

Minutes

Partnership Development Group

27th January 2021



Present

Councillors	Present	Councillors	Present
J Baugh	Yes	Mrs J Pell	Yes
G Courtauld	Yes	I Pritchard	Yes
A Hensman	Yes	Mrs J Sandum	Yes
Mrs M Cunningham (Chairman)	Yes	P Thorogood	Yes
T McArdle	No		

10 **DECLARATIONS OF INTEREST**

INFORMATION: There were no interests declared.

11 **MINUTES**

INFORMATION: There were no questions asked, or statements made.

12 **PUBLIC QUESTION TIME**

DECISION: The Minutes of the meeting of the Partnership Development Group held on 25th November 2020 were approved as a correct record.

13 **ENFORCEMENT PROCEDURES AT BDC - INTRODUCTION TO TERMS OF REFERENCE AND FUTURE WORK PROGRAMME 2021-22**

INFORMATION: Members of the Partnership Development Group gave consideration to a report which introduced them to the latest topic for the purposes of scrutiny review, "Enforcement Procedures at Braintree District Council." Mrs E Wisbey, Governance and Members Manager, was invited to present the report to Members.

The topic of "Enforcement" was originally proposed by a Member who suggested that a Scrutiny Review into the topic would provide the Council with the opportunity to recommend a more integrated approach in terms of its enforcement delivery across the organisation. In light of the remit of the Committee, Members were to examine the topic from the perspective of the Council's partnerships arrangements, specifically the effectiveness of the relationships between the Council and its various 'enforcement' partners.

It was noted that the Terms of Reference for the Scrutiny Review were set out in Appendix 1 to the report and were focused around the partnership working of the Council. A list of online resources was available under Appendix 2 and was intended to assist

Members with their research around the topic throughout the duration of the Review. A Timetable of Meetings, including the anticipated work programme of the Committee, had been provided as part of Appendix 3. With regard to the Timetable, Members were advised that additional meetings could be arranged as the Scrutiny Review progressed if the Committee felt it was necessary to do so (e.g. to accommodate the attendance of witnesses and officers), but that any such meetings should enable Members to explore further lines of enquiry that contributed towards the outcome of the overall Review and were in line with the Terms of Reference.

There followed a general discussion on the proposed Scrutiny Review. During the course of the discussion, Members indicated that they were broadly satisfied with the Terms of Reference as set out in the report, although concerns were expressed over the availability of officers and resource capacity of the Council to support the findings of the Review due to the unique pressures currently being experienced as a result of the Covid-19 pandemic.

The Chairman acknowledged that the topic of enforcement encompassed a wide area and with this, a number of potential lines of enquiry; as such, it would not be prudent for Members to examine every aspect of this. It was therefore suggested that the focus of the Review should be on aspects of enforcement that had the greatest impact on the Council; for example, those that had the greatest financial implications and costs to the Authority.

Members were reminded that it was not within the remit of the Committee, nor the Terms of Reference for them to ascertain whether there was an enforcement 'problem' to be fixed within the District; the main purpose of the Review was for the Committee to explore the powers and relationships that allowed the Council to implement enforcement action. In terms of identifying suitable lines of enquiry for progressing the Review, Members would be responsible for determining which lines they would like to pursue, providing that any such enquiries remained in keeping with the Terms of Reference. Officers would support Members accordingly with their evidence gathering and provide advice where necessary if they felt any enquiries were beyond the remits of the Review.

Members then identified a number of potential lines of enquiry. It was acknowledged that the definition of 'enforcement' and the arrangements in place across the Council often differed depending on which service or department was being examined; for example, 'partnership working' on enforcement matters could involve more informal arrangements, such as sharing intelligence between teams on an ad-hoc basis, or there could be more formal arrangements in place (e.g. between neighbouring Authorities, as seen with the North Essex Parking Partnership (NEPP)). A suggestion by one Member was that the Committee examined areas of enforcement that impacted larger groups of people, given Members' capacity as Ward Councillors. Members also indicated that they would like to gain a clearer understanding of the different enforcement functions at the Council, where these functions were situated within the organisation, how enforcement was implemented and the effective these arrangements, and any perceived barriers to partnership working.

A number of specific Council services were highlighted as areas of interest for Members on the subject of enforcement: Environmental Health; Council Tax and Debt Recovery; Operations and the Landscapes Team. In respect of Environmental Health, officers advised that there were a number of services within the department that utilised different types of enforcement legislation and partnerships. With regard to Operations, it was acknowledged that there was often cross-border partnership working with neighbouring Authorities on issues such as fly tips, and as such it would be useful for the Committee to know more about how intelligence was shared in such instances in order to allow

enforcement action to be taken. In respect of Council Tax and Debt Recovery, it was advised that enforcement action due to non-payments and the partners involved with this (e.g. Court Service) could be examined. With regard to the Landscapes Team, a query was raised by a Member as to whether there was potential for additional partnerships to be acquired in order to strengthen support for enforcement proceedings.

Further to the discussion, the following actions going forward were agreed:

- Officers in the Governance and Members Team agreed to make contact with the relevant officers in Environmental Health, Council Tax and Debt Recovery, Operations and the Landscapes Team and report back to the Committee with information around where enforcement 'sat' within the Council, what types of partnerships were already in place in respect of this and what the perceived barriers were to partnership working.
- Officers agreed to identify potential witnesses/Lead Officers who could attend future meetings of the Committee in order to share their knowledge and experiences with Members.

DECISION: That Members:-

1. Agreed the Terms of Reference for the Scrutiny Review into 'Enforcement Procedures at Braintree District Council;'
2. Noted the Future Work Programme for 2021/22 as set out in the report;
3. Gave consideration to the steps they wish to take to commence the Scrutiny Review, including agreeing any additional meeting dates.

REASON FOR DECISION: To ensure that the Scrutiny Review into role of the 'Enforcement Procedures at Braintree District Council' is completed within the stipulated timeframe and that it complies with the Council's procedural rules for Scrutiny.

The meeting commenced at 7.15pm and closed at 8.10pm.

Councillor Mrs M Cunningham
(Chairman)