

Public Document Pack

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Our reference:
Your reference:
Date: Wednesday, 20 January 2021

To all Members of the Communities Scrutiny Group

Dear Councillor

A Virtual Meeting of the Communities Scrutiny Group will be held via Zoom on Thursday, 28 January 2021 at 7.00pm to consider the following items of business.

The public part of the meeting will be live streamed via YouTube for the public to listen and view via the link: <https://www.youtube.com/user/RushcliffeBC>

Note: Please be aware that until the meeting starts, the live stream video will not be showing on the home page. For this reason, please keep refreshing the home page until you see the video appear.

Yours sincerely



Sanjit Sull
Monitoring Officer

AGENDA

1. Apologies for Absence
2. Declarations of Interest
3. Minutes of the Meeting 7 October 2020 (Pages 1 - 6)
4. Edwalton Golf Course Strategic Review (Pages 7 - 14)
The report of the Executive Manager – Finance and Corporate Services is attached.
5. Fly Tipping, Dog Fouling and Littering - Part Two (Pages 15 - 22)
The report of the Executive Manager – Neighbourhoods is attached.
6. Rushcliffe Equality Scheme - Part Two (Pages 23 - 32)
The report of the Executive Manager – Transformation is attached.



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7. Work Programme (Pages 33 - 34)

The report of the Executive Manager – Finance and Corporate Services is attached.

Membership

Chairman: Councillor J Wheeler

Vice-Chairman: Councillor B Bansal

Councillors: G Dickman, L Healy, R Jones, R Mallender, D Simms, R Walker and G Williams

Meeting Guidance

Mobile Phones: For the benefit of others please ensure that your mobile phone is switched off whilst you are in the meeting.

Recording at Meetings

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MINUTES
OF THE MEETING OF THE
COMMUNITIES SCRUTINY GROUP
WEDNESDAY, 7 OCTOBER 2020
Held at 7.00 pm via Zoom

PRESENT:

Councillors J Wheeler (Chairman), B Bansal (Vice-Chairman), G Dickman, L Healy, R Jones, R Mallender, D Simms, R Walker and G Williams

ALSO IN ATTENDANCE:

G Dyne – Chairman of the Nature Conservation Strategy Implementation Group

M Everett – Trent Valley Internal Drainage Board

S Jaques – Team Manager – Flood Risk Management – Nottinghamshire County Council

N Kemble – Trent Valley Internal Drainage Board

J Miller – Chairman of Trent Valley Internal Drainage Board

OFFICERS IN ATTENDANCE:

D Banks	Executive	Manager	-
	Neighbourhoods		
Emery	Emergency Planning Officer		
D Hayden	Community Development Manager		
P Phillips	Environmental Sustainability Officer		

APOLOGIES:

Councillors

22 Apologies for Absence

There were no apologies.

23 Declarations of Interest

There were no declarations of interest.

24 Minutes of the Meeting 27 August 2020

Councillor Jones noted that the following suggestion be added to the Rushcliffe Equality Scheme Item

- People with disabilities and access

The minutes of the meeting 27 August 2020 were approved as a true record of the meeting.

25 Flooding and Drainage

The Executive Manager – Neighbourhoods presented his report which provided the Group with an update on the current picture of flooding events in the Borough. The report also outlined the organisations involved in flood assessment and drainage work, their roles and responsibilities and how they respond to flooding incidents and work with communities. A presentation was delivered by three of the key organisations involved: Nottinghamshire County Council, the Trent Valley Internal Drainage Board and Rushcliffe Borough Council.

The Team Manager of Flood Risk Management at Nottinghamshire County Council explained that Nottinghamshire County Council was the lead local flood authority and that they were responsible for reducing flood risk across Nottinghamshire. A presentation was delivered to the Group which covered:

- water courses
- sewer flooding
- responses to events
- role in planning process
- section 19 reports
- mitigation and prevention
- examples of responses across the Borough
- making a difference in communities

Following questions from the Group, the Team Manager of Flood Risk Management explained that water courses were examined depending on if there had been a recent flooding event. The Group were also pleased to note that Nottinghamshire County Council had received a £200,000 grant to investigate flood risk potential in West Bridgford.

It was also explained that Nottinghamshire County Council examined flood risk assessments in which developers provided evidence of where water would go if it overflowed. However, it was noted that there was difficulty in knowing whether the planning applications would be as the same delivered. The Group were asked to encourage residents to take photographs and video footage and to contact the Flood Risk Management Team if they had any concerns about flooding on new housing developments.

It was noted that once a flood occurred that the team would examine the immediate cause and inspect the surrounding area regularly. Councillors raised concerns that a lot of agencies were involved with the response to flooding and that residents would benefit from a roles and responsibilities document with contact details. It was explained that Nottinghamshire County Council's main responsibility was to co-ordinate a response to flooding and to produce section 19 reports which detail follow up and future actions in order for flooding to be prevented in the future.

The Chairman thanked the Team Manager of Flood Risk Management for delivering the presentation to the Group and for answering their questions.

The Group next received a presentation from the Chairman of the Trent Valley Internal Drainage Board (TVIDB.) It was noted that the TVIDB operate within a defined area, which is known as a drainage district and that they were responsible for managing water levels in low-lying areas. Their responsibilities included districts and their functions include supervising land drainage and flood defence works on ordinary watercourses.

The Chairman of the TVIDB delivered a presentation to the Group which covered:

- The Internal Drainage Board
- Income and Expenditure
- Maintenance
- Water, Capital & Environmental Works
- Water Level Management
- Flooding
- Dealing with an Emergency
- Public Sector Corporation Agreements
- Examples of Work Undertaken in Rushcliffe

Following the presentation the Group asked questions about the TVIDB's role in being consulted on planning applications. It was explained that the TVIDB was not a statutory consultee and that they could review and comment on applications but they had not had chance to provide advice on big developments in detail. However, the Chairman on TVIDB was pleased to note that a new member of staff had been appointed to ensure that all planning applications would be commented on in further detail. The Group were encouraged to speak to their representatives on the TVIDB in order to gain a further understanding of their role and to see the work that had been completed.

Additionally, the Group received an update from the Emergency Planning Officer at Rushcliffe Borough Council. It was explained that the Council's role was to carry out flood risk management works on minor watercourses in their ownership and ensure that risks are managed effectively. Their role also included taking decisions on development in Rushcliffe and working with Nottinghamshire County Council to deliver emergency responses to those at risk of flooding.

The Emergency Planning Officer delivered a presentation to the Group which covered:

- Role
- Recent Flooding
- Pre-Flooding work

- Rushcliffe's Role in Response
- Partnership Working in Recovery
- Role of Elected Members

Following the presentation, the Group were informed that the West Bridgford Local Area Forum could apply for funding for a community resilience flood store in line with Parish/Town Council's who can apply on behalf of their residents. The Group were pleased to note that Nottinghamshire County Council will ensure that rest centres are covid secure in the event of evacuation. The Group were also informed that Nottinghamshire County Council were investigating developments which had caused flooding downhill but that ultimately, it was a civil matter between the developer and the residents to resolve. Councillors suggested that in order to prevent flooding more trees should be planted in order to create more flooded areas which could hold water. The Group also suggested that the Council should make comments about smaller developments within the villages of Rushcliffe.

It was RESOLVED that

- a) The report of the Executive Manager – Neighbourhoods be noted
- b) The responsibilities of those organisations involved in flood assessment and drainage work, and their roles in preparing and recovering from flood incidents be noted.
- c) The Group receive a role and responsibilities document with contact details for residents.

26 **Rushcliffe Nature Strategy**

The Communities Manager presented the report of the Executive Manager – Communities which detailed the draft Rushcliffe Nature Conservation Strategy aims and objectives, developed by the Rushcliffe Nature Conservation Strategy Implementation Group (RNCSIG) in which the Council were represented. It was explained that the aims and objectives of the strategy detailed ways to enhance and protect Rushcliffe's wildlife. The objective of this Strategy is to protect and enhance Rushcliffe's wildlife interest, whilst helping achieve the Nottinghamshire Local Biodiversity Action Plan objectives.

It was noted that the RNCSIG was now consulting on developing the strategy and asked the Group to provide comments on the draft aims and objectives of the strategy. It was explained that a wider public consultation would follow and then a final draft version of the Strategy would be returned to Communities Scrutiny Group in 2021 for endorsement and to seek commitment in the delivery of the Strategy.

The Environmental Sustainability Officer delivered a presentation to the Group which covered:

- Pledge for Nature
- Rushcliffe Today

- Achievements of 2015 – 2020
- Proposed Strategic Aims 2021 – 2025
- Proposed Objectives 2021 – 2025
- Woodland and Trees
- Species-rich Grassland on Roadsides
- Grantham Canal
- Biodiversity net gain
- Next Stages

Following the presentation, the Group asked numerous questions regarding planning applications and biodiversity net gain. The Environmental Sustainability Officer explained that developments would now have to prove that bio-diversity would increase. The Environmental Sustainability Officer was pleased to note that the Nottinghamshire Wildlife Trust promoted developments of high bio diversity value. Councillors also raised concerns about the fences installed in new developments which did not allow wildlife to move around freely. The Portfolio Holder for Planning and Housing suggested that councillors should raise their views regarding the planning for the future consultation which closed on 29 October.

The Group also proposed that the Grantham Canal had to be maintained. It was noted that the canal had become dry from leaks which consequently, saw a reduction in wildlife. Councillor Combellack stated that she had formed the Grantham Canal Water Restoration Group with the Chairman of Kinoulton Parish Council. It was explained that the aim of the Group was to apply pressure to the Canal and Rivers Trust and the Grantham Canal Society and to seek funding opportunities to resolve the water loss problem at the basins in Hickling and Kinoulton. It was suggested that the Rushcliffe Nature Conservation Strategy needed to provide robust support to the Grantham Canal in order for the rural asset to be preserved. It was agreed that the Council would write to the Canal and Rivers Trust and the Grantham Canal Society to explain their concerns. The Environment Sustainability Officer also agreed to circulate a position statement from the Canal and Rivers Trust which would inform the Group of their future actions.

The Group were informed that Nottinghamshire County Council were actively planting native seeds and altering mowing schedules to selected road verges to increase wild flowering across the County. The Group were pleased to note that the number of volunteers had increased every year at nature reserves such as Skylarks at Holme Pierrepont. The Chairman suggested that it be recommended to Cabinet that the funding allocated for the free tree scheme be extended in the hope that the number of trees allocated would increase now that some restrictions due to Covid 19 had eased.

It was RESOLVED that

- a) The report of the Executive Manager – Communities be noted.
- b) The draft Rushcliffe Nature Conservation Strategy aims and objectives be considered.
- c) The RNCSIG commitment to developing guidance on Bio-Diversity net gain related to planning development in response to the Environment Bill currently making its way through Parliament be endorsed.

- d) The Council write to the Canal and Rivers Trust and the Grantham Canal Society to explain their concerns.
- e) A position statement from the Canal and Rivers Trust to inform the Group of their future actions be circulated.
- f) It be recommended to Cabinet that the funding for the free tree scheme be extended and that this includes the introduction of wildflowers seeds distribution to be incorporated into the scheme for future years as per the motion considered.
- g) The scheme would run coterminous with the Nature Conservation Strategy.

27 Work Programme

The Executive Manager – Neighbourhoods presented the report of the Executive Manager – Finance and Corporate Services which detailed the Communities Scrutiny Group work programme for 2020/21.

It was agreed that a briefing would be organised for the Group to cover dog fouling and littering in January before the meeting scheduled on the 28 January 2021. The Group suggested that they would receive a presentation on the topic and have a short discussion and set actions in principle before the meeting on 28 January 2021.

It was RESOLVED that

- a) The work programme for the communities scrutiny group below be noted.
- b) The Communities Scrutiny Group receive a briefing regarding dog fouling and littering in advance of the scheduled meeting on 28 January 2021.

28 January 2021	<ul style="list-style-type: none"> • Future of Edwalton Golf Course • Dog Fouling, Littering and Fly Tipping – part two • Rushcliffe Equality Scheme – part two
29 April 2021	<ul style="list-style-type: none"> • Carbon Management Plan Update

The meeting closed at 9.45 pm.

CHAIRMAN



Communities Scrutiny Group

Thursday, 28 January 2021

Edwalton Golf Courses Strategic Review

Report of the Executive Manager – Finance and Corporate Services

1. Purpose of report

- 1.1. This report provides a position statement on Edwalton Golf Courses (EGC) and recommends a way forward for what is a significant asset for the Council.
- 1.2. A Member Group was formed in 2016 and reported to Cabinet in June 2017. It focussed on four options;
 - a) Retain a municipal golf course in the Borough;
 - b) Develop the whole site (i.e. sell the land for development);
 - c) Change of use – change from exclusive golf provision to a more diverse leisure provision on this site; and
 - d) Develop part of the site – retain part of the site for leisure use as in c) above and sell the remaining part for development.
- 1.3. At the June 2017 Cabinet meeting it was agreed that “barring any significant changes from the current position at Edwalton, the Edwalton Golf Courses Strategic Asset Review Member Group – should reconvene in line with the Local Plan review or two years before the end of the Glendale contract, whichever is the soonest. This will be subject to any significant adverse change to the Council’s financial position”
- 1.4. In January 2020, Cabinet resolved to review ongoing provision of golf at Edwalton as Lex Leisure has struggled to ensure the golf course retains any viability given the challenging operational environment (previously reported in financial reporting to both the Corporate Overview Group and Cabinet), and that a report be commissioned to consider whether there is a golfing need for EGC and an alternative options appraisal if a need is not established for consideration by the Communities Scrutiny Group.
- 1.5. Knight, Kavanagh and Page (KKP) (which provides specialist services in sport, leisure, culture, regeneration and green spaces) was appointed to undertake a two-stage study in respect Edwalton Golf Course;

Stage 1: A Golf Needs Assessment

Stage 2: Edwalton Golf Courses Options Appraisal (Feasibility Study)

- 1.6. Clare Macleod, Director and Principal Consultant of KKP will provide an overview presentation of the Stage 1 and Stage 2 key findings as identified in paragraph 1.5 above.

2. Recommendation

It is RECOMMENDED that Communities Scrutiny Group considers the KKP Needs Assessment and Options Appraisal findings and agrees the following recommendations to Cabinet:

- (a) the significant asset Edwalton Golf Course should not continue in its current form, given its low usage and the current cost to the taxpayer;
- (b) that master planning work is undertaken for the site including a business case with a report to Cabinet in 2021- to tie in with the Local Plan process,
- (c) that at least some of the site (current par 3 course) should be considered for development for housing as part of the master plan work; and
- (d) that there is potential to develop and invest in a driving range and community facility as part of the master plan work.

3. Reasons for Recommendation

To ensure the Council continues to deliver maximum value for money for taxpayers across the Borough, optimising the use of its asset base and meeting the Council's corporate objectives.

4. Supporting Information

- 4.1. Edwalton Golf Centre features two 9-hole courses; one standard hole course and one par 3 course. In addition, it provides a small, 6-bay driving range as well as a practice putting green and a multi-purpose clubhouse. The facility is contracted by the Council to Glendale Golf, which, in turn, sub-contracts the provision to Lex Leisure. A separate members' club also accesses and runs from the site.
- 4.2. The Council has been pro-active to assist EGC maintain financial viability and the following actions have been taken by the Council and Lex Leisure:
 - £100k was spent by the Council on capital improvements enabling the refurbishment of the pavilion changing rooms, toilets, and improvements to the course irrigation system. Over time the asset will continue to be capital intensive;
 - Lex itself has invested £50k of capital investment;
 - The Management fee has fallen from £78k (2015) to £21.4k from December 2017 – waived for 2019;

- The movement from Glendale to Lex generated additional income (with VAT savings); and
 - Lex is still running at a significant loss (see paragraph 7.1.1) despite many improvements and initiatives including, events, signage for golf simulator and 'member of the month.'
- 4.3. The Stage 1 Needs Assessment undertaken by KKP was to evaluate whether the golf provision at the site was surplus to requirements, either as a whole or in part to inform the future use of the site.
- 4.4. The Needs Assessment concluded that Edwalton Golf Course is positioned as an entry level facility that is primarily focussed and reliant on pay and play users. To that end, it is unique within the catchment area analysis of 20-minute drive time. Eight of the nine other facilities within the catchment area are predominantly set up to cater for members and, as such, are much more expensive to access. Moreover, they do not provide a 9-hole or a par 3 offering. However, despite low levels of demand compared to other facilities within the catchment area, closing Edwalton Golf Centre in its entirety would still be challenging to its relatively few existing members as well as its pay and play users.
- 4.5. Equally, whilst evidence suggests that the facility should continue, it cannot in its current guise given the financial losses being accrued; current levels of demand are not sufficient to make the existing provision financially viable. It should be noted that whilst demand has increased during the pandemic, it is unclear as to whether this is sustainable once a 'new normal' returns.
- 4.6. In summary, the Stage 1 Needs Assessment recommended:
- Keep the 9-hole standard course (even if at the expense of the par 3). If this is not possible in terms of space, a 6-hole standard course alternative should be considered as part of the Stage 2 options appraisal.
 - Develop the driving range bays by increasing the number, covering more bays and providing floodlighting to enhance income generating potential. If this is not possible, the provision does not require retention in its current form given how restricted the provision currently is in terms of how much demand can be accommodated. Investment in the virtual, indoor offer could be sought instead.
 - Improve the clubhouse. This should be geared to members, pay and play users and particularly wider community use as well as daytime and evening commercial activity.
 - Reconfigure the course to best enable site master-planning that may enable some potential housing development, provided that this ensures that golf facilities of the requisite quality are developed. This would almost certainly enable the Council to further reduce the revenue subsidy needed as well as driving increases in participation, provide a site for further housing development and a capital receipt that can be utilised to support the capital programme (where resources are reducing, and future borrowing is anticipated).

- 4.7. Based upon the Stage 1 Needs Assessment findings and recommendations, the Stage 2 report key lines of enquiry were amended to reflect that whilst evidence suggests that the facility should not be lost in full, it is also clear that it cannot continue to operate in its current guise given the financial losses being accrued. Therefore, the Stage 2 report looked to identify how Edwalton Golf Courses can be more commercially viable.
- 4.8. The Stage 2 feasibility study concluded that no evidence was found to suggest that a 6-hole golf course will be preferable to the current 9-hole offer and should be discounted. The 9-hole standard course should be retained, accompanied by an improved range of additional amenities. The golf offer feasibility of Edwalton Golf Courses only makes financial sense if the current site has capacity to host a driving range and that the residual elements of the par 3 could be made available for development.

5. Alternative options

- 5.1. The Council could choose to reject the KKP report findings in whole or in part, but this will not address the financial losses currently being experienced by the asset in its current operation.
- 5.2. The Council could decide to close the facility and maintain it as open space; however, this would incur an estimated cost of £88k per annum and would mean the demand for the facility by 'pay and play users' and existing members not being met. It would be difficult to demonstrate this offers best value for money for the Rushcliffe taxpayer. Furthermore, this is likely to prevent the site from being developed in the future.
- 5.3. The other extreme is that the whole site could be developed for housing, but this would mean the demand for golf by 'pay and play' users and existing members not being met. Bodies such as Sport England could object if it is perceived there is detriment to the leisure provision. Any full development of the site would have to be sensitive to alternative leisure provision such as walking and cycling.

6. Risks and Uncertainties

- 6.1. The feasibility case study highlights there will be a need to invest in floodlighting for the driving range element for which planning permission would be required. This is essential to its use and viability.
- 6.2. There is a risk related to the financial projections of the business case not being realised; however, KKP has undertaken sensitivity testing regarding the robustness of the driving range business plan to mitigate this risk.
- 6.3. The current plan for the developable area for both a driving range and housing is a high-level assessment and the next steps would be to undertake a detailed site appraisal considering all planning related constraints to its development.

- 6.4. Edwalton Golf Course has been consistently considered within the strategic housing assessments as potential development land. It is identified within the Local Development Plan as safeguarded land, which means, whilst it is marked for future development, the land is not currently required to fulfil the Local Plan housing numbers. For it to be identified as suitable for development would require its allocation through a review of the Local Plan and would be dependent on the need for housing on the site.
- 6.5. The new contract arrangements ensure that further subsidy is payable to the contractor if usage worsens; or if usage improves then profit would be paid to the Council. Based on recent years' performance EGC is likely to incur financial losses.
- 6.6. There is an opportunity in that it gives the Council the ability to ensure the asset is better utilised and is likely to give rise to a significant capital receipt and provide the opportunity to influence housing development.

7. Implications

7.1. Financial Implications

- 7.1.1. Edwalton Golf Courses has made a loss year on year with its current activity (on average around £44k per annum, 2017-2019).
- 7.1.2. The KKP feasibility study suggests that with improved facilities, the driving range and clubhouse could potentially make a trading surplus.
- 7.1.3. Capital investment would be required in order to create a new driving range and modernise the clubhouse and this would need to be included in the capital programme.
- 7.1.4. Any capital receipt generated from the development of the par 3 course would be re-invested in the cost of the development of the asset and reduce the need to borrow externally to support the Capital Programme. This could realise a capital receipt of £15m. This would reduce both the burden of revenue costs going forward in terms of running the facility and the potential cost of borrowing to fund other capital schemes. Fully developing the site, being sensitive to both the environment and alternative leisure provision, could generate c£50m.
- 7.1.5. Further detailed financial analysis (alongside master planning) would be required in order to assess any business case going forward.

7.2. Legal Implications

There are no immediate legal implications arising from a review of a Council asset. Changes of use for the site/development will be subject to planning approval.

7.3. Equalities Implications

No known equalities implications at this stage but any review would consider the equality and diversity requirements of the residents of the Borough.

7.4. Section 17 of the Crime and Disorder Act 1998 Implications

There are no immediate Section 17 implications at this stage.

8. Link to Corporate Priorities

Quality of Life	EGC is an underutilised asset and changes to its use is likely to improve the quality of life whether it results in alternative leisure provision or additional housing or a mix of both.
Efficient Services	Currently EGC is a loss-making entity and is effectively subsidised by the existing leisure contract and is an inefficient use of Council resources. Potentially a large capital receipt will enable resources to be re-invested to support all the Council's corporate objectives.
Sustainable Growth	Potential alternative use of EGC may give rise to additional housing leading to housing growth in the area.
The Environment	It is accepted that EGC is a large green space and a 'lung' within Rushcliffe. Any alternative use of the asset will have to sensibly take into account environmental issues.

9. Recommendations

It is RECOMMENDED that Communities Scrutiny Group considers the KKP Needs Assessment and Options Appraisal findings and agrees the following recommendations to Cabinet:

- (a) the significant asset Edwalton Golf Course should not continue in its current form, given its low usage and the current cost to the taxpayer;
- (b) that master planning work is undertaken for the site including a business case with a report to Cabinet in 2021 - to tie in with the Local Plan process;
- (c) that at least some of the site (current par 3 course) should be considered for development for housing as part of the master plan work; and
- (d) that there is potential to develop and invest in a driving range and community facility as part of the master plan work.

For more information contact:	Peter Linfield Executive Manager - Finance and Corporate Services Tel: 0115 9148439 plinfield@rushcliffe.gov.uk
Background papers available for Inspection:	Cabinet Report 14 January 2020 Edwalton Gold Course Update Cabinet Report 13 June 2017 – Concluding Report of the Edwalton Golf Course Strategic Asset Review Member Group
List of appendices:	

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Communities Scrutiny Group

Thursday, 28 January 2021

Fly Tipping, Dog Fouling and Littering - Part Two

Report of the Executive Manager – Neighbourhoods

1. Purpose of report

- 1.1. To provide an update on the Council's approach to litter and dog fouling in the Borough.
- 1.2. Councillors are asked to acknowledge and provide feedback on the report and the supporting presentation.
- 1.3. The scrutiny of this item was considered at Corporate Overview Group at its meeting on 25 February 2020, whereupon it was agreed that an update be provided for the consideration by the Communities Scrutiny Group. Part One considered fly tipping and was brought to this Group in July 2020. This is Part Two and relates to both litter and dog fouling.

2. Recommendation

It is RECOMMENDED that the Communities Scrutiny Group considers the report and provide feedback on the Council's approach to tackling litter and dog fouling.

3. Reasons for Recommendation

- 3.1. To update the group on the Council's approach to litter and dog fouling in the Borough which is a key function to support the delivery of the Corporate Priority on 'the Environment' and 'Quality of Life' as a clean Borough enhances how people feel about their local area and the protection of public health
- 3.2. The cleanliness of streets and open spaces is a high priority for local residents particularly with regard to dog fouling, littering and fly tipping.

4. Supporting Information

- 4.1. Section 89(1) of the Environmental Protection Act 1990 places a duty on certain bodies such as the Council to ensure that their land (or land for which they are responsible) is, so far as is practicable, kept clear of litter and refuse. In practice, this means that the Council has a responsibility for litter, including dog fouling removal from public land, including adopted open spaces and highways.

- 4.2. Litter is most commonly assumed to include materials, often associated with smoking, eating and drinking, that are improperly discarded and left by members of the public; or are spilt during business operations as well as waste management operations. However, as a guideline, a single plastic sack of rubbish should usually be considered fly tipping rather than litter. Dog fouling is also identified as a type of litter albeit in its most offensive form.
- 4.3. The Council has a robust and well-developed process for receiving service requests relating to litter which are recorded within a software management system. If the request relates to a cleansing issue, Streetwise Environmental Services Ltd deals with it, in accordance with the Council's contract. If there is indication of an offence or intelligence of a perpetrator, the case will be passed to the environmental health team to investigate.
- 4.4. The Council works very closely with Streetwise Environmental Services Ltd as its appointed contractor and this relationship is key in order to maintain high standards of cleanliness across the Borough. The contract commenced in September 2014 for an initial five-year period and was subsequently extended in September 2019 for a further three years to September 2022.
- 4.5. A prime contract defines how Streetwise are responsible for delivering cleansing services for Rushcliffe at an agreed frequency and standard. In return, the company is financially reimbursed for the work carried out. Performance is measured through key performance indicators and current performance is good where streets passing cleanliness inspections is 97.4% (target 98%) for litter and 100% (target 99%) for dog fouling.
- 4.6. Performance on both litter and dog fouling is measured by carrying out monthly inspections across the Borough. Areas are chosen and broken down into small transects and graded according to how much litter or dog fouling may be present. This is a nationally used measure of recording where areas are graded from A to D, with A being totally clean and D heavily littered or large amounts of dog fouling being present.
- 4.7. Rushcliffe is, in general, a tidy Borough and inspections over the last 12 calendar months showed that 660 inspections were carried out with 15 failing for litter and none failing for dog fouling. This is not to say dog fouling is not an issue in certain areas, and when encountered it can be particularly unpleasant; however, the main the roads and footpaths inspected show little or no issues with dog fouling.
- 4.8. To support responsible disposal there are currently 900 litterbins and 280 dog bins across the Borough which are emptied on varying schedules dependent on usage and local footfall. Members of the public may request additional emptying and additional resources are sometimes deployed dependent on usage, which significantly increases over holiday periods. An increase in use has also been noted due to the pandemic in some areas.

- 4.9. Since January 2020, the Council has received 142 request from members of the public to deal with litter issues and 105 reports of dog fouling. Often reports of dog fouling may be duplicated and can be in one particular area. In such circumstances, the Council may review the need for additional bins and work with the dog wardens to monitor the area for repeat offenders. In response to requests from the public, 15 new litter bins and five new dog bins have been installed over the last 12 months following an assessment of the local area.
- 4.10. Historically the Council does not generally undertake high profile litter enforcement patrols and does not employ specific staff to do so such as Community Wardens given the generally clean condition of the Borough. Along with the good performance of Streetwise through both reactive and proactive street cleansing work, this has always been considered a proportionate approach. However, the Council has taken enforcement action when evidence is available usually from dash cameras or a witness statement provided by a member of the public. On this basis, in 2019/20, the Council issued four fixed penalty notices for litter, three of which related to litter from a vehicle. So far in 2020/21 the Council has issued 11 fixed penalty notices, three of which related to litter from a vehicle.
- 4.11. As part of the overall strategy and to support the cleaning and enforcement work the Council also undertakes regular campaigns to educate the public including the most recent “Don’t be a Tosser” campaign which is designed to create positive behaviour change and a more responsible attitude to litter disposal.
- 4.12. In terms of the legislative framework for dog fouling the Dogs (Fouling of Land) Act 1996, enabled councils to make Designation Orders in respect of land which was open to the air on at least one side and to which the public were permitted to have access (with or without payment). Certain categories of land were specifically excluded from the power of designation, e.g. woodland and land adjacent to a highway/carriageway where the speed limit was more than 40 mph. The effect of designating land was that it became an offence for someone in charge of a dog, which defecated to fail to remove the faeces from the land forthwith. The Council made a Designation Order in 1998, which included certain types of land by description and a number of parks and playing fields within West Bridgford and the parishes. An Order was also made for Rushcliffe Country Park, Ruddington, excluding wooded areas.
- 4.13. The Clean Neighbourhoods and Environment Act 2005 revoked the Dogs (Fouling of Land) Act 1996; however, the 1996 Act continues to apply to any land designated prior until such time as the designation is superseded by a dog control order made under the 2005 Act. Provision is made in the 2005 Act for the Council to issue fixed penalty notices for breaches of a dog control order.
- 4.14. To date the Council has been of the opinion that the existing dog control framework in place across the Borough provides sufficient measures to tackle the problem taking into account its overall strategy and approach.

- 4.15. In 2019/20, the Environmental Health team received a total of 69 service requests/reports relating to dog fouling, the average number of service requests received annually over the past five years is 111.
- 4.16. Service requests relating to dog fouling are recorded in the same way as litter on the Council's management system and sent to Streetwise for cleansing action and where appropriate they are also investigated by one of the Council's two dog wardens. The dog wardens will attempt to carry out patrols in the hot spot areas and where necessary they will facilitate additional signage and/or bins. It should be noted that these two officers also undertake pest control and animal welfare duties; consequently, the time that they can allocate to undertaking proactive patrols is extremely limited.
- 4.17. A key challenge for enforcement is that Fixed Penalty Notices can only be served at the time of the offence and, therefore, it can be very difficult to witness an offence especially if it occurs at night in the winter. As a result, no fixed penalty notices have been issued for dog fouling in the previous five years.
- 4.18. The current levels for fixed penalty notices are available on our web site but are provided in Appendix 1.
- 4.19. In a similar approach to litter, the Council has undertaken a long history of regular communication campaigns relating to the prevention of dog fouling and this has extended to working with key partners such as Parish Councils who promote similar valuable communications to promote responsible dog ownership.
- 4.20. At the July 2020 meeting of this Group, Councillors acknowledged the very limited resources available to undertake enforcement of environmental crimes and requested that officers investigate the need for additional resources. In looking at best practice elsewhere, it is recognised that the private sector can complement the services of local authority staff by offering a more targeted and cost-effective approach. Accordingly, we have commenced a 12-month trial with a private sector partner "WISE" which is providing dedicated resources to investigate all fly tipping reports and also undertake routine patrols at litter and dog fouling hot spots at zero cost to the Council. "WISE" staff have delegated authority to issue fixed penalty notices (FPNs) where offences have been found. The trial will be closely monitored, and the outcome evaluated prior to any further decision to continue.

5. Risks and Uncertainties

- 5.1. The Council's overall strategy to tackle litter and dog fouling has to balance carefully achieving successful outcomes with affordability. However, there is clearly a risk attached to failing to maintain a clean Borough in terms of statutory duty, delivery of the corporate priorities and residents' perception.

5.2. As with all enforcement activity, there is the potential for criticism and negative feedback suggesting an overzealous approach to make a profit. This will be closely monitored particularly in relation to the new “WISE” trial by officer’s undertaking audit reviews and spot checks where necessary.

6. Implications

6.1. Financial Implications

Streetwise Environmental Ltd undertakes the emptying of litter and dog fouling bins, and cleansing, and therefore, the cost is contained within the contract price.

The cost of officer time spent on prosecutions is recouped from offenders through court proceedings.

The income from fixed penalty notices will be collected by “WISE” which will retain 100% during the first month of the service and 95% from month two. The agreement is based on zero cost to the Council.

6.2. Legal Implications

Investigations are carried out in accordance with the law for example: the Environmental Protection Act 1990; the Police and Criminal Evidence Act 1984; and the Regulatory Investigatory powers (RIPA) Act 2000

6.3 Equalities Implications

None identified

6.4 Section 17 of the Crime and Disorder Act 1998 Implications

Litter and dog fouling are a form of environmental crime and undertaking work with our Community Safety Partners will help to support our crime and disorder obligations

7. Link to Corporate Priorities

Quality of Life	A clean borough enhances how people feel about their local area and the protection of public health
Efficient Services	Maximising value by utilising private sector partners
Sustainable Growth	n/a
The Environment	Protecting the local environment by minimising environmental crime

8. Recommendations

It is RECOMMENDED that Councillors consider the report and provide feedback on the Council’s approach to tackling litter and dog fouling.

For more information contact:	Dave Banks Executive Manager - Neighbourhoods 0115 9148438 dbanks@rushcliffe.gov.uk
Background papers available for Inspection:	Report to Communities Scrutiny Group 23 July 2020 "Litter, dog fouling and fly tipping (Part One – Fly Tipping)
List of appendices:	Appendix 1 – Fixed Penalty Levels

Appendix 1 – Fixed Penalty levels

Offence	Adopted full penalty (£)	Adopted discounted penalty (if paid within the discounted period) (£)
Littering	100	75
Graffiti	100	50
Fly posting	150	75
Unauthorised distribution of free literature on designated land	No areas are designated	n/a
Nuisance parking	100	60
Abandoned vehicles	200	120
Fly tipping	400	200
Household duty of care	300	150
Failure to produce a waste transfer note	300	180
Industrial and commercial waste receptacles offences	100	60
Failing to show waste documents	200	120
Littering from vehicles	100	75
Dog fouling	100	75
Community Protection Notice FPN	100	100
Domestic waste Receptacle Offences FPN	60	40

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Communities Scrutiny Group

Thursday, 28 January 2021

Rushcliffe Equality Scheme

Report of the Executive Manager - Transformation

1. Purpose of report

- 1.1. The Council is reviewing its existing Equality Scheme, which was adopted in 2016 and ran until 2020, with Councillor involvement following a resolution of Cabinet in July 2020.
- 1.2. At its meeting on 27 August 2020, the Communities Scrutiny Group responded to initial officer proposals in respect of the review of the Council's Equality Scheme and provided a steer on further work to develop a refreshed Equality Scheme before being submitted to Cabinet.
- 1.3. This report provides an update on that work for consideration by the Communities Scrutiny Group.

2. Recommendation

It is RECOMMENDED that the Communities Scrutiny Group note the report and support the proposed approach for the revised Equality Scheme for submission to Cabinet.

3. Reasons for Recommendation

- 3.1. The existing Equality Scheme ran to the end of last year and is therefore being reviewed and updated to reflect current circumstances and actions required.
- 3.2. As a public sector organisation, it is imperative that the Council represents its residents and ensures that its services are accessible to all.
- 3.3. The views expressed by the Group in August 2020 have been taken into account, along with the impact of the COVID-19 response and its implications for consultation.

4. Supporting Information

- 4.1. The Equalities Scheme (at Appendix 1) takes a new approach; it sets out the Council's high-level strategic commitments in the workplace and community under four themes. Each theme will have action plans setting out how the principles are carried forward into actions: two initial action plans can be seen at the end of the Scheme in Appendix 1. Examples of how the Council's

Equalities Scheme is embedded throughout the organisation in all it does, is shown in Appendix 2. Taking this high-level approach to the revised Scheme, with more directed action plans, enables the Council to react and respond to changes, ensuring it is always relevant, impactful and up to date.

Further Development of the Revised Scheme

- 4.2. At its meeting in August 2020, this Group provided valuable feedback on the initial proposals for the refreshed Equality Scheme. The Group agreed the initial proposals, and on the context and factors to be considered as part of the Equality Scheme.
- 4.3. Key points of feedback from the Group included:
 - The Scheme needs to reflect diversity and inclusion in terms of its graphical representation, language and accessibility.
 - The need for the Scheme to provide a living document that enables actions to reflect the changing needs and aspirations of communities, businesses and employees.
 - The importance of engagement with user and community groups to ensure it is relevant and addresses issues of diversity and inclusion.
 - The need for there to be clear actions and objectives, which are reviewed annually.
- 4.4. These points have been taken on board in considering how the Scheme should be developed.

Proposed Approach

- 4.5. Taking into account the views of the Group, it is proposed to put forward an Equality Scheme that keeps its focus at a strategic level, setting out the vision and aims of the Council over the next four years.
- 4.6. In support of the Scheme, annual action plans will be developed to progress against these strategic aims. The action plans will be developed through consultation with key stakeholders and groups, which will ensure that the actions are relevant and support inclusion and engagement.
- 4.7. These actions will be embedded as part of annual service plans to ensure that equality, diversity and inclusion are integral to the work of the Council and the design and delivery of services.
- 4.8. The Scheme remains a broad strategic document and will be developed with the Council's Communications Team to address the feedback from the Group regarding the importance of graphical representation, language and accessibility.
- 4.9. Examples of priorities for action plans for 2021-22 to take account of live issues are:

- Health inequalities, considering an asset-based approach to health and wellbeing.
- The impact of COVID-19 on certain groups in terms of health, safety, housing and employment.
- Lessons and messages from the community regarding diversity issues.
- Recognising and respecting fluid identities.

4.10. An example list of projects and work delivered by the Council is included at Appendix 2. This highlights the work already undertaken and that which is ongoing to ensure that our services are accessible to all.

4.11. The Group had referred to the importance of monitoring progress against objectives. The focus on action planning will enable this to become more integrated within the Council's existing systems and processes. Equality Impact Assessments and monitoring of diversity information will continue to be reported annually to the Corporate Overview Group.

4.12. A key element of the scheme is to conduct meaningful consultation. It has not been possible to conduct this during the COVID-19 pandemic and it will be planned in as part of developing the action plan. This approach is good practice to ensure delivery of the Scheme is relevant and reflects the needs of those it is aiming to support.

5. Risks and Uncertainties

The risk is in not updating the Equality Scheme. It is important that the Council reviews the Scheme regularly in order to continue to be responsive to residents', employees' and Councillors' needs and to ensure that equality considerations are at the heart of what the Council does.

6. Implications

6.1. Financial Implications

There are no financial implications.

6.2. Legal Implications

There are equality strands which are protected by law and the Council must have regard for this.

6.3. Equalities Implications

This is covered in the body of the report.

6.4. Section 17 of the Crime and Disorder Act 1998 Implications

There are no S17 implications.

7. Link to Corporate Priorities

Quality of Life	It is paramount that Rushcliffe residents can access services in an equitable manner. Discrimination should be avoided and may indeed be unlawful and certainly would impact on residents' and staff' quality of life.
Efficient Services	It is shown that staff and Councillors work to their best capability if they feel they are accepted and valued members of the organisation, whatever their characteristics.
Sustainable Growth	As housing or industrial developments take place across the Borough, Equality Impact Assessments will be taken into account
The Environment	There may be some issues linked to public transport and the COVID-19 recovery that start to come to the fore around the equalities agenda.

8. Recommendations

It is RECOMMENDED that the Communities Scrutiny Group note the report and support the proposed approach for the revised Equality Scheme for submission to Cabinet.

For more information contact:	Leanne Ashmore Executive Manager - Transformation 0115 914 8578 lashmore@rushcliffe.gov.uk
Background papers available for Inspection:	Agenda, reports and minutes of Community Scrutiny Group meeting held on 27 August 2020 Equality Scheme 2016-20
List of appendices:	Appendix 1 Draft Scheme Appendix 2 List of Projects

Equalities Scheme 2021-2025

The Equalities Scheme for 2021-25 builds on the previous Scheme to reflect the changes in society to ensure it is relevant to all and to broaden its focus to take account of inclusion, in addition to objectives relating to equality and diversity.

Inclusion is fundamentally about individual experience and allowing everyone to access services and feel part of the Borough. Inclusion gives diversity impact and drive towards a place where all residents, elected members and all Council employees are empowered to thrive - inclusion is relevant for everyone.

Aims of the Scheme

The aims of the Scheme are:

- We want Rushcliffe to be a welcoming place for everyone
- We want our services to be easy to access for all
- We will treat people fairly and aim to meet individual needs
- We aim to make Rushcliffe a place where everyone can achieve their potential

Commitments & Indicators under the Scheme

As part of the Scheme, the Council will be committed to:

1. Understand our community

Indicators in support of this are:

- Gather and analyse diversity data to understand where action is needed to ensure inclusivity for all
- Effective community engagement
- Participation in public life
- Commissioning and procuring services

2. Reflect the diversity of our community

Take actions to achieve appropriate and inclusive representation in terms of our workforce, task and finish groups and service delivery/take-up.

- Leadership
- Assessing equality impact in policy and decision taking
- Equality objectives and annual reporting
- Inclusive strategies and policies

3. Work in partnership to achieve impact

Develop and share policies and resources across the organisation and with key partners to improve representation and inclusivity of diverse groups to maximise impact.

- Priorities and working in partnership
- Collecting and sharing information

4. Develop, implement and monitor annual action plans

Equality, diversity and inclusion need to be embedded within the fabric of the organisation rather than being a separate add-on. Each year, with input from representative groups, priorities and action plans will be established to be built into service plans.

- Performance monitoring and scrutiny
- Integrating equality objectives into service planning

Identifying Priorities for Action Plans

The Scheme is brought to life through annual action plans. These will be developed based on issues and priorities identified through consultation with our communities to ensure they are relevant. The actions will be implemented as part of service plans so that equality, diversity and inclusion are integral to the organisation and not add-ons.

The 2021 Census results will provide key insights into the residents of Rushcliffe and will serve as a significant review point in terms of the development of actions and plans in light of this new information. Below are examples of two Action Plans already identified.

Supporting the Equality Scheme as an Employer

Equality, diversity and inclusion is recognised as an organisational priority and is reflected within our People Strategy, which has a dedicated strategic theme: **Being Inclusive & Building Diversity**.

Outline actions that fall within this theme are:

- Continue monitoring and understanding reasons and actions to address under-representation and pay gaps.
- Ensure equality, diversity and inclusion considerations as part of policy development.
- Through development and communication, increase awareness of equality, diversity and inclusion issues to understand barriers and how these could be addressed.
- Develop and implement a new equality action plan.
- Continue to fully engage with national schemes and initiatives to support under-represented groups into work.

Fulfilling our Public Sector Duty and Requirements within the Legal Framework

The Scheme incorporates and builds on our legal requirements as provided within the Equality Act 2010 to:

- Eliminate discrimination, harassment, and victimisation
- Ensure people are treated with equality in mind

- Create and develop good relations with our communities and within our workforce

We will continue to:

- monitor and report the diversity of our workforce, and equality indicators such as the gender pay gap
- undertake consultation
- undertake equality impact assessments during the development of services and policies and identify how impacts can be avoided, reduced or mitigated.

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Equalities Scheme

The themes identified in the Equalities Scheme are central to all of the work we do as a Council. There are many examples of how equality is embedded in the organisation in the actions it takes, some specific examples are detailed below:

- **Events:**
 - Lark in the Park – provision of specialist site welfare facilities such as baby changing, feeding and chill-out areas for new and expectant mothers, including promotion within the facilities of the national Breastfeeding Friendly accreditation scheme we have been supporting to promote more breast feeding friendly venues across the Borough.
 - General events – Scrutiny review August 2020 of use of fireworks within council events, with aim of reducing noise impact upon residents with anxiety, hearing disorders, PTSD and autism. Pending Cabinet approval March 2021 to agree restriction which will limit use to low noise fireworks only.

- **Engagement with disability groups:**
 - As part of the Council's SLA with Nottingham Rugby Club, there are delivery objectives targeting under-represented groups. For example, the 'Tackling Dementia' project engages with residents with dementia and their carers, and the 'FANS Project' looks at tackling mental health through targeting male fans.
 - The Council facilitates the Active Rushcliffe Health Partnership, which is made up of a number of organisations and services working in the borough to improve the health and wellbeing of residents. The forum helps to facilitate collaborative working between organisations and services in delivering projects and programmes targeting high priority groups such as disability, women and girls (including pregnancy and maternity), BAME groups.
 - Where the Council are developing new leisure assets, such as at Gresham consultation has been carried out with underrepresented groups, such as women and girls, to produce development plans with programmes to specifically target these groups.
 - The Council have implemented an insight led, community engagement piece of work in Keyworth to understand the barriers to physical activity in economically deprived communities. This is an asset based approach to working with the community where the Council are getting to understand the needs of the local community and working with them to help improve the health and wellbeing of residents.
 - The Council have financially supported underrepresented groups through funding streams – e.g. Reach Rushcliffe Fund support for the Meet, Greet and Eat project which supports young people with learning disabilities by providing them work experience, Rushcliffe CVS Rushcliffe Befriending project which connects socially isolated over 60 year olds and the Council's Elite Sports Grant scheme has funded disabled athletes competing at International level.

- **Arena** – has changing places changing rooms at Arena and to be included at Bingham Leisure Centre – they are designed in line with the Changing Places design guidance. Fully accessible toilet and wash-hand basin with associated hoists and changing beds in line with the changing places specification guidance. The Arena has a changing places room accessed from the swimming pool changing area. The new Bingham Leisure centre will be accessed from the public reception area.

- **Recruitment** – we have recently been re-accredited as a Disability Confident Employer, encouraging and supporting applications from disabled people. As a Gold Member of the Armed Forces Covenant, we encourage and support applications from people seeking employment following their services careers. We are reviewing our application process to ensure it is as user-friendly as possible.
- **Work experience** – we offer work experience via the YouNG programme to all young people from the Borough. This raises the awareness amongst young people about the range of services that the Council offers and the opportunities that could be available to them. We will be supporting work experience placements as part of the Government’s Kickstart scheme, which provides work experience and skills development for young unemployed people.
- **Supported internships** – we are working with a local college to provide internships for people with learning difficulties. Currently two internships are being provided, one in the Communications Team and one in the Business Support Unit.
- **Accessible customer services** – we have set up contact points in some of towns/villages to make our services more accessible (East Leake, Cotgrave and Bingham). We are moving more services online through MyAccount and we continue to explore different ways for our residents to contact us e.g. chatbots, video calling etc.
- **Accessible housing services** – the Council provides fair and equal access to housing services to meet the needs and aspirations of residents through a continued supply of good quality affordable housing and support services to sustain accommodation and prevent homelessness.



Communities Scrutiny Group

Thursday, 28 January 2021

Work Programme

Report of the Executive Manager – Finance and Corporate Services

1. Summary

- 1.1. The work programme is a standing item for discussion at each meeting of the Communities Scrutiny Group. In determining the proposed work programme due regard has been given to matters usually reported to the Group and the timing of issues to ensure best fit within the Council's decision making process.
- 1.2. The table does not take into account any items that need to be considered by the Group as special items. These may occur, for example, through changes required to the Constitution or financial regulations, which have an impact on the internal controls of the Council.
- 1.3. The future work programme will be updated and agreed at the next meeting of the Corporate Overview Group on 23 March 2021, including any items raised via the scrutiny matrix; however, it may also be necessary to take into account the impact of the elections in May 2021, and the purdah period on the scheduling of items/topics.

2. Recommendation

It is RECOMMENDED that the Group agrees the work programme as set out below:

29 April 2021

- Carbon Management Plan
- Work Programme

3. Reason for Recommendation

To enable the Council's scrutiny arrangements to operate efficiently and effectively.

For more information contact:	Peter Linfield Executive Manager – Finance and Corporate Services 0115 914 8349 plinfield@rushcliffe.gov.uk
Background papers Available for Inspection:	None.
List of appendices (if any):	None.