

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Overview and Scrutiny Committee held in the Council Chamber - The Guildhall on 21 September 2021 commencing at 6.30 pm.

Present: Councillor Mrs Lesley Rollings (Chairman)
Councillor Mrs Angela White (Vice-Chairman)

Councillor Liz Clews
Councillor David Dobbie
Councillor Mrs Caralyne Grimble
Councillor Cherie Hill
Councillor Mrs Angela Lawrence
Councillor Keith Panter
Councillor Roger Patterson

Also Present: Councillor Trevor Young

In Attendance:
Nova Roberts Assistant Director of Change Management & Regulatory Services
Ady Selby Assistant Director of Commercial and Operational Services
Sarah Elvin Housing Communities Project Officer
Katie Storr Democratic Services & Elections Team Manager (Interim)

Apologies: Councillor Mrs Diana Rodgers
Councillor Timothy Davies

7 MINUTES OF THE PREVIOUS MEETING

RESOLVED that the minutes of the meeting of the Overview and Scrutiny Committee held on 22 June 2021 be confirmed and signed as a correct record.

8 MEMBERS' DECLARATIONS OF INTEREST

There were no declarations of interest made at this stage of the meeting.

9 MATTERS ARISING SCHEDULE

There were no outstanding matters arising.

10 DISCUSSION ITEM: FLY-TIPPING

Members heard from the Assistant Director of Operational & Commercial Services, with a

presentation on the issue of fly-tipping. He stated it was a wide area for operational services that touched on the well-being and safeguarding of residents.

The presentation showed rates of fly-tipping across previous years, as well as the current data available. There had been a significant increase in the last year, which was a national trend, perhaps due to people spending a lot of time at home and clearing their waste. Additionally, people had been out and about more and reporting what they saw, as well as the impact of household recycling centres being closed or running limited opening hours.

The types of fly tipping were not always investigable, such as tyres, clinical waste and building waste. Members heard that the cleansing staff would undertake the clean up and engage with enforcement staff if there was an identifiable evidence.

Members had enquired whether a reduced charge for the bulky waste service would impact on rates of fly-tipping. A recent BBC investigation had found no link between rates of fly tipping and free bulky waste. Statistics showed less than half of the fly tipping could be picked up with the bulky waste service. Members heard there was a report going to the Prosperous Communities Committee in November regarding the bulky waste service.

The Council's reactive service would normally pick up fly tipping within 48 hours, this had been maintained despite pressures over the last year. The team had won awards and was working closely with the new CRM system to ensure customers received feedback on their reported issues.

NOTE: Councillor C. Grimble arrived at 6.45pm

In terms of reducing fly-tipping, the 'SCRAP' campaign was being run through partners at Lincolnshire Waste Partnership but West Lindsey was the only District that had undertaken 'days of action'. The principles of the campaign were to publicise responsible actions when people disposed of their waste.

Members heard that, with regards to enforcement, the council worked with partners such as Lincolnshire Police, the Environment Agency and VOSA on days of action and they were looking at restarting these in the coming year. An example was given of 109 vehicles stopped with 72 searches, 23 waste licences produced and 5 fixed penalty notices issued.

Additionally, household waste recycling centres were now fully open with no booking systems. Whilst it was difficult to evidence that fly tipping was related to these centres being closed, it could only be a good thing that they were now open.

The environmental crime partnership had been set up in 2020 to bring all agencies together, with West Lindsey fully engaged in the process. The preference was for the use of fixed penalty notices as court cases tended to be convoluted and time consuming unless used for the bigger fly tipping cases. The council was also lobbying government to make the court process easier.

It was also explained that cameras could be used in hot spots, with deployable cameras complementing the fixed ones. In the last year 24 fixed penalty notices had been issued and the team were investigating how to respond faster to reports of fly-tipping as well as the improved use of enforcement powers.

Members discussed issues of fly-tipping they had come across in their areas. There was support for increased fines or more stringent action, with recognition that there needed to be more action from the Government.

Members sought more detail regarding penalty notices issued and specific data, with a request for comparison across other areas. This would be included in future reports. There was discussion as to how other counties had managed their waste recycling centres and whether they had seen the same level of fly-tipping. Members also heard that there was continued pressure for neighbouring counties to reach a cross-county agreement for residents to be able to use waste recycling centres outside of their areas.

There was challenge to the county policy for use of the recycling centres, such as size of trailer versus size of car, with the environmental impact of such policies being of significant concern.

Members further discussed the cost implications of fly-tipping and whilst it was not always possible to reclaim costs, the team did work collaboratively with victims of fly-tipping on their land for the best way to resolve it. With regards to the benefits of CCTV, it was acknowledged to be one option, although there was the risk that perpetrators would simply move to other locations.

The Chairman thanked the Assistant Director for the detail provided in the presentation. It was suggested that it would be useful to look at other similar rural areas and ascertain how they dealt with this issue, this could also be included in a future report.

With discussed having come to a conclusion, the Committee supported the commission of a report into this matter, with reference to the points raised at this meeting, to be presented to the Prosperous Communities Committee.

11 DISABLED FACILITIES GRANTS REPORT

The Committee heard from the recently appointed Homes, Health and Wellbeing Team Manager with a report to outline the current process for Disabled Facilities Grants (DFG's) including current challenges with the service and ways in which the service could move forward.

It was explained that West Lindsey District Council had statutory responsibility for the administration of DFG adaptations under the Housing Grants, Construction and Regeneration Act 1996. As a two tier authority, the responsibility for the spend of the grants lay with WLDC, but the determination of what adaptation was required and the outcomes from those works being carried out sat with Adult Social Care, Lincolnshire County Council.

It was highlighted that work was undertaken by Adult Social Care prior to a referral being made for a DFG. A DFG was one option available to Occupational Therapists (OT's) to assist a customer to remain living independently within their home. All options would be exhausted before a request for an adaptation was submitted to WLDC.

Within the report and appended documents, Members were provided with a breakdown of

the number of applications received, the number of works completed, the time taken to complete these works and a total cost. It was explained that the impact of the global pandemic had been significant, however, there were aspects of the process that could be improved regardless of the ongoing issues with, for example, the supply chain and contractor availability. It was acknowledged that there may be additional impact following Brexit, however this had possibly been hidden by the noticeable difficulties caused by Covid-19.

Following questions from Members of the Committee, it was explained that urgent care cases, for example for individuals who had received a terminal prognosis, would be expected to progress through alternative pathways. As such, the DFG process was not likely to be the best option for those circumstances. It was also confirmed that DFGs were for private individuals, and in response to an enquiry as to how an organisation could access grant funding for adaptations to a public building, the Homes, Health and Wellbeing Team Manager stated she could work with the organisation to look into alternative funding options.

It was acknowledged that the initial assessment period, undertaken by an OT, could be lengthy and it was questioned whether it would be possible for WLDC to use trusted assessors in order to speed up the process. It was explained that the initial assessment was undertaken by Adult Social Care and other options were explored prior to making a referral for a DFG. Where trusted assessors could be beneficial, the council did not hold the health expertise in order to be able to support and supervise such assessors. It was acknowledged that, given the timescales involved with the assessment process, the council could work with the County Council to look at alternative assessment options as well as looking at external supervision for trusted assessors. It was noted that the proposed internal review of the service would offer greater detail into where other improvements could be made.

There was discussion regarding the provision and removal of equipment and the priority for aids and equipment to be re-used, although this had been difficult through the pandemic, as well as the role of the yet-to-be appointed Strategic Lead across the county. It was explained that the internal review would be used to feed into the wider overview the Strategic Lead would be looking to undertake. It was also highlighted that the data reporting parameters for DFGs would be reviewed with a view to providing Members with a clear oversight of progress and improvements.

Members appreciated the work undertaken by the Homes, Health and Wellbeing Team and, having been moved and seconded, it was

RESOLVED that

- a) the proposal for an internal review of the DFG process be supported; and
- b) suggestions for means of improvement to be shared with the team undertaking the internal review; and
- c) a further report into the outcome of the internal review, be received by the Overview and Scrutiny Committee in due course.

12 FORWARD PLAN

The contents of the Forward Plan were **NOTED**.

13 COMMITTEE WORKPLAN

With confirmation of the amended plan for the follow up report on fly-tipping, as well as plans for future engagement with outside agencies, the work plan was duly **NOTED**.

14 EXCLUSION OF PUBLIC AND PRESS

RESOLVED that under Section 100 (A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

15 MARSHALL'S YARD CONTRACT FOR GAINSBOROUGH MARKET

Consideration was given to a report which sought to update Members of the Overview and Scrutiny Committee on the performance of Marshalls Yard with regard to the contract for support to Gainsborough Market.

Prosperous Communities Committee at its meeting in July 2021, resolved that a report be delivered to Overview and Scrutiny Committee, the purpose being to scrutinise whether the work of the Farmers' Markets supported or otherwise, the general markets, and whether the original objectives of the contract with Marshalls Yard had been met.

Members were reminded of the context in which the contract had been awarded, namely that the Council had no internal capacity or relevant experience to deliver the proposed event planning or marketing support to the Market.

A previous procurement exercise had resulted in little interest from suppliers to deliver this support to the Council and no bids were received through a formal procurement process.

Further work around the future of Markets in West Lindsey was ongoing with the final report from a consultant expected in late 2021.

Members were reminded of the other options which had been considered and investigated in 2018 and noted the reasons why these had not progressed, as detailed in Section 2 of the report.

The current contractual requirements were outlined, together with the costs to date and a summary of performance, noting the impact the Pandemic had had on the ability to deliver the service, and how, where events have not been delivered, the amount payable had reduced pro rata.

Finally section 4 set out a summary which advised Members contractual obligations had

been met, where they had not been met , the associated costs had been amended. Unfortunately the number of traders had not increased although there had been some element of recovery this year, with numbers almost back to 2018/19 levels.

Debate ensued and in response to Members' questions Officers confirmed this contract was Gainsborough specific, historically other Markets across the District had received no subsidy from the District Council. However, the pending report, referred to earlier, would encompass markets across West Lindsey, not just Gainsborough.

A number of Members, including visiting Members expressed their dissatisfaction at the current arrangement and the contract performance. The value for money was questioned, and it was suggested the true cost to the Council was much greater as a number of Council Officers were still required to support the market despite this contract being in place. Some went as far as to suggest another contractor would be held to a greater account. The position of the market had not changed, attendance was still low and it could not be described as a thriving market place. A number of other local markets were referenced and the fact they had waiting lists for stallholders and that there were active Business Improvement Districts (BID'S) in place, something Gainsborough did not have.

Members also sought clarity as to who had cancelled the Christmas Switch –on in 2021 and whether its delivery was part of the Contract. The general consensus appeared to be that the Contract had not been successful, had not delivered value for money and that West Lindsey should consider investing in its own specialist Officer to deliver , promote and support the Markets across the District.

RESOLVED that the performance of the Marshall's Yard contract to support Gainsborough Market be noted.

The meeting concluded at 8.34 pm.

Chairman