

Economy and Environment Overview and Scrutiny Committee – Enforcement Working Group

Initiation Document

Working Group Name:	Enforcement Working Group
Committee:	Economy and Environment Overview and Scrutiny Committee
Municipal Year:	2024/25
Chair:	Hicken
Lead Officers:	Matt Powis (Senior Democratic Services Officer), Paul Gordon (Director – Resilient Communities) , David Elrington (Head of Community Safety and Enforcement)
Membership	Councillors Cheema, Hicken, Larden
Co-opted Members	

1. Context

- 1.1. On 9 July 2024, the Economy and Environment Overview and Scrutiny Committee considered topics for potential working groups for the year. The Committee had received many reports on fly-tipping and associated enforcement activities in the Borough.
- 1.2. Following, a lengthy debate, Members agreed to establish a working group on enforcement powers investigate and review the effectiveness of Council enforcement powers.

2. Objectives

What do you want it to achieve? It is important to have clearly defined outcomes at the start to give the working group direction and ensure it adds value.

To review the Council’s existing enforcement powers and resources to strengthen the Council’s long term enforcement capabilities. This includes taking a thematic approach to review the appearance of the borough, safety of people, enforcement, directorate capability and future demands/development.

The focus will be on 'envirocrime' within the following scope:

- Community Safety and Enforcement
- Resilient Communities
- Planning Enforcement

Specific aspects include:

- Environmental crimes including fly-tipping and fly-posting.
- Littering.
- Section 215.
- Food hygiene, public safety, illegal goods.
- Enforcement and fines including FPN, vehicles, court and legal action.
- Team sizes, prioritisation, capability, including recovery of costs, expenditure and income generation.
- Future need/demand including legislation and emerging trends/risks.
- Targeted interventions and incentives.

Scope

What should be included and excluded.

1. Assess statutory and non-statutory enforcement & how the council prioritises enforcement activity.
2. Review education provision and prevention measures. How the Council and Partners educates the public?
3. How effective is enforcement? Are there any limitations? What is working well?
4. What are the local/national factors?
5. What are the resources available? Financing, monies, team sizes and capability.
6. Are there any neighbourhood areas piloting any schemes/incentives as part of their enforcement activities?

3. Who else will contribute

Representatives from primary service areas:

- a. Community Safety and Enforcement
- b. Resilient Communities
- c. Planning Enforcement
- d. Legal Services

Other contributions from:

- e. Healthy Spaces
- f. Public Health
- g. Portfolio Holders
- h. West Midlands Police

Other stakeholders as appropriate as part of the working group's investigation.

4. Timescale and Reporting Schedule

- 4.1. The following dates are based upon the need for the working group to be completed in the same municipal year:
 - a. Terms of Reference discussion – 25 October 2024
 - b. Terms of Reference to be approved by Economy and Environment OSC – 21 November 2024
 - c. Draft findings report to be considered by Working Group – TBC
 - d. Final report to be considered by Economy and Environment OSC - TBC
- 4.2. A detailed timetable of meetings and activities can be found at Appendix A.

5. Risk Factors

- 5.1. The following table documents potential obstacles to the progress of the working group:

Risk	Likelihood	Mitigation
Availability of witness and elected members	Medium	Organise a schedule of meetings to assist planning
Complexity of legislation	High	Provide a breakdown including briefing notes to make legislation easier to digest.
Large amounts of information/data	Medium	Ensure all information is presented well and appropriately presented to minimise confusion.

6. Equalities Implications

- 7.1 The public sector equality duty in Section 149 of the Equality Act requires public bodies to take active steps to eliminate discrimination and to do positive things to promote equality. Legal framework for utilising enforcement powers is dependent on legislation and there is general duty for ensure compliance with equality legislation.

Appendix A Timetable

Date	Activity
7 November 2024	Issue draft Terms of Reference for consideration and comment