



Scrutiny committee

Date: Thursday, 24 June 2021

Time: 16:30

Venue: Council chamber, City Hall, St Peters Street, Norwich, NR2 1NH

All group pre-meeting briefing – 16:00 Council Chamber

This is for members only and is not part of the formal scrutiny committee meeting which will follow at 16:30. The pre-meeting is an opportunity for the committee to make final preparations before the start of the formal meeting. The public will not be given access to the Council Chamber before 16:30.

Committee members:

Councillors:

Wright (Chair)
Fulton-McAlister (M) (Vice-chair)
Carlo
Everett
Galvin
Giles
Hampton
Manning
Oliver
Osborn
Stutely
Thomas (Va)
Thomas (Vi)

For further information please contact:

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Information for members of the public

Members of the public and the media have the right to attend meetings of full council, the cabinet and committees except where confidential information or exempt information is likely to be disclosed, and the meeting is therefore held in private.

For information about attending or speaking at meetings, please contact the committee officer above or refer to the council's website



If you would like this agenda in an alternative format, such as a larger or smaller font, audio or Braille, or in a different language, please contact the committee officer above.

Agenda

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1 Apologies

To receive apologies for absence.

2 Public questions/petitions

To receive questions / petitions from the public.

Please note that all questions must be received by the committee officer detailed on the front of the agenda by **10am on 16 June 2021**.

Petitions must be received by the committee officer detailed on the front of the agenda by **10am on 16 June 2021**.

For guidance on submitting public questions or petitions please see the council's constitution.

3 Declarations of interest

(Please note that it is the responsibility of individual members to declare an interest prior to the item if they arrive late for the meeting)

4 Minutes of scrutiny committee 27 May 2021

5 - 8

To approve the accuracy of the minutes of the meeting held on 27 May 2021.

5 Scrutiny committee work programme for 2021-22

9 - 22

Purpose - To assist scrutiny committee members in setting the scrutiny committee work programme for 2021/22.

6 Fly tipping communal bins and bins left on pavements

23 - 30

Purpose - To consider the council's current response to resident's concerns about communal bins, fly tipping and bins left on pavements.

Date of publication: **Wednesday, 16 June 2021**

- T** is this, the right **TIME** to review the issue and is there sufficient officer time and resource available?
- O** what would be the **OBJECTIVE** of the scrutiny?
- P** can **PERFORMANCE** in this area be improved by scrutiny input?
- I** what would be the public **INTEREST** in placing this topic onto the work programme?
- C** will any scrutiny activity on this matter contribute to the council's activities as agreed to in the **CORPORATE PLAN**?

Once the TOPIC analysis has been undertaken, a joint decision should then be reached as to whether a report to the scrutiny committee is required. If it is decided that a report is not required, the issue will not be pursued any further. However, if there are outstanding issues, these could be picked up by agreeing that a briefing email to members be sent, or other appropriate action by the relevant officer.

If it is agreed that the scrutiny request topic should be explored further by the scrutiny committee a short report should be written for a future meeting of the scrutiny committee, to be taken under the standing work programme item, so that members are able to consider if they should place the item on to the work programme. This report should outline a suggested approach if the committee was minded to take on the topic and outline the purpose using the outcome of the consideration of the topic via the TOPIC analysis. Also the report should provide an overview of the current position with regard to the topic under consideration.

By using the flowchart, it is hoped that members and officers will be aided when giving consideration to whether or not the item should be added to the scrutiny committee work programme. This should help to ensure that the scope and purpose will be covered by any future report. The outcome of this should further assist the committee and the officers working with the committee to be able to produce informed outcomes that are credible, influential with SMART recommendations.

Specific, Measurable, Attainable, Relevant and Time-bound

Scrutiny committee and a protocol for those attending meetings of the scrutiny committee

- All scrutiny committee meetings will be carried out in a spirit of mutual trust and respect
- Members of the scrutiny committee will not be subject to whipping arrangements by party groups
- Scrutiny committee members will work together and will attempt to achieve evidence based consensus and recommendations
- Members of the committee will take the lead in the selection of topics for scrutiny
- The scrutiny committee operates as a critical friend and offers constructive challenge to decision makers to support improved outcomes
- Invited attendees will be advised of the time, date and location of the meeting to which they are invited to give evidence
- The invited attendee will be made aware of the reasons for the invitation and of any documents and information that the committee wish them to provide
- Reasonable notice will be given to the invited attendee of **all** of the committees requirements so that these can be provided for in full at the earliest opportunity (there should be no nasty surprises at committee)
- Whenever possible it is expected that members of the scrutiny committee will share and plan questioning with the rest of the committee in advance of the meeting
- The invited attendee will be provided with copies of **all relevant** reports, papers and background information
- Practical arrangements, such as facilities for presentations will be in place. The layout of the meeting room will be appropriate
- The chair of the committee will introduce themselves to the invited attendee before evidence is given and; all those attending will be treated with courtesy and respect. The chair of the committee will make sure that all questions put to the witness are made in a clear and orderly manner



Scrutiny Committee

16:30 to 17:15

27 May 2021

Present: Councillors Wright (chair), Fulton-McAlister (M) (vice chair following appointment) Carlo, Everett, Galvin, Giles, Hampton, Oliver, Osborn, Stutely Thomas (Va) and Thomas (Vi)

Apologies: Councillor Manning

1. Public questions/petitions

There were no public questions or petitions

2. Declarations of interest

Councillors Fulton-McAlister (M) and Oliver declared an other interest as directors of NCSL.

3. Appointment of vice chair

It was **RESOLVED** to appoint Councillor Matthew Fulton-McAlister as vice chair for the ensuing civic year.

4. Minutes

RESOLVED, to approve the accuracy of the minutes of the meetings held on 18 March 2021 and 23 April 2021.

5. Appointment of representative and substitute to the Norfolk Health Overview and Scrutiny Committee

RESOLVED to appoint Councillor Oliver as the representative and Councillor Giles as the substitute to the Norfolk Health Overview and Scrutiny Committee.

6. Appointment of representative and substitute to the Countywide Community Safety Partnership Scrutiny Sub Panel

RESOLVED to appoint Councillor Giles as the representative and Councillor Oliver as the substitute to the Countywide Community Safety Partnership Scrutiny sub panel.

7. Setting of the scrutiny committee work programme 2021-22

The chair invited the executive director of community services to introduce the item. She suggested that scrutiny of the business plans for the council's two wholly owned companies – Norwich City Services Ltd and Norwich Regeneration Ltd could be standing items on the work programme. The committee also had the council's budget, the Corporate Plan and performance framework and the Equality Information Report as standing items for the year.

The the senior leadership team were looking at a twelve-month forward plan for cabinet which may help to inform the scrutiny committee work programme, so it was suggested that the committee allocate items for the June and July meetings only and hold an additional work programming meeting in September.

The chair highlighted some key dates for members:

Scrutiny training was to be held on 8 July at 4:30pm via Zoom

An additional meeting of the scrutiny committee would be held on 9 September to consider the remaining items for the work programme.

An additional meeting of the scrutiny committee would be held on 4 November to consider the NCSL topic in order to feed into cabinet.

The chair said that he suggested that the topic relating to bins on pavements and communal bins be taken together at the June meeting. There had been the following request from a member of the public to add the topic of air pollution from woodburning to the work programme and it was suggested that this was considered in July:

“Data released by DEFRA in February 2021 revealed that domestic wood burning accounts for 38% of all PM2.5 emissions (particulate matter). This is more than 3x the amount of PM2.5 produced by all road traffic in the UK (12%). PM2.5 are some of the deadliest pollutants, and are linked to a wide range of adverse health effects (including lung disease, heart disease, cancers, reduced IQ, low birth weights, poor mental health, and dementia). According to the WHO, “no threshold has been identified below which no damage to health is observed”, therefore the 2005 WHO guideline limits aim to achieve the lowest possible concentrations of PM. Local authorities should be doing all they can to reduce these emissions. There is a lack of public awareness around the dangers of air pollution, particularly from wood burning, and this puts the general public at great health risk. It is also important to note that there is a link between high air pollution and cases of Covid-19.

Recent years have seen an increase in the popularity of wood burning (both as a source of indoor heating, but also outdoors in the use of firepits, bonfires, and chimineas). The DEFRA data showed that 92% of people who burn fuel domestically have alternative sources of heat, meaning they are not burning out of necessity but for other reasons such as aesthetics or to create a homely feel. In addition, a huge amount of domestic wood burning - 46% - is from homes that are in the highest 2 social classes, while the greatest burden from air pollution falls on disadvantaged groups (children / elderly / those with pre-existing conditions): a clear social justice issue.

In the past 6 months I know of 2 pubs in Norwich that have installed wood burning stoves (The Stanley on Magdalen Road in NR3 and The Red Lion on Bishopgate in NR1) but there are likely more. The pub smoking ban was a huge win for public health, but the fashion for wood burning largely undoes this success. Pubs are particularly worrying, as they tend to burn wood for many more hours than private residences, putting staff (in particular) at great health risk which they are largely oblivious to.

In May 2021 there was a change in the law in an effort to reduce pollution from wood burning: bagged coal and wet wood of less than 2 cubic metres can no longer be sold, and wet wood in larger volumes must be sold with advice on how to dry it before burning. Exemptions for small foresters creates confusion (if a bag of wood lacks the new 'Ready to Burn' sticker it's not clear if that's because it's from an exempt supplier or if the regulations are being broken). In addition, businesses and individuals able to buy wet wood in large quantities are unlikely to wait 2 years for it to be seasoned properly, and there is no system in place to ensure that they do: hence much more education and awareness is needed on top of these new restrictions.

Norwich City Council has the ability to add new Smoke Control Areas: this would be a stronger additional restriction on solid fuel burning (with potential fines of up to £1000 for those who break the rules). NCC can also use its comms to raise awareness of the public health risk of woodburning: other councils are increasingly doing this – for example, in Winter 2020 a group of 4 councils (New Forest, Eastleigh, Southampton and Winchester) joined forces to send a leaflet to all residents asking them to burn less, and warning of the dangers of wood smoke.

Acting on wood burning in these ways would meet the People Living Well priority of the Corporate Plan. In addition, wood burning is worse for the climate than GFCH and other alternatives, and so action here would also meet the Great Neighbourhoods, Housing and Environment priority.”

A member said that although he did not dispute that air pollution from woodburning was a serious issue, he questioned what action could arise from scrutinizing the topic. The chair said that legislation allowed for smoke control areas to be brought in which could potentially link with the council's licensing and communications functions, as well as having a role in public health. The strategy manager added that data relating to air quality could be a good starting point and there may be some data available on housing stock heating provision. Officers could also provide member with data on related health conditions. The executive director of community services said that the report would highlight what was possible and members could consider those options.

A member commented that she had received a complaint from a member of the public on the topic of air pollution from woodburning and had asked if a piece could be

included in the council's Citizen magazine for the autumn on the dangers of woodburning. She had also brought a motion to council in 2018 on air quality and an update on the actions agreed could also be useful for the committee to consider.

A member said that any changes to licensing policy relating to woodburning would need to be considered by the licensing committee and agreed at council so it may not be possible for those actions to be put in place before the autumn. The chair said that he anticipated a mixture of outcomes from the piece of scrutiny, some of which could potentially be implemented straight away and some that would take more work.

Members discussed how best to take the two topics relating to bins – bins on pavements and communal bins – and considered how fly-tipping could be included with these. It was decided that two reports would be taken to the June meeting of the scrutiny committee, one on bins on pavements and one on communal bins including fly-tipping.

A member suggested that the March meeting of the scrutiny committee could consider the topic of the social inclusion and could be an outward facing piece of work with input invited from local charities to see what action the council could take on the matter.

A member commented that the topic of green financing would be useful to look at earlier in the civic year to inform budget setting and any reviews of assets.

RESOLVED to:

- 1) Add the topics of bins on pavements and communal bins including fly-tipping to the scrutiny committee work programme for June
- 2) Add the topic of air pollution from woodburning to the scrutiny committee work programme for July
- 3) Note the dates of additional meetings on 9 September and 4 November; and
- 4) Note the scrutiny training date of 8 July.

CHAIR



Committee Name: Scrutiny

Committee Date: 24/06/2021

Report Title: Scrutiny committee work programme for 2021/22

Portfolio:	Cllr Kendrick, resources
Report from:	Chief executive/Executive Director
Wards:	All wards
OPEN PUBLIC ITEM	

Purpose

The purpose of this report is to assist scrutiny committee members in setting the scrutiny committee work programme for 2021/22.

Recommendation

It is recommended that members review the annual work programme plan and agree a realistic and deliverable scrutiny committee work programme for 2021/22.

Policy Framework

The Council has three corporate priorities, which are:

- People living well
- Great neighbourhoods, housing and environment
- Inclusive economy

This report meets all the corporate priorities

This report addresses all the strategic actions in the Corporate Plan

This report helps to meet all adopted policies of the Council

This report helps to meet all the objectives of the COVID-19 Recovery Plan

Developing a work programme for the scrutiny committee

1. When the scrutiny committee considers which items to include on the work programme, it is useful to do so in the context of what the focus is for the council over the coming year and to look at how activity aligns to the council's corporate plan, policies and the COVID-19 recovery plan.
2. Due to ongoing work around the forward plan for cabinet and potentially getting some input from directorates on upcoming pieces of work that the scrutiny committee might be interested in, the committee have set topics for this meeting and July only. An additional work programming meeting has been set for 9 September.

Recurring items

3. There are certain areas of work identified for the scrutiny committee that are of a recurring nature. Presently, these are the scrutiny committee work programme (each meeting), pre-scrutiny of the corporate plan and performance framework (December) Equality Information Report (December), pre-scrutiny of the proposed budget (February) and the annual review of the scrutiny committee (March).
4. Updates are received from the council's representative on the Norfolk County Health and Overview Committee (NHOSC). The proposed dates for NHOSC along with suggested scrutiny report dates are outlined in the annual work programme planning grid.
5. Updates are also received from the council's representative on the Norfolk Countywide Community Safety Partnership Scrutiny sub panel (NCCSPSSP). The proposed dates for NCCSPSSP along with suggested scrutiny report dates are outlined in the annual work programme planning grid.
6. It was agreed at the meeting of scrutiny on 27 May 2021 that Norwich City Services Ltd and Norwich Regeneration Ltd will become new standing items on the scrutiny agenda. An additional meeting on 4 November has been scheduled to consider these items.

Scope for scheduling items onto the work programme.

7. It has been previously agreed that the committee should agree as few as possible substantive topics per meeting. The main reason for this is to ensure that there is enough time for the committee to effectively consider the issues and has a fair chance of reaching sound, evidence based outcomes. Ideally, one main item per meeting would be the aim.

8. Members will still have the opportunity on a monthly basis to revise the programme if and when required or due to changing events. This is done via the work programme standing item on the scrutiny committee agenda.

Training

9. Scrutiny training has been scheduled for 16.30 – 18.30 on Thursday 1 July. (changed from 8 July). This training will be delivered over zoom by Dr Dave McKenna from the Centre for Governance and Scrutiny.

Annual report

10. The annual report for scrutiny 2020-21 will be circulated to committee members by e-mail and will be presented at Council on 29 June 2021.

Consultation

11. Ward councillors, portfolio holders, the public or other stakeholders have not been consulted (statutorily or otherwise). However the public are encouraged to submit topics for scrutiny via an interactive form on the council's website.

Implications

Financial and Resources

12. Any decision to reduce or increase resources or alternatively increase income must be made within the context of the council's stated priorities, as set out in its Corporate Plan 2019-22 and Budget.
13. Any impact on resources resulting from this report is likely to be accommodated within existing budgets.

Legal

14. There are no specific legal considerations at this stage.

Statutory Considerations

Consideration:	Details of any implications and proposed measures to address:
Equality and Diversity	None at this stage.
Health, Social and Economic Impact	None at this stage.
Crime and Disorder	None at this stage.

Children and Adults Safeguarding	None at this stage.
Environmental Impact	None at this stage.

Risk Management

Risk	Consequence	Controls Required
Include operational, financial, compliance, security, legal, political or reputational risks to the council	Not applicable.	

Other Options Considered

15. There have been no other options of setting the work programme considered.

Reasons for the decision/recommendation

16. This report will result in a work programme being set for the scrutiny committee.

Tracking Information

Governance Check	Date Considered
Chief Finance Officer (or Deputy)	n/a
Monitoring Officer (or Deputy)	n/a
Relevant Executive Director	n/a

Background papers: none

Appendices:

Appendix A Annual work programme planning grid 2021-22

Appendix B Recommendations tracker

Contact Officer: scrutiny liaison officer

Name: Emma Webster

Telephone number: 01603 989622

Email address: emmawebster@norwich.gov.uk

Date of meeting	Item
Thursday at 16.30	
2021	
27 May	Work programme. Appointment to Norfolk Health Overview and Scrutiny committee (NHOSC). Appointment to Norfolk Countywide Community Safety Partnership Scrutiny sub panel (NCCSPSSP).
24 June	Work programme. Bins on pavements, communal bins and fly-tipping - Andy Summers.
1 July	Scrutiny training – zoom
15 July	Work programme. Verbal update from the NHOSC meeting held on 15 July (am). Air pollution from woodburning – Lesley Oldfield/Michael Stephenson.
9 September	Second work programme setting meeting.
16 September	Update from the NCCSPSSP meeting held on 20 July and a verbal update from the NCCSPSSP held 16 September (am). Update from the NHOSC meeting held on 2 September.
21 October	Work programme.
4 November	Scrutiny of the business plans for Norwich City Services Limited and Norwich Regeneration Limited.
18 November	Work programme. Update from the NHOSC meeting held on 4 November.
16 December	Work programme. Pre-scrutiny of the corporate plan and performance framework. Equality information report. Verbal update from the NCCSPSSP meeting held on 16 December (am).
2022	
20 January	Work programme. Update from the NHOSC meeting held on 20 January (am).
3 February	Work programme. To consider the 2022-23 budgets, medium term financial strategy and capital programme, along with capital strategy and treasury management strategy.
17 March	Work programme Annual review of scrutiny committee. Update from the NCCSPSSP meeting held on 24 February. Update from the NHOSC meeting held on 10 March.

Norwich City Council
SCRUTINY COMMITTEE

Recommendations tracker civic year 2020/21

(Completed items are shaded)

27 May 2021	
Appointments to committees and setting of the work programme	
<ul style="list-style-type: none"> To appoint Cllr Oliver as the representative and Cllr Giles as the substitute for the Norfolk Health Overview and Scrutiny Committee. 	completed.
<ul style="list-style-type: none"> To appoint Cllr Giles as the representative and Cllr Oliver as the substitute for the Countywide Community Safety Partnership Scrutiny Sun Panel. 	completed.
<ul style="list-style-type: none"> Add the topic of bins on pavements and communal bins, including fly-tipping to the scrutiny committee work programme for June. 	completed.
<ul style="list-style-type: none"> Add the topic of air pollution from woodburning to the scrutiny committee work programme for July. 	completed.
<ul style="list-style-type: none"> Note the dates of the additional meetings on 9 September and 4 November and scrutiny training – subsequently amended to 1 July. 	added to annual work programme forward plan.
18 March 2021	
Pre-scrutiny of draft procurement and contract management strategy 2021-24	
<p>To make the following recommendations to cabinet:</p> <ul style="list-style-type: none"> Following the recommendation of the committee on climate change ensure that net zero-carbon pathways are built into contracts. To consider a 20% social value weighting in the procurement assessment criteria and when going out to tender. Set a minimum standard for expected net zero-carbon reduction pathways. Ensure standards of service are maintained for the life of the contract. To record whether or not a company is able to offer to apprenticeships and other social value elements such as biodiversity and if not, why not. 	

4 February 2021 Budget	
<ul style="list-style-type: none"> to add pre-scrutiny of the Procurement Strategy to the scrutiny committee work programme 2020-21 	On scrutiny agenda for 18 March.
<ul style="list-style-type: none"> to ask cabinet to ask the council's treasury management advisors to research and investigate the addition of 'social value' as a fourth criteria of the treasury management investment policies. 	
21 January 2021 Corporate Plan performance framework 2021-22	
<ul style="list-style-type: none"> To prepare a schedule of removed KPIs to include the rationale for removal and where the data can be found. 	Strategy team to take forward
<ul style="list-style-type: none"> under the 'people living well' priority to ask cabinet to consider including; <ul style="list-style-type: none"> a) a metric around satisfaction with estates management; and b) response times to antisocial behavior complaints. 	Strategy team to take forward
<ul style="list-style-type: none"> under the 'great neighbourhoods, housing and environment' priority to ask cabinet to consider including a metric on the number of council houses approved for construction, built and retrofitted to a high environmental standard. 	Strategy team to take forward
<ul style="list-style-type: none"> Under the 'inclusive economy' priority to ask cabinet to consider including metrics to measure; <ul style="list-style-type: none"> a) the percentage of not for profit organisations that receive discretionary business rates relief b) council owned shop occupancy rates; and c) Norwich market occupancy rates. 	Strategy team to take forward
<ul style="list-style-type: none"> Under the 'healthy organisation' priority to ask cabinet to consider including metrics on staff welfare levels such as attendance statistics. 	Strategy team to take forward
17 December 2020 Scrutiny committee work programme 2020-21	
<ul style="list-style-type: none"> note the scrutiny committee work programme 2020-21. 	completed
<ul style="list-style-type: none"> agree in principle to add the insourcing of the Joint Ventures to the work programme, subject to a scope being considered at the January meeting of the scrutiny committee. 	on scrutiny agenda for 21 January
17 December 2020 Draft equality information report	
<ul style="list-style-type: none"> note the draft equalities information report. 	completed
<ul style="list-style-type: none"> ask for a member's briefing to be arranged on the council's approach to working as an anchor institution in the city. 	Democratic services to take forward
17 December 2020 Norfolk health and overview scrutiny committee report (NHOSC)	
<ul style="list-style-type: none"> note the update of the NHOSC representative. 	completed

<ul style="list-style-type: none"> to ask the representative on NHOSC if there was any evaluation of how smooth the handover of service for patients being treated for ear clearance from the hospital to the community was, especially with regard to patient follow-up. 	<p>Cllr McCartney-Gray to take forward. Response received.</p>
<p align="center">19 November 2020 Opportunities to achieve zero rough sleeping post COVID-19</p>	
<p>ask cabinet to:</p> <ul style="list-style-type: none"> look at how the council communicates the risk of becoming intentionally homeless to tenants, to clarify that the council is giving information and to reduce the perception of threat. provide a demographic of those who have received such communications to the scrutiny committee members. review council policies around intentional homelessness. ask the housing partnerships officer to provide online training to members on approaching people on the street and how to give advice. support landlords in how to deal with tenants who will have change in circumstances over the coming months. contacting tenants who the council had previously contacted with improvement notices and also use rogue landlord databases as an exercise in early intervention. work with county and advice agencies to map where to refer people who need early intervention services. lobby central government for increased funding. 	<p>Taken to cabinet on 16 December 2020, response; In response to the recommendations on rough sleeping the deputy leader and cabinet member for social housing said she would look with the department to provide the information requested where possible and noted that members were to receive training on working with individuals experiencing homelessness in January.</p> <p>RESOLVED to note the recommendations made at the meeting of scrutiny.</p>
<ul style="list-style-type: none"> to thank officers for their work in this area and to acknowledge the good work the council is undertaking regarding tackling homelessness 	<p>completed</p>
<p align="center">19 November 2020 New Anglia Local Enterprise partnership recommendations</p>	
<ul style="list-style-type: none"> that the Leader of the Council requests from the LEP a clear plan and commitments for how they are going to meet the minimum target of reducing emissions by 13% year on year. ask cabinet through the scrutiny committee or CEEEP as appropriate to consider investment opportunities within Norwich that would generate the best results in reducing emissions and providing community benefit, 	<p>Taken to cabinet on 16 December 2020, response; The leader noted that a number of the recommendations from the report were questions and some had been asked before.</p>

so that these can be fed into the new Norfolk & Suffolk Investment Plan.

- the LEP written answers refer to “Developing a dedicated vehicle for generating local energy in a way which benefits communities, and consider where targeted pilots could help us explore initiatives and learn from other leading areas/schemes”. The council is due a report on solar financing from the cabinet member for safe and sustainable city environment, therefore the committee proposes that the cabinet member meets with local community energy groups and the LEP to discuss a pilot in Norwich.
- ask cabinet to promote grants from the LEP by including details in communication with businesses when sending out business rates letters.
- as the LEP to provide information on the self employed grant scheme and lobby government to provide more targeted support for those who are self employed.
- LEP has details of its grants programmes on the website, but it's not clear what the impact of these is. Therefore the committee asks for a report on benefits delivered: impact on social mobility and local jobs
- ask the Leader of the Council to push for unions to be represented on the LEP board.
- ask the leader of the council as the council's representative on the LEP to ask that it considers:
- including clean growth and protection/enhancement biodiversity as key criteria for project applications.
- regularly assessing the net impact of its activities (policies/programmes/funding) on carbon emissions and extent to which the LEP is meeting legal targets.
- review its strategic approach to transport planning which is currently dominated by major road building schemes and to bring its policies and funding contributions into line with net zero carbon target.
- assist WildEast in helping to meet its goal of dedicating 20% of all land in East Anglia to biodiversity by 2030.
- build on the goodwill and acknowledgement of climate emergency to press for carbon accounting. Chris Starkie acknowledged that - not enough was being done to meet the Climate Change Act's

RESOLVED to note the recommendations made at the meeting of scrutiny.

<p>requirements. Small acts of carbon reduction need to be weighed against, and scaled up to exceed actual ongoing emissions and the first step is measurement. Tyndall report gives 13% annual reduction of Norwich emissions to meet targets in Climate Change Act. This is an engine of economic renewal and offers genuine opportunities to the many in high carbon jobs who will need alternative employment. The sooner this transition is managed, the more manageable it will be.</p> <ul style="list-style-type: none"> • to recommend to the LEP that they lobby government for Universal Basic Income pilot scheme in Norwich to boost local demand. • to push for meetings to be held in public in order to increase accountability, transparency, public awareness and trust. 	
<p align="center">15 October 2020 New Anglia Local Enterprise Partnership</p>	
<ul style="list-style-type: none"> • ask members to email the scrutiny liaison officer with any recommendations to be considered at the November meeting of the scrutiny committee. 	completed
<p align="center">15 October 2020 Norwich City Council response to enhancing community development following Covid-19</p>	
<ul style="list-style-type: none"> • ask the neighbourhood and community enabling manger to consider the following recommendations when developing the Citizen Participation Blueprint • to draft a council / councillor / citizen compact with participation and transparency at its heart to improve interactions with residents and influence and shape council culture. • ensure that issues are followed through, by looking at the most effective way of doing so for residents. • ensuring that services are delivered to build and maintain trust with residents 	to be included in the citizen participation blueprint and this document will ultimately be considered by cabinet next year.
<ul style="list-style-type: none"> • for ward councillors to have a better understanding of internal council processes in order to identify improvements through an all member briefing and for this information to be made available to residents. • make it clear to residents that councillors are a first point of contact within the council and to highlight other contact means such as online forms and the customer 	democratic services to take forward

contact centre and to investigate barriers to people contacting the council.	
<ul style="list-style-type: none"> ask cabinet to commission a piece of work to refresh the constitution so that it more accurately reflects the collaborative nature of the council, for example, in discussions with councillors to include a rationale on why a project can or cannot be taken forward. 	<p>Taken to cabinet on 16 December 2020, response;</p> <p>RESOLVED to note the recommendations made at the meeting of scrutiny.</p>
<p align="center">15 October 2020 Work programme</p>	
<ul style="list-style-type: none"> ask Councillor McCartney-Gray to take work on safe drug consumption rooms to NHOSC for consideration, not take any select committees forward at this time ask the chair to work with the strategy manager to refine the scope for the item on social inclusion following Covid-19 for the December meeting. 	all completed
<p align="center">17 September 2020 Work programme</p>	
<ul style="list-style-type: none"> note the inclusion of New Anglia LEP on the work programme for the October meeting; ask the scrutiny liaison officer to email members of the committee to gauge interest in serving on select committees for fly-tipping and antisocial behaviour; ask the scrutiny liaison officer to review the topics voted on at the July meeting and make recommendations to the committee at its next meeting as to which topics to select. 	all completed
<p align="center">17 September 2020 Short term lets</p>	
<ul style="list-style-type: none"> thank the members of the short term lets select committee, Councillors Carlo, Giles, McCartney-Gray and Oliver, and the following officers: Emma Webster, scrutiny liaison officer Carole Jowett, revenues and benefits operations manager David Parkin, area development manager (inner), Adam Clark, strategy manager. submit the recommendations as set out in the report to cabinet for consideration at its meeting on 14 October; 	all completed

<ul style="list-style-type: none"> ask the chair to write to both Norwich MPs with a copy of the report to seek their views on the subject; ask the scrutiny liaison officer to draft a full response to the comments made by a member of the public to the scrutiny select committee for sign off by the select committee. 	
17 September 2020 LEP visit	
<ul style="list-style-type: none"> thank Chris Starkie and Lisa Roberts, of New Anglia Local Enterprise Partnership (LEP), and Councillor Alan Waters for attending the meeting and answering questions on the LEP; ask Lisa Roberts of the LEP to provide responses to questions 10, 12 -19, 22 and 23 (as set out in the appendix) consider the information received at this meeting, together with the responses to the outstanding questions at the next meeting of the committee, with a view to making recommendations to cabinet; ask members to promote the LEP's Job Support Programme to residents and local businesses. 	all completed
16 July 2020 Work programme	
<ul style="list-style-type: none"> At the September meeting of the scrutiny committee to receive a report from the select committee on short term lets and ask the scrutiny liaison officer to approach the LEP to attend the meeting to pick up the work that the committee was due to undertake in March 2020 ask the scrutiny liaison officer to add the following items to the scrutiny committee work programme <ul style="list-style-type: none"> a) Sustainable and inclusive economy following the impact of Covid-19 b) Enhancing community development following the impact of Covid-19 c) Maximising opportunities to achieve zero rough sleeping following Covid-19 d) The social inclusion agenda following Covid-19 	all completed
10 June 2020 COVID-19 Recovery report	
<ul style="list-style-type: none"> amending bullet point 2 under section 7, Climate change and the green economy' in the recovery themes and key actions summary on p31 of the report 	all recommendations taken to Cabinet on 10 June 2020; Response:

<p>to reflect the recommendation of the Tyndall centre to reduce carbon emissions of Norwich by 13 % annually</p> <ul style="list-style-type: none"> • amending bullet point 4, under section 4 ‘business and the local economy’ section, in the recovery themes and key actions summary on p30 of the report, from ‘consider the opportunities to further promote sustainable travel in the city, building on the already well-advanced measures already in place’ to ‘consider the opportunities to further promote sustainable travel <i>on whole route approaches</i>, building on the already well-advanced measures already in place’ • lobbying the LGA and central government for all district councils to be given some of the powers and financial resources that the Health and Safety Executive has, to allow the city council to enforce social distancing if employers are not complying. • at section 8.4, include trade unions to the list of groups to be consulted on this document. • redoubling efforts with Norfolk County Council to ensure social distancing measures around the city centre are in place as soon as possible. • including further references to the impact of Covid-19 on the insurance industry regarding aviation, and families and young people, particularly in reference to education, including local universities. • revising the Commercial Property Investment Strategy to reflect the changes in the economy due to Covid-19 and how this could drive a green economy. • investigating the use of purchasing powers to undertake a retrofit programme on housing as a key part of driving the economic recovery. • looking at alternative sources of income to car parks in the city.- • looking at the experience of other local authorities which are pursuing a circular economy to take advantage of the fact that Norwich has two recycling centres in development. 	<p>Councillor Waters, leader of the council, thanked the scrutiny committee for its recommendations and said that they would be noted by cabinet and would form part of the thinking around future revisions to the blueprint as it evolved.</p>
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Committee Name: Scrutiny

Committee Date: 24/06/2021

Report title: The council's arrangements for managing and responding to residents' concerns regarding communal bins, fly tipping, and bins left on pavements.

Portfolio:	Councillor Alan Waters
Report from:	Executive director of development and city services
Wards:	All Wards
OPEN PUBLIC ITEM	

Purpose:

The Scrutiny Committee on 27 May 2021 decided that two reports would be taken to the June meeting of the scrutiny committee, on bins on pavements; and on communal bins including fly-tipping. Further guidance was subsequently issued that these could be combined into a single report.

The purpose of the report is therefore to provide the scrutiny committee with the council's current response to resident's concerns about communal bins, fly tipping and bins left on pavements.

Recommendation:

It is recommended that the scrutiny committee reviews the information presented at this meeting to allow it to consider:

- (1) How members might contribute to developing policies on communal bins, fly tipping and bins on pavement; and
- (2) Any other recommendations the committee wishes to make

Policy Framework

The Council has three corporate priorities, which are:

- People living well
- Great neighbourhoods, housing and environment
- Inclusive economy

This report meets the Great Neighbourhoods, Housing and Environment corporate priority.

This report addresses the “Maintain a clean and sustainable city with a good local environment that people value” strategic action in the Corporate Plan.

This report helps to meet Replacement Bin Policy adopted policy of the Council.

Communal Bins

Background

1. A project to roll out communal bins for residential properties project was initiated in 2007 as part of the council's Integrated Waste Management Strategy. The project evaluated the most appropriate location for bin storage.
2. Every proposed housing communal bin site was individually inspected, and site specific plans were developed to ensure that bin provision was the most appropriate and effective that could be achieved with the available resources.
3. A full engagement process supported the project gave residents in every communal bin location the opportunity to influence the proposals for their location. Once the proposals were confirmed, the final drawings were made available to residents and Elected Members, and a further period of comment was provided before implementation.
4. The objectives of the engagement were to:
 - a. Explain the reasons for the changes in refuse collection, i.e. to remove black sack collections, address a growing number of needlestick injuries, and support the introduction of recycling
 - b. Advise on proposed locations and design of the compounds.
 - c. Provide information on the potential effect on the local environment
 - d. Provide information on costs and time scales
 - e. Reduce fly-tipping and Anti Social Behaviour
 - f. Improve bin maintenance and cleaning
5. Estates where there were documented problems associated with health and safety, fly-tipping and anti-social behaviour were prioritised through this process. Neighbouring estates were also considered where they were in close proximity to the planned works. This enabled costs and disruption to be reduced.

Operational issues

6. Co-ordination between bin collecting and fly-tipping removal.
 - a. There are a number of channels for reporting fly tipping to the Council. Residents are encouraged to use the online form on the Council's website, but contact can also be made via email and phone call via the Council's Customer Contact Team
 - b. The Council's environmental maintenance contractor, Norwich City Services Limited, are responsible for the removal of fly-tipping.
 - c. Biffa's waste collection operatives are also responsible for reporting fly-tipping at communal bin sites.
 - d. The lack of a suitable, automated, interface between the Council, Biffa and NCSL can result in service failure at certain locations. However, workarounds have been developed to address this
7. Restricting access to communal bin stores
 - a. Individual locks for bin stores and bins have not proved successful previously since they can be forced or removed. Officers continue to research best-practice at other local authorities and Biffa will feedback intelligence from their other contracts and the industry in general.
 - b. Restricting access to bin stores by lockable gates, is impractical in many locations and can lead to missed collections if collection crews have misplaced keys or when locks are changed on bin stores and new keys are not provided.

Background

8. The council has a responsibility, as a service provider and land owner, to remove fly tipped material from public areas such as streets, parks open spaces, car parks and bin storage areas.
9. It does not, generally, have a responsibility to remove fly tipping from private property. However, where there is a risk to Public Health, it may investigate and require the landowner to remove the fly tipped material.
10. Members of the public can report fly tipping via the Council's website or by phone to the Customer Contact Team. The information collected helps to identify fly-tipping hot-spots and, in some cases, fly-tippers themselves. Where possible and appropriate, a legal sanction can be applied, but only where there is clear evidence to implicate that an individual or organisation. In the majority of cases it requires the incident to have been witnessed.

11. When dealing with fly-tipping (and other environmental crimes) the Council applies the principle of ACE – Advise, Confirm and Enforce.

Approach to enforcement

12. Officers from Citywide Services and Environmental Protection regularly work together to pro-actively investigate both business and residential waste issues. The objective of this work is to raise awareness of responsibilities around the safe disposal of waste. The high turnover of businesses and residents within the City means that this is a continual process
13. Through this process, we can provide advice on how waste can be disposed of safely and legally in future. The consequences of further transgressions are also explained fully.
14. Enforcement is a last resort, principally because the costs and resources required for education and encouragement are significantly less than those required for legal action and significantly more effective for the majority of the issues that arise in Norwich.
15. The issuing of fixed penalty notices does not guarantee that they will be paid, and therefore does not provide an effective deterrent. Furthermore, when considering the full costs of managing environmental crime, a fixed penalty notice, even on the occasions when it is paid, is unlikely to recover the full cost of investigating and prosecuting the incident.
16. Finally, officers are continually working with our contractors to examine opportunities to improve services.

Bins Left on Pavements

17. The pavement is part of the highway and responsibility for ensuring that it is kept clear sits with the Highway Authority, Norfolk County Council.
18. However, obstructions caused by wheelie bins tend to be temporary and can therefore be challenging to manage. As a result, the City Council will normally address these issues through an informal approach to residents and businesses
19. The council provides clear guidance for residents in our waste and recycling literature and on the council's website. Residents are advised that
20. Wheelie bins or bags are collected from the edge of their property.
21. Their wheelie bin should be placed out for collection by 6.00 a.m. on collection day, but no earlier than 6pm the evening before
22. After collection, the wheelie bin should be taken back inside the resident's property boundary by 9am the next morning

23. This guidance provides a balance between the requirements of the Council's waste collections, and residents' domestic and working routines. In the overwhelming majority of cases where bins are out before or after these times, the situation is soon rectified.
24. Longer-term issues should be reported to the Council via the online form on our website. This allows a prompt response and allows us to collect important data on the type, frequency and locations of neighbourhood issues. This information then informs the effective future planning of services and resources.
25. Council officers will normally respond to reports by providing education and advice. This approach will normally resolve the issue. However, where this approach is not effective, an enforcement process can be considered under section 46 of the Environmental Protection Act 1990. This legislation allows waste collection authorities (such as Norwich City Council) to issue notices to people who do not comply with the restrictions that the authority has imposed on the use of their wheelie bins. However, Norwich City Council has always promoted direct contact and a reasoned resolution to such neighbourhood issues.

Conclusion

26. Any change to the communal bin provision and facilities would require consultation with Elected Members and stakeholders including residents, our contractors and Housing Management organisations.
27. There would be policy and resource implications, and as result would require Cabinet approval.
28. Any change to individual or shared wheelie bins would need to take into account the Council's Replacement Container Policy agreed in 2016.
29. In addition, the replacement of Communal Bins with wheelie bins would require the introduction of Alternate Weekly Collections (many communal sites currently have weekly collections).
30. Collection costs would increase if we start to move from communal facilities to individual collections, and would result in a significant renegotiation of our existing contract.
31. Many of the communal sites would remain as potential fly-tipping sites even without the communal bins - they are in locations that are conducive to this activity due to easy vehicular access and being sheltered from general view.

Consultation

32. There has been no recent consultation with Members or residents on these issues.

Implications

Financial and Resources

Any decision to reduce or increase resources or alternatively increase income must be made within the context of the council's stated priorities, as set out in its Corporate Plan 2019-22 and Budget.

33. There are no proposals in this report that would reduce or increase resources

Legal

34. The Council is a Waste Collection Authority, and as such has a duty to collect household waste (S.45 of the Environmental Protection Act 1990). Under S.46 of this Act, the Council can also specify;
- a. the types and number of containers
 - b. the size, construction and maintenance of the receptacles
 - c. the placing of the receptacles for the purpose of facilitating the emptying of them, and access to the receptacles for that purpose
 - d. the placing of the receptacles for the purpose of avoiding nuisance or detriment to the amenities of the area
 - e. the placing of the receptacles for that purpose on highways
 - f. the substances or articles which may or may not be put into the receptacles or compartments of receptacles of any description and the precautions to be taken where particular substances or articles are put into them
 - g. the steps to be taken by occupiers of premises to facilitate the collection of waste from the receptacles
35. The Council also has powers under section 46A of the EPA 1990, to issue written warnings and penalties for failure to comply with requirements relating to household waste receptacles. A written warning must first be served on the individual before any fixed penalty notice is issued. The individual must be given a period of time (28 days) to make representations back to the council.
36. With regards to fly tipping, under Sections 33, 34 and 59 of the Environmental Protection Act 1990, the Council is responsible for investigating, clearing and taking appropriate enforcement action in relation to small scale fly-tipping on public land. The Environment Agency is responsible for dealing with larger-scale fly-tipping (more than a lorry load), hazardous waste and fly-tipping by organised gangs.

Statutory Considerations

Consideration:	Details of any implications and proposed measures to address:
Equality and Diversity	None

Health, Social and Economic Impact	None
Crime and Disorder	None
Children and Adults Safeguarding	None
Environmental Impact	<ul style="list-style-type: none"> Any changes to collection arrangements could increase fuel consumption by our contractors through increased collections Improved management of bin storage facilities could help minimise waste and increase recycling

Risk Management

Risk	Consequence	Controls Required
Reputational risk to the Council through poor perceptions of waste management arrangements	Reduced customer satisfaction Adverse social media coverage Increased representations to Elected Members	This risk can be managed through the review of existing arrangements and effective engagement with stakeholders.

Other Options Considered

None.

Reasons for the decision/recommendation

The recommendation is made to allow for improvements to existing arrangements for waste collection and removal of fly tipping.

Tracking Information

Governance Check	Name	Date Considered
Relevant Executive Director	Graham Nelson	16/6/21
Legal opinion	Katrina Hulatt	16/6/21
Relevant finance officer		
Chief Finance Officer (or Deputy)		
Monitoring Officer (or Deputy)		

Background papers: None

Appendices: None

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