedy failings.

This factor will apply where, on notification of the alleged failure of the legal duty, the perpetrator took rapid action to remedy the underlying failings which could mean:

- Undertaking remedial works to address the deficiencies noted.
- Obtaining copies of existing electrical reports and providing them to the relevant party.

In order to benefit from this factor, it is the responsibility of the perpetrator to provide sufficient evidence of compliance. It will not be sufficient to simply claim works have been completed, but photographs, videos, and arrangements with the Private Sector Housing Team to visit are all appropriate measures to demonstrate compliance.

In assessing whether “rapid action” was taken, the Council will take into account the extent of the remedial works or actions required, and the time taken from receipt of any requirement to action. This could be evidence of quotes for works, agreed start dates from contractors etc.

In setting the financial penalty the Council assumes that the offender is able to pay any penalty imposed unless they supply suitable and sufficient financial evidence to the contrary. It is for the offender to provide this information. If the Council is not satisfied that reliable or suitable information has been provided, reasonable inferences relating to their ability to pay will be drawn from the information available and any other evidence available to the Council.

The ability of an offender to raise finance against their rental portfolio may be taken into consideration where the offender claims they are unable to pay a financial penalty and shows they have only a low income.

Statement of Principles under the Smoke and Carbon Monoxide Alarm (England) Regulations 2015

This statement sets out the principles that South Kesteven District Council will apply in exercising its powers to require a relevant landlord to pay a financial penalty.

The Regulations require the Council to prepare and publish a statement of principles which it proposes to follow in determining the amount of a penalty charge.

In determining the amount of a penalty charge, the Council must have regard to the statement of principles which was most recently prepared and published at the time when the breach in question occurred.

Legislative background

The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 came into force on 1 October 2015 and introduced the following duties (amended by the Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022) for “relevant landlords” when premises are occupied under a “specified tenancy”:

- A smoke alarm is equipped on each storey of the premises on which there is a room used wholly or partly as living accommodation; and
- A carbon monoxide alarm is equipped in any room of the premises which is used wholly or partly as living accommodation and contains a fixed combustion appliance other than a gas cooker.
- Checks are made by or on behalf of the landlord to ensure that each prescribed alarm is in proper working order on the day the tenancy begins if it is a new tenancy, and
- Where, following a report made on or after 1st October 2022 by a tenant or by their nominated representative to the landlord, a prescribed alarm is found not to be in proper working order, the alarm is repaired or replaced.

Where the Council has “reasonable grounds” to believe that a relevant landlord is in breach of one or more of the duties the authority must serve a remedial notice on the landlord. Reasonable grounds include evidence from a Private Sector Housing Officer or other relevant professional such as an Officer of the Council, Fire service, Police etc.

In line with the Council’s Corporate Enforcement Policy, a staged approach will be used, giving the landlord 7 days to comply where there is no history of non-compliance. If there is a history of noncompliance or compliance is not achieved within 7 days a remedial notice will be served.

Where a remedial notice has been served and the Council is satisfied on the balance of probabilities that the landlord on whom a remedial notice was served has failed to take the

remedial action specified in the notice within the specified period the Council must (where the occupier consents) arrange for the remedial action to be taken and may require the landlord to pay a penalty charge.

Principles followed in determining the amount of Penalty Charge

The purpose is to protect the safety of residents in rented accommodation. Where legislation is not complied with the financial penalty aims to:

- Change the behaviour of the landlord and deter future non-compliance.
- Eliminate any financial gain associated with non-compliance.
- Be proportionate; giving consideration to seriousness, past performance, risk, and Government guidance.
- Reimburse the Council for costs incurred in enforcement.

Penalty Charge

The Regulations allow a civil penalty of up to £5,000 to be imposed on landlords who fail to comply with a remedial notice.

The level of penalty covers the cost of all works in default, officer costs, inspections, and administration on a cost recovery basis. In addition to this, an appropriate and proportionate penalty fine is levied.

The level of Penalty Charge is set on a scale with a minimum penalty of £700.

Where there is a history of noncompliance or unspent convictions relating to housing, or where there are increased risk factors such as vulnerable occupiers, or the property presents a high risk, additional charges will apply to a maximum of £4,500.

Level of Penalty Charge

A fee of £700 will be charged in all cases. This covers the cost of works in default, officer costs, inspections, administration, and a penalty for non-compliance with the notice.

In addition to the £700 charge, additional penalties will be levied as follows:

- Previous spent or unspent conviction or works in default.
undertaken relating to the owner's role as a landlord. £1,000
- Previous remedial action taken under this legislation. £1,000
- Per additional storey above or below ground level
(e.g. Two storey house is £100; Three storey house is £200) £100
- No clear or direct means of escape £500

- Increased risk of ignition or spread of fire.
(e.g. poor electrics, open fires etc.) £500
- Vulnerable occupants (e.g. elderly or disabled persons,
children or others considered vulnerable due to their
circumstances) £500

Energy Efficiency – Private Rented Property Minimum Standard

The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 set out the minimum level of energy efficiency for private rented property. The minimum is currently set at an Energy Performance Certificate (EPC) rating of band E.

The Council will have regard to the Guidance for landlords and local authorities on the minimum level of energy efficiency required to let domestic property issued by the Department for Business, Energy, and Industrial Strategy in the application of this legislation.

The minimum standard applies to domestic privately rented properties which are let under certain types of tenancy, and which are legally required to have an EPC as described in the Regulations.

Subject to certain exclusions and exemptions the prohibition on letting sub-standard property takes effect as follows:

- From 1 April 2018, landlords of relevant domestic private rented properties may not grant a tenancy to new or existing tenants if their property has an EPC rating of Band F or G (as shown on a valid Energy Performance Certificate for the property).
- From 1 April 2020, landlords must not continue letting a relevant domestic property which is already let if that property has an EPC rating of band F or G (as shown on a valid Energy Performance Certificate for the property)

Where a landlord wishes to continue letting property which is currently sub-standard, they will need to ensure that energy efficiency improvements are made which raise the EPC rating to a minimum of E.

In certain circumstances as defined in the Regulations, landlords may be able to claim an exemption from the prohibition on letting sub-standard property. Where a valid exemption applies, landlords must register the exemption on the national PRS Exemptions Register.

Most exemptions last for 5 years, but do not pass to a new owner or landlord on sale or transfer of the property. The new owner will need to either improve the property to the minimum standard, or register an exemption themselves, where one applies, if they wish to continue to let the property.

The Council will use the information contained in the PRS Exemptions Register to check compliance with the Regulations. Where it is suspected that a landlord may be in breach of the prohibition on letting sub-standard property, the Council may serve a Compliance Notice requesting information from the landlord to decide whether that landlord has in fact breached the prohibition.

The Council will impose a financial penalty at the maximum level permitted by the Regulations and will also impose the publication penalty, where satisfied that the landlord is, or has been in the last 18 months:

- in breach of the prohibition on letting sub-standard property (which may include continuing to let the property after April 2020), or
- in breach of the requirement to comply with a Compliance Notice, or
- has uploaded false or misleading information to the Exemptions Register.

The maximum penalties are currently as follows:

- £2,000 for renting out a sub-standard property for less than 3 months.
- £4,000 for renting out a sub-standard property for 3 months or more.
- £1,000 for providing false or misleading information on the PRS Exemptions Register
- £2,000 for failing to comply with a compliance notice.

Where penalties are imposed under more than one of the above, the total penalty may not exceed £5,000. This applies per property and per breach.

The Council will impose the maximum penalty for each of the breaches.

A publication penalty means that some details of the landlord's breach will be published on a publicly accessible part of the PRS Exemptions Register, where it will be available to view for 12 months.

As a penalty may be served up to 18 months after the suspected breach, a person may be served with a penalty notice after they have ceased to be the landlord of a property.

Appendix D:

Example of a Decision Log & Action Plan

Decision Reference:					
Alleged offender			Offence and Legislation		
Name:					
Address:					
Corporate Priority:					
Priority Evaluation	Y	N		Y	N
Public safety – protecting our community/removing dangers to life			Immediate & significant environmental harm or nuisance		
Significant financial loss to council			Significant impact on delivery of overall priorities		
Statutory duty/national enforcement priority			Significant reputational loss		
Outline of Circumstances and Decision / Advice Sought					

Evidential / Public Interest Criteria	Y	N		Y	N
Sufficient evidence to prosecute			Offer of caution rejected by offender		
Previous advice / warning given			Court likely to impose nominal penalty		
Any previous conviction(s) / caution(s)			Evidence of recklessness or negligence		
Was there risk to public health & safety			Long (unjustifiable) delay since offence		
Was there risk or danger to environment			Other sanctions available		
(Actual / potential) financial loss incurred			Previous suggestion of no prosecution		
Oversight/ignorance of the law			Victim content for no prosecution		
Has offender been co-operative			Officer obstructed		
Is offender young, elderly, or vulnerable			(Actual/potential) gain to the offender		
Is there a 'vulnerable' victim			Failure to comply with a statutory notice		
A 'technical' offence			Evidence of 'intent' or 'guilty knowledge'		
Widespread publicity about type of offence			Long term/recurrent offending		
Investigating Officer:			Team Leader/ Manager	Consulted Y / N	
Signed:			Date:		

Financial and Reputational Costs and Benefits

Decision / Advice			
Decision Summary:			
Prosecution		Further investigation needed	
Injunction		No Further Action – Public Interest	
Simple Caution		No Further Action – Priority Area	
Bankruptcy		No Further Action - Evidential	
Eviction		Other (specify)	
Reprimand/Final Warning			
Further legal advice needed			
Action Plan			
Further Action Agreed	Action Date By	Officer	
1.			
2.			
3.			
4.			
Service Manager:		Signed	Date

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**SOUTH
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COUNCIL**

Environment Overview and Scrutiny Committee

Tuesday, 23 September 2025

Report of Councillor Rhys Baker,
Cabinet Member for Environment and
Waste

Update on Tree Planting Proposals for Winter 2025 Onwards

Report Author

Andrew Igoea, Tree Project Officer

✉ andrew.igoea@southkesteven.gov.uk

Purpose of Report

To update the Committee on the Council's proposed tree planting programme for the 2025/26 season, including planned planting numbers, locations, and delivery methods. The report also explains how planting sites have been selected to ensure fair distribution across the district and outlines future improvements to site selection using canopy cover data and the Woodland Trust's 'Tree Equity Scores'.

Recommendations

The Committee is recommended to endorse the tree planting programme for 2025/26

Decision Information

Does the report contain any exempt or confidential information not for publication?

No

What are the relevant corporate priorities?

Sustainable South Kesteven

Which wards are impacted?

(All Wards);

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

- 1.1 There is sufficient budget in place to fund the tree planting programme for 2025/26 along with the required aftercare and watering costs. The funding for the tree planting programme was allocated through a one-off growth bid as part of the budget setting process for 2025/26. Therefore, any planting and aftercare for future years will require funding to be allocated and potentially form part of a new growth bid for 2026/27 and beyond. No additional procurement risks have been identified at this stage.

Completed by: David Scott – Assistant Director of Finance and Deputy s151 officer

Legal and Governance

- 1.2 The proposals set out in this report are consistent with the Council's adopted Tree and Woodland Strategy (2024) and fall within the Council's powers to manage its own land and assets.

Completed by: James Welbourn, Democratic Services Manager

Climate Change

- 1.3 Delivery of the tree planting programme will make a positive contribution to the Council's emerging Climate Action Plan by increasing climate resilience through benefits including provision of shade and natural cooling from trees once established and supporting carbon sequestration in the longer term.

Completed by: Serena Brown, Sustainability & Climate Change Manager

2. Background to the Report

- 2.1. SKDC adopted a [Tree and Woodland Strategy in 2024](#) ([Agenda for Cabinet on Tuesday, 14th May, 2024](#)). Through the adoption of this strategy the council has committed to increasing tree canopy cover across the district. A central principle is planting the right tree in the right place, ensuring species are chosen for local conditions and long-term survival. The Strategy also emphasises equity, ensuring

planting reaches communities that currently lack canopy cover so that all residents have fair access to the benefits trees provide.

3. Key Considerations

- 3.1. Currently, tree-planting initiatives are strategically focused on land owned or managed by the council. This approach provides a clear and manageable starting point. Alternative delivery methods will be explored, such as partnerships with private landowners or community groups, as our initial planting program matures.
- 3.2. The primary focus is planting individual amenity trees in existing green spaces. However, the Council is also actively identifying opportunities for smaller-scale woodland and hedgerow planting to enhance biodiversity and landscape connectivity.
- 3.3. The distribution of resources for planting new amenity trees would ideally be based on where the most benefit can be delivered such as in areas with low tree canopy cover or poor air quality, areas at risk of flooding due to high levels of run off. At the start of this planning period, however, informative data on these parameters was still being collected and acquired, so planning began based on achieving an equitable geographical distribution across the district.
- 3.4. The method of distributing amenity trees across the district was as follows:
 - 3.4.1. Utilising the most recent census data to establish population figures for the four main towns. For this analysis, Market Deeping and Deeping St. James were considered a single conurbation. The remaining population of South Kesteven was designated as the "villages" category.
 - 3.4.2. A total achievable planting target for the next three years was determined by working backward from the allocated budget, taking into account planting, aftercare, and maintenance costs. A key consideration is the cost of watering new trees for their first three years, which increases annually. To guarantee sufficient funds for tree watering and maintenance, the planting schedule is deliberately paced to avoid over-committing the budget in the initial years.
 - 3.4.3. An ideal distribution model was developed based on the percentage of the population in each area. For instance, if Grantham accounts for 30% of the district's population, the objective is to allocate 30% of the new amenity trees to this area over the three-year period.
 - 3.4.4. Given the limited annual budget and the objective of creating cohesive and aesthetically pleasing planting schemes, it is not always feasible to meet the ideal population-based distribution in a single year. Therefore, the strategy is to achieve this equitable distribution over a longer, three-year planning period.
 - 3.4.5. To ensure an even distribution within the 'villages' category, they have been stratified into three geographical zones: North, Central, and South.

The total number of trees allocated to the villages is then evenly divided among these three strata.

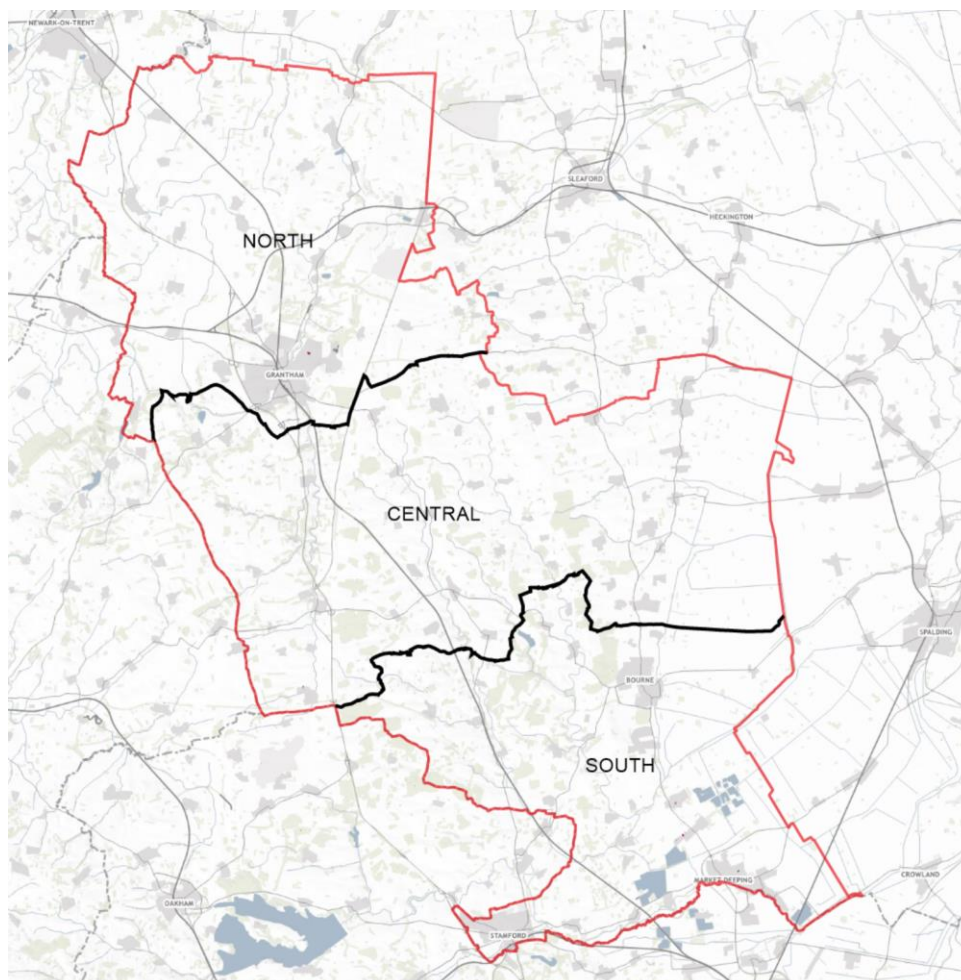


Figure 1. Strata used to select sample villages for the assessment of tree canopy cover.

4. Proposed Planting (Amenity Trees)

4.1 The draft annual planting targets and the projected costs are as follows:

Year	New trees per year	Tree Planting Costs	Aftercare and Maintenance Costs*	TOTAL
2025/26	100	£ 29,870	£ 8,685	£ 38,555
2026/27	65	£ 19,998	£ 23,387	£ 43,385
2027/28	65	£ 20,598	£ 32,257	£ 52,855

*Note: watering continues for three years after planting to ensure the tree has the best chance of establishment

4.2 The three-year projected distribution for amenity trees is currently as follows:

	2025/26	2026/27	2027/28	Total
Grantham	28	21	21	70
Bourne	13	8	8	29
Stamford	20	8	9	37
The Deepings	9	6	7	22
Villages - North	0	16	8	24
Villages - Central	14	6	4	24
Villages - South	16	0	8	24
Villages (Combined)	30	22	20	72
Total	100	65	65	230

4.3 The planting sites for 2025/26 are as follows:

Location	No. of Trees
Princess Drive, Grantham	23
Trent Road Play Area, Earlsfield, Grantham	5
Wingate Way, Bourne	5
Ash Grove, Bourne	8
Kesteven Road, Stamford	8
Stamford Leisure Pool	7
St. Martins Graveyard, Stamford	5
Burchnall Close, Deeping St. James	7
Broadgate Lane, Deeping St. James	2
Langtoft Recreation Ground	16
Throughton Park Play Area, South Witham	14
TOTAL	100

4.4 Site plans showing the layout and species chosen for each site are available in Appendix 1.

4.5 Ward councillors for each of the above sites have already been contacted for feedback, which has all been supportive and positive, although some concerns were raised about the risk of vandalism. To address this risk, protective cages will be used at some locations.

4.6 Since the beginning of this planning period, the Council has been actively assessing existing tree canopy cover across the district's towns and villages. This assessment is on track for completion by December 2025.

- 4.7 Furthermore, the Council now has access to the Woodland Trust's 'Tree Equity Scores' for our district. These scores provide valuable, data-rich insights into 'tree need' by considering factors such as population density, surface temperatures, and public health indicators.
- 4.8 Following the successful implementation of the upcoming planting season's program, the Council will review and adjust the tree-planting distribution plans for the following two seasons. The integration of both the canopy cover data and the Tree Equity Scores will enable a strategic shift from an equitable distribution model to a needs-based distribution. This data-informed approach will ensure that future tree-planting efforts deliver the maximum environmental and social benefits to areas that need them most.

5. Proposed Planting (Woodlands and Hedges)

- 5.1 In addition to planting individual amenity trees, the Council is also proposing two larger schemes in the Grantham area and a small hedge planting proposal in Witham on the Hill.

5.2 Blessed Hugh Moore:

- 5.2.1 This is a collaborative planting proposal with the Woodland Trust (WT). The final design and specifications for this scheme will be informed by a targeted public consultation to residents nearby the open space launching in September 2025. A draft site plan is included in appendix 2.
- 5.2.2 The main planting area is 0.23 hectares, which will require between 350 and 600 small trees/shrubs (40-60cm tall). The Council is considering a planting density of either 2,500 trees per hectare (2m spacing) without protective tubes or 1,600 trees per hectare (2.5m spacing) with tubes.
- 5.2.3 Adjacent to the main planting area, in the SE corner of the site, there is provision for an area of larger trees at wider spacing. There will also be a row of larger amenity trees along the Northern edge of the site.
- 5.2.4 The WT will supply all the nursery stock and materials for the site. Due to the relatively small number of trees involved, all the planting should be done by volunteers, so the only labour costs will be for site and ground preparation works, if required. The burden of post planting maintenance and aftercare will be shared between the Council and the WT.
- 5.2.5 The consultation process will involve a leaflet drop to approximately 1500 addresses in the vicinity of the site followed by a drop-in session at a local venue (TBC). This will provide an opportunity for SKDC and WT staff to be

present together at the event, confirming the partnership in the eyes of the community.

5.3 Brittain Drive:

5.3.1 This planting proposal is being developed in partnership with a local private company who have agreed to fund the planting of 75 trees and three years of aftercare and maintenance. The trees will be small (40-60cm tall) and will be planted in protective tubes to prevent damage from browsing deer. Ward councillors and residents closest to the planting site have been contacted for feedback. A site plan is available in appendix 3.

5.4 Witham on the Hill:

5.4.1 30m of mixed native hedging will be planted on the wide verge between Elm Avenue and the houses at East Green. This is to replace the hedging non-native that was planted here several years ago but failed to establish. This project will require 80-90 trees, which will be 20-30cm tall at the time of planting.

6. Reasons for the Recommendations

6.1 To update the Committee on the Council's tree planting programme for the 2025/26 season.

7. Appendices

7.1 Appendix 1 – Site plans for proposed amenity tree planting

7.2 Appendix 2 – Site plan for proposed tree planting scheme at the Blessed Hugh Moore Site

7.3 Appendix 3 – Site plan for proposed tree planting scheme at the Brittain Drive Amenity Area



Ash Grove Amenity Area - Tree Planting 2025/26



Broadgate Lane Amenity Area - Tree Planting 2025/26



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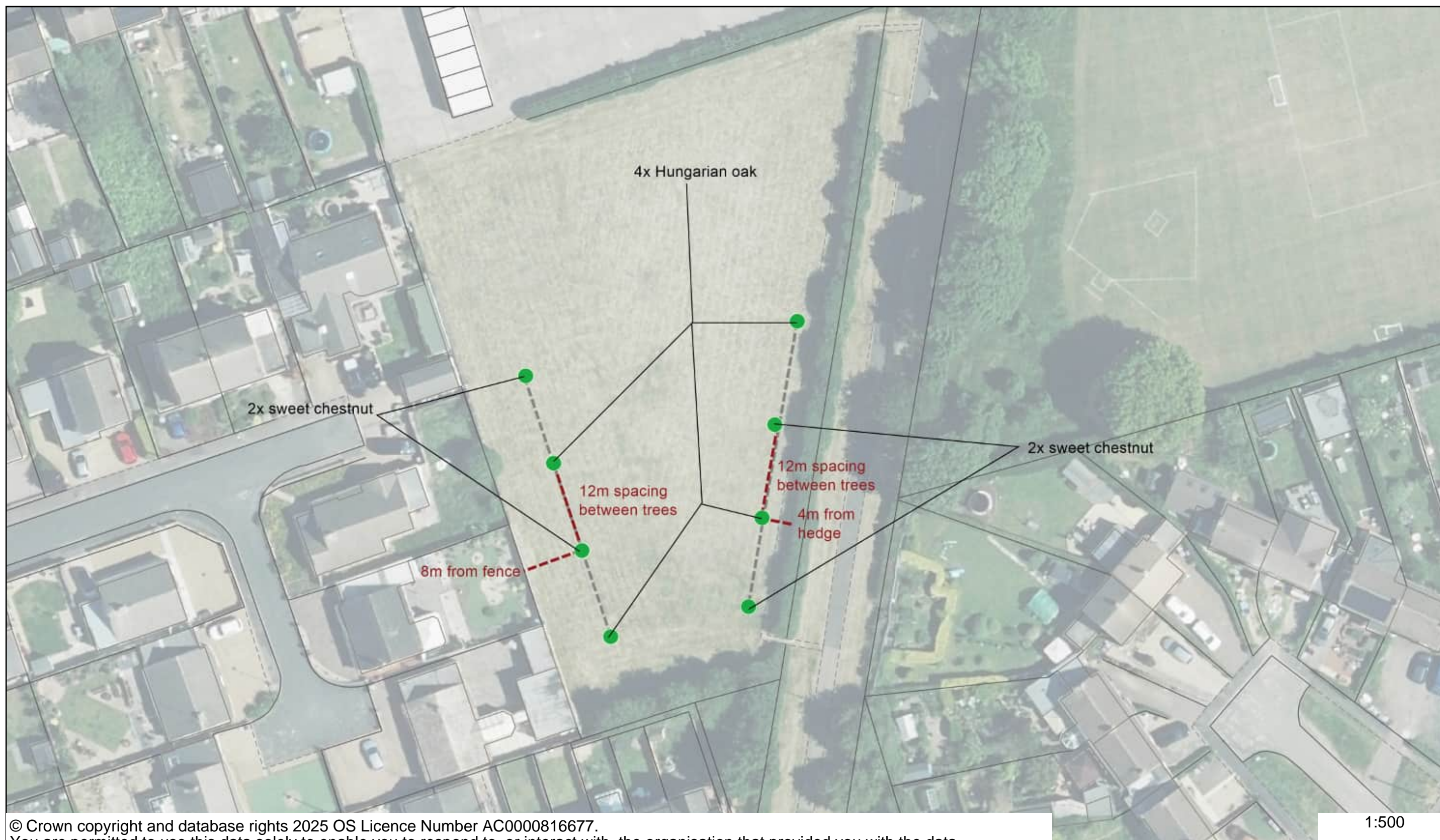


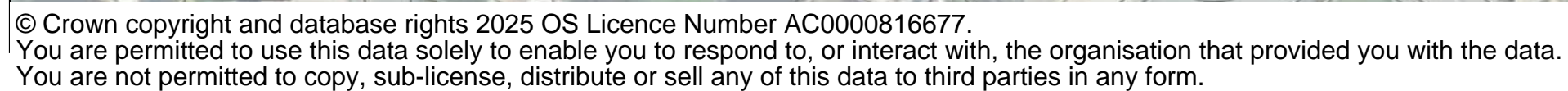
Burchnall Close Amenity Area - Tree Planting 2025/26





Kesteven Road Amenity Area Tree Planting 2025/26







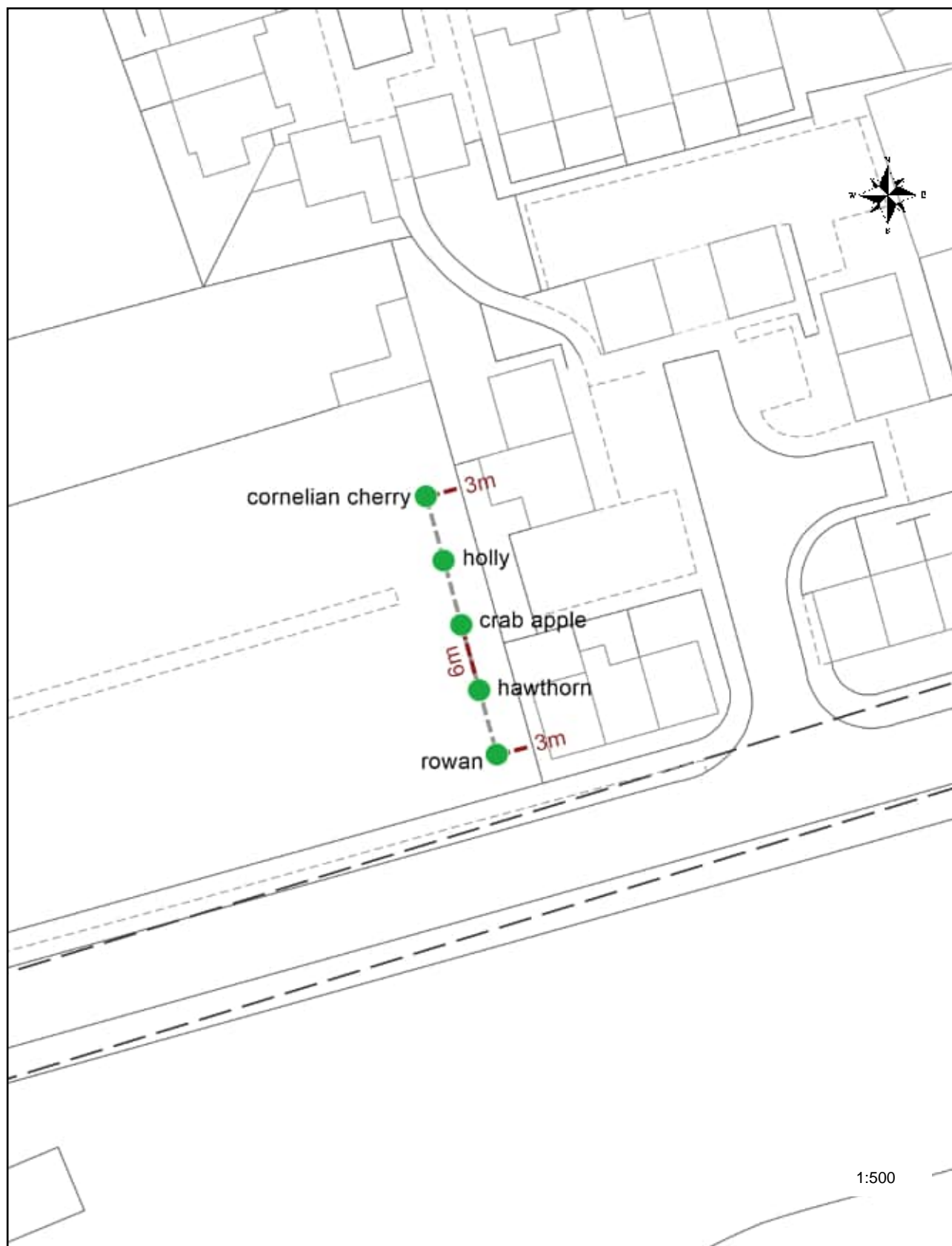
Princess Drive Amenity Area - Tree Planting 2025/26



St. Martin's Graveyard Tree Planting 2025/26



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Stamford Leisure Pool Tree Planting 2025/26



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Trent Road Play Area - Tree Planting 2025/26

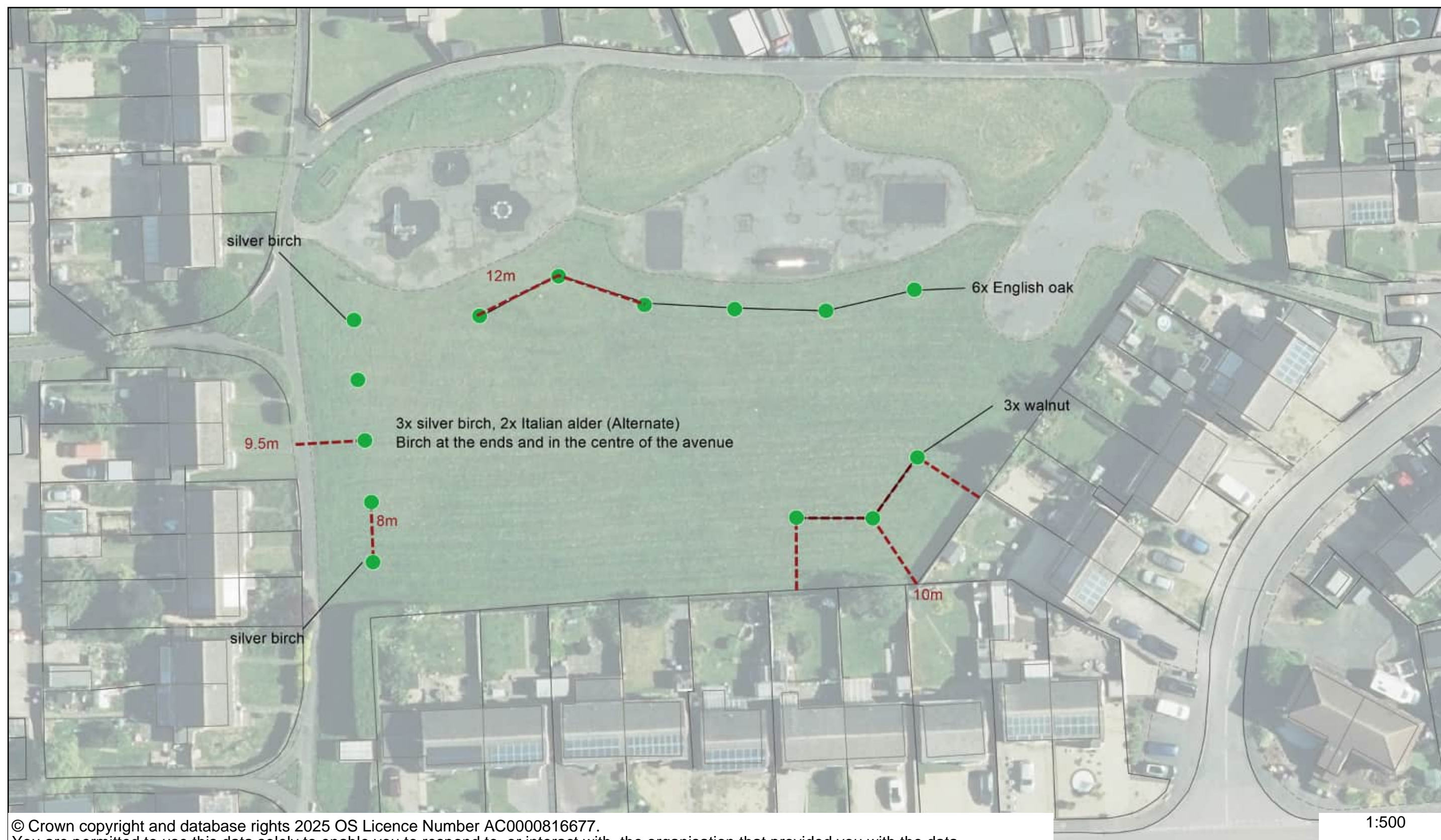


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Wild Witham Play Area - Tree Planting 2025/26



Wingate Way Amenity Area - Tree Planting 2025/26



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Blessed Hugh Moore site - open space tree planting consultation



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Brittain Drive Tree Planting Proposal



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WORK PROGRAMME

REPORT TITLE	LEAD OFFICER	PURPOSE	ORIGINATED/COMMITTEE HISTORY DATE(S)	CORPORATE/ PRIORITY
10 November 2025				
Leisure Energy Update on Grantham Meres Public Sector Decarbonisation Scheme	Leisure Energy (external)	Update presentation on the progress of the Public Sector Decarbonisation Scheme funded works at Grantham Meres leisure centre to install new low-carbon heating system and supporting upgrades.		Sustainable South Kesteven
Tree Management Policies Update	Andrew Igoea (Tree Officer)	Update on the new Tree Management Policies (replacing the SKDC Tree Guidelines).		Sustainable South Kesteven
Corporate Plan: Key Performance Indicators (KPIs) Q2	Charles James (Policy Officer)	To present the Council's performance against the Corporate Plan 2024-27 Key Performance Indicators (KPIs) for quarter 2 2025/26. Priority		Effective Council
Climate Action Plan Update	Serena Brown (Sustainability & Climate Change Manager)	To update on the Climate Action Plan		Sustainable South Kesteven
Biodiversity Action Plan Update	Louise Case (Sustainability Project Support Officer)	To update on the newly developed Biodiversity Action Plan.	December 2023	Sustainable South Kesteven

REPORT TITLE	LEAD OFFICER	PURPOSE	ORIGINATED/COMMITTEE HISTORY DATE(S)	CORPORATE/ PRIORITY
Green Fleet Update	Kay Boasman (Head of Waste and Markets)	To update on implementation of the actions of the Green Fleet Strategy		Sustainable South Kesteven
13 January 2026				
Unscheduled future items				
Update on recently published Section 19 reports	Tom Amblin-Lightowler (Environmental Health Manager)	To review the recommendations to mitigate and prevent future flooding risks.	February 10 th 2025	Sustainable South Kesteven
Quality of the District's Rivers and Canals				
National Hedge Laying Association				
Flooding Working Group Update		To update on the formation and development of the Flooding Working Group.	18 March 2025	Sustainable South Kesteven

The Committee's Remit

The remit of the Environment Overview and Scrutiny Committee will be to work alongside Cabinet Members to assist with the development of policy and to scrutinise decisions in respect of, but not limited to:

- Air quality
- Animal welfare licensing (Policy)
 - Commercial, industrial, and clinical waste collection and management
- Dog breeding and control orders
- Domestic waste and recycling management
- Energy efficiency
- Environment SK Ltd
- Environment SK Commercial Services Ltd
- Estate and grounds maintenance
- Flooding
- Food hygiene and safety
- Health and safety
- Noise
- Renewable energy
- Scrap metal dealers
- Green open space management

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