

**Report of the Overview and Scrutiny Committee –
Environmental and Waste Crime Enforcement Review**

Timetable	
Meeting	Date
Overview and Scrutiny Committee	23 January 2024
Cabinet	7 February 2024

Will this be a Key Decision?	No
Urgency	Not Applicable
Final Decision-Maker	Cabinet
Lead Director	Angela Woodhouse, Director of Strategy, Insight & Governance
Lead Officer and Report Author	Oliviya Parfitt, Principal Democratic Services Officer
Classification	Public
Wards affected	All

Executive Summary

This report outlines the Overview and Scrutiny Committee's 'Environmental and Waste Crime Enforcement' review and the recommendations produced as a result.

Purpose of Report

Decision

This report makes the following recommendation to the Cabinet: That

1. The report of the Overview and Scrutiny Committee be received; and
2. A substantive response to the report be provided via the completion of the SCRAIP report.

Report of the Overview and Scrutiny Committee – Environmental and Waste Crime Enforcement Review

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<p>Impact on Corporate Priorities</p>	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place <p>Accepting the recommendations may materially improve the Council’s ability to achieve all corporate priorities and have been put forward by the Committee following its review.</p> <p>It is expected that an Overview and Scrutiny Recommendation Action and Implementation Plan will be provided to the Cabinet at a future meeting, which will contain comments from the relevant officers on the recommended actions.</p>	<p>Principal Democratic Services Officer</p>
<p>Cross Cutting Objectives</p>	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>Accepting the recommendations may materially improve the Council’s ability to achieve all corporate priorities and have been put forward by the Committee following its review.</p> <p>It is expected that an Overview and Scrutiny Recommendation Action and Implementation</p>	<p>Principal Democratic Services Officer</p>

	Plan will be provided to the Cabinet at a future meeting, which will contain comments from the relevant officers on the recommended actions.	
Risk Management	See Section 5 of the report.	Principal Democratic Services Officer
Financial	The recommendations of the review will be considered by the relevant Officers and Decision makers. This will include a consideration of the budgetary implications and will take place via the presentation of the Committee's formal report and Overview and Scrutiny Recommendation Action and Implementation Plan (SCRAIP).	Principal Democratic Services Officer
Staffing	We will deliver the recommendations with our current staffing.	Principal Democratic Services Officer
Legal	In accordance with Part 1A of the Local Government Act 2000 (as amended by the Localism Act 2011) the Council is operating under Executive Arrangements. These arrangements must include provision for the appointment of one or more Overview and Scrutiny Committee to review and scrutinise the Executive Decisions made, or other actions taken relating to the exercise of Executive functions. – LGA 2000, Section 9F. Any actions agreed by the Committee as part of their review will be considered by the relevant Officers and Decision makers. This will take place via the presentation of the Committee's formal report and Overview and Scrutiny Recommendation Action and Implementation Plan (SCRAIP).	Principal Democratic Services Officer
Information Governance	The recommendations of this report do not impact personal information (as defined in UK GDPR and Data Protection Act 2018) the Council processes.	Principal Democratic Services Officer
Equalities	The recommendations do not propose a change in service therefore will not require an equalities impact assessment.	Principal Democratic

		Services Officer
Public Health	The recommendations of the review will be considered by the relevant Officers and Decision makers. This will take place via the presentation of the Committee's formal report and Overview and Scrutiny Recommendation Action and Implementation Plan (SCRAIP).	Principal Democratic Services Officer
Crime and Disorder	The report's recommendations will not impact Crime & Disorder. The recommendations of the review will be considered by the relevant Officers and Decision makers. This will take place via the presentation of the Committee's formal report and Overview and Scrutiny Recommendation Action and Implementation Plan (SCRAIP).	Principal Democratic Services Officer
Procurement	No impacts identified.	Principal Democratic Services Officer
Biodiversity and Climate Change	No impacts identified at this stage. The recommendations of the review will be considered by the relevant Officers and Decision makers. This will take place via the presentation of the Committee's formal report and Overview and Scrutiny Recommendation Action and Implementation Plan (SCRAIP).	Principal Democratic Services Officer

2. INTRODUCTION AND BACKGROUND

- 2.1 A review into 'Environmental and Waste Crime Enforcement' was held by the Overview and Scrutiny Committee (the Committee) between October to December 2023. These meetings were attended by the Cabinet Member for Environmental Services and the relevant Officers. The agenda papers and minutes for those meetings accessible through section 9 of this report.
- 2.2 The recommendations produced by the Committee are contained within Appendix 1 to the report and are applicable to the Cabinet Member for Environmental Services. This includes the 'intended outcomes' and 'lead officers' and was formally agreed by the Committee at its January 2024 meeting.

3. AVAILABLE OPTIONS

- 3.1 Option 1 – A substantive response to the report be provided via the completion of the SCRAIP report. This is the recommended option. Request further information on the recommended actions from the relevant officers,

in the form of an Overview and Scrutiny Recommendation Action and Implementation Plan (SCRAIP). The completed SCRAIP would then be presented to the Cabinet at a subsequent meeting, in producing a formal response from the to the OSC.

- 3.2 Option 2 – Amend and/or Agree to implement the recommended actions. If agreed, the relevant Lead Officers will implement the agreed actions or conduct further work, as appropriate. However, this would involve amending and/or approving the recommendations without having considered advice from the relevant officers. This is not recommended.
- 3.3 Option 3 - Reject the recommended actions. The Cabinet could choose not to implement the recommended actions however this may mean that an opportunity to improve the Water Management Cycle, is missed alongside the recommendations having been rejected without having considered advice from the relevant officers. This is not recommended.
- 3.4 It is a legislative requirement that the Cabinet provide a response to the Committee within two months of having received the report attached at Appendix 1. The Committee will be formally informed of the Cabinet’s response once provided at a future meeting.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 Option 1, as outlined for the reasons above.

5. RISK

- 5.1 The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council’s Risk Management Framework. We are satisfied that the risks associated are within the Council’s risk appetite and will be managed as per the Policy.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

Committee Meeting	Action
June 2023	The Committee agreed to undertake a review into Environmental and Waste Crime Enforcement
October 2023	The Committee received written and verbal evidence from the Cabinet Member for Environmental Services and relevant officers.
November 2023	As Above.
December 2023	The Committee reviewed the suggestions made during the review, and agreed its recommendations from the review.

7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 This will depend on the types of recommended action, and whether they are agreed. For the actions that can be agreed and implemented, the relevant Officers will implement the actions when appropriate. For the actions that require further consideration, further work will take place before any corresponding actions are implemented.
- 7.2 The Overview and Scrutiny Committee will be provided with a formal response on behalf of the Cabinet, which will outline the Cabinet's consideration of this report and associated appendices and which actions were agreed, if any. This is a legal requirement, where an Overview and Scrutiny Committee has formally published a report to the Cabinet resulting from a review.
- 7.3 Consideration could be given as to whether the Overview and Scrutiny Committee receives a further update post-implementation of any agreed actions. However, this would not need to be decided at this point.
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8. REPORT APPENDICES

- Appendix 1: Committee Report: Environmental and Waste Crime Review
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9. BACKGROUND PAPERS

Agenda and Minutes for the Overview and Scrutiny Committee Meeting held on 17 October 2023, 21 November 2023 and 19 December 2023: [Your Councillors - Maidstone Borough Council](#)