

Environment Services and Climate Change Committee	
Meeting Date	17 th March 2026
Report Title	Update on Litter Enforcement Service Review Task and Finish Group
EMT Lead	Emma Wiggins, Director of Regeneration and Neighbourhoods
Head of Service	Martyn Cassell, Head of Environment and Leisure
Lead Officer	Michelle Sampson, Environmental Enforcement Manager
Classification	Open
Recommendations	1. The update report is noted, and Committee agrees that officers can finalise the specification and proceed to tender, in consultation with the Member Task and Finish Group.

1 Purpose of Report and Executive Summary

- 1.1 This paper updates the committee on the cross-party task and finish group discussions. It also seeks approval to proceed to tender for a Supplementary Environmental Enforcement Service following expiry of the previous contract on 31 March 2025.
- 1.2 The proposed contract will provide visible patrols to deter crime and issue Fixed Penalty Notices (FPNs) for environmental offences across the Borough. The pre-market engagement suggests that this may be achievable as a self-funding model.

2 Background

- 2.1 The previous supplementary litter enforcement contract ended on 31 March 2025.
- 2.2 In October 2025, officers undertook preliminary market engagement via the Kent Business Portal. One provider responded to the opportunity with valuable information to help shape the model. Through this engagement it is clear that a wider range of offence could be looked at, so the project has been re-defined as the Supplementary Environmental Enforcement Service.
- 2.3 In November 2025 this Committee asked for a cross-party 'Member Task and Finish Group' to be set up and information was discussed at the first meeting in January 2026. Group leaders put the following Members forward;
 - Cllr Lloyd Bowen
 - Cllr Charles Gibson

- Cllr Elliott Jayes
- Cllr Peter MacDonald
- Cllr Ashley Shiel
- Cllr Terry Thompson

2.4 Members were presented with a range of offences that could be considered, went through the market engagement and debated payment rates, the level of fines and other LA models. Discussions led to members agreeing criteria, including:

- The model must reduce litter and dog fouling
- Reducing environmental harm is the priority of the scheme.
- Flexibility to enforce against more environmental offences as opportunities arise.
- A self-funding service model
- High standards of officer conduct and training
- Data-led targeting of hotspots including attendance at rural areas as well as high footfall areas
- Highly visible presence and community reassurance
- Enforcement should be balanced with education.
- Ongoing review of FPN financial levels and early payment reductions to ensure high payment rates.

Following this, officers created a draft operational specification that has been shared with the task and finish group. The specification covers a wide range of details including uniform, training, body worn cameras, payment systems, payment rates, case files, operating hours, officer behaviour, KPI's, performance etc.

2.5 Payment rates will be monitored closely to ensure they remain as high as possible. Income from paid FPN's will fund the scheme. Unpaid FPN's will be taken to court. This will attract a cost, so it is important to keep payment rates high. Any fines issued in court are not paid to the council. Visible, robust action against non-payers will help maintain higher payment rates.

2.6 Members agreed the primary objective was to reduce litter and dog fouling (Core Offences). Officers must be highly visible including in remote areas, not only high footfall zones. Education (especially for juveniles) is essential. Officers must harness the opportunity to use existing services such as CCTV. The initial contract phase should focus on proven enforcement areas, then expansion to the wider offences only when robust models are established.

3 Proposals

3.1 The update report is noted and Committee agrees that officers can finalise the specification and proceed to tender, in consultation with the Member Task and Finish Group.

4 Alternative Options Considered and Rejected

- 4.1 Choosing not to award a contract would result in limited formal litter and dog fouling enforcement action which residents tells us is important.

5 Consultation Undertaken or Proposed

- 5.1 Pre-market engagement was undertaken in autumn 2025.
- 5.2 Other Local Authorities were contacted to discuss their models and to help shape the proposed Swale model.
- 5.3 The Member Task and Finish group ensured cross-party collaboration.
- 5.4 The tender will be advertised via the appropriate procurement portal.
- 5.5 Suppliers can submit variant bids where they can demonstrate improved value, delivery innovation, or financial resilience.

6 Implications

Issue	Implications
Corporate Plan	Appointing a contractor that meets a good quality standard and provides good value for money contributes towards all the corporate priorities but mainly Environment – investigating the most disruptive environmental crimes.
Financial, Resource and Property	Based on preliminary market engagement and discussions held with other Local Authorities, it looks entirely possible that a self-funding model is viable. The bids received will inform this further and will be explained in the contract award report.
Legal, Statutory and Procurement	The legal team have been engaged to consider how best to take action for non-payments. This is likely to be via template case files compiled by the contractor and prosecuted by Swale BC through the Single Justice System. The exact details are still being discussed. The procurement of a service provider will be in line with the contract legislation requirements, and the contract drawn up using the Council's current standard Terms and Conditions. Contract will be awarded using the standard 'most economically advantageous tender (MEAT) which will be evaluated on 60% price and 40% quality).
Crime and Disorder	Visible enforcement contributes to deterrence of anti-social behaviour, improved Intelligence gathering and improvements in public confidence. The scheme will help demonstrate that environmental crime will not be tolerated in Swale.

Environment and Climate/Ecological Emergency	This scheme tackles litter and dog fouling, which are important issues to residents. All companies would need to provide evidence of how they intend to reduce their impact on the environment demonstrating specific policies, actions, and outcomes that align with the swale corporate priorities.
Health and Wellbeing	A supplementary environmental enforcement contract positively impacts the health and wellbeing of residents by providing: • Cleaner public spaces • Reduced vermin and hazard exposure • Increased community / residential pride • Encouragement of outdoor activity Visible enforcement helps deter anti-social behaviour and promotes responsible community behaviour, strengthening social cohesion and contributing to a healthier, more confident, and connected community overall.
Safeguarding of Children, Young People and Vulnerable Adults	The specification will include safeguarding requirements. Officers must follow reporting protocols and provide educational engagement where appropriate. Swale Council has an agreed Environmental Enforcement Policy detailing consistent and balanced approaches towards enforcement. This considers vulnerable residents and juveniles.
Risk Management and Health and Safety	The contract must have strong risk management and health and safety measures to protect both staff and the public. The contract will require robust lone working protocols, the use of body-worn cameras, conflict management training, compliance with asset and vehicle safety standards, and clear complaints and escalation procedures. Payment rates will be monitored closely.
Equality and Diversity	The contractor must ensure that all enforcement activity is conducted fairly and consistently, treating all residents and communities with respect regardless of age, gender, race, disability, religion, or socio-economic background. This is set out in the Council's Enforcement Policy.
Privacy and Data Protection	The contractor will be expected to perform all assigned environmental enforcement duties in strict compliance with applicable laws and regulations. The contractor must comply with GDPR, maintain secure digital systems, ensure the confidentiality of all information managed, and fully cooperate with audits and inspections
Local Government Reorganisation	LGR may impact the proposed contract by introducing structural uncertainty over service responsibilities, governance, and long-term delivery arrangements. While LGR does not prevent procurement, it increases the need for contractual flexibility, including provisions for novation, break clauses, and review points at defined milestones.

7 Appendices

7.1 None

8 Background Documents

8.1 None