

**MINUTES
OF THE MEETING OF THE
COMMUNITIES SCRUTINY GROUP
THURSDAY, 22 JULY 2021**

Held at 7.00 pm in the Council Chamber, Rushcliffe Arena,
Rugby Road, West Bridgford
and live streamed on the Rushcliffe Borough Council YouTube channel

PRESENT:

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

ALSO IN ATTENDANCE:

Mr J Dunne	WISE
Mr D Edwards	WISE
Mr S Baumber	Nottinghamshire County Council

OFFICERS IN ATTENDANCE:

D Banks	Director of Neighbourhoods
D Burch	Service Manager - Neighbourhoods
G Carpenter	Service Manager - Public Protection
D Hayden	Communities Manager
H Tambini	Democratic Services Manager

APOLOGIES:

There were no apologies.

1 Declarations of Interest

There were no declarations of interest.

2 Minutes of the Meeting held on 29 April 2021

Councillor Jones referred to Minute 37 'Carbon Management Plan' and to the sentence "It would also be helpful if the Council could produce a document to assist potential homeowners, when choosing a property, to allow them to question developers regarding the environmental and ecological measures they used."

Councillor Jones stated that at the meeting, the Group had considered that this would be a worthwhile action; however, he was not aware that any action had been taken and requested an update.

In response, the Director – Neighbourhoods advised that the action had been logged and would be incorporated into the second section of the Carbon Management Action Plan, which set out how the Council would influence and support local residents and businesses to make carbon reductions.

Councillor Jones raised a further matter in relation to the Carbon Management Plan, and stated that given the recent 'exceptional' but predicted extreme

weather events around the world, would it be possible to request an interim report on the steps being taken on carbon reduction, and to ask the County Council what the flood risks were in the Borough, if Rushcliffe experienced such heavy downpours.

The Chairman reminded the Group that flood risk issues and the Carbon Management Plan had both been scrutinised in the last six months and suggested that officers be asked to provide an update on the latter topic and circulate that to members of the Group. It was noted that given the Group's very busy Work Programme, it was not possible to keep revisiting issues.

The Director- Neighbourhoods reiterated that both items had been scrutinised recently and advised that the County Council had been undertaking a Flood Risk Assessment for West Bridgford, and the Borough Council would continue to liaise with the County Council regarding this issue. Flooding risk information was also available on the Environment Agency's website.

3 WISE: Environmental Crime Enforcement Update

The Service Manager – Public Protection presented the report of the Director – Neighbourhoods, which provided an update on the Council's approach to environmental crime enforcement.

Mr John Dunne and Mr Daniel Edwards from WISE (Waste Investigations Support and Enforcement) attended the meeting, to assist with the consideration of this item.

The Service Manager – Public Protection and Mr Dunne delivered a presentation reviewing the Council's partnership with WISE, and how WISE operated, which provided details on the following issues, and members of the Group were invited to make comments and observations on the presentation and report:

- Background and examples of fly tipping in the Borough.
- Fly tipping data.
- The Council's enforcement approach.
- WISE – history and service overview.
- Fixed penalty levels.
- Partnership management.
- WISE – six month pilot - background and aims.
- How the enforcement service works.
- Details of enforcement actions.
- Fixed penalties and notices by wards and towns/villages.
- FPN (Fixed Penalty Notice) offenders outside of the Borough and offence locations.
- FPN processes.
- Cost of the service.
- Ad-hoc weekend parks patrols.
- Examples of positive media.

The Director – Neighbourhoods advised that following a discussion with the Cabinet Portfolio Holder, Councillor Inglis, who was delighted with how the trial had progressed and given the positive outcomes and behaviour change that had been seen, it was proposed to extend the trial for a further 12 months.

The Chairman thanked the Service Manager – Public Protection and Mr Dunne for the excellent presentation and suggested that the Group agree that the presentation, together with WISE terms of reference be circulated to all Councillors, reminding them of the important role that they played as community leaders in spreading the message about incident reporting via the Council's website.

All members of the Group thanked the Service Manager – Public Protection and Mr Dunne for the informative presentation, which was extremely positive, and looked forward to the trial being extended.

Councillor Healy asked what publicity was being given to the trial and how were areas being identified, was it through requests by Councillors, parish and town councils or simply due to the number of calls logged about a particular incident. Mr Dunne advised that the pilot itself was focussed on complaints regarding fly tipping, dog fouling and littering, and once a complaint had been received, WISE officers had 24 hours to investigate that complaint. Whilst in one particular area, officers would also undertake proactive patrolling, and during the six month trial, WISE had initially been given a 'hot spot' list from Environmental Health, which it had now added to, through its own work and investigations.

In answer to a question regarding enforcement against littering, Mr Dunne confirmed that in order to take any action, a person had to be visibly observed by an officer in the act of littering, and in those cases the standard operating procedures would be followed on issuing a Fixed penalty Notice (FPN).

Councillor Healy concluded by asking if it would be possible for Councillors to be updated on a monthly basis with the numbers of FPNs issued and resulting fines paid. Mr Dunne clarified that in layman's terms an FPN was a fine, as once an FPN had been issued, a person had to pay the fine, or they would be prosecuted. In respect of statistics, all reporting systems were in real time, and that information could be broken down into specific areas and supplied to Councillors if they requested it through Environmental Health.

Councillor Richard Mallender referred to fly tipping on public and private land and sought clarification on how action could be taken on those two different types of land. Mr Dunne confirmed that in respect of enforcement, WISE would investigate all instances of fly tipping, and if evidence could be found, a FPN would be issued; however, there was an exemption in the legislation, for a landowner to be able to deposit waste on their property, or give permission to someone else to do so. With respect to cleansing, the Group was advised that if it was public land, WISE would investigate and contact Streetwise to remove it; however, if it was private land, it would be referred to Environmental Health for further investigation. The Director – Neighbourhoods advised that cases of waste storage on private land would also be referred to the County Council for investigation, as potentially those sites might require planning permission.

Councillor Jones referred to instances of anti-social behaviour (ASB) and littering associated with young people and alcohol at Sharphill Woods and asked who residents could report that to.

The Chairman reiterated the concerns regarding littering at Sharphill Woods, which was an eyesore, and should be enforced against, and the volunteers who worked tirelessly to remove the litter were thanked for their efforts.

The Service Manager – Public Protection reminded the Group that in the first instance the Police were responsible for dealing with ASB. Mr Dunne confirmed that WISE could work outside normal hours to deal with ASB and littering and would be happy to look at the issues in Sharphill Woods.

In response, the Chairman suggested that it would be helpful to contact all local volunteer groups, to ensure that they had the same reporting information.

Councillor Jones stated that he was aware of people using the Council's website to report street cleaning issues to Streetwise and asked if that reporting mechanism was linked to WISE. Mr Dunne advised that reports made online were logged on the Council's Citrix system, and immediately forwarded to WISE, to be investigated within 24 hours. Once investigated, if necessary, Streetwise would be asked to take action to clear a site.

Councillor Jones concluded by asking if taking court action was complicated and costly and if the courts provided costs to the Council and would that be apparent to the person issued with the notice. Mr Dunne confirmed that when cases were referred to court, they were dealt with under a single justice procedure. Due to Covid, courts had been extremely busy, which had led to a backlog in environmental crime cases being considered; however, that backlog was now easing. It was noted that a court would award costs back to the Council.

Councillor Rex Walker reflected on the excellent work already achieved, and in looking to the challenges that lay ahead over the next 12 months, questioned how a balance could be struck between taking action against more easily detectable environmental crime, such as littering, and the more complex cases, including fly-tipping, which were more time consuming and costly. Mr Dunne stated that the costs and margins were regularly reviewed, and in respect of enforcement, the Group was reminded that WISE investigated fly-tipping and would only deal with littering when there were no fly tipping cases to investigate. However, going forward, looking at lessons learnt, it would be possible to further refine the service over the next 12 months.

The Director – Neighbourhoods confirmed that WISE had responded and listened to feedback regarding how Rushcliffe wanted the pilot to work, including a focus on more serious environmental crime, specifically fly tipping. The Group was advised that WISE had also undertaken some business compliance work, which had proved extremely valuable and cost effective to the Council.

In answer to a question regarding ways to increase the detection of fly tipping, the Service Manager – Public Protection advised that the quality of evidence was paramount, and in many cases, it was difficult to gather. The Council could accept evidence from CCTV and dashcam footage and having witness statements was extremely important to increase detection rates. Mr Dunne reiterated the comments made and advised that currently a number of investigations were ongoing, and it was envisaged that next year all of those cases would result in penalties, which would increase the detection rates.

The Chairman noted that the pilot had been agreed to try to solve the problem of fly tipping, rather than to generate income. The Group was reminded that given the rural nature of the Borough, involvement from parish and town councils was important to increase reporting and detection rates.

Councillor Bansal asked if any data analysis was being undertaken on the information being received, and if there was any capability to predict where future events might occur. Mr Dunne advised that fly tipping occurred randomly, and although data was collected it would be extremely difficult to predict future events. The Director – Neighbourhoods confirmed that the mapping undertaken had identified a number of 'hotspots' throughout the Borough, and the covert CCTV cameras were moved to those 'hotspots' and that had proved very successful in the past.

In answer to a question regarding costs to the Council's Legal Services team, the Service Manager – Public Protection agreed that this was an issue, and given that the trial was to be extended, how to sustain in house costs would have to be addressed going forward. Mr Dunne advised that it was hoped that once the legal cases were being regularly processed, the Council would receive enough money from the courts to offset the legal costs.

Councillor Dickman requested clarification regarding the rules on households leaving scrap metal, including old electrical goods on their properties to be collected by anyone passing by. Mr Dunne confirmed that there was an exemption in the legislation, which allowed waste to be deposited for short periods. It was noted that WISE would investigate all cases of waste on a public highway, and the outcome of that investigation would depend on the responses received, and that was why there was a robust representation system in place, to ensure that any decisions could be monitored and reviewed.

The Chairman stated that it was important that residents were reminded that they should use one of the Council's approved providers to remove scrap metal, rather than to leave it outside a property and just expect someone to take it away.

The Chairman thanked Mr Dunne for his comments and reiterated the importance of Councillors using the correct reporting function on the Council's website and suggested that it would be helpful to raise awareness through Councillors' Connection and for Councillors to remind parish and town councils to do the same. The Chairman also stated the importance of ensuring that local businesses were aware of the procedures being enforced to protect the environment, and their responsibilities, in particular after Covid, when many

were opening up again.

RESOLVED

- a) that the WISE: Environmental Crime Enforcement Update and presentation be noted;
- b) that the presentation and WISE terms of reference be circulated to all Councillors; and
- c) that a reminder of the importance of reporting environmental crime, together with details of the reporting procedures, be included in Councillors' Connections.

4 Safeguarding Adults and Children Strategy

The Director – Neighbourhoods, introduced a report, which provided an update on the Council's approach to safeguarding, and advised the Group that the Council worked closely with key partners as a team, to ensure the safety of children and vulnerable adults in the Borough, and the Group was reminded of the key role that Councillors played whilst undertaking their duties.

Mr Steve Baumber from Nottinghamshire County Council attended the meeting, to assist with the consideration of this item, in relation to safeguarding children.

The Service Manager – Public Protection, the Communities Manager and Mr Baumber delivered a presentation relating to safeguarding children and vulnerable adults, which provided details on the following issues, and members of the Group were invited to make comments and observations on the presentation and report:

- What is safeguarding.
- Main types of abuse.
- The role of Rushcliffe Borough Council.
- Adult safeguarding.
- Definition of a child.
- Self-assessment audit 2021 for children.
- How to report concerns.
- What is the Multi-Agency Safeguarding Hub (MASH) and what is its purpose?
- How we work with others.
- MASH pathway to provision.
- Number of adult and children referrals/enquiries across the county.
- Various adult and children data for Rushcliffe.
- What can Councillors do.

The Chairman thanked officers for the excellent presentation and requested that the possibility of having all Councillors signed up to the Nottinghamshire safeguarding website be investigated.

Councillor Jones referred to Council staff working in particular areas, including sport and leisure, and those dealing with homelessness, and sought assurance that they were appropriately trained to focus on potential areas of abuse and domestic violence. The Service Manager – Public Protection confirmed that Lex Leisure participated on the Council's internal group and was fully involved, and it would continue to report any issues or concerns, as it previously had. The Group was advised that in respect of homelessness, all staff undertook mandatory e-learning training.

In answer to a question regarding the use of Council facilities by outside sports bodies, the Communities Manager advised that the Council's Sports Development Officer worked with voluntary, community based clubs, ensuring that they had appropriate safeguarding policies in place, and how to share information, if they had any concerns. The Group noted that there was an expectation that each club would have a Safeguarding Officer and that they would know how to make any referrals. If any concerns were raised, they would be fed through the channels in a similar way, and officers were trained on how to make any safeguarding referrals to the MASH. Mr Baumber added that connecting and engaging with sports clubs and voluntary bodies was a considerable challenge given their numbers and ensuring that those groups were aware of safeguarding issues was extremely important. The Group noted that a piece of work was currently underway, to strengthen engagement with those sectors and faith groups, and a conference with sports clubs would be held on 6 October 2021.

Councillor Jones emphasised that in many cases checks did not work as offenders were not listed and it was often something suspicious that could spark a referral. In response, the Communities Manager advised that through the Section 11 self-assessment, it was hoped to make those training opportunities available to as many people as possible.

The Chairman noted that the Council was aware of the organisations and groups hiring its facilities and it would be helpful to ensure that all those groups knew what training was available.

In answer to a question regarding the origin of referrals, Mr Baumber advised that usually a third came from schools, a similar number from the Police, with the remainder from a range of sources. The Group noted that during the past year, there had been an increase in enquiries from families and neighbours, as more time was spent at home, and there had been a rise in concerns raised about domestic abuse and mental health.

Councillor Rex Walker referred to the statistics related to the reports of domestic violence and questioned the impact, if any, of a potential lack of stable, alternative accommodation for victims. The Director – Neighbourhoods advised that during the pandemic an increased risk of domestic abuse had been identified, and Rushcliffe had worked closely with the County Council via the Local Resilience Forum and two additional temporary domestic refuges had been set up in the County, which had proved to be very effective in providing a safe haven to those who needed it. The Group noted that this was a great example of partnership working with the County Council, who had responded positively to support the existing housing provision that Rushcliffe had, given

that occupancy rates had been reduced because of social distancing.

In answer to a question regarding the continued existence and funding of women's refuges, Mr Baumber advised that he was aware of initiatives that were taking place as a result of the new Domestic Abuse Act, with local authorities having a duty to provide local refuges. As part of that, the Group noted that the County Council, district and borough councils had received some funding from Central Government and a Domestic Abuse Partnership Board was being established, with ongoing work around funding. The Director – Neighbourhoods confirmed that the refuges were still commissioned by the County Council through the Public Health Service, and through the new Partnership Board, all parties would be working closely to respond to those new duties.

In conclusion, the Director – Neighbourhoods reassured Councillors that in addition to the e-learning training undertaken by officers, more practical training was also available, and officers were reminded to be alert and curious at all times, and to report anything that did not seem right.

The Chairman questioned what signage was being used around Council premises to advertise whistle blowing numbers, and organisations such as Childline, and what work was being undertaken with the Council's leisure providers to enhance signage. The Communities Manager stated that increased signage could be considered and confirmed that the focus had been on appropriate staff training, to ensure that issues could be spotted and reported.

RESOLVED that the Safeguarding Update and presentation be noted.

5 Work Programme

The Director – Neighbourhoods presented the report of the Director – Finance and Corporate Services, which detailed the proposed Communities Scrutiny Group Work Programme for 2021/22.

The Chairman confirmed that an updated version of the Work Programme had been circulated to members of the Group, to incorporate the decisions made by the Corporate Overview Group at its meeting on 20 July 2021.

The Chairman referred to the meeting on 7 October 2021 and advised that the Cabinet Portfolio Holder for Environment and Safety, Councillor Inglis, would be invited to attend the meeting when the report on Police Performance and Resources for Rushcliffe would be considered. The Group noted that the new Police inspector for Rushcliffe would also be in attendance to assist with the consideration of the item.

The Group was advised that a report on Community Facilities and Assets, due to be considered on 7 October 2021, had been removed from the Work Programme by the Corporate Overview Group. The Chairman advised that this decision had been taken given that many facilities had yet to reopen properly, or were being used for other functions, and it would be appropriate to delay the report, until the meeting in January 2022. The Chairman advised that he had

requested that a Briefing Note be sent to all Councillors, providing an overview of the current situation regarding Council facilities.

In respect of the meeting scheduled for 27 January 2022, the Corporate Overview Group had agreed that the report on Tree Conservation should be considered by the Growth and Development Scrutiny Group instead, as it would also be considering a report on Conservation Areas, and those two issues were linked. The Group noted that currently the meeting in January would have two substantive items, the Housing Delivery Plan and the delayed Community Facilities and Assets report.

The Chairman advised that for the meeting on 28 April 2022, there was a possibility that the Waste Strategy report could be delayed, as it was dependent on the publication of the Government's report.

The Director – Neighbourhoods reiterated the changes outlined by the Chairman and advised that there were a number of topics on the Scrutiny Matrix, which could further populate the Work programme in due course.

Given that the next meeting of the Corporate Overview Group would not be held until after the next meeting of this Group, the Chairman suggested that he and the Vice-Chairman would speak with the Chairman of the Corporate Overview Group and officers, with a view to agreeing which items, if any, from the Scrutiny Matrix should be added to the Group's Work Programme for its meeting on 7 October 2021. It was confirmed that the Group would be notified of any changes to the Work Programme.

It was **RESOLVED**

- a) that the Work Programme detailed below be approved by the Communities Scrutiny Group:

7 October 2021

Police Performance and Resources for Rushcliffe
Work Programme

27 January 2022

Housing Delivery Plan
Community Facilities and Assets
Work Programme

28 April 2022

Carbon Management Plan
Waste Strategy
Work Programme

- b) that the Chairman and Vice-Chairman consult with the Chairman of the Corporate Overview Group and officers, with a view to agreeing which items, if any, from the Scrutiny Matrix should be added to the Group's

Work Programme for its meeting on 7 October 2021.

ACTION SHEET

Minute Item	Action	Officer responsible
2	An update on the Carbon Management Plan be circulated to members of the Group	Director - Neighbourhoods
3	Officers to contact all local volunteer groups to ensure that they know how to report ASB	Service Manager – Public Protection
4	Article to be placed in Councillors' Connections on how members may sign up to Notts safeguarding website	Director - Neighbourhoods
4	Officers to ensure that all organisations and groups hiring Council facilities are aware of the safeguarding training that is available	Communities Manager
4	Officers to explore advisory 'how to access support' signage in relevant community facilities	Service Manager - Neighbourhoods

The meeting closed at 9.01 pm.

CHAIRMAN

Minute Item	Action	Officer responsible	Response
2	An update on the Carbon Management Plan be circulated to members of the Group	Director - Neighbourhoods	Completed
3	Officers to contact all local volunteer groups to ensure that they know how to report ASB	Service Manager – Public Protection	Completed
4	Article to be placed in Councillors' Connections on how members may sign up to Notts safeguarding website	Director - Neighbourhoods	Completed
4	Officers to ensure that all organisations and groups hiring Council facilities are aware of the safeguarding training that is available	Communities Manager	Still waiting for a further response
4	Officers to explore advisory 'how to access support' signage in relevant community facilities	Service Manager - Neighbourhoods	Still waiting for a further response