

SEFTON COUNCIL



OVERVIEW AND SCRUTINY

**(Effectiveness of the Council's Enforcement
Activity Re: Littering and Fly-Tipping/Rear Entry
Problems Working Group)**

MEMBERSHIP

Councillors Dowd, Pullin, John Sayers, Robinson and Roche

TERMS OF REFERENCE AND OBJECTIVES

The Overview and Scrutiny Committee (Regeneration and Skills) has agreed to establish a Working Group to review the topic of the Effectiveness of the Council's Enforcement Activity. The range of enforcement activity undertaken by the Council is very wide and the enforcement or regulatory activity itself generally falls within the scrutiny remit of the Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services). The Working Group will therefore particularly focus on the potential and actual impact of the Council's enforcement activity on regeneration and skills within the borough. This is likely to lead to the Working Group focusing on those areas of enforcement activity though to have most potential or actual impact.

In the context of the Council's activities, the purpose of enforcement activity is generally to secure compliance with specific requirements and standards considered necessary or desirable by society. These requirements and standards may impact on everyone (e.g. air quality, consumer protection, planning and building controls etc.) or specific groups (e.g. employers, employees, parents of school children etc.).

Enforcement is only one of the tools available for securing compliance, and in determining effectiveness of enforcement activity the Working Group may need to consider how well other tools are or could be applied, including: Education (promoting and encouraging compliance through an understanding of the benefits and consequences of compliance/non-compliance, e.g. road safety campaigns); and Engineering (designing the environment or processes to make compliance the default option and/or make non-compliance more difficult, e.g. highway speed bumps).

It will be necessary for the Working Group to explore:

- The range of enforcement activity the Council is responsible for;
- The purposes of the enforcement activity;
- The nature of any potential and actual impact (positive or negative), from the enforcement activity, on regeneration and skills;
- How effectively the impact is or can be managed, to either minimise and/or mitigate any negative impact or maximise positive impact on regeneration and skills.

To review the topic of the Effectiveness of the Council's Enforcement Activity, considering:

- Current Sefton enforcement policies and practise
- Areas of good practise within the Council
- Good practise within other local authorities or similar organisations
- Areas for improvement within the Council's policies and practise
- Recommendations for improving the Council's policies and practise

REVIEW OF SCOPING DOCUMENT

The Working Group's Scoping Document was originally approved on 25 February 2019. Due to a number of factors, including lockdown restrictions imposed due to the COVID-19 pandemic, the Working Group did not meet for some considerable time. At its meeting held on 28 January 2021 the Working Group took the opportunity to review the Scoping Document to ensure that it was still valid; and to consider whether it needed to be narrowed to focus on more specific activities such as fly tipping / rear entries, or a similar focus area, whilst maintaining the particularly focus on the potential and actual impact of enforcement activity on the Regeneration and Skills portfolio within the borough.

The Working Group gave careful consideration to the issue of fly tipping and Members relied heavily on their experiences of this issue within their own wards. Members agreed that the situation in rear entries had recently worsened considerably and that Cleansing teams were really struggling to deal with the problem. Meetings had been held with South Sefton Ward Councillors, whose Wards were most affected, but no agreement had yet been reached on the best approach to take with limited resource. It was noted that the Council was rolling out a series of improvements to refuse collection (wheeled bins and communal bins) and the impact of these initiatives would hopefully alleviate such problems. The issue was also part of the Demand Management Programme – so it was also noted that further consideration by Working Group Members could help to inform this approach.

The Working Group agreed that its Scoping Document should be amended to focus on cleansing aspects of littering and fly-tipping/rear entry problems; and that its work should be revised to include visits with NSL or meetings with representatives of the organisation; discussions with resident groups/representatives; meetings with other Councils.

CHANGES TO MEMBERSHIP

As mentioned above the Scoping Document was approved in 2019 and since then Councillor Booth did not stand for re-election and very sadly, Councillor Michael O'Brien had passed away. Councillor Robinson had also been appointed as a member of the Working Group. The Scoping Document has been updated to reflect these changes.

METHODS OF ENQUIRY

Dependent upon the refined scope of the review, to include:

- Analysis of current Sefton practice
- Desktop research into practise elsewhere
- Witness interviews with officers, stakeholders, experts and other organisations, such as NSL; discussions with resident groups/representatives; meetings with other Councils
- Possible site visits / conference calls with experts and other organisations

TIMESCALES

To Commence in November 2018

To be Completed in July 2021

OFFICER SUPPORT

Lead Officer: Peter Moore (Head of Highways and Public Protection)

Democratic Services Officer: Paul Fraser

OTHERS WHO WILL BE INVOLVED

The review is likely to involve the following witnesses and sources of information / advice:

- Council officers
- Key Stakeholders
- Experts and representatives from other Councils or similar organisations

ARRANGEMENTS FOR REPORTING TO CABINET/COUNCIL

Timetable of committees, link into the planning chart, type of report/minute

PLANNING CHART

The Planning Chart is an example of the way reviews could/should be planned.

It is recommended that realistic time frames in which to carry out tasks should be considered including possible delays for public holidays and Council business. Effective planning suggests that more planning time be built into the chart.

| Activity | MONTH | | | | | | | |
|------------------------------------|--------------------------------|-----------------|------------------|---------------|------------|-------------|--------------|--------------|
| | November / December 2018 | January 2021 | February 2021 | March 2021 | April 2021 | May 2021 | June 2021 | July 2021 |
| Scoping | | | | | | | | |
| Consider Documents | | | | | | | | |
| Witnesses | | | | | | | | |
| Site Visits | | | | | | | | |
| Initial Findings | | | | | | | | |
| Draft Report | | | | | | | | |
| O&S Cttee Considers | | | | | | | | |
| Submit to Cabinet (if appropriate) | | | | | | | | |

Ten Step Process Flow Chart

Committee agrees Working Group membership and appoints Chair / Lead Member

Working Group complete scoping document determining terms of reference & timetable.

Working Group submit scoping paperwork to the Overview and Scrutiny Committee for approval.

Background research undertaken and evidence collected.

Working Group meet to determine questions they wish to ask witnesses.

Working Group make any necessary visits & additional evidence obtained.

Witness hearings take place & responses written up by support officer.

Working Group review headings for the final report.

Working Group and support officer draft final recommendations and approve final report.

Overview and Scrutiny Committee receives final report and recommendations and how they should be taken forward.



