

Policy Committee

15th June 2026



Reading
Borough Council
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Title	Procurement of fixed term environmental enforcement partnership
Purpose of the report	To make a decision
Report status	Partly open to the public and part exempt - see reasons below
Report author	Holly Tough – Senior Recycling & Enforcement Officer Marcus Hermon – Waste & Recycling Services Manager
Lead Councillor	Cllr McGoldrick, Lead Councillor Environmental Services and Community Safety
Corporate priority	Healthy Environment
Recommendations	<p>That Policy Committee:</p> <ol style="list-style-type: none">1. Notes the outcomes, benefits and lessons learned from the 12-month enhanced environmental enforcement partnership with Kingdom Local Authority Support (KLAS) which will conclude in September 2026; and2. Delegates authority to the Executive Director of Economic Growth & Neighbourhood Services, in consultation with the Lead Councillor for Environmental Services and Community Safety, the Director of Finance, and the Director of Legal and Democratic Services to procure and enter into a contract for an environmental partnership for a period of 3-years, with an estimated value of £300k per annum.

This report contains within the annexe to Appendix 1 exempt information within the meaning of the following paragraph of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985 and by the Local Government (Access to information) (Variation) Order 2006:

3. Information relating to the financial or business affairs of any particular person (including the authority holding that information)

And in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information because:

- Disclosure would be likely to prejudice the commercial interests of the current enforcement partner, as it could be used by competitors to gain a commercial advantage in future procurement exercises.
- Disclosure would also be likely to prejudice the Council's own commercial position, by undermining its ability to negotiate best value in future contracts with suppliers, who may be less willing to enter into agreements if commercially sensitive terms are disclosed.

1. Executive Summary

- 1.1. This report provides an overview of the outcomes of the enhanced environmental enforcement trial and seeks approval to proceed with the procurement of a fixed-term enhanced environmental enforcement contract, in line with the Council Plan 2025–2028.
- 1.2. The Council Plan 2025–2028 commits the Council to maintaining high environmental standards, promoting fairness across communities and ensuring the organisation remains fit for the future within a constrained financial context.
- 1.3. Environmental enforcement is a discretionary but strategically important function that contributes to these objectives by deterring environmental crime, encouraging responsible behaviour, and maintaining public confidence in the management of public spaces across the borough.
- 1.4. The Council's in-house Recycling & Environmental Enforcement Team delivers a range of statutory duties alongside discretionary enforcement functions, including resident engagement and the implementation of the Simpler Recycling reforms. These competing demands have historically limited capacity to deliver sustained, high-visibility environmental enforcement activity.
- 1.5. In response, the Council entered a 12-month trial enhanced environmental enforcement partnership in September 2025. The trial has delivered a significant increase in enforcement activity, improved visibility, and positive environmental outcomes, while maintaining appropriate governance and without introducing undue financial risk to the Council.
- 1.6. As the trial concludes in September 2026, a decision is now required on the future delivery model for environmental enforcement. Based on the evidence from the trial, this report recommends proceeding with the procurement of a fixed-term enhanced enforcement partnership, to sustain improved outcomes while protecting in-house capacity required to deliver statutory priorities, including Simpler Recycling.

2. Background & Context

- 2.1. Environmental quality is a defining feature of Reading as a place to live, work, study and visit. Effective environmental enforcement underpins the Council Plan priorities by supporting cleaner streets, well-managed public spaces and safe neighbourhoods.
- 2.2. As per DEFRA reporting, local authorities in England dealt with 1.26 million fly-tipping incidents in the 2024/25 period, an increase of 9% from the 1.15 million reported in 2023/24.
- 2.3. In Reading, the Council dealt with 3,832 fly-tipping reports in 2025/26, compared with 2,229 incidents in 2024/25 and 1,304 incidents in 2023/24, representing a year-on-year and a longer-term upward trend. As is the case nationally, this increase reflects a combination of factors, including heightened public awareness of environmental crime, increased focus on reporting at both local

and national level, and improved access to digital reporting channels. While reporting volumes provide an important indicator of environmental pressure, they do not necessarily represent a proportional increase in offending behaviour. Nevertheless, the sustained level of reported incidents highlights the ongoing need for robust, visible and consistent enforcement alongside preventative and educational measures.

- 2.4. In response to these reports, the Council and Partner issued a total of 1,722 Fixed Penalty Notices (FPNs) in 2025/26 compared to 221 FPNs in 2024/25 and 342 FPNs in 2023/24. These figures include fly-tipping, duty of care and litter offence FPNs.
- 2.5. At this stage in the trial, there has been a clear increase in the number of waste investigations and Fixed Penalty Notices issued. However, the available data does not yet demonstrate a corresponding reduction in the overall volume of reported fly-tipping incidents across the borough or at ward-level. Evidence from other local authorities suggests that enforcement-led approaches are most effective over the medium term, where sustained visibility and consistent application support wider public awareness and longer-term behavioural change.
- 2.6. Going forward, the impact of enhanced enforcement will be monitored through ward-level fly-tipping trend analysis over time, alongside enforcement activity, investigation outcomes and payment compliance data. This approach will enable the Council to assess whether sustained enforcement activity is contributing to longer-term reductions in fly-tipping and improvement in environmental quality.
- 2.7. The Recycling & Environmental Enforcement Team delivers a wide range of functions, including statutory waste and recycling support and discretionary enforcement against environmental offences. Where capacity conflicts arise, statutory duties must be prioritised. This pressure will increase during 2026–27 as in-house resources focus on the implementation of Simpler Recycling reforms.
- 2.8. Prior to the introduction of the enforcement partnership, the Council did not have sufficient capacity to deliver routine, high-visibility environmental enforcement activity alongside these competing priorities.

Enhanced Environmental Enforcement Trial

- 2.9. In September 2025, the Council commenced a fixed-term trial partnership with KLAS to provide enhanced environmental enforcement capacity. The partnership was designed to increase visible enforcement activity while ensuring that policy control, legal authority and reputational accountability remain firmly with the Council.
- 2.10. KLAS has been authorised to take enforcement action against those identified as having committed the below offences:

Brief description of Offence	Relevant section of Environmental Protection Act 1990
Littering	Environmental Protection Act 1990, section 87(1) and 88

Fly-tipping	Environmental Protection Act 1990, section 33
Breach of household waste (Duty of Care)	Environmental Protection Act 1990, section 34(2A)
Failure to produce waste transfer documents for the transfer of waste to authorised persons	Environmental Protection Act 1990, section 34
Failure to produce authority to transport waste	Control of Pollution (Amendment) Act 1989, section 5
Commercial waste presentation breaches	Environmental Protection Act 1990, section 47
Vehicle repairs on the highway	Clean Neighbourhoods and Environment Act 2005, section 4
Sale of vehicle on the highway	Clean Neighbourhoods and Environment Act 2005, section 5

- 2.11. Environmental enforcement activity during the trial is delivered primarily through the issuing of Fixed Penalty Notices (FPNs), a nationally recognised mechanism for addressing low-level environmental offences without recourse to prosecution.
- 2.12. The Council provides regular input on hotspots for monitoring and areas requiring frequent patrols by KLAS, and has an ability to divert resource to specific locations when required. Please refer to Appendix 1 for patrol and offence mapping.
- 2.13. Under the arrangement:
- All enforcement officers operate under delegated authority from the Council.
 - All FPN levels are set and approved by the Council as part of its budget and enforcement framework and budget-setting process.
 - The enforcement partner has no discretion to vary penalty levels or enforcement policy.
- 2.14. FPNs are issued in line with Council-approved policies on evidence, proportionality and fairness, supported using body-worn cameras.
- 2.15. Where an individual wishes to challenge a FPN, a structured representation process is in place. Complaints regarding conduct or the operation of the service are overseen by the Council, ensuring accountability and alignment with Council values. Please refer to Appendix 1 for data on complaints received by the Council.
- 2.16. Under the Environmental Protection Act 1990, the Council remains the statutory “litter authority” and cannot lawfully delegate its decision-making powers in relation to criminal prosecution. While elements of the enforcement process may be delivered by a third-party provider, such as issuing Fixed Penalty Notices, gathering evidence, administering representations, and preparing prosecution files, the decision whether to commence legal proceedings must remain with the Council. Any case proceeding to the Magistrates’ Court is therefore brought under the authority of the Council as the statutory litter authority, ensuring compliance with legislative requirements and national guidance.

- 2.17. If an FPN remains unpaid, a court-ready prosecution pack will be prepared by KLAS for the Council. As the Council is the prosecuting authority, the decision to pursue a case rests solely with the Council. Each case is assessed on its legal merits, proportionality and public interest, ensuring the Council retains full control over escalation to court proceedings.
- 2.18. The partnership operates on an income-share basis, placing operational and financial risk with the provider rather than the Council, while retaining Council control over escalation and governance.

Performance and Outcomes

- 2.19. During the first six months of the trial, a total of 1,387 FPNs were issued, compared with 94 FPNs during a comparable pre-trial period. This demonstrates the impact of a dedicated enforcement resource operating alongside in-house services and reflects both increased visibility and the underlying scale of environmental non-compliance.
- 2.20. Over the same period, 884 FPNs were paid, equating to an average payment rate of approximately 71%, which compares favourably with typical payment rates for environmental enforcement activity nationally. As at February 2026, 358 FPNs remained outstanding and subject to further review and escalation, with 145 FPNs cancelled or written off in line with agreed evidential and proportionality criteria. This profile reflects both the operational realities of enforcement activity and the time lag inherent in progressing cases through escalation stages.
- 2.21. The six-month trial performance figures represent a subset of the full 2025/26 enforcement activity, which also includes additional offences and activity outside the core trial period.

2.22. Summary of FPN Performance (Sept 2025 – Feb 2026)

Measure	Volume
Total FPNs issued	1,387
Total FPNs paid	884
Average payment rate	71%
Outstanding FPNs (end of period)	358
Cancelled / written off	145

- 2.23. Payment rates for Fixed Penalty Notices should be interpreted in the context of statutory payment windows and representation processes. Monthly payment rates reflect the status of notices at the point of reporting and include cases that remain within their payment or challenge period. As a result, payment performance typically improves over time as cases progress through these stages. Aggregate figures therefore provide a more accurate reflection of overall compliance than individual monthly snapshots. Detailed monthly payment data, including issued, paid, outstanding and cancelled notices, is provided in Appendix 1.

- 2.24. The increase in enforcement activity reflects both the scale of environmental non-compliance present and the effectiveness of a dedicated, high-visibility enforcement resource operating alongside the Council's existing services. The impact has been most noticeable in priority locations, contributing to improved environmental standards and increased public reassurance.
- 2.25. The FPN payment and escalation data highlights the importance of clear governance arrangements within the enforcement model. While the contractor undertakes investigation, evidence gathering and administration, statutory responsibility for decisions relating to prosecution and court proceedings appropriately remains with the Council. The experience of the trial has informed the development of the proposed future operating model, which seeks to strengthen clarity around escalation thresholds, reporting, and decision-making responsibilities.
- 2.26. Environmental enforcement involves inherent risk due to public interaction. One serious incident occurred during the trial and was managed appropriately, including police involvement. Health and safety arrangements reflect best practice, with training, personal protective equipment, body-worn cameras and Council oversight in place. Overall, risks are considered manageable and proportionate given the benefits delivered.
- 2.27. Recruitment and retention in enforcement roles is recognised as a sector-wide challenge. The enforcement partner is responsible for recruitment, training and deployment. Where staffing pressures have arisen, experienced officers have been deployed temporarily from other contracts, maintaining service continuity without drawing on Council staffing capacity.
- 2.28. Media interest in the trial has been limited. One case attracted wider attention and was reviewed by the Council, which concluded that further legal action was not in the public interest. Overall public feedback indicates strong support for visible and consistent action against environmental crime, with no sustained adverse reputational impact.
- 2.29. As of 24 March 2026, additional enforcement activity undertaken under the Council's Public Spaces Protection Order (PSPO) has been delivered alongside, but separately from, environmental protection offences, with KLAS officers also supporting the Council's Animal Warden with dog-fouling enforcement, demonstrating additional flexibility within the partnership model.
- 2.30. More generally, feedback indicates strong public support for robust action against environmental crime, particularly where enforcement activity is perceived as fair, consistent and targeted. There has been no sustained adverse impact on the Council's reputation arising from the trial.
- 2.31. Overall, the trial demonstrates that enhanced environmental enforcement can be delivered safely, proportionately and effectively, with manageable operational risk and positive environmental outcomes. The partnership model has provided resilience, flexibility and improved visibility compared with in-house provision alone.
- 2.32. These factors support the conclusion that the enhanced enforcement partnership is delivering positive outcomes in line with the Council's strategic objectives.

2.33. A more detailed review of performance, including monthly FPN data, escalation processes and monitoring arrangements, is provided in Appendix 1.

3. Options for a Future Environmental Enforcement Service

Option 1 - Procure a Fixed-Term Enhanced Enforcement Partnership contract for up to three years (Recommended)

3.1. The trial of enhanced environmental enforcement has provided valuable operational and performance evidence to inform the Council's approach to future service delivery. Experience gained through the partnership model, including enforcement activity levels, payment compliance and escalation processes, has highlighted both the benefits of externalised delivery and the importance of clear contractual and governance arrangements. This learning has directly informed the options appraisal set out below, which considers a range of delivery models in light of operational effectiveness, value for money, risk and statutory responsibility. As the trial period concludes, it is therefore proposed to proceed with a new procurement approach that builds on this evidence, strengthens accountability, and supports the Council's strategic objectives.

3.2. Under this option, the Council would procure a fixed term contract for three years with an external enforcement partner to continue delivery of enhanced environmental enforcement activity.

3.3. The anticipated contract value set out in the Financial Implications section is provided for indicative planning purposes only, with market testing and value for money to be confirmed through procurement.

3.4. High level summary of the proposed model:

- Delivery through day to day, high visibility patrolling of identified areas of environmental concern.
- A budget neutral income share arrangement, with FPN receipts shared between the partner and the Council, supporting operating costs, contract management and cleansing services.
- A dedicated enforcement team provided by the partner and embedded alongside in house services, operating from a Council base.
- Clear visibility and accountability through Council branded uniforms, body worn cameras and defined complaint handling arrangements.
- Full Council control retained over enforcement policy, charging levels, legal escalation and prosecution decisions.
- Statutory decision-making responsibility for prosecution retained by the Council in accordance with the Environmental Protection Act 1990, with the enforcement partner limited to authorised operational and administrative functions.

- Performance oversight and reporting through the appropriate forum, with contract management undertaken by the Senior Recycling & Environmental Enforcement Officer.
- Flexibility within the contract to introduce additional enforcement responsibilities by mutual agreement, subject to approval and a clear cost benefit case.

3.5. This option sustains improved environmental outcomes, protects in house capacity for statutory reform, and manages financial, operational and reputational risk. It is therefore proposed, subject to committee approval, to proceed with a new procurement approach.

3.6. The following schedule reflects the Council's existing published Fixed Penalty Notice charges, which remain unchanged under the proposed option.

Offence type	Legislation	FPN Charge*
Depositing litter	Environmental Protection Act 1990, Section 87/88.	£500 (reduced to £100 if paid within 10 days).
Unauthorised disposal of waste/fly-tipping	Environmental Protection Act 1990, Section 33	£1,000 (reduced to £500 if paid within 10 days).
Breach of household duty of care	Environmental Protection Act 1990, Section 34 2A	£600 (reduced to £300 if paid within 10 days).
Failure to produce waste transfer documents for the transfer of waste to authorised persons	Environmental Protection Act 1990, Section 34	£300
Failure to produce authority to transport waste	Control of Pollution (Amendment) Act 1989, Section 5	£300
Commercial waste presentation breaches	Environmental Protection Act 1990, Section 47	£110
Vehicle repairs on the highway	Clean Neighbourhoods and Environment Act, Section 4	£100
Sale of vehicle on the highway	Clean Neighbourhoods and Environment Act, Section 5	£100
Dog fouling / breach of Public Spaces Protection Order	Anti-Social Behaviour, Crime and Poling Act 2014, Section 59	£100

* Note: The Council currently charges the maximum amount for FPNs relating to the above offences, as per limits set out in legislation.

Option 2 – Cease the Partnership and Revert to In House Provision

3.7. Under this option, the enhanced enforcement partnership would conclude at the end of the trial period, and responsibility for environmental enforcement would revert entirely to the Council's in-house resources.

- 3.8. This option would result in a significant reduction in proactive, high-visibility enforcement activity when compared with the trial period. Evidence from the trial demonstrates that the dedicated partnership model has materially increased enforcement presence and activity levels relative to historic in-house provision, reflecting both additional capacity and the ability to deploy resources flexibly in response to emerging environmental concerns.
- 3.9. Reversion to an in-house model would place additional pressure on existing staff at a time when capacity is already committed to delivering statutory reforms, including the introduction of Simpler Recycling. While recruitment and retention challenges have been experienced during the trial, these reflect sector-wide conditions and were mitigated through deployment flexibility available within the partnership model. Such flexibility would be considerably more limited if delivery relied solely on in-house staffing arrangements.
- 3.10. There is also a risk that ceasing the partnership would lead to a perceived regression in service effectiveness and environmental standards, given the increased visibility, public reassurance and improved outcomes achieved during the trial. Taking these factors into account, this option does not provide a sustainable or resilient approach to meeting the Council's environmental enforcement objectives and is therefore not recommended.

Summary of Options and Recommendation

- 3.11. There is a risk that ceasing a partnership approach would lead to a perceived regression in service effectiveness and environmental standards, given the increased visibility, public reassurance and improved outcomes achieved during the trial. Taking these factors into account, this option does not provide a sustainable or resilient approach to meeting the Council's environmental enforcement objectives and is therefore not recommended.
- 3.12. The proposed approach reflects established practice within the local government sector, where external environmental enforcement partnerships and income-share models are used to enhance capacity, manage operational and financial risk, and deliver value for money. Future performance reporting will therefore focus not only on enforcement activity, but also on longer-term indicators such as ward-level fly-tipping trends, to assess whether sustained enforcement activity is translating into measurable environmental improvement over time.
- 3.13. Overall, Option 1 provides resilience and flexibility that cannot be readily achieved through solely in-house provision, protects internal capacity for delivery of statutory reforms such as Simpler Recycling, and allows enforcement activity to be scaled and targeted in response to need. For these reasons, and taking account of performance evidence, risk, and value for money considerations, Option 1 is recommended.

4. Contribution to Strategic Aims

- 4.1. The Council's strategic aim of ensuring that Reading is a clean, green, and safe place to live, work and visit requires the behaviours of the town's residents, visitors, and business operators to be monitored and regulated to ensure

environmentally conscious practices. This initiative secures the additional resources required to meet this objective in a financially sustainable manner.

- **Promote more equal communities in Reading** - Enhanced and consistent environmental enforcement ensures that neighbourhoods benefit from clean, safe and well-managed public spaces. Applying Council-approved policies uniformly promotes fairness, shared responsibility and public confidence across the borough.
- **Deliver a sustainable and healthy environment and reduce Reading's carbon footprint** - Targeted environmental enforcement supports sustainability objectives by reducing littering, fly-tipping and poor waste management. The approach reinforces correct waste behaviours, complements recycling reform and contributes to cleaner public spaces and progress towards net-zero ambitions.
- **Safeguard and support the health and wellbeing of Reading's adults and children** - Clean and well-managed public spaces support physical activity, mental wellbeing and perceptions of safety. Reducing environmental blight and hazardous waste contributes to safer, more welcoming environments and longer-term behaviour change.
- **Ensure Reading Borough Council is fit for the future** - The partnership supports financial sustainability and organisational resilience by delivering enhanced outcomes without increasing base budgets or transferring risk to the Council. The flexible model protects in-house capacity during major service reforms and reflects a modern, best-value approach to service delivery.

5. Environmental and Climate Implications

- 5.1. The enhanced environmental enforcement partnership supports the Council's commitment to delivering a sustainable and healthy environment by reducing littering, fly-tipping and poor waste management that negatively impact environmental quality and local amenity.
- 5.2. By reinforcing correct waste behaviours, the service complements wider waste and recycling reforms, contributing to improved recycling quality, reduced contamination and lower environmental impact. Maintaining cleaner and better-managed public spaces supports environmental standards throughout the Council Plan period.

6. Community Engagement

- 6.1. Evidence from resident surveys and the trial indicates that residents and stakeholders value visible and consistent action to address environmental crime. Public confidence depends on enforcement activity being fair, proportionate and transparent.
- 6.2. Any continuation of the service will be supported by clear communications explaining the purpose of enforcement, how decisions are made and the safeguards in place to ensure only evidenced offences are penalised. This

approach will promote transparency, manage expectations and reinforce understanding of the Council's role and responsibilities in protecting the public realm.

- 6.3. Community education and engagement is a key element of influencing behaviour change. The team will co-ordinate targeted public awareness campaigns about littering impacts and how the community can avoid being subject to enforcement action by being responsible with their rubbish. An annual communications plan will be produced by the team in advance.

7. Equality Implications

- 7.1. An Equality Impact Assessment (EqIA) has been completed and has identified no unlawful discrimination arising from the proposal. While there is potential for differential impact on some protected groups, these risks are mitigated through proportionate enforcement, clear policy safeguards, discretion in cases involving vulnerability, and full Council oversight of enforcement and prosecution decisions. Ongoing monitoring arrangements are in place to identify and address any adverse impacts.
- 7.2. Further detail is provided in Appendix 2: Equality Impact Assessment.

8. Legal Implications

- 8.1. All contractual, governance and enforcement arrangements will be subject to review and oversight by the Council's Legal Services.
- 8.2. The proposed enforcement model complies with the Environmental Protection Act 1990 and associated statutory guidance, which require the Council, as the statutory litter authority, to retain control over enforcement policy and statutory decision-making, including decisions to initiate criminal proceedings.
- 8.3. Where FPNs remain unpaid, eligible cases may be progressed through the Single Justice Process (SJP), whereby cases are determined by a magistrate sitting with a legal adviser where the defendant has pleaded guilty or has not responded, and has not requested a full court hearing. The SJP provides an efficient mechanism for dealing with high volumes of low-level offences while preserving defendants' rights.
- 8.4. The Council is allocated a limited number of SJP cases per month. Where the number of eligible cases exceeds this allocation, proceedings would be progressed through the traditional magistrates' court process by way of summons.
- 8.5. Based on recent performance data, it is anticipated for planning purposes that a proportion of issued FPNs will remain unpaid and require legal review. This assumption informs resourcing considerations rather than constituting an enforcement or income target.
- 8.6. Any legal costs incurred, or costs awarded, arising from criminal proceedings remain the responsibility of the Council as prosecuting authority. Operational delivery risks associated with enforcement activity are managed through the contractual arrangements with the provider.

9. Financial Implications

- 9.1. The current enhanced environmental enforcement arrangement was approved as a fixed-term trial for a twelve-month period, with an estimated contract value of approximately £300,000. This reflected the scale of activity required to deliver dedicated, high-visibility enforcement capacity alongside existing in-house services and was set out in the earlier report approving the trial arrangement.
- 9.2. For the purposes of forward financial planning, it is anticipated that any future enhanced enforcement contract would be of a broadly similar annual value. This estimate is indicative only and reflects current market practice for comparable local authority environmental enforcement services. The final contract value will be determined through a competitive procurement exercise and may vary depending on bids received from prospective providers.
- 9.3. No change to current revenue budget. Any reduction in direct in-house FPN receipts will be balanced by a share of the increased FPN receipts received by the Council's enforcement partner, presenting a budget neutral position. Any surplus income received from enhanced enforcement will be reported via monthly budget monitoring and must be used to contribute to environmental maintenance and cleansing services.
- 9.4. Income-share arrangements of this nature are commonly used within environmental enforcement contracts to align incentives and transfer operational and financial risk to the provider, while protecting the Council from fixed staffing and enforcement cost exposure.
- 9.5. A forecast level of Environmental Enforcement FPN receipts of £30,000 is included within the Recycling & Waste Service budget for FY26/27 for planning purposes.

10. Timetable for Implementation

Activity	Timeframe
Procurement strategy planning	April 2026
Tender publication & bidding period	June/July 2026
Tender Evaluation	August 2026
Award decision	August 2026
Contract finalisation & mobilisation	September 2026

11. Appendices

Appendix 1 – KLAS partnership key performance indicators & monitoring

Appendix 2 – Equality Impact Assessment