

**Bolsover District Council**

**Healthy, Safe, Clean & Green Communities Scrutiny Committee**

**15<sup>th</sup> November 2019**

**Review of Enforcement action undertaken by Bolsover District Council to improve the quality of the environment across the District – Post Scrutiny Monitoring (Final Report)**

**Report of the Chair of Healthy, Safe, Clean & Green Communities Scrutiny Committee**

This report is public.

**Purpose of the Report**

- To present the Final Post-Scrutiny Monitoring Report on the Review of Enforcement action undertaken by Bolsover District Council to improve the quality of the environment across the District.

**1. Report Details**

- 1.1 The Healthy, Safe, Clean & Green Communities Scrutiny Committee agreed to undertake a review of Enforcement action as part of the 2017/18 work plan following consideration of a range of topics suggested at the Annual Scrutiny Conference. The review was rolled forward in to the 2018/19 municipal year to allow sufficient time to consider all the evidence gathered.
- 1.2 The Committee put together a number of recommendations which aimed to assist the Council, in looking at potential service improvements in relation to enforcement action undertaken by Bolsover District Council to improve the quality of the environment across the District
- 1.3 This report acknowledges progress to date by Officers implementing the recommendations.
- 1.4 To date all 19 out of 19 recommendations have been achieved.
  - One recommendation (HSCGC17/18 1.6) aimed to ensure an improvement in performance levels. While this has happened over the 12 month period, one of the indicators (SS03) is still not performing within the required target. Members may wish to continue to monitor this, either through an extension to the recommendation or via the new performance framework currently being developed.
  - One recommendation (HSCGC17/18 1.10) experienced some delays to delivery and Members may wish to extend the monitoring period to understand the outputs achieved via the new body worn video cameras.

## **2 Conclusions and Reasons for Recommendation**

- 2.1 Committee is required to monitor implementation of their recommendations in accordance with Part 3.6(2) of the Constitution.
- 2.2 Members must be satisfied that all recommendations have been implemented as originally required and can choose to extend monitoring if this is deemed necessary.

## **3. Consultation and Equality Impact**

- 3.1 All Scrutiny Committees are committed to equality and diversity in undertaking their statutory responsibilities and ensure equalities are considered as part of all Reviews. The selection criteria when submitting a topic, specifically asks members to identify where the topic suggested affects particular population groups or geographies.
- 3.2 As part of the review process there was a survey of BDC Members to ascertain their views on a range of aspects of the current approach to street cleanliness and environmental enforcement. In addition, Members completed a telephone survey of neighbouring authorities in order to benchmark certain aspects of service delivery.
- 3.3 The Council has a statutory duty under s.149 Equality Act 2010 to have due regard to the need to advance equality of opportunity and to eliminate discrimination.
- 3.4 Within the process of the review, the Committee took into account the impact of equalities. Where enforcement action is taken against individuals who are vulnerable the Council's policies for Safeguarding Adults and VARM will apply. Where action is taken against an individual with specific communication needs (for example, large print or British Sign Language) the Council's Policy for Equality & Diversity in Service Delivery may apply.

## **4. Alternative Options and Reasons for Rejection**

- 4.1 There are no alternative options. Members are required to note the service's response to progress against the review recommendations.
- 4.2 Committee is required to monitor implementation of their recommendations in accordance with Part 3.6(2) of the Constitution and as such the report cannot be rejected.

## **5. Implications**

### **5.1 Finance and Risk Implications**

- 5.1.1 None directly from this report.

## 5.2 Legal Implications including Data Protection

5.2.1 In carrying out scrutiny reviews the Council is exercising its scrutiny powers as laid out in s.21 of the Local Government Act 2000, regulations under section 32 of the Local Government Act 2000 and subsequent legislation which added to/amended these powers e.g. the Local Government and Public Involvement in Health Act 2007.

5.2.2 The Council has a statutory duty under s.149 Equality Act 2010 to have due regard to the need to advance equality of opportunity and to eliminate discrimination.

## 5.3 Human Resources Implications

5.3.1 None directly from this report.

## 6. Recommendations

6.1 That Members note the progress against the review recommendations.

6.2 That Members acknowledge any exceptions to delivery and clarify the additional action required by the service.

6.3 That Members consider whether an extended monitoring period is required for Recommendation HSCGC17/18 1.06 due to the performance of Indicator SS 03 and if so how this will take place.

6.4 That Members consider whether an extended monitoring period is required for Recommendation HSCGC17/18 1.10, due to the delays in implementation.

6.5 That Members make its findings public, in accordance with Part 4.5.17(3) of the Constitution.

## 7. Decision Information

<b>Is the decision a Key Decision?</b> A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: <i>BDC: Revenue - £75,000</i> <input type="checkbox"/> <i>Capital - £150,000</i> <input type="checkbox"/> <i>NEDDC: Revenue - £100,000</i> <input type="checkbox"/> <i>Capital - £250,000</i> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
<b>Is the decision subject to Call-In?</b> (Only Key Decisions are subject to Call-In)	No
<b>Has the relevant Portfolio Holder been informed</b>	Yes

<b>District Wards Affected</b>	All
<b>Links to Corporate Plan priorities or Policy Framework</b>	<p>Aim: Supporting Our Communities to be Healthier, Safer, Cleaner and Greener</p> <p>Priorities:</p> <ul style="list-style-type: none"> <li>• Ensuring a high standard of environmental maintenance and cleanliness</li> <li>• Developing attractive neighbourhoods</li> </ul>

## 8. Document Information

<b>Appendix No</b>	<b>Title</b>				
9.1	Review of Enforcement action undertaken by Bolsover District Council to improve the quality of the environment across the District – Original Service and Executive Response				
9.2	Review of Enforcement action undertaken by Bolsover District Council to improve the quality of the environment across the District – Action Plan				
<p><b>Background Papers</b> (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)</p> <p>Documents stored in: S:\Governance and Monitoring\Scrutiny BDC\RES\Healthy, Safe Clean and Green Communities Scrutiny Communities\2017-18\Environmental Enforcement</p> <p>Please contact Scrutiny &amp; Elections Officer where further information is required.</p>					
<table border="1" style="width: 100%;"> <thead> <tr> <th><b>Report Author</b></th> <th><b>Contact Number</b></th> </tr> </thead> <tbody> <tr> <td>Joanne Wilson, Scrutiny &amp; Elections Officer</td> <td>01246 242385</td> </tr> </tbody> </table>		<b>Report Author</b>	<b>Contact Number</b>	Joanne Wilson, Scrutiny & Elections Officer	01246 242385
<b>Report Author</b>	<b>Contact Number</b>				
Joanne Wilson, Scrutiny & Elections Officer	01246 242385				