HEALTHY, SAFE, CLEAN AND GREEN COMMUNITIES SCRUTINY COMMITTEE AGENDA

<u>Tuesday 19th September 2017 at 1000 hours in the Council Chamber,</u> <u>The Arc, Clowne</u>

Item No.	PART A – FORMAL	Page No.(s)			
	PART 1 OPEN ITEMS				
1.	Apologies for Absence				
2.	<u>Urgent Items of Business</u>				
	To note any urgent items of business which the Chairman has consented to being considered under the provisions of Section 100(B) 4(b) of the Local Government Act 1972				
3.	Declarations of Interest				
	Members should declare the existence and nature of any Disclosable Pecuniary Interest and Non Statutory Interest as defined by the Members' Code of Conduct in respect of:				
	a) any business on the agendab) any urgent additional items to be consideredc) any matters arising out of those items				
	and if appropriate, withdraw from the meeting at the relevant time.				
4.	Minutes of meeting held on 24 th July 2017.	3 to 8			
5.	List of Key Decisions & Items to be Considered in Private. (Members should contact the officer whose name appears on the List of Key Decisions for any further information).	9 to 13			
6.	Environmental Enforcement Review – to approve the final draft Scoping document.	14 to 17			
7.	Work Plan 2017/18.	18 to 20			
	PART B – INFORMAL				
	The formal meeting of the Improvement Scrutiny Committee ends at this point. Members will meet informally as a working party to carry out their review work. This meeting is closed to the public, so members of the public should leave at this point.				
8.	Benchmarking: what do other authorities do with regard to dog fouling, litter and fly tipping? – Discuss questions for Members in gathering information from other authorities.	Discussion			

Environmental Enforcement Review – to agree a draft Questionnaire

9.

for Members.

Minutes of a meeting of the Customer Service and Transformation Scrutiny Committee of the Bolsover District Council held in the Council Chamber, the Arc, Clowne, on Monday 24th July 2017 at 1300 hours.

PRESENT:-

Members:- Councillors J.E. Bennett, Mrs P Cooper, H.J. Gilmour, C. Moesby, K. Walker and D.S. Watson.

Officers:- C. Millington (Scrutiny Officer), K. Drury (Information Engagement & Performance Manager) and A. Bluff (Scrutiny Officer).

Also in attendance at the meeting was Councillor B.R. Murray-Carr, Portfolio Holder for Community Safety & Street Services.

Councillor S. Peake in the Chair

0121. APOLOGIES

Apologies for absence were received on behalf of Councillors T. Cannon and T. Munro.

0122. URGENT ITEMS OF BUSINESS

There were no urgent items of business to consider.

0123. DECLARATIONS OF INTEREST

There were no declarations of interest made.

0124. MINUTES – 27th JUNE 2017

Clarification of the last paragraph of Minute Number 0073 was provided to the meeting as follows:

<u>H05 - Support 417 inactive 16+ individuals per year & increase their activity levels</u> to more than 30 minutes of moderate intensity physical activity per week,

Members' attention was drawn to Minute 885 of the Minutes from the meeting held on 16th May 2017, where it had been noted that target H05 had been flagged as an alert and was unlikely to be met - Members had suggested that the Senior Sports Development Officer provide an update to the Committee regarding the Girls Hub.

The Scrutiny Officer advised Members that at March 2017, the PERFORM system had noted that the Performance Indicator outturn for the second year was 638 against a target of 834 and as Derbyshire County Council had reviewed the target for the second year, the Scrutiny Committee would receive an update on Quarter 1, 2017/18 performance at their meeting on 1st August 2017.

Members agreed that they would wait until after the update at the August meeting to decide if it was appropriate to request the officer to attend a future meeting.

Moved by Councillor H.J. Gilmour and seconded by Councillor J.E. Bennett **RESOLVED** that subject to the above clarification being included, the Minutes of a Healthy, Safe, Clean and Green Scrutiny Committee meeting held on 27th June 2017, be approved as a correct record.

0125. LIST OF KEY DECISIONS AND ITEMS TO BE CONSIDERED IN PRIVATE

Members considered the current List of Key Decisions and items to be considered in Private document.

Moved by Councillor H.J. Gilmour and seconded by Councillor D.S. Watson **RESOLVED** that the List of Key Decisions and items to be considered in Private document be noted.

0126. CORPORATE PLAN TARGETS PERFORMANCE UPDATE – APRIL TO JUNE 2017 (QUARTER 1 – 2017/18)

Committee considered a report, which provided an update to Members on performance outturn targets for the first quarter; April to June 2017, in relation to supporting our communities to be healthier, safer, cleaner and greener'.

H01 - Deliver a minimum of 8000 hours of positive activity through community based culture and leisure engagement per year.

This target was reported as being on track.

At this stage of the year the target figure was 2000 hours; actual performance to date was 2585 - substantially exceeding target.

H02 - Increase participation/attendances in leisure, sport, recreation, health, physical and cultural activity by 3,000 per year.

This target was reported as being on track.

The target for the first quarter was 75,000 attendances. The actual for the quarter was 92,640 – which exceeded expectations.

H03 - Deliver a health intervention programme which provides 900 adults per year with a personal exercise plan via the exercise referral scheme.

This target was reported as being on track.

The Council had been commissioned to deliver a health intervention programme by Derbyshire County Council, Public Health. The scheme covered two programmes; the Derbyshire Integrated Wellbeing Approach and Bolsover Wellness Plus. A combined figure of 1000 referrals had been set from these two programmes.

In the first quarter, 289 clients had attended at a number of different locations, including Clowne Sports Centre, Shirebrook Leisure Centre and Welbeck Road Doctors Surgery.

H04 - Tackle childhood obesity through the delivery of a child focused health intervention programme to all Key Stage 2 year groups by the end of each academic year.

This target was reported as being on track.

Quarter 1 of the new financial year saw the Five:60 programme's final term of the current academic year. The programme had been delivered to all year 3 pupils within the 28 schools in the Bolsover Schools Sports Partnership.

The delivery of the scheme in September was already being planned and schools were booked for the start of the new academic year.

H05 - Support 417 inactive 16+ individuals per year & increase their activity levels to more than 30 minutes of moderate intensity physical activity per week.

This target was reported as being on track.

690 individuals were engaged during the project period December 2014 to June 2017.

The targets for year 2 changed having had discussions with funders and having taken into account a shortfall in year 1. Amended target for year 2 (Dec 2015 to Nov 2016), was 340 engaged participants. Total number of engaged participants up to current time (Dec 2014 - March 2017) was 638. This was higher than the end of year target. 'Engaged' refers to individuals who the officer has consulted with, signposted to activities or who have tried activities.

Additional outcome targets had been set for stages 2 and 3 of the project. These were:

- 1 Establish a community group that identified and controlled ownership of a local health issue.
- 2 Create a shared vision for the identified health issue
- 3 Facilitate the group to mobilise positive change of the health issue

Work within Creswell, Whitwell and Carr Vale/New Bolsover was ongoing and relationships had been made with local leaders and community groups in each area. Much had been learned about each of the areas which had helped to understand

the people who lived there. This improved understanding, along with a greater presence within each place, had led to new engagements and connections to be made. Examples of current work included;

• The facilitation of a new wildlife/nature group for families, set up by local residents and connecting people with an interest in fishing.

H07 - Assist partners in reducing crime by delivering 12 Crime Cracking events in the community each year.

This target was reported as being on track.

- 1 Crime Cracking event attended engaging with approximately 70 people;
 - Shirebrook Eats and Treats event.

H08 - With partners organise 3 community cohesion events each year to bring communities together in identified areas.

This target was reported as being on track.

The Community Cohesion Officer had helped the newly established Shirebrook Polish Community Association to organise 2 events during the first quarter:-

- Easter event at the Shirebrook Christian Centre
- Family Summer Picnic

The project had now come to an end and the Community Cohesion Officer had taken up a new post within the Bolsover Partnership team. As a result of this, the target would be reviewed and a recommendation made to Executive on 4th September 2017.

A Member felt that the two above events had not been advertised fully in the community. The Portfolio Holder for Community Safety & Street Services replied that this would be raised at the 'NG' meetings for future events.

H09 - Achieve a combined recycling and composting rate of 49% by March 2019.

This target was reported as being on track.

The April to June 2017 quarter was estimated based on the 2016/17 quarter 1 data (4,415tonnes) due to Waste Data Flow (WDF) information not being available. It was estimated that the combined recycling rate would be 47% (approx). The information would be updated when qualified WDF data was available at the end of September 2017.

H10 - Sustain standards of litter cleanliness to ensure 96% of streets each year meet an acceptable level as assessed by Local Environment Quality Surveys (LEQS).

This target was reported as being on track.

Quarter 1 - LEQS's established that 0% of streets and relevant land surveyed for litter fell below grade B cleanliness standards, resulting in 100% meeting the target standard.

The Chair raised concern regarding the target and felt the Authority was not maintaining levels of litter clearance. The Portfolio Holder for Community Safety & Street Services advised the meeting that the Government was introducing a new initial power to enable authorised officers, wearing bodycams, (Environmental Health Officers and CAN Rangers), to issue Fixed Penalty Notices where they could approach a person who had committed a littering offence. The offender would have a period of time to clear up and failing that, the officer could go for a prosecution.

H11 - Sustain standards of dog fouling cleanliness to ensure 98% of streets each year meet an acceptable level as assessed by Local Environment Quality Surveys (LEQS).

This target was reported as being on track.

Q1 - LEQS's established that 0% of streets and relevant land surveyed for dog fouling fell below grade B cleanliness standards, resulting in 100% meeting the target standard.

H12 - Annually undertake 10 local environmental enforcement and educational initiatives in targeted areas to deal with dog fouling, littering or fly tipping.

This target was reported as being on track.

Four enforcement/educational initiatives were delivered during the first quarter. Two at Shirebrook, one at Bolsover and one at Barlborough.

H15 - Reduce energy use in sheltered housing schemes by 10% by March 2019

This target was reported as being on track.

Contractors had started works at Victoria House in two empty flats, refurbishing the bathrooms and fitting new low surface temperature radiators. When finalised, programmes of work were agreed, a meeting would be held with the tenants and relevant officers and Members to make everyone aware of the works and time scales.

An architect had been appointed for phase 2 properties and initial surveys had been carried out.

H16 - Replace each year 200 gas fired back boilers in our Council houses with more efficient 'A' rated combi boilers.

This target was reported as being on track.

In quarter 1 a total of 90 boilers were fitted;

- 19 fitted by BDC operatives
- 71 fitted by contractor

Moved by Councillor H.J. Gilmour and seconded by Councillor J.E. Bennett **RESOLVED** that the report be noted.

0127. ENVIRONMENTAL ENFORCEMENT REVIEW – TO APPROVE THE SCOPING OCUMENT

Committee considered the scoping document in relation to their review of Environmental Enforcement.

Moved by Councillor S. Peake and seconded by Councillor C.R. Moesby **RESOLVED** that the amendments to the scoping document as agreed by the Committee be noted and approved.

(Scrutiny Officer)

0128. WORK PLAN 2017/18

Committee considered their Work Plan which would be updated with items from this meeting.

The Scrutiny Officer noted that the Solicitor was looking at a draft Licensing Policy which would be presented to this Committee in October 2017 for Member's comments.

As this was her last Healthy, Safe, Clean and Green Scrutiny Committee meeting before leaving the Council to take up another position, the Chair thanked the Scrutiny Officer for all her hard work and support of the Committee over the previous years and was sad to see her leave.

The Vice Chair noted she had worked with Claire since she had started in her role as Scrutiny Officer and also thanked her for all she had done, her advice and initiatives.

Members endorsed the Chair and Vice Chair's comments and stated that Claire would be sorely missed. The Committee wished Claire all the best in her new role.

The meeting concluded at 1425 hours.



The Arc High Street Clowne Derbyshire S43 4JY

Key Decisions & Items to be Considered in Private

To be made under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Published on: 8th September 2017

INTRODUCTION

The list attached sets out decisions that are termed as "Key Decisions" at least 28 calendar days before they are due to be taken by the Executive or an officer under delegated powers.

Preparation of the list helps Executive to programme its work. The purpose of the list is to give notice and provide an opportunity for consultation on the issues to be discussed. The list is updated each month with the period of the list being rolled forward by one month and republished. The list is available for public inspection at the The Arc, High Street, Clowne, S43 4JY. Copies of the list can be obtained from Sarah Sternberg, Assistant Director — Governance & Monitoring Officer at this address or by email to sarah.sternberg@bolsover.gov.uk. The list can also be accessed from the Council's website at www.bolsover.gov.uk.

The Executive is allowed to make urgent decisions which do not appear in the list, however, a notice will be published at The Arc and on the Council's website explaining the reasons for the urgent decisions. Please note that the decision dates are indicative and are subject to change.

The names of Executive members are as follows:

Councillor A.M. Syrett - Leader Councillor M. Dooley – Deputy Leader Councillor S.W. Fritchley Councillor B.R. Murray-Carr Councillor K. Reid Councillor M.J. Ritchie Councillor B. Watson

The Executive agenda and reports are available for inspection by the public five clear days prior to the meeting of the Executive. The papers can be seen at The Arc at the above address. The papers are also available on the Council's website referred to above. Background papers are listed on each report submitted to the Executive and members of the public are entitled to see these documents unless they contain exempt or confidential information. The report also contains the name and telephone number of a contact officer.

Meetings of the Executive are open to the public and usually take place in the Council Chamber at The Arc. Occasionally there are items included on the agenda which are exempt and for those items the public will be asked to leave the meeting. This list shows where this is intended in Part 2 and the reason why the reports are exempt or confidential. Members of the public may make representations to the Assistant Director – Governance, & Monitoring Officer about any particular item being considered in exempt.

The list does not detail all decisions which have to be taken by the Executive, only "Key Decisions. In these Rules a "Key Decision" means an Executive decision, which is likely:

- (1) to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or
- (2) to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the District.

In determining the meaning of "significant" the Council must have regard to any guidance for the time being issued by the Secretary of State. The Council has decided that revenue income or expenditure of £75,000 or more and capital income or expenditure of £150,000 or more is significant.

The dates for meetings of Executive in 2016/17 are as follows:

2017 - 9th October

6th November

4th December

2018 - 15th January

19th February

5th March

23rd April

21st May

The Council hereby gives notice of its intention to make the following Key Decisions and/or decisions to be considered in private:

Matter in respect of which a decision will be taken	Decision Maker	Date of Decision	Documents to be considered	Contact Officer	Is this decision a Key Decision?	Is this key decision to be heard in public or private session
Chesterfield and District Crematorium Delivery Options To look at delivery options	Executive	October 2017	Report of Councillor B Murray-Carr - Portfolio Holder for Community Safety and Street Services	Report of Joint Crematorium Committee	Yes – involves revenue income or expenditure of £75,000 or more and capital income or expenditure of £150,000 or more.	Private – relates to the Council's financial or business affairs
Konica Multi Functional Devices Direct Award Contract To receive tenders	Executive	October 2017	Report of Councillor B Watson – Portfolio Holder for Neighbourhood Services	Report of Joint ICT Manager	Yes – involves revenue income or expenditure of £75,000 or more and capital income or expenditure of £150,000 or more.	Private – relates to the Council's financial or business affairs
Medium Term Financial Plan	Executive	October 2017	Report of Councillor A Syrett - Leader of the Council, Portfolio Holder for Strategic Planning and Regeneration	Assistant Director – Finance and Revenues & Benefits	Yes – involves revenue income or expenditure of £75,000 or more and/or capital income or expenditure of £150,000 or more.	Private – relates to the Council's financial or business affairs

Matter in respect of which a decision will be taken	Decision Maker	Date of Decision	Documents to be considered	Contact Officer	Is this decision a Key Decision?	Is this key decision to be heard in public or private session
Medium Term Financial Plan	Executive	October 2017	Report of Councillor A Syrett - Leader of the Council, Portfolio Holder for Strategic Planning and Regeneration	Assistant Director – Finance and Revenues & Benefits	Yes – involves revenue income or expenditure of £75,000 or more and/or capital income or expenditure of £150,000 or more.	Open

BOLSOVER DISTRICT COUNCIL SCRUTINY PROJECT MANAGEMENT REVIEW SCOPE

NAME OF

COMMITTEE: Healthy, Safe, Clean and

SCRUTINY OFFICER:

Green Com	munities		
SUBJECT TO BE REVIEWED	Enforcement action undertaken by Bolsover District Council to improve the quality of the environment across the District.		
REASON(S) FOR THE REVIEW	To address the concerns and perceptions of Elected Members and consider the Council's existing approaches. To identify any further actions that should be taken in order to punish those responsible, reduce the number of incidents and keep the environment clean having regard to best practice, statutory guidance and policy.		
IDENTIFY APPROPRIATE CORPORATE PLAN AIMS, PRIORITIES AND TARGETS	CORPORATE PLAN AIM – Supporting our communities to be healthier, safer, cleaner and greener. PRIORITY – Ensuring a high standard of environmental maintenance and cleanliness. TARGET – Corporate Plan Target H12: Annually undertake 10 local environmental enforcement and educational initiatives in targeted		
DIRECTOR	Operations	g fouling, littering or fly tipping.	
AIMS AND OBJECTIVES OF REVIEW	used to deal with a in the district of B Councillors to the coordinate of the coordi	at the Council's Enforcement Policy is being and deter fly tipping, littering and dog fouling Bolsover and to address the perceptions of ontrary. It the actual levels of litter, fly tipping and dog e difference in perceptions and why? difference between actual levels and members' of find a way to bridge the gap.	

To understand the range of enforcement actions available.
To understand the enforcement legal tests, e.g. evidential test

 To understand the enforcement legal tests, e.g. evidential test and public interest test.

current approaches and

Environmental Health, Street Scene and Community Safety

- To understand the Council's Enforcement Policy and legal interpretation.
- To understand current practices and how closely the policy is

understand

(CAN Rangers).

	 adhered to. To consider the current constraints on the authority regarding enforcement and taking enforcement action To understand competency levels required for enforcement officers. To understand the current level of staff with delegated authority to undertake enforcement and its effectiveness in undertaking such. To understand the required staffing levels and any human resource implications.
KEYISSUES	To consider; • Untidy land, gardens and buildings • Litter • Fly tipping • Dog fouling • Customer expectations • Councillors expectations • options for working with other councils nearby to increase enforcement activities

TIMESCALE	ESTIMATED	REVISED	ACTUAL
Commencement	September 2017		
Interim Report/ Recommendations			
Finish			
Report			

METHOD(S) OF REVIEW:	 Interviews Benchmarking/Best practice Work shadowing - Environmental Enforcement Technical Officers/Street Scene/Dog Wardens/CAN Rangers/Planning Enforcement/Housing Enforcement Briefings Questioning Analysis of service demand and performance\output Surveys to all councilors, parish councils, public.
IMPLICATIONS: (legislative, regulatory, etc)	 Relevant enforcement legislation Fixed Penalty Notices

DOCUMENTARY EVIDENCE: (Internal/External)	 Untidy land and buildings policy (internal) Enforcement Policy – Joint Environmental Health Service (internal) Complaints reports/Service requests/reports Service delivery/output performance data Analysis/statistics from enforcement actions Regulators Code – Government Better Regulation Delivery Officer (external) Joint Fly Tipping Policy (internal) Environmental Despoilment Action Plan and report on Actions by Environmental Health during 2016/17 (internal) Terms of Reference – Environmental Enforcement, Cleansing and Education Group (internal) Corporate Enforcement Officers Group DEFRA guidance/recommendations
STAKEHOLDERS	RELEVANT PORTFOLIO HOLDER MUST BE INVOLVED IN THE REVIEW
	 Councillor Brian Murray-Carr Councillor Mary Dooley Steve Brunt – Assistant Director, Street scene. James Arnold – Assistant Director, Planning and Environment Peter Campbell – Assistant Director, Community Safety and Head of Housing (BDC) Steve Jowett – Streetscene & Waste Services Manager Sharon Gillott – Environmental Health Manager Deborah Whallett - Housing Enforcement Manager Rangers Legal Partnership Team (link to PCSO's?) All Councillors Parish Councils
CONSULTATION/ RESEARCH:	 North East Derbyshire District Council – Environmental Despoilment Review and Action Plan. Review carried out in 2015/16 (Joint Environmental Health and Streetscene Teams) DEFRA Website – Fly Tipping/Littering and Dog Fouling guidance and waste data flow data Keep Britain tidy Website – best practice/benchmarking http://www.keepbritaintidy.org/home/481
SITE VISITS	

	SCRUTINY REVIEW OUTCOMES
CONCLUSIONS:	
RECOMMENDATIONS:	
DRAFT REPORT SENT TO DIRECTOR & ANY RELEVANT OFFICERS FOR COMMENT:	
DRAFT REPORT CONSIDERED BY PORTFOLIO HOLDER:	
SIGNED OFF BY COMMITTEE/CHAIR:	
SIGNED OFF BY SCRUTINY MANAGEMENT BOARD:	
REVIEW OF PROCESS/COMMENTS:	
EXECUTIVE CONSIDERED:	
OUTCOME:	
FOLLOW UP:	
DATE:	

Healthy, Safe, Clean and Green Communities Scrutiny Committee

Work Plan – 2017 – 2018

Vision: to enhance and improve the wealth profile, well-being and quality of life for the communities of Bolsover District Corporate Aim: Supporting our Communities to be Healthier, Safer, Cleaner and Greener

Date of Meeting	Items	Lead Officer	Notes
27 th June 2017	Selection of Scrutiny ReviewPrioritising the work plan		
24 th July 2017 (originally scheduled for 1 st August 2017)	 Quarter 1 – Performance Update. Approve scope for Environmental Enforcement Review. 	Kath Drury, Information, Engagement and Performance Manager	
19 th September 2017	 Review work: Environmental Enforcement Dog Warden Questionnaire for Members Benchmarking: develop questions for other authorities – dog fouling, litter, fly tipping 		-

17 th October 2017	Draft Licensing Policy	Kevin Shillito, Principal Solicitor	The draft Policy may be ready for this meeting, otherwise it will need to go to the November meeting. Kevin to advise once draft is ready.
14 th November 2017	Quarter 2 – Performance Update	Kath Drury, Information, Engagement and Performance Manager	
	Homelessness Briefing	Diane Bonsor, Housing Needs Manager	See email sent to DB dated 4/7/2017. LGA report on Council Innovation and learning in Housing our Homeless Households circulated to Members on 10 th July 2017.
19 th December 2017	•		
30 th January 2017	Preparation for Annual Review of the Community Safety Partnership.	Scrutiny Officer	Agree set of questions to provide to Housing Enforcement Manager/Community Safety Officer in advance of the next meeting. See 2017 questions as a starting point.
27 th February 2017	Quarter 3 – Performance Update	Kath Drury, Information, Engagement and Performance Manager	Do not include any other items on this agenda. Performance first at 9.30 am
	Annual Review of Community Safety Partnership.	Deborah Whallett, Housing Enforcement Manager & Jo Selby, Community Safety Officer	and then rest of the meeting dedicated to the annual review.

20 th March 2017	•		
1 st May 2017	Quarter 4 – Performance	Kath Drury, Information,	
	Update	Engagement and Performance Manager	

Healthy, Safe, Clean and Green Communities Scrutiny Committee Membership (10 Members)

Councillors; - Sandra Peake (Chair), Hilary Gilmour (Vice-Chair), Toni Bennett, Dexter Bullock, Tracey Cannon, Pat Cooper, Clive Moesby, Tom Munro, Ken Walker, Deborah Watson.

Item to include in work plan from Scrutiny Conference