

Policy Panel Meeting

**Grand Jury Room, Town Hall, High Street,
Colchester, CO1 1PJ
Wednesday, 22 September 2021 at 18:00**

The Policy Panel considers strategies, policies and legislative changes identified by Cabinet that may require review and improvement, and seeks Cabinet's agreement as to whether and how they should be examined, and reviews issues at the request of Portfolio Holders.

Information for Members of the Public

Access to information and meetings

You have the right to attend all meetings of the Council, its Committees and Cabinet. You also have the right to see the agenda (the list of items to be discussed at a meeting), which is usually published five working days before the meeting, and minutes once they are published.

Dates of the meetings are available here:

<https://colchester.cmis.uk.com/colchester/MeetingCalendar.aspx>.

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Access

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Policy and Public Initiatives Panel – Terms of Reference

- (1) To consider strategies, policies and legislative changes identified by Cabinet that may require review and improvement and to seek Cabinet's agreement as to whether and how they should be examined.
- (2) To review issues at the request of a Portfolio Holder and to make recommendations back to the Portfolio Holder for decision.

COLCHESTER BOROUGH COUNCIL
Policy Panel
Wednesday, 22 September 2021 at 18:00

The Policy Panel Members are:

Councillor Sam McCarthy
Councillor Chris Pearson
Councillor Peter Chillingworth
Councillor Pam Cox
Councillor Mark Goacher
Councillor Chris Hayter
Councillor John Jowers
Councillor Martin Leatherdale
Councillor Lesley Scott-Boutell

Chairman
Deputy Chairman

The Policy Panel Substitute Members are:

All members of the Council who are not members of the Panel.

AGENDA
THE LIST OF ITEMS TO BE DISCUSSED AT THE MEETING
(Part A - open to the public)

Please note that Agenda items 1 to 5 are normally dealt with briefly.

1 Welcome and Announcements

The Chairman will welcome members of the public and Councillors to the meeting and remind those participating to mute their microphones when not talking. The Chairman will invite all Councillors and Officers participating in the meeting to introduce themselves.

2 Substitutions

Councillors will be asked to say if they are attending on behalf of a Committee member who is absent.

3 Urgent Items

The Chairman will announce if there is any item not on the published agenda which will be considered because it is urgent and will explain the reason for the urgency.

4

Councillors will be asked to say if there are any items on the agenda about which they have a disclosable pecuniary interest which would prevent them from participating in any discussion of the item or participating in any vote upon the item, or any other pecuniary interest or non-pecuniary interest.

5

The Councillors will be invited to confirm that the minutes of the meetings held on 26 May 2021 and 4 August 2021 are correct records.

Policy Panel Minutes 26 May 2021

7 - 8

Policy Panel Minutes 4 August 2021

9 - 14

6

The Chairman will invite members of the public to indicate if they wish to speak or present a petition on any item included on the agenda or any other matter relating to the terms of reference of the meeting. Please indicate your wish to speak at this point if your name has not been noted by Council staff.

7

This will be a verbal update on options for Covid-19 pandemic commemoration activities and memorials.

8

15 - 24

Policy Panel have been asked to review a refreshed Graffiti Policy and set out recommendations to Cabinet.

9

25 - 40

Policy Panel have been asked to review a proposed new Litter and Dog Bin Policy and set out recommendations to Cabinet.

10

41 - 48

Policy Panel have been asked to review a refreshed Drone Policy and set out recommendations to Cabinet.

11

49 - 50

This report sets out the current Work Programme 2021-2022 for the Policy Panel, providing details of the items of business that are currently scheduled for each meeting during the municipal year.

12 Exclusion of the Public (not Scrutiny or Executive)

In accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public, including the press, from the meeting so that any items containing exempt information (for example confidential personal, financial or legal advice), in Part B of this agenda (printed on yellow paper) can be decided. (Exempt information is defined in Section 100I and Schedule 12A of the Local Government Act 1972).

Part B
(not open to the public including the press)

POLICY PANEL

26 May 2021

Attendees: Councillors Chillingworth, Cox, Goacher, Hayter, Jowers, Leatherdale, McCarthy, Pearson and Scott-Boutell.

Substitutes: None.

16. Appointment of Chairman

RESOLVED that Councillor Sam McCarthy be appointed as Chairman of the Panel for the ensuing municipal year.

17. Appointment of Deputy Chairman

RESOLVED that Councillor Chris Pearson be appointed as Deputy Chairman of the Panel for the ensuing municipal year.

POLICY PANEL

4 August 2021

Attendees: Councillors Chillingworth, Fox, Goacher, Hayter, Jowers, Leatherdale, McCarthy, Pearson and Scott-Boutell.

Substitutes: Councillor Fox for Councillor Cox.

Also Present:

21. Minutes of Previous Meeting

RESOLVED that the minutes of the meeting held on 16 June 2021 be confirmed as a correct record.

22. Update on Covid 19 Commemorations

Hayley McGrath, Corporate Governance Manager, introduced her report outlining possible options for ideas to commemorate those lost to Covid-19 and remember the work and service given by people across our communities during the pandemic.

The Panel were informed that no decisions had yet been made on what would happen, and that those bereaved had not yet been able to come together in communities to memorialise those who had been lost and to gain closure. An approach had been made by Sir Bob Russell, High Steward of Colchester, and Hunnaballs Family Funeral Group, who wished to organise an event, half as sombre memorial and half as an event to look to the future. It was felt that the Council might want to support such work, helping communities to hold memorial events across the Borough in local halls, churches or in private venues.

It was noted that the Crematorium was planning an intimate service for the bereaved and that more information would be provided to elected members when details are confirmed. The Mayor had expressed a wish to hold an event to thank NHS and other keyworkers, whilst the Police Borough Commander had likewise expressed his wish to hold an event, including an opportunity for officers to meet and greet members of the public.

In addition, the Panel were asked to consider their thoughts as to options for a permanent memorial, and whether the Council should lead work on this, or provide support to other organisations, partners and communities. A uniform approach across the Borough might be desirable. Memorial tree planting was given as a potential idea for communities across the Borough, although Panel noted that care would be needed to make sure this was kept separate from any Jubilee tree plantings and ceremonies.

Timings for potential memorial events had not yet been set, and to an extent would depend upon any pandemic developments in coming months. It was felt likely that there might be a national memorial event on 23 March 2022.

An initial budget of £10k for memorial/commemorative events had been found from the civic budget and other funding options would need to be found in order to add to this, potentially including community funding. The Panel were informed that it was not felt appropriate for the Council to lead on all events, but it was considered appropriate for the Council to support partners in running events. The Panel was asked to consider whether to recommend the setting-up of a small working group with other organisations and community representatives to discuss and lay out plans.

The Corporate Governance Manager outlined some of the potential venues/locations for events, including Castle Park, Northern Gateway and the Town Centre. The Civic Office would support a festival event in Charter Hall.

In discussing the options presented, a Panel member expressed dissatisfaction with the budget allocated to this work. The importance of providing communities with local spaces for quiet reflection and memorials. Cabinet had expressed support for this view and officers were asked to make sure that this was reflected in any plans laid out. The Corporate Governance Manager explained that the £10k initial budget was a carry-over from the past year's civic budget and was not intended to be the full budget for this work. Part of the planning process would be to find additional sources of funding. Officers would then provide costings for requests/ideas and then bring these to the Panel for consideration, with the Panel's recommendations then going forward to Cabinet so as to inform Cabinet's decision-making processes.

Support was voiced for the ideas put forward by the High Steward and Hunnaballs, and for the need to do something to commemorate the service of NHS and keyworkers during the pandemic, whilst ensuring that memorials and memorial events are open for all to participate. The Panel discussed options for memorial events, with members' opinions given including that a memorial event in an open central location with good transport links would be best, accompanied by memorial events and sites in each Council ward. Wards, working with their councillors, could lay out their own memorials and events, and a Panel member suggested that the Panel could recommend that Cabinet grant funding to each ward to facilitate this.

The potential for commemorative/memorial tree plantings was discussed. Caution was advised, as some would need to be replaced over time, and memorial plaques could be lost or taken from such plantings. However, a view was also given that trees, as living memorials, would be a fitting memorial option, and could be replaced/replanted in the future if necessary.

The Panel discussed the expertise and experience that many Parish Councils had in organising local events, and agreed that it would be wise for the Council to see what other organisations and councils were planning. A suggestion was made that a sensory garden could be installed in the grounds of Holy Trinity Church, Colchester, or a fountain in the St Nicholas Square area. A further suggestion was to plant trees along Colchester High Street.

Rory Doyle, Assistant Director (Environment), welcomed support for tree plantings and explained that there was already funding available for this within the woodland and biodiversity budget for planting. Blossoming trees were being considered, especially for their symbolic value, and would be discussed by the planned working group. The Assistant Director agreed that any plans should be community-led and include local groups and volunteer organisations.

A Panel member expressed agreement that it was too early to set dates at this point, then asking as to whether there might be a national lead taken on this to advise as to scheduling of memorial events. The importance of consulting the public was also stressed, potentially giving a range of options on types of events, memorials and timings, so as to gauge levels of support. The Corporate Governance Manager agreed that consultation should be carried out to gain public views, whilst setting some parameters to ensure that all suggestions are within what the Council could do. She committed to bringing to the Panel's next meeting a summary of the ideas given tonight, with ways to carry out consultation and public engagement. Costings would then be drawn up and brought to the Panel.

RECOMMENDED to CABINET that: -

- (a) The idea of a remembrance festival, that can be replicated across the Borough, is developed, with a programme for the event and how that can be shared with the community;
- (b) A community celebration event is arranged, working with other agencies such as the emergency services;
- (c) A design for a memorial bench and wording for the plaque is drawn up;
- (d) The Assistant Director Environment and the Corporate Governance Manager set up a small working group of relevant officers and representatives of other organisations, such as One Colchester and the BID, to ensure that covid commemorative activities are co-ordinated throughout the Borough and not all actions remain the responsibility of the Council.

RESOLVED that an update report be submitted to the Panel at its meeting on 22 September 2021, summarising the ideas raised by the Panel at its meeting on 4 August 2021 and including ways to consult and collect public opinions and ideas and, if possible, information on costings of different options.

23. Work Programme 2021-22

The Panel considered a report on its work programme for 2021-22.

Rory Doyle, Assistant Director (Environment), introduced a number of extra items for potential recommendation to Cabinet for adding to the Panel's Work Programme. These included scheduling scrutiny of the business case and model for the new grounds maintenance contract, consideration of Jubilee events for 2022, a review of a range of neighbourhood policies and a session on River Colne Strategy development, with input from the Environment and Sustainability Panel.

The Panel discussed the items suggested, along with those already on the Work Programme. Officers were asked to give a general idea of the budget and timescales for items such as Jubilee celebrations and the River Strategy, to give an idea of the scope for these items.

Concern was expressed that the work on Covid-19 memorials and events had little-to-no policy ramifications, with the same being true for Jubilee planning.

The River Strategy was considered, and a Panel member emphasised the importance of this, and of ensuring that the Panel avoid being moved away from considering issues and items of importance to the Borough. Cabinet could always refuse giving the Panel permission to look at issues, but there should be justification given for any refusals. Panel members underlined that the Panel should not accept being diverted away from considering serious matters without a justifiable reason.

A suggestion was made that the Panel should recommend it be given leave to investigate ways to better attune the Council's planning policies to reflect the Climate Change Emergency which it had declared. The member suggesting this gave the view that this would be an appropriate subject for the Panel to examine and that the constitution did not state that consideration of planning policies was only within the remit of the Local Plan Committee.

A further item for consideration was raised. A Panel member requested that the Panel recommend it be given leave to look at the likely effects of the expected ending of the £20 uplift in Universal Credit and ways in which the Council could work with partners to mitigate negative effects experienced by residents. This could be widened to look at ways in which the Council could work to mitigate financial inequalities within the Borough, including those caused or exacerbated by the pandemic and lockdowns, and could take information from Council officers, Colchester Borough Homes, Citizens' Advice, Foodbanks and other partners.

Caution was advised by one Panel member who advised that nationally determined policy decisions and issues, which could not be affected by the Council, were not within the Panel's remit. It was stressed that the Panel should ensure that it focuses on local impacts and potential mitigations of problems and other things over which the Council has some control or influence. An example was that much planning policy was set nationally, such as through the National Planning Policy Framework, and that officers would be better placed to advise on national restrictions on local planning policies. Several Panel members asked whether it would not be more appropriate for the Environment and Sustainability Panel to examine the environmental implications of the Council's planning policies. There was a discussion of this, with a suggestion made that officers liaise with the Environment and Sustainability Panel to ascertain what work it had done in this area, and the potential scope for Policy Panel to take this work further.

The Panel raised concern that it had lost its 'public initiatives' element and the ability to be a forum for ideas from the public, becoming a more insular panel in the process. It was highlighted that the public could still bring forward ideas at Policy Panel meetings and officers were asked to find ways to publicly promote what is

coming to the Panel and highlight ways in which the public can have their say and bring ideas to the Panel.

The Panel discussed how best to schedule the items being requested, in regard to officer time needed to produce reports and potentially invite representatives from partner organisations.

Rory Doyle, Assistant Director (Environment), agreed to liaise with the Chairman and Group Spokespeople regarding the recommendations to be made by the Panel to Cabinet.

RECOMMENDED to CABINET that the Policy Panel be given approval to add the following items to its work programme: -

- (a) A review of planning policies as to how and if existing planning policies are suitably guiding development toward sustainable solutions, given the Council's climate emergency declaration;
- (b) Consideration of the implications associated with the end of the £20 uplift to Universal Credit, and what local support the Council can potentially give to those on low incomes and to address financial inequality within the Borough;
- (c) Review of, and recommendations relating to, proposed Neighbourhood Services Policies (Litter Strategy, Litter Bin Policy, Graffiti Policy, Drone Policy);
- (d) River Strategy Development.

RESOLVED that the Policy Panel have agreed to the following scheduling of items for its work programme: -

- (a) An update report on Covid memorial options, including ways to consult and collect public opinions and ideas and, if possible, information on costings of different options;
- (b) A review of planning policies as to how and if existing planning policies are suitably guiding development toward sustainable solutions, given the Council's climate emergency declaration [subject to Cabinet approval of this item] on 22 September 2021;
- (e) Consideration of the implications associated with the end of the £20 uplift to Universal Credit, and what local support the Council can potentially give to those on low incomes and to address financial inequality within the Borough [subject to Cabinet approval of this item] on 24 November 2021;

- (c) Review & recommendations relating to proposed Neighbourhood Services Policies (Litter Strategy, Litter Bin Policy, Graffiti Policy, Drone Policy) [subject to Cabinet approval of this item] on 24 November 2021;
- (d) Queens Jubilee celebrations on 12 January 2022;
- (e) River Strategy development on 2 March 2022.

Policy Panel

September 2021

Item

8

Report of	Assistant Director for Environment	Author	Rosa Tanfield
Title	Graffiti Policy review		☎ 538047
Wards affected	All Wards		

1. Executive Summary

- 1.1 Policy Panel have been asked to review a refreshed Graffiti Policy and set out recommendations to Cabinet.

2. Action Required

- 2.1 That the proposed Policy document is reviewed
- 2.2 Recommendations for changes are made to Cabinet

3. Reason for Review

- 3.1 To formalise the Council's approach to Graffiti removal in a sustainable way with minimal impact to the environment.

4. Background Information

- 4.1 The Council has in place a Graffiti Policy. It was last reviewed in 2014. A review of the existing Policy has been undertaken and formalises the Council's approach to the removal of graffiti.
- 4.2 Due consideration has been given to operational and public impact of both the impact of graffiti in communities and the approach by Officers.
- 4.3 The Policy document sets out the Council's approach dependent on the location of the graffiti and prioritisation should graffiti be on Council land, along with methods of cleaning and monitoring. It sets out the process should graffiti be on private or third party land or buildings, and enforcement action should cleansing not be undertaken by the owner.
- 4.4 It further sets out its approach to education and enforcement.
- 4.5 The proposed Policy is set out in Appendix A.
- 4.6 Policy Panel are asked to review and make recommendations to Cabinet.

5. Equality, Diversity and Human Rights implications

- 5.1 All new policies and any major changes to a policy need an Equality Impact Assessment (EIA). This can be found [here](#).

6. Strategic Plan References

- 6.1 The proposed Policy and work undertaken by the Neighbourhood Services Team to maintain clean and safe neighbourhoods, directly links to the strategic objective "creating safe, healthy and active communities: [Strategic Plan 2020-23](#).

7. Consultation

- 7.1 Consultation has not been undertaken on the proposed Policy.

8. Publicity Considerations

- 8.1 The Policy document will be publicly accessible to give assurance of the Council's approach to graffiti cleansing and enforcement.

9. Financial implications

- 9.1 The work to deliver the Policy will be undertaken within the Neighbourhood Service's existing revenue budget.

10. Health, Wellbeing and Community Safety Implications

- 10.1 As set out within the Policy document, the Council aims to reduce anti-social behaviour and fear of crime, to ensure residents and visitors feel safe and able to access their communities, by ensuring local areas are maintained.

11. Health and Safety Implications

- 11.1 The approved Policy document will be supported by Standard Operational Procedures, Risk Assessments and training provided to those involved in the activities proposed.

12. Risk Management Implications

- 12.1 Clarity of the Council's approach in a publicly accessible document will set out clear expectation and assurance for the public on the Council's policy to tackle graffiti.

13. Environmental and Sustainability Implications

- 13.1 The Council only use a select and approved few chemicals to remove graffiti in order to mitigate the potential impact on the environment and carbon footprint. Wherever possible the Council will also use the wipe on and off or paint out methods rather than machinery and chemicals in the first instance to reduce any sustainability impact.

Graffiti Policy

Introduction

Graffiti comes in a wide variety of forms, from spray can scrawl to acid etching. But whatever form it takes, graffiti is an affront; an offensive eyesore that makes areas look neglected, that encourages anti-social behaviour and increases the fear of crime. One relatively small piece of graffiti can have a disproportionately detrimental impact on an otherwise well-maintained neighbourhood. Because of this, Colchester Borough Council is committed to tackling graffiti as a priority issue.

This policy sets out our approach to tackling the presence of graffiti.

Tackling graffiti is not just a local priority. It is also one the Government has made a commitment to tackle with the provisions made under the Clean Neighbourhoods and Environment Act 2005, Anti-social Behaviour, Crime and Policing Act 2014, the Town and Country Planning Act 1990, and Equality Act 2010.

Local authorities are responsible for removing graffiti and fly-posters from public buildings, monuments, and highways. Graffiti removal from street furniture such as telephones boxes, bus shelters and utility cabinets remain the responsibility of the relevant private company

The defacement caused by graffiti is an act of criminal damage and should not be considered the same as legitimate commissioned pieces of street art. There are locations where murals and other community art projects can potentially enhance a local neighbourhood. These will be produced with due consideration and consultation with local communities.

Purpose of Policy

This policy will detail how the Council will deal with:

- 1.0 Reporting
- 2.0 Graffiti removal
- 3.0 Monitoring
- 4.0 Engagement and enforcement
- 5.0 Partnership working
- 6.0 Potential income generation

1.0 Reporting

External Process

The most effective way of reporting graffiti is through the Council's website using the [Colchester Borough Council Online Reporting Tool](#)

Alternatively, the Council's Customer Service Centre can be contacted to report graffiti via:

Email: customer.service@colchester.gov.uk

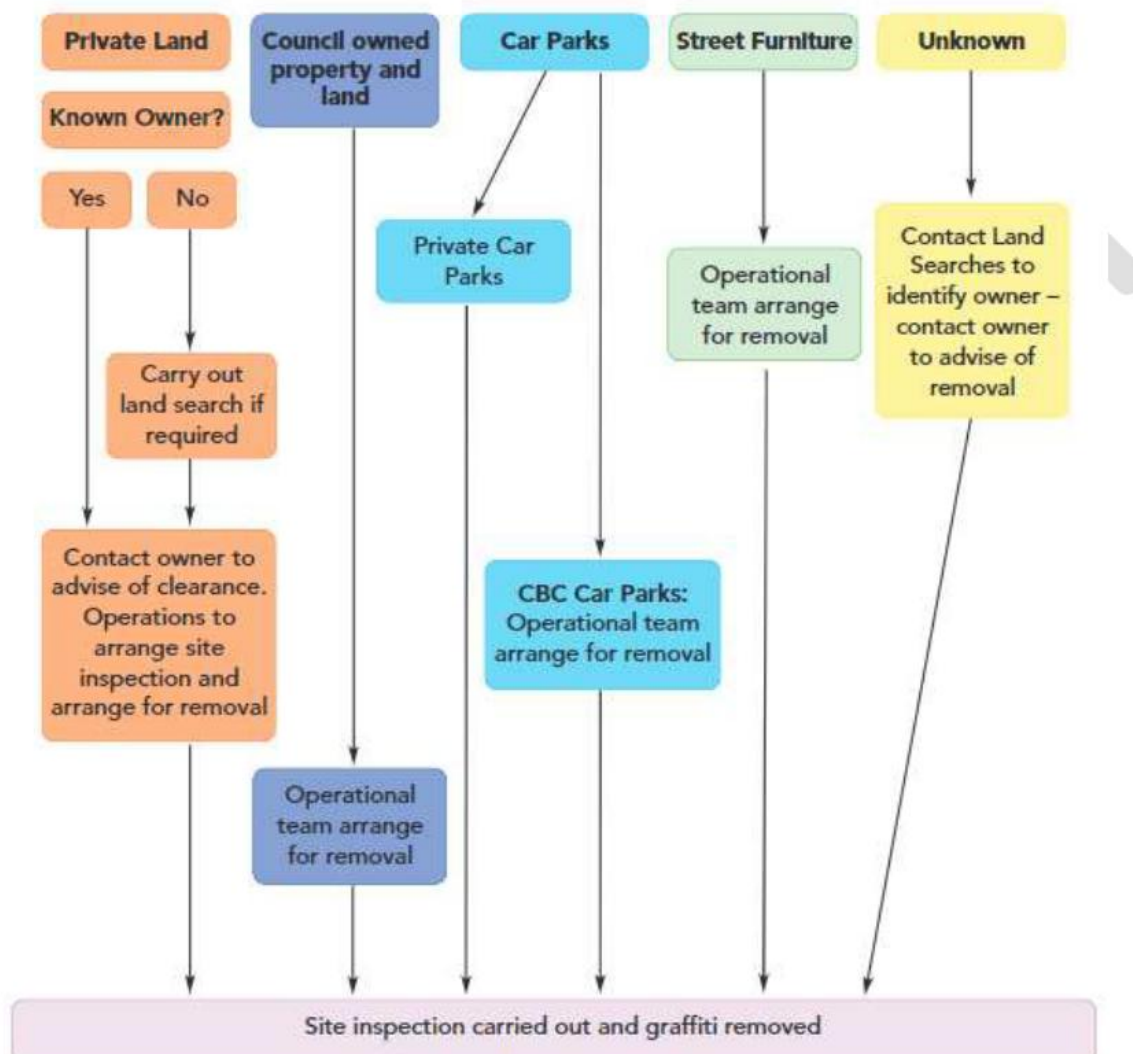
Telephone: 01206 282222

Internal Process

The online report will be automatically recorded to the internal task management system.

For calls received, the Customer Service Centre record the report. The location of the graffiti together with type of graffiti will be included where possible so that cases can be prioritised accordingly.

Dependent on the location the report will be dealt with as set out in the following chart.



2.0 Graffiti removal

Council owned land

The Council is only permitted to remove graffiti from property and land that it owns.

Removal of graffiti on Council land which is deemed offensive will be actioned immediately if reported during the normal working week or the next working day if reported out of hours or on a non-working day. The graffiti will be removed or painted over to conceal the content.

Graffiti classified as offensive may contain some or all the following elements:

- Offensive language
- Language of a politically / racially / religiously insulting / homophobic / inciting nature
- A hate statement
- An image which is graphically explicit
- An image which is visually offensive or textually offensive by the message that it contains

General graffiti which is not offensive, for example tags or unauthorised murals/artwork, will be actioned within 72 hours or 3 working days. This period may be extended if the graffiti is in an awkward position that requires specialist equipment or access.

In some cases, such as listed or heritage buildings, extra care and attention will be required. This may delay the clean-up while permissions are sought, and materials sourced to ensure the property remains undamaged. There will also be instances when health and safety prevent immediate removal particularly where access is difficult or requires specialist equipment.

Private Property

Local Authority services should not be used exclusively for publicly maintained property as graffiti offenders do not distinguish between public and privately owned property. Leaving just a single piece of graffiti sends the message that graffiti will be tolerated, and this will quickly attract more. This undermines everyone's efforts. However, this approach does not relinquish property owners from their responsibility to contribute to the local environmental quality.

Where the land or property is in a third parties' ownership, the graffiti will be reported to the owner, and they will be asked to remove the graffiti. Should they be unable to remove the graffiti and seek assistance from the Council, a charge will be made for the removal service.

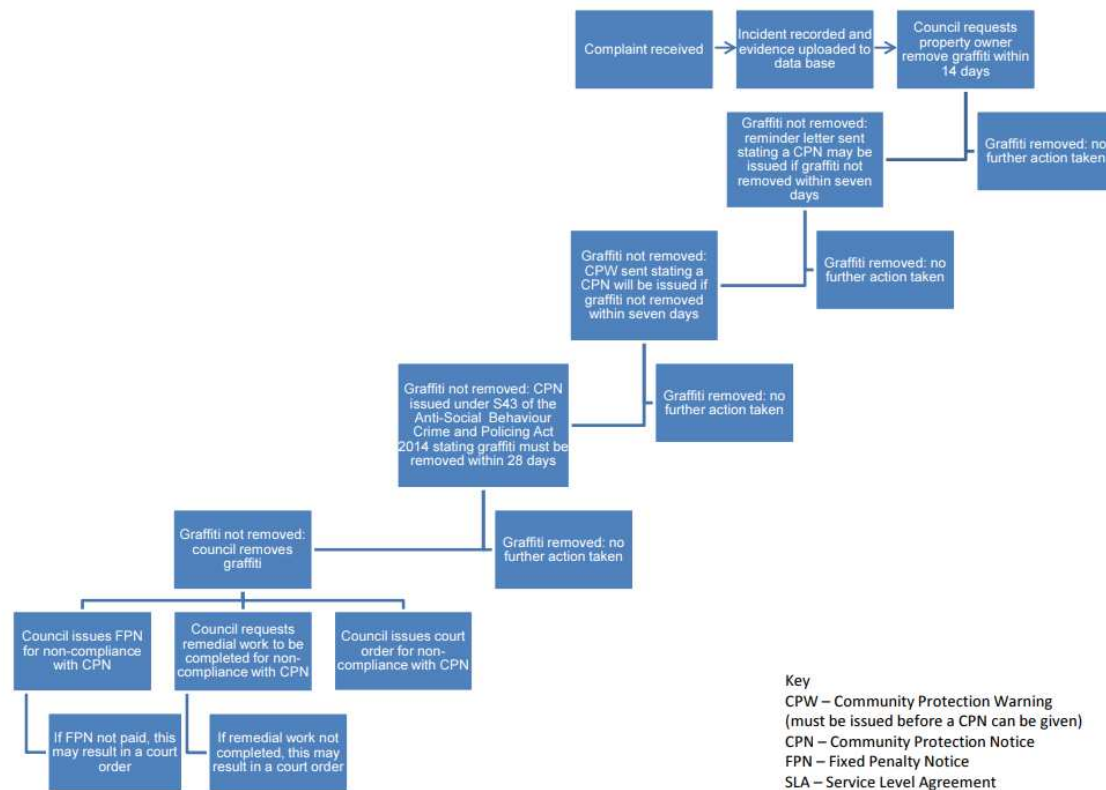
The Council can only undertake this service if the owner is willing to provide a disclaimer/indemnity for the services being undertaken. This approach is in line with many Local Authorities across the UK.

Timescales for the removal of graffiti on private land will be subject to agreement with the landowner to pay the fee and the completion of an indemnity form.

Enforcement Removal Process – Private and Commercial Property

If the property owner refuses/fails to remove the graffiti, there are several statutory powers that the Council (as a local authority/local planning authority) may potentially be able to use to achieve the removal of graffiti on property that is not owned by the Council.

The following chart shows the process of enforcement, should graffiti not be removed on land or property under third party ownership.



- Community Protection Warning

Community Protection Warnings will be used where necessary and under legislation to enforce against commercial properties or private dwellings to remove graffiti in a 28-day window.

- Community Protection Notice

Community Protection Notices will be issued if commercial properties or private dwelling do not adhere to previous Community Protection Notices that have been issued within a 12-month period.

Cleansing Methods

The ability to remove graffiti and the method used will be assessed on a case-by-case basis, ensuring that health and safety of the operatives is a priority and the risk of potential damage to property is minimised. Methods of removal could include:

- Wipe on / wipe off
- Paint over and paint out
- Chemical wash
- Power jet wash

Graffiti can only be removed by the Council if it is accessible from ground level and on a surface on which graffiti wipes (impregnated with graffiti removal agents) or the Council's specialised pressure washing system is suitable.

Graffiti on wooden surfaces will generally be painted over, using a colour that will obscure the graffiti.

Specialist contractors will be commissioned to remove graffiti that cannot be removed by graffiti wipes, pressure washing or painting. These services may also be used for working at height or with access restrictions.

2.0 Monitoring

The Council uses a task management system to collate and record all incoming reports of graffiti across the Borough. This data is regularly used by our Business Improvement Team for analyse, and subsequently used to manage the Street Care and Safety Team resources to prioritise and co-ordinate the work programme and target education and enforcement patrols.

3.0 Education and Enforcement

The Council has a zero tolerance to graffiti and will enforce at every opportunity. The Council will work with local businesses and schools to help deter offenders and a proactive approach will be used to educate in hot spot areas and preventative measures advised to help alleviate this problem.

Patrols

Proactive and visual patrols in hot spot graffiti areas are proactively carried out as a deterrent to offenders, and for reassurance in our community. Enforcement "Days of Action" can further support this activity.

Signage and CCTV

Notices, overt and co-vert CCTV are used in areas of which have been identified as graffiti hotspots. These will be reviewed and updated as part of monitoring reports of graffiti.

Fixed Penalty Notice

Fixed Penalty Notices will be issued if an offender is caught, or evidence gathered to do so. This is a criminal offence and would also be logged with the police.

Partnership working

The Council proactively and collaboratively work in partnership with internal and external stakeholders to address reports of graffiti across the Borough. This would include the below list.

- Members of the public
- Essex Police
- Essex Youth Services
- Essex County Council
- Members of the public
- Parish and town councils
- Neighbourhood Watch
- Community Groups
- Private and commercial organisations

A “Communities Can” approach will always be targeted as an approach to dealing with hotspot areas. Working collaboratively with the community to establish root causes of issues and partnering with stakeholders to offer solutions, opportunities or support wherever possible to reducing graffiti and associated anti-social behaviour. This could include projects, programmes or initiatives delivered in schools, community centres, and public spaces.

5.0 Potential Income Generation

Service level agreements

Chargeable agreements with commercial and private dwellings can be made under a service level agreement in line with the Council's fees and charges.

School educational packages

Community Education & Engagement Wardens can be used to visit and educate schools around anti-graffiti campaigns with chargeable education programs.

Report of	Assistant Director for Environment	Author	Rosa Tanfield
Title	Litter and Dog Bin Policy review		☎ 538047
Wards affected	All Wards		

1. Executive Summary

- 1.1 Policy Panel have been asked to review a proposed new Litter and Dog Bin Policy and set out recommendations to Cabinet.

2. Action Required

- 2.1 That the proposed Policy document is reviewed
- 2.2 Recommendations for changes are made to Cabinet

3. Reason for Review

- 3.1 To audit the Council's street-level assets
- 3.2 To reduce street furniture 'clutter'
- 3.3 To review and ensure that the Council's street furniture assets are used correctly and responsibly
- 3.4 To ensure a diligent process is in place to adhere to planning regulations and considering service resources
- 3.5 Embed behaviour change into communities regarding the responsibility of street level waste and recycling disposal
- 3.6 Mitigate the impact of street level fly tipping and bin abuse

4. Background Information

- 4.1 The Council has no legal duty to provide litter and dog waste bins, but it does have a duty to keep Council owned land and public highways clear of litter and refuse as far as practicable. To that end and to ensure the Council can discharge its responsibilities under the Environment Act 1990, bins are provided where appropriate and necessary across the Borough.
- 4.2 The Council provides, maintains, and empties approximately 1800 litter and dog bins within the Borough. The Council have never had a litter bin policy for agreeing bins in these locations. It has been the case that Councillors and Parish Councils have asked the Council to install and empty additional bins at a cost to the Council, but with no ongoing maintenance or service charges being factored in.
- 4.3 In the Borough of Colchester, the capital cost of providing litter and dog bins is £1014,170. This is a substantial number in relation to the size of the seventeen Wards that they are located within. As funding reduces and finances nationally are stretched this needs to be carefully considered.
- 4.4 Of the 1,800 litter and dog bins in Colchester, in the main, the waste goes to landfill. If residents take home litter, they have the option and opportunity to present the litter in their household recycling, improving the performance of our resident's waste management and improving income from recycling material. Not all locations across the Borough support recycling facilities in the public realm and therefore focus on behaviour change, awareness and communication with the public is important.
- 4.5 The Council does not have a Litter and Dog Bin Policy in place and in addition, no review process currently exists to ensure that litter bin locations continue to match the expectation of when a bin was originally installed, considering changes to usage patterns and external factors such as vandalism.
- 4.6 In considering a new Policy, Officers have taken into consideration research by APSE and the Department of Communities and Local Government in 2017, which looked at the issues of 'the design, number and location of public litter bins and other items of street furniture to help reduce litter at the local level'. Fundamentally, the research established that the aims and objectives of landowners and local authorities should focus on the reducing of waste, litter and support behaviour change, rather than installing more bins to perpetuate and encourage the generation of waste and litter. They established the following recommendations:
- More emphasis needed on prevention. Need to be proactive not reactive. Spend less on "binrastructure" more on behavioural change.
 - Need to get into education system (schools etc.) need to overcome difficulty of being excluded as anti-litter education is no longer part of curriculum.
 - Packaging / fast food still the biggest problem. These organisations need to be part of the national strategy. Currently they tend to have "voluntary codes". Also messages need to be clearer on packaging on how to dispose/recycle them.
 - Need to shift emphasis from operations to prevention. Need to co-ordinate with others who carry out litter collection – fast food outlets, industrial estates, community payback, volunteers etc.

- Hard hitting messages needed like the “Don’t be a tosser” campaign – seat belt campaigns, drink & drive and smoking have all been successful using this approach.
- Attitude of parental generation needs to change to guide today’s young generation.
- Make better use of social media to deliver message.
- Using public realm itself to deliver message – signage, “binfrastructure”, innovative street-based anti-litter campaigns
- Remove street furniture etc. to make cleaning easier.
- Government needs to recognise that local authority budgets are decreasing, and this is impacting on non-statutory services such as street cleansing. Whatever shape the strategy takes, it needs to be deliverable at local level

Proposed Litter and Dog Bin Policy

- 4.7 To support the Policy Panel in the review of the Policy document, Appendix A sets out a terms of reference and key areas of focus:
- Environmental implications
 - Public implications
 - Operational implications
- 4.8 Appendix B sets out the proposed Policy document.

5. Equality, Diversity and Human Rights implications

- 5.1 In completing this section you should give proper weight to equality and diversity considerations and demonstrate how the decision will impact on the promotion of equality and overcome discrimination in relation to gender, gender reassignment, disability, sexual orientation, religion or belief, age and race/ethnicity.
- 5.2 All new policies and any major changes to a policy need an Equality Impact Assessment (EIA) to be completed. Senior Management Team has advised that the following process must be complied with:
- EIA to be completed in line with the policy or change being introduced;
 - EIA to be uploaded to the website and Equality and Diversity Officer informed who will amend the master timetable to include the new EIA and review date;
 - A link to the EIA to be included in the relevant section of the report.

Reports will not be processed without a link to a completed and agreed EIA.

- 5.3 Furthermore, you need to generally consider whether a course of action will involve a breach of human rights and show that these have been taken into account by recording the reasoning behind a particular decision. For help contact Andrew Weavers ext. 2213.

If the report does not impact on any of the standard references listed separately in paragraphs 7 to 13 below, please consider using the following paragraph as an alternative.

6. Standard References

- 6.1 There are no particular references to the Strategic Plan; consultation or publicity considerations or financial; community safety; health and safety or risk management implications.

7. Strategic Plan References

- 7.1 In this section identify any direct links to the vision, themes and objectives of the [Strategic Plan 2020-23](#). For help contact Chris Reed on extension 2240.

8. Consultation

- 8.1 In this section show that consideration has been given to the timing and method of consultation. Also give an indication of what will happen to the responses.

9. Publicity Considerations

- 9.1 In this section show that consideration has been given to who will be affected by the decision, what effect it will have on them and the best way of communicating the decision to them.
- 9.2 If the project is likely to be very controversial then consideration should be given to consulting the people concerned in advance of the decision.

10. Financial implications

- 10.1 Set out details here of any financial implications which are not already allowed for in the approved budget. For help contact your group accountant in Financial Services.

11. Health, Wellbeing and Community Safety Implications

- 11.1 Health and wellbeing is influenced by a number of factors, many of which fall under the responsibility of the council. These include planning, housing, access to green space, licensing, environmental health protection and economic development and many more. The council must do all it reasonably can to promote positive health benefits to our residents whilst reducing, removing or minimising any unintended consequences to health that may arise from services or decisions. By completing this section, it is shown that the potential impacts to health and wellbeing outcomes have been considered. For further advice contact our Public Health Improvement Coordinator on x7430
- 11.2 In completing this section show that community safety considerations have been taken into account and consideration has been given on how the decision will impact upon crime and disorder. The Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder. Community safety includes actions to address problems identified by people living and working in the area including the fear of crime. For help contact the Community Safety section extension 2884.

12. Health and Safety Implications

- 12.1 In completing this section consider whether, as a result of the decision, there would be any harm to the health and safety of the general public and ensure that the actions taken as a result of the decision are as safe as is reasonably practicable. For help contact Carl Free on extension 6579.

13. Risk Management Implications

- 13.1 In completing this section detail the implications of the decision made (that is the effect of agreeing or disagreeing with the recommendation) not necessarily the risks of the report item. Identify the risks and opportunities. If there are strong risks or opportunities associated with the item these should be made clear in the main body of the report. This section is a summary of the potential effect of the decision. Any implications for other items or projects should be outlined with further details in the main body, if applicable. For help contact the Corporate Governance Manager on extension 8901.

14. Environmental and Sustainability Implications

14.1 Environment Bill

- 13.2 As part of the Government's Resources and Waste Strategy three key consultations have been undertaken. The proposals within these consultations will potentially see the biggest changes to waste services in years in the ways that services work, the infrastructure required, and the way in which councils' costs are covered. There is a particular focus on waste and recycling. Each of these will have an effect on litter produced by the public, how it is managed and how it will be funded:

- 13.3 Extended Produced Responsibility for Packaging (EPR): The proposals within this consultation set out to introduce mechanisms to make packaging producers responsible for the full net cost of managing the packaging that they place on the market. This includes all costs incurred from collection, sorting, and recycling, as well as litter and refuse management costs. This also includes the management of packaging items that are placed in any non-recyclable residual waste stream. (It excludes items covered under the Deposit Return Scheme)

- 13.4 Deposit Return Scheme (DRS): This consultation proposes to instigate upfront deposits, paid by the public for plastic, metal and glass drinks containers, to be reimbursed at return points. It's aim is to incentivise recycling of these items and improve recycling quality.

- 13.5 Consistency in household collections and business recycling: This consultation aims to standardise the materials collected across the UK from households and businesses.

Appendices

Any Appendices which provide additional information necessary to complete the report may be included as separate documents or attached to the report as one document. It is standard practice for these appendices to be listed alphabetically - .e.g Appendix A, B, C. Please ensure that your appendices include reference to which appendix they are as a header to the document.

Background Papers

Background papers are documents which have been relied upon to formulate the report but excluding documents already published elsewhere. Please be aware that any document listed must be shown to anyone who asks to see it. You should take this into consideration before listing any confidential documents.

Litter and Dog Bin Policy

Introduction

This policy sets out the principles which will be followed for the selection and installation of litter bins, reviewing existing litter bin sites, and ensuring that the correct bin type is used in the most appropriate locations. This policy will help to contribute towards the Councils strategies to tackle the problem of litter and cleanliness within the Borough.

Litter can be defined as waste which is disposed 'on the go' either in litter bins or discarded loosely in the environment or because of an accidental escape from a premise, domestic bin, etc.

Purpose of Policy

This policy will detail how the Council will deal with:

- 1.0 Emptying and maintaining existing bins
- 2.0 Auditing and replacing bins
- 3.0 Requests for new bins
- 4.0 Routes to Management of Assets
- 5.0 Potential income generation
- 6.0 Bin specifications

1.0 Emptying and Maintaining Existing Bins

All bins purchased by the Council will be maintained and emptied. Any additional bins will be emptied and maintained with the contractual agreement of the owner.

Bins will be emptied with a frequency that prevents bins overflowing. This will be based on location, frequency of use and seasonally increased footfall. This will include special events.

Bins will be monitored, and frequencies increased or decreased where needed.

All bins will be maintained to a standard that is fit for purpose and aesthetically pleasing and where financially viable.

Bins that are continuously vandalised will not be replaced and an alternative location will need to be found providing it fits into the outlined criteria.

Bins that have been installed and maintained by management companies and parish Councils will remain their responsibility.

Changes to the ways in which litter bins are managed will be governed by two factors: how they are used by the public, and how efficiently they can be serviced.

2.0 Auditing and Replacing Bins

The Council will aim to improve on efficient and effective uses of litter and dog bins across the borough by using an auditing system that fits into the aligned criteria. This will improve efficiencies in staffing and help to reduce the carbon footprint.

Annual assessment of bin types and locations will be carried out using the agreed criteria. If the assessment shows the bin is in a suitable location, then the bin will remain in situ. If the assessment shows the bin to be in an unsuitable location, then it will be removed or relocated with consultation with residents, officers, and Ward Councillors.

Continuous damage or vandalism to litter bin may result in the Council withdrawing or changing the litter bin.

High intensity footfall areas could be assessed to proactively look at specific types of bins. For example, the use of Smart technology and larger sized litter bins to reduce emptying and enable the use of recordable data to predict patterns of seasonal fluctuation.

The use of routing software and the potential installation of litter bin sensors (to be agreed) and / or compaction bins will assist in the improvement of efficiency and data gathered throughout this process will be used to determine locations for the installation of bins to maximise their efficiency.

3.0 Request for New Bins

Any requests for a new or additional bin should be submitted by a Ward Councillor for where the bin is being requested.

New bin requests must be received in writing using a digital new bin request form. Bin requests could take up to 6 weeks depending on land ownership and any licencing requests required.

All requests must determine why a bin is required. This must include the following:

- A digitally pinned and mapped location for the bin including an alternative location
- Type of bin - dog, litter, recycling or smart
- Evidence to support the case for a new bin request from the community
- Evidence of support from fellow Ward Councillors

Bins will only be installed on sites which are safe and where there is a genuine need for a bin. The Council will not install bins on private land or in a location which may encourage the disposal of trade waste. The Environmental Protection Act 1990 makes provision for the collection and disposal of commercial waste, and the Council expects businesses to provide and empty their own bins for the litter they create, including retail premises such as takeaways, kiosks etc.

Once a decision has been made by the Council regarding the outcome of a request for a bin, that decision will not be reviewed for a minimum of twelve months.

Following receipt of the request, officers will undertake an assessment. The following factors will be taken into consideration to determine whether a request will proceed:

- Prioritisations need
- Available budget
- Area bin density (e.g., how far do people have to walk to access a litter bin)
- Bin size
- Bin type
- Land ownership
- Usage / demand
- Access (public and staff)
- Bins creating litter (whether due to capacity, misuse, or location)
- Vandalism and arson

Prioritisations need

It is not possible to define specific sites which will and will not receive litter bins as each request will be assessed against defined criteria once adopted, however the following areas will normally be viewed as high priority to receive litter bins:

1. Main arterial routes and other high footfall and through route areas
2. High Streets and main areas of commerce and retail
3. Key routes in relation to secondary schools (particularly pedestrian routes to local shops and community centres)
4. Proximity to fast food and takeaway retailers
5. Public transport hubs (e.g., Bus stops and similar areas) where large numbers of people stand for periods of time
6. Entrances to parks and significant public spaces

The following areas will not normally be viewed as high priority for litter bin placements, or may in some cases be ruled out for litter bin placement:

- Exclusively residential areas, except where these become high priority due to one of the reasons outlined above
- Locations where the litter bin is being abused, including:
- inappropriate disposal of household or commercial waste which has not been resolved by engagement or enforcement.
- sites which are subject to arson or vandalism.

Available budget

The Council's capacity to provide litter bins is finite. It is likely that the demand for litter bins will, at certain times or locations, exceed the capacity to provide the service.

Area bin density

Consideration will be given to the proximity of publicly accessible litter bins and the distance travelled between them.

Bin type and size

See Section 7.0 Bins Specification

Dual purpose bins

Dog bins are collected at the same time as litter bins and disposed of at the same collection point. This is therefore, no purpose to have two distinct types of bins. Using communications and litter bin window signage, dog owners are advised that dog waste can be deposited in litter bins therefore reducing the need for resource duplication via purpose-built dog bins.

Reviewing and auditing areas will identify where dog bins could be removed and potentially reinstated in other areas where dog walking is more prevalent and/or in locations where a dog bin is deemed more appropriate as the litter bin policy suggests.

To maximise efficiency by collecting dog waste as mixed waste within litter bins, no dedicated dog waste bins will be installed going forward and those currently in situ will be phased out on a rolling programme, ensuring that a litter bin is available within proximity of the original dog waste bin.

In circumstances where a dog bin is removed following an audit, and in line with policy and specification, consideration will be made as to whether a litter bin may be required.

Recycling of Litter

Most litter that is deposited into bins could be recycled. The Council should consider high use areas such as town high streets and seasonal tourist locations.

It would be suggested that these units would be additional to litter bins rather than instead of. This method of disposal would have to be monitored and materials separated if contamination is identified, then recycled at the depot.

Recycling bins could reduce disposal cost and benefit the environment as well as generating recycling credits from the sale of recyclables.

Land ownership

Bins should preferably be installed on land where the Council is responsible. This includes streets, open spaces and play areas. If bins are more suited to a Essex Highways position, an application and approval process will need to be carried out for street furniture audit and license purposes.

Sites will need to consider whether there are any planning considerations.

See Section 4.0 Routes to Management of Asset

Usage/demand

Supporting evidence and onsite observations will determine the demand and need in the local area. Data will be captured over an agreed period to make an assessment.

Access and location

Care must be taken to ensure that litter bins do not impede pedestrian flow and consider the needs of wheelchair users and access for prams. A minimum footpath width of 1.5m must be maintained.

This policy will not suggest full member and public consultation for the installation of bins in general, but this should be suggested if bins are near houses or affect the nearby community ward areas, as additional bins will require on going resource. Consideration should be given to all requests using the required criteria.

Parks and other similar public spaces

The installation of litter bins within public parks, playgrounds and greenspaces presents challenges in terms of efficiency. It is usually viewed as beneficial to encourage park users to take their waste to strategic locations, usually at entrances and exits, so that the litter bin can be serviced safely without having to drive into or around greenspace locations and limiting the distance an operative must walk, carrying bags. Consideration should be given to this for future litter bin installations.

Moving forward, consideration should be given, where appropriate, to litter bins being relocated from throughout parks to key locations at entrances and exits for efficiency of emptying and ensure maximum capacity litter bins are provided

Bins creating litter

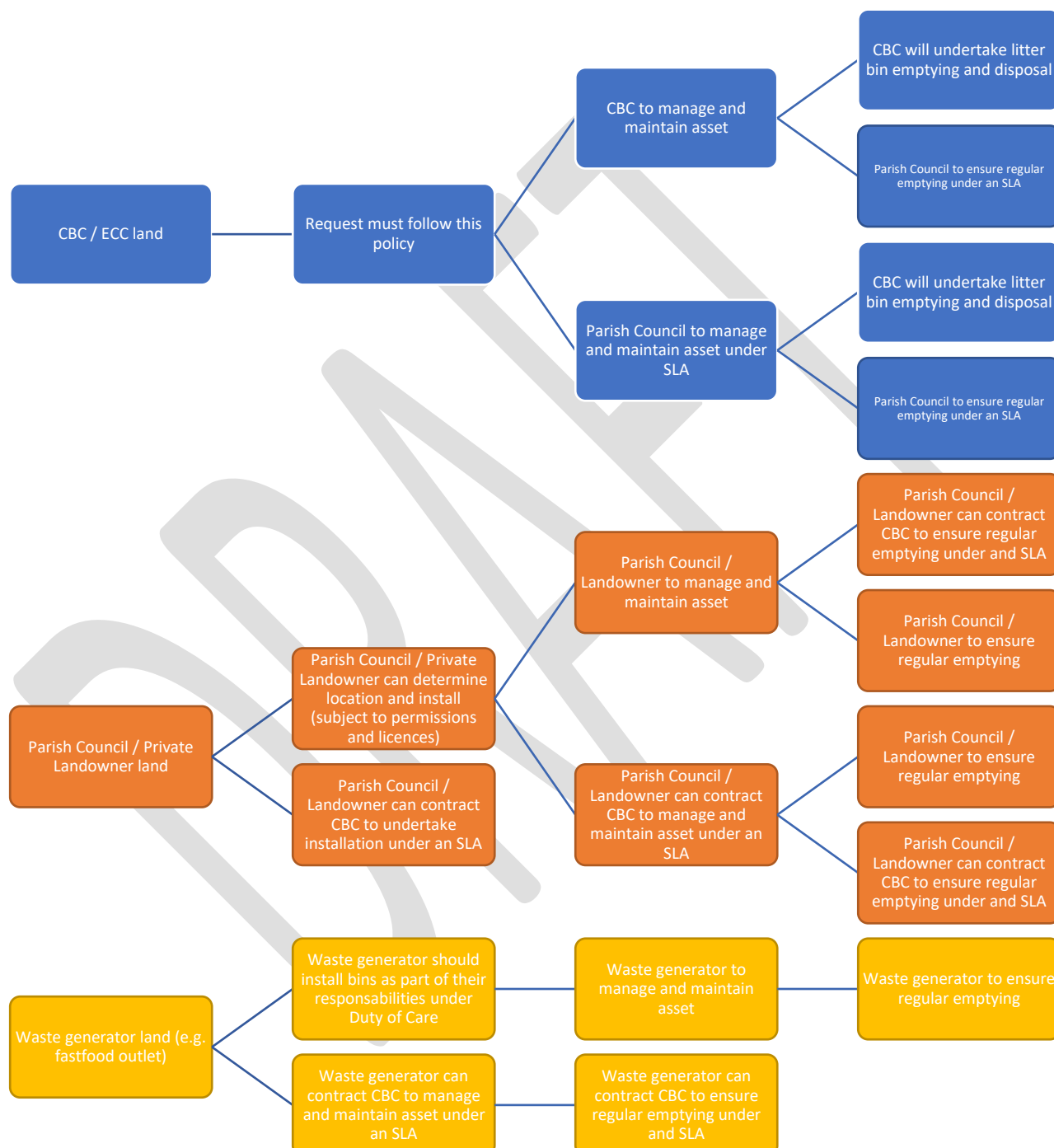
Onsite observations will determine the assessment of whether there is a likelihood of capacity or misuse of the bin and or bins. This will be determined somewhat by data and observations by any local bin locations or those in similar locations elsewhere in the Borough.

Vandalism and arson

Onsite observations will determine the assessment of whether there is a likelihood of vandalism or arson of the bin and or bins. This will be determined somewhat by data and observations by any local bin locations or those in similar locations elsewhere in the Borough.

4.0 Routes to Management of Assets

There are a number of options once the location of the bin has been determined for the management, maintenance and emptying of bins, as set out in diagram 1.



The Council will install bins that meet the criteria and the costs for each bin type as set out in Section 6.0 Bin Specifications

Wherever possible Officers will work with Councillors to source external funding to support the installations, this could include funding from a Parish or Town Council, or local business or organisation.

Any requests from Parish Councils, develops or businesses will be considered in line with this policy.

Any requests for Parish Councils or organisations to take on the ownership and emptying of bins will be considered and supported where this does not impact in additionality to the existing operational services.

Officers will work with the business community and in particular those in areas where it is known that their operations impact on the generation of waste in the local area.

5.0 Potential income generation

Large commercial organisations within the Borough may be willing to purchase a litter bin to be installed outside their premises if they are a major waste producing business e.g., fast food restaurants. The option of advertising for the business should be explored and could also be an income opportunity for on-going advertisement.

6.0 Bin specifications

This policy sets out to standardise the specification for all types of litter and street furniture installations across our Borough, to streamline operations, provide efficient assets, and futureproof service delivery alongside the ever-changing dynamics and behaviours of communities.

The Council will apply bins of the following specification only across the Borough and will set to review current bin infrastructure in line with these specifications, when looking to replace bins that are at the end of useful life and after an assessment that determines the need.

A - Jubilee Range of 240ltr, 110ltr or 70ltr Litter and Recycling Bins

The Jubilee range of 240, 110 or 70 litre litter and recycling bins with advertising windows for comms, gold 'litter/dog' wording on the sides and apertures for waste and/or recycling at the top of the bins will be considered in all locations in the first instance.

In exceptional circumstances some locations, due to high or seasonal footfall, may require a larger capacity 240ltr unit which houses a wheeled bin.

These types of bins should have an operational life of 10 years.

Further exceptions to the Jubilee range are set out below.

Cost per bin:	Install £36
	240 litre bin £1090.00
	110 litre bin £602.00
	70 litre bin £545.00

B - Cast Iron (Heritage) 115ltr Litter Bin

To adhere to English Heritage requirements, within the roman walls, conservation area, the cast iron (Heritage) 115 litre litter bin with 2 apertures at the top with gold trim and CBC coat of arms on the sides of the bin will be located. Jubilee recycling bins also feature within the walls of the town centre to influence and change behaviours.

These types of bins should have an operational life of at least 15 years

Cost per bin:	Install £36
	115 litre bin £972.00

C – Solar (Smart) 110ltr Litter Bin



Officers will explore the use of Solar (Smart) 110ltr litter bins with compactor facility, smart digital technology that can alert operatives when it is near capacity at appropriate locations. It has one smaller waste aperture at the top of the bin to reduce bin misuse and one cigarette aperture to the side. This option saves resource due to its compacting and smart features.

These types of bins should have an operational life of 10 years.

Cost per bin: Install £36

110 litre bin £3,800

Revenue cost: £92/month

D - Plastic (Retriever) 50ltr Dog Litter Bin



The Plastic (Retriever) 50ltr dog bins will be located only areas, in and around entrances or exits to dog walking areas, open spaces, park and countryside sites.

In all other locations where a dog litter bin has been requested, consideration will be given to a Jubilee range bin, as having both placed on site duplicates work, increases pressure on resource and adds cost to the service with no actual benefit or difference to the waste depositing process in the community.

These types of bins should have an operational life of 3 years.

Cost per bin: Install £36

50 litre bin £346.00

Policy Panel

September 2021

Item
10

Report of	Assistant Director for Environment	Author	Rosa Tanfield
Title	Drone Policy review		☎ 538047
Wards affected	All Wards		

1. Executive Summary

- 1.1 Policy Panel have been asked to review a refreshed Drone Policy and set out recommendations to Cabinet.

2. Action Required

- 2.1 That the proposed Policy document is reviewed
- 2.2 Recommendations for changes are made to Cabinet

3. Reason for Review

- 3.1 To set out clear updated legislation to minimise impact to the community in line with Neighbourhood services standard operating procedures.

4. Background Information

- 4.1 The Council has in place a UAV and Drone Policy. It was last reviewed in 2018. A review of the existing Policy has been undertaken and formalises the Council's approach to the use and permission of unmanned aerial vehicle (UAV) and drones on Council land.
- 4.2 Due consideration has been given to operational and public impact of both the use of UAV and drones in communities and the approach by Officers.
- 4.3 The proposed Policy is set out in Appendix A.
- 4.4 Policy Panel are asked to review and make recommendations to Cabinet.

5. Equality, Diversity and Human Rights implications

- 5.1 All new policies and any major changes to a policy need an Equality Impact Assessment (EIA). This can be found [here](#).

6. Strategic Plan References

- 6.1 The proposed Policy and work undertaken by the Neighbourhood Services Team to maintain clean and safe neighbourhoods, directly links to the strategic objective "creating safe, healthy and active communities: [Strategic Plan 2020-23](#).

7. Consultation

- 7.1 Consultation has not been undertaken on the proposed Policy.

8. Publicity Considerations

- 8.1 The Policy document will be publicly accessible to give assurance of the Council's approach to graffiti cleansing and enforcement.

9. Financial implications

- 9.1 The work to deliver the Policy will be undertaken within the Neighbourhood Service's existing revenue budget.

10. Health, Wellbeing and Community Safety Implications

- 10.1 As set out within the Policy document, sets out an approach to reduce anti-social behaviour and fear of crime, to ensure residents and visitors feel safe and able to access their communities.

11. Health and Safety Implications

- 11.1 The approved Policy document will be supported by Standard Operational Procedures, Risk Assessments and training provided to those involved in the activities proposed.

12. Risk Management Implications

- 12.1 Clarity of the Council's approach in a publicly accessible document will set out clear expectation and assurance for the public on the Council's policy to tackle graffiti.

13. Environmental and Sustainability Implications

- 13.1 It has been noted in the policy that drones can cause distress to wildlife. Therefore, in the approval of any requests for permissions to fly drones, the Council will consider how the drone activity may impact wildlife in the areas being suggested for flying and refer users to appropriate guidance to minimise disturbance.
- 13.2 In circumstances where the Council uses a drone, the impact on wildlife and the environment will be considered. This includes the consideration of potential positive environmental impacts that could arise from using a drone, compared to other methods of completing an activity. For example, drones may be a useful way to collect information on the condition of some of our green spaces rather than driving around in vehicles to do this.

Unmanned Ariel Vehicle (UAV) and Drone Usage Policy

Introduction

This policy sets out the use of unmanned ariel vehicle (UAV) or drones and model aircraft in parks and green spaces or other Council owned land.

The Civil Aviation Authority (CAA) grant permissions for commercial operations (PfCO) which is essentially a licence to operate on a commercial basis, but this is not for domestic / pleasure drones. Current legislation over the use of UAV and drone use is restrictive but largely unknown by the public.

For the purpose of this policy the terms 'UAV' and 'drone' covers all forms of remotely operated aircraft.

Civil Aviation Authority Guidance

In January 2010 the CAA introduced new regulations that required operators of small unmanned aircraft used for aerial work purposes and those equipped for data acquisition and / or surveillance to obtain permission from the CAA before commencing a flight within a congested area or in proximity to people or property.

Essentially, the person controlling a small Unmanned Aircraft System (UAS) is fully responsible for the safe operation of any flight, but it is important for the operator to ascertain whether a permission (not a licence) from the CAA is needed.

You must request permission from the CAA if you plan to:

- Fly the aircraft on a commercial basis (i.e. conducting "aerial work")
OR
- Fly a camera / surveillance fitted aircraft within congested areas or closer (than the distances listed within Article 167) to people or properties (vehicles; vessels or structures) that are not under your control.

The CAA Drone and Model Aircraft Code

(Published: October 2019 / updated: June 2021)

To fly a UAV that weighs less than 25kg outdoors, such as drones, model aeroplanes, model gliders, model helicopters, and other unmanned aircraft systems outdoors in the Open A1 and A3 categories, you must follow [The Drone and Model Aircraft Code | UK Civil Aviation Authority \(caa.co.uk\)](https://www.caa.co.uk/UK-Civil-Aviation-Authority)

The policy

The Council does not permit the use of UAV and drones may not be flown from or above Council land without permission granted by Colchester Borough Council.

Permission will only be granted, where usage of UAV drone device aids risk reduction in the workplace such as working at height, land and building survey work and / or undertaking professional services such as festivals, archaeological survey, events media, etc, and then subject to conditions.

The reasons for this policy for recreational or commercial requests is:

- The proximity of many of our parks and open spaces or other council owned land to neighbouring residential and business properties and the potential risk of causing disturbance, annoyance or harassment to occupants and the users.
- Potential risk of accident, injury to visitors and site users to parks and green spaces or council property as a result of user or drone error.
- Granting permission could leave the council liable for subsequent actions brought about by drone activity when operated from land in the council's ownership
- Potential risk of causing alarm, distress or harassment to the wildlife and biodiversity within the council's parks and green spaces.
- Civil Aviation Authority guidance specifying that drones must not be flown within 50m from people, vehicles and buildings and/or over congested areas.

How to Request Permission

By email to: Neighbourhood Services: shrubend@colchester.gov.uk

Providing the following:

1. Completed Permission Form (Appendix A) including a description of the purpose of the flight(s)
2. A copy of your public liability insurance (minimum £5 million)
3. A copy of your flight plan including launch and landing points
4. A copy of the risk assessment
5. A copy of your CAA issued Permission for Commercial Operation (PfCO) document.

Upon receipt of these documents, consideration and approval/rejection will be given within 10 working days. At this point the fee for commercial photography / filming will be due before final permission is granted.

Park & Public Open Space Enforcement & Bylaws

If person/persons are found to be using a drone device from Colchester Borough Council land without permission, they will be instructed to stop immediately. If the user refuses to stop, the Police will be called to attend to cease activity and remove the user from Colchester Borough Council land and subsequent action may be taken under Council bylaws where these apply.

In circumstances where bylaws do not apply security accredited Council staff or private security officers will be called to attend to cease activity and remove the user.

Drone filming by the Council

If the Council wishes to use a UAV or drone then it will only hire a pilot or company with the appropriate CAA permission/accreditation.

Appendix A**Colchester Borough Council Drone Flight Permission Form**

Drone Flight Permission	
Purpose of flight/s	
Name of Operator	
Address	
Areas of Drone Flight	
Date/s Of Drone Flights	
Documents Provided List:	
Permission granted by Neighbourhood Services	
Date:	

Policy Panel

Item
11

22 September 2021

Report of	Assistant Director, Environment	Author	Owen Howell
Title	Work Programme 2021-22		☎ 282518
Wards affected	Not applicable		

1. Executive Summary

- 1.1 This report sets out the current Work Programme 2021-2022 for the Policy Panel, providing details of the items of business that are currently scheduled for each meeting during the municipal year.

2. Recommended Decision

- 2.1 The Panel is asked to note the contents of the Panel's Work Programme for 2021-2022 as set out below and to confirm the appropriate scheduling of work items.

3. Alternative Options

- 3.1 This function forms part of the Panel's Terms of Reference and, as such, no alternative options are presented.

4. Background Information

- 4.1 The Policy Panel's Work Programme will evolve as the municipal year progresses. Items can be added to the Work Programme by request of Portfolio Holders and/or Cabinet requesting policies, strategies or other issues to be reviewed.
- 4.2 When the Panel considers the grounds maintenance contract, it will be provided with a full report and background information on the decision making relating to the grounds maintenance contract and the Panel's previous work on this during the 2020-21 municipal year.

5. Standard References

- 5.1 There are no specific references to publicity or consultation considerations; or financial; equality, diversity and human rights; community safety; health and safety or risk management implications.

6. Strategic Plan References

- 6.1 Policy review is integral to the delivery of the Strategic Plan's priorities and direction for the Borough as set out under the four themes of growth, responsibility, opportunity and wellbeing.

Policy and Public Initiatives Panel Work Programme 2020-21

16 June 2021
1. Work Programme 2021-22.
4 August 2021
1. Covid 19 Commemorations 2. Work Programme 2021-22.
22 September 2021
1. Review & recommendations relating to proposed Neighbourhood Services Policies (Litter Strategy, Bin policy, Graffiti policy, Drone policy) 2. Work Programme 2021-22.
24 November 2021
1. Mitigations Council can make regarding loss of Universal Credit uplift, and financial inequalities 2. Grounds Maintenance Contract – Business Case 3. Work Programme 2021-22.
12 January 2022
1. Queens’s Platinum Jubilee
2 March 2022
1. River Strategy

Items to be scheduled for the 2021-22 Municipal Year.

None at this time.