

HEALTHY, SAFE, CLEAN AND GREEN COMMUNITIES SCRUTINY COMMITTEE
AGENDA

Tuesday 30th January 2018 at 10am hours in the Council Chamber,
The Arc, Clowne

Item No.	<u>PART A – FORMAL</u>	Page No.(s)
	<u>PART 1 OPEN ITEMS</u>	
1.	<u>Apologies for Absence</u>	
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.	<u>Declarations of Interest</u> 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 agenda b) any urgent additional items to be considered c) any matters arising out of those items and if appropriate, withdraw from the meeting at the relevant time.	
4.	Minutes of a meeting held on 19 th January 2017.	3 to 5
5.	List of Key Decisions & Items to be Considered in Private. <i>(Members should contact the officer whose name appears on the List of Key Decisions for any further information).</i>	6 to 12
6.	Preparation for Annual Scrutiny Review of the Community Safety Partnership.	Verbal Discussion
7.	Work Plan 2017/18.	13 to 15

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. Environmental Enforcement Review.

HEALTHY, SAFE, CLEAN AND GREEN COMMUNITIES SCRUTINY COMMITTEE

Minutes of a meeting of the Healthy, Safe, Clean and Green Communities Scrutiny Committee of the Bolsover District Council held in the Council Chamber, the Arc, Clowne, on Tuesday 19th December 2017 at 1000 hours.

PRESENT:-

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

Officers:- K. Shillitto (Principal Solicitor), L. Cheong (Acting Scrutiny Officer) and A. Bluff (Governance Officer).

Councillor S. Peake in the Chair

0480. APOLOGY

An apology for absence was received on behalf of Councillor T. Cannon.

0481. URGENT ITEMS OF BUSINESS

There were no urgent items of business to consider.

0482. DECLARATIONS OF INTEREST

There were no declarations of interest made.

0483. MINUTES – 14TH NOVEMBER 2017

Moved by Councillor T. Munro and seconded by Councillor C. Moesby

RESOLVED that the Minutes of a Healthy, Safe, Clean and Green Scrutiny Committee meeting held on 14th November 2017 be approved as a correct record.

0484. LIST OF KEY DECISIONS AND ITEMS TO BE CONSIDERED IN PRIVATE.

Committee considered the List of Key Decisions and items to be considered in private document.

Moved by Councillor H.J. Gilmour and seconded by Councillor C.R. Moesby

RESOLVED that the List of Key Decisions and items to be considered in private document be noted.

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0485. TAXI POLICY REVIEW

Committee considered a report in relation to a recent review of the Council's Taxi Licensing Policy for drivers, vehicles and operators.

In 2013 the Council approved a policy for the licensing of hackney carriages and private hire vehicles and in accordance with the Council's standard practice the policy had now been subject to a review.

As part of the review work, the policy had been split into three separate policy documents; drivers, vehicles and operators. A fourth document in relation to enforcement was being put together although there were no substantive changes made from the original policy.

The contents of the report summarised the key changes made to the policy and Members were asked to consider these and provide comments for consideration by the Licensing Committee who would approve the final draft version before it was subject to public consultation.

Committee was asked to note that the most significant change in the policy was the introduction of a new approach to the consideration of a driver's background. There would now be much more rigorous guidance for officers and Members on how to treat convictions which reflected the county-wide minimum standards that were currently being looked at across Derbyshire as part of the review led by the Chief Executive Officer.

A Member queried if the Council could implement a limit on the number of hours a driver worked and this be included in the policy. The Principal Solicitor replied that the Council could not legally do this, however, the Operators' Policy requested that operators monitored the amount of hours their drivers worked. Ultimately, it was a driver's responsibility to ensure that he/she did not work until they were unsafe to drive. The Principal Solicitor added that the Council as a whole could lobby the Government for a change in the law and he would also raise Members concerns with the Chief Executive Officer.

With regard to driving offences, drivers were currently relied upon to notify the Council of any changes to their licence. In the revised policy, drivers would be required to sign up to the DBS Update Service at cost of around £13 per year. This meant that a driver would be nominating the Council to be notified immediately by the DBS of any changes or convictions to their licence and if necessary the driver could be called to Committee much sooner.

A Member queried why the revised policy did not include mandatory CCTV in vehicles. The Principal Solicitor replied that the Information Commissioner had stated that there must be evidence of a significant problem such as safeguarding concerns to justify imposing mandatory CCTV on vehicle proprietors - as there was currently no evidence of this in the District, introducing CCTV as mandatory could not be justified. However, if there was a potential problem in the future, this would be revisited.

Committee was asked to note that a significant change to the Operators policy was that in future the Council would no longer licence operators outside the District boundary.

HEALTHY, SAFE, CLEAN AND GREEN COMMUNITIES SCRUTINY COMMITTEE

With regard to enforcement, better guidance had been set out for Members of the Licensing Committee with starting points for licence holders who commit offences during the course of their licence and have to attend Licensing Committee.

In response to a Member's query regarding the frequency of enforcement checks carried out, the Principal Solicitor noted that once the Licensing service returned to being fully staffed and the transformation programme was complete it should enable enforcement to be more proactive. A Member requested that this issue be raised with the Executive.

Moved by Councillor K. Walker and seconded by Councillor T. Munro

RESOLVED that (1) the revised policy documents for drivers, vehicles and operators be noted,

(2) Scrutiny Members comments from this meeting be considered by the Licensing Committee.

(Principal Solicitor/Governance Manager (Acting))

The Principal Solicitor left the meeting.

0486. LOCAL ENVIRONMENTAL QUALITY SURVEYS (LEQs) – NI195; DISTRICT CLEANLINESS MONITORING

Committee considered information on the National Performance Indicator 195 - Local Environmental Quality Surveys.

NI195 was measured by four elements: litter, detritus, weeds and dog fouling. Sites were graded A to D and split into different uses; Grade A – None of element, Grade B – Predominantly free, Grade C – Minor accumulations and Grade D – Heavy accumulations.

Sites were graded B+ if the standard fell between Grade A and B. Graded B if they fell between B and C and graded C if they fell between C and D. Grade D was that conditions were very poor.

Members noted the information.

0487. WORK PLAN 2017/18

Committee considered their work plan for 2017/18.

It was noted that preparation for the annual review of the Community Safety Partnership would start in January 2018. The Acting Scrutiny Officer would send the set of questions from the last annual review to Members of the Committee to see if they needed refreshing / adding to before the questions were put to the Head of Community Safety.

The Chair and Vice Chair wished everyone a happy Christmas and New Year.

The meeting concluded at 1150 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: 19th January 2018

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, Solicitor to the Council & 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, Solicitor to the Council & 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) **REVENUE**

- (a) Results in the Council making Revenue Savings of £75,000 or more; or
- (b) Results in the Council incurring Revenue Expenditure of £75,000 or more

(2) **CAPITAL**

- (a) Results in the Council making Capital Income of £150,000 or more; or
- (b) Results in the Council incurring Capital Expenditure of £150,000 or more

(3) 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 remaining dates for meetings of Executive in 2017/18 are as follows:

2018 - 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
Medium Term Financial Plan	Executive	February 2018	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.	Exempt – Paragraph 3
Medium Term Financial Plan	Executive	February 2018	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
Land at Park Avenue, Glapwell	Executive	February 2018	Report of Councillor A Syrett - Leader of the Council, Portfolio Holder for Strategic Planning and Regeneration	Assistant Director – Property and Estates	Yes – involves revenue income or expenditure of £75,000 or more and/or capital income or expenditure of £150,000 or more.	Exempt – Paragraph 3

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
The Local Plan and the Local Development Scheme	Executive	February 2018	Report of Councillor A Syrett - Leader of the Council, Portfolio Holder for Strategic Planning and Regeneration	Chief Executive Officer	Yes – Affects two or more wards in the District	Open
Invest to Save – LED Lighting	Executive	February 2018	Report of Councillor M. Dooley – Deputy Leader and Portfolio Holder for People and Places	Assistant Director – Property and Estates	Yes – involves revenue income or expenditure of £75,000 or more and/or capital income or expenditure of £150,000 or more.	Open
Strategic Alliance – Senior Management Team Review – Recommendations	Executive	February 2018	Report of Councillor A Syrett - Leader of the Council, Portfolio Holder for Strategic Planning and Regeneration	Chief Executive Officer	No	Exempt – Paragraphs 1, 3 & 4
HCA Funding Agreement	Executive	February 2018	Report of Councillor A Syrett - Leader of	Assistant Director – Property and	Yes – involves revenue income	Open

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
			the Council, Portfolio Holder for Strategic Planning and Regeneration	Estates	or expenditure of £75,000 or more and/or capital income or expenditure of £150,000 or more.	

SCHEDULE

SCHEDULE 12A
ACCESS TO INFORMATION: EXEMPT INFORMATION

PART 1
DESCRIPTIONS OF EXEMPT INFORMATION: ENGLAND

1. Information relating to any individual.
 2. Information which is likely to reveal the identity of an individual.
 3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
 4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
 5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
 6. Information which reveals that the authority proposes –
 - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) To make an order or direction under any enactment.
 7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.
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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	<ul style="list-style-type: none"> • Selection of Scrutiny Review • Prioritising the work plan 		
24 th July 2017 <i>(originally scheduled for 1st August 2017)</i>	<ul style="list-style-type: none"> • Quarter 1 – Performance Update. • Approve scope for Environmental Enforcement Review. 	Kath Drury, Information, Engagement and Performance Manager	
19 th September 2017	<ul style="list-style-type: none"> • Review work: Environmental Enforcement <ul style="list-style-type: none"> ○ Questionnaire for Members ○ Benchmarking: develop questions for other authorities – dog fouling, litter, fly tipping 		<ul style="list-style-type: none"> ○ Questionnaire sent to BDC Members, relevant DCC Members and Parish Clerks on 27 September 2017. ○ Benchmarking questions developed – telephone research to be carried out by the Chair and Vice Chair ○ ‘Hot spot’ site visits planned for 27 October

17th October 2017	<ul style="list-style-type: none"> • Review work: <ul style="list-style-type: none"> ○ Dog Warden and Env Health Manager ○ Enforcement Powers, Evidential and Public Interest standards ○ Findings from surveys and benchmarking, if available 	<p>Sharon Gillott, Env Health Manager</p> <p>Kevin Shillito and Deborah Cartwright, Principal Solicitors</p> <p>Scrutiny Officer</p>	
14th November 2017	<ul style="list-style-type: none"> • Quarter 2 – Performance Update • Homelessness Briefing 	<p>Kath Drury, Information, Engagement and Performance Manager</p> <p>Diane Bonsor, Housing Needs Manager</p>	
19th December 2017	<ul style="list-style-type: none"> • Draft Licensing Policy • Work Plan • Review work: Environmental Enforcement 	<p>Kevin Shillito, Principal Solicitor</p>	
30th January 2018	<ul style="list-style-type: none"> • Preparation for Annual Review of the Community Safety Partnership. 	<p>Scrutiny Officer</p>	<p>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.</p>

27th February 2018	<ul style="list-style-type: none"> • Quarter 3 – Performance Update • Annual Review of Community Safety Partnership. 	<p>Kath Drury, Information, Engagement and Performance Manager</p> <p>Deborah Whallett, Housing Enforcement Manager & Jo Selby, Community Safety Officer</p>	Do not include any other items on this agenda. Performance first at 9.30 am and then rest of the meeting dedicated to the annual review.
20th March 2018	<ul style="list-style-type: none"> • Homelessness – update on new approach at BDC to meet new legislative duty. 	Di Bonsor, Housing Needs Manager	
1st May 2018	<ul style="list-style-type: none"> • Quarter 4 – Performance Update 	Kath Drury, Information, 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

v.2 13.09.17 LC

v.3 11.10.17 LC

v.4 14.11.17 LC

v.5 30.11.17 LC