



# Doncaster Council

## EXECUTIVE FUNCTIONS DECISION RECORD

The following decision was taken on Tuesday, 14th August, 2018 by Cabinet.

Date notified to all Members: Wednesday, 15th August, 2018

The end of the call in period is 5.00 p.m. on Friday, 24th August, 2018 and therefore, the decision can be implemented on Tuesday, 28th August, 2018.

Present:

Chair - Mayor Ros Jones (Mayor of Doncaster with responsibility for Budget and Policy Framework)

### Cabinet Member for:

Councillor Nigel Ball	Portfolio Holder for Public Health, Leisure and Culture
Councillor Joe Blackham	Portfolio Holder for Highways, Street Scene and Trading Services
Councillor Rachael Blake	Portfolio Holder for Adult Social Care
Councillor Chris McGuinness	Portfolio Holder for Communities, Voluntary Sector and the Environment
Councillor Bill Mordue	Portfolio Holder for Business, Skills and Economic Development
Councillor Jane Nightingale	Portfolio Holder for Customer and Corporate Services.

Apologies for absence were received from the Deputy Mayor, Councillor Glyn Jones and Councillor Nuala Fennelly.

## PUBLIC MEETING – SCHEDULE OF DECISIONS

### Public Questions and Statements

There were no public questions or statements made at the meeting.

Decision records from the meeting held on 31st July, 2018, were noted.

## DECISION 1

### 1. AGENDA ITEM NUMBER AND TITLE

6. Shared Service Agreement with North East Lincolnshire Council to deliver Environmental Crime Enforcement.

### 2. DECISION TAKEN

Cabinet:-

- (1) accepted entering into a 2-year shared service agreement with North East Lincolnshire Council with the possibility of up to 3 x 1 year extensions, to deliver on their behalf, an enhanced environmental crime enforcement within North East Lincolnshire and put in place the operational arrangements necessary to efficiently deliver this service; and
- (2) approved the delegation of relevant and appropriate powers contained within the Environmental Protection Act 1990, Anti-Social Behaviour, Crime and Policing Act 2014, Clean Neighbourhoods and Environment Act 2005, and Health Act 2006, to be made by North East Lincolnshire Council on 29th August, 2018, in order to deliver the required shared service.

### **3. REASON FOR DECISION**

Cabinet considered a report introduced by Councillor Chris McGuinness, Cabinet Member for Communities, the Voluntary Sector and the Environment, which proposed that the Council enter into a shared service arrangement with North East Lincolnshire Council to deliver on their behalf, enhanced environmental crime and parking enforcement within their area. North East Lincolnshire Council's Cabinet will delegate its powers contained within the Environmental Protection Act 1990, Anti-Social Behaviour, Crime and Policing Act 2014, Clean Neighbourhoods and Environment Act 2005, and Health Act 2006, to Doncaster, in order to deliver the required shared service.

Councillor McGuinness reported that Doncaster Council has held a contract with Kingdom Security Ltd to provide additional environmental enforcement Borough wide in Doncaster since 2016. Unlike some authorities, Doncaster has retained the task of evaluating evidence, issuing the fines, hearing appeals and taking any case where the Fixed Penalty Notice (FPN) was not paid to court. This ensured that the Council protected vulnerable residents and also rejected early, any of the more controversial cases that had been associated with contractors in the national press. It was noted that the Council had also retained the role of tasking Kingdom staff weekly to ensure patrols were spread across the Borough and target the areas where complaints from residents were received. The increased enforcement had also achieved around 20% reduction in complaints received regarding littering and dog fouling by the Council's Customer Services Team.

A request was made for further joint service provision by North East Lincolnshire Council in April 2018. Under such arrangements Doncaster would manage the contractor, process all fines, deal with appeal and take cases to court on behalf of North East Lincolnshire Council. The creation of joint services with neighbouring Authorities gives further scope to deliver value for money by better contract terms for a larger contract, increased capacity of the team and more efficient working processes through economies of scales. Additionally, increasing the size of the service in Doncaster would also contribute to local job opportunities.

Cabinet noted that a service level agreement would be put in place to manage the arrangements between Doncaster and North East Lincolnshire Council. Doncaster would receive the FPN income for any penalties issued by Kingdom Security in North East Lincolnshire. This would ensure Doncaster can fully recover its costs for processing fines and manage the contract, including any future costs for staff redundancies at the end of the contract. Once full cost recovery had been achieved, Doncaster would share any further income with North East Lincolnshire. Staff supporting this contract would be recruited by Doncaster on fixed short-term contracts. If joint service delivery ceased at the end of the contract, the non-

renewal of a fixed term contract for staff would constitute a redundancy. In these circumstances, every effort would be made to seek to redeploy staff. The Council had a very good track record in redeploying staff within the organisation.

Councillor McGuinness stated that since the writing of the report, the date in relation to when North East Lincolnshire Council would request its Cabinet to approve delegation of the relevant powers and enter into a 2-year Service Level Agreement to deliver Shared Services from September 2018, had changed and the meeting would now take place on 29th August, 2018.

To conclude, Councillor McGuinness advised that the report proposed that Doncaster would accept the delegation once made, and enter into a shared service agreement for 2-years with the possibility of up to 3 x 1 year extensions.

In referring to paragraph 34 of the report in relation to the TUPE of staff, Mayor Ros Jones asked whether there would be any members of staff from North East Lincolnshire Council transferring to Doncaster. Carolina Borgstrum, Enforcement Manager, advised that currently there was not such a service in place at North East Lincolnshire Council, and therefore no staff would be transferred to Doncaster.

Prior to the conclusion of the meeting, the Mayor informed those present that Carolina Borgstrum would be leaving the Authority shortly and on behalf of the Cabinet thanked Carolina for the contribution she had made whilst working for the Council, and the support given to Members.

#### **4. ALTERNATIVES CONSIDERED AND REJECTED**

Do Nothing – if the Council did nothing, the Council could continue its current contract arrangements with Kingdom Security within Doncaster.

#### **5. DECLARATIONS OF INTEREST AND DISPENSATIONS**

There were no declarations.

#### **6. IF EXEMPT, REASON FOR EXEMPTION**

Appendix 1 to the report was not for publication, as it contained financial and commercially sensitive information, which was exempt information, as defined in paragraph 3 (*information relating to the financial or business affairs of any particular person, including the authority holding that information*) of Part 1 of Schedule 12A of the Local Government Act, 1972, as amended.

#### **7. DIRECTOR RESPONSIBLE FOR IMPLEMENTATION**

Peter Dale, Director of Regeneration and Environment.

Signed..........Chair/Decision Maker

