

Present: Councillor Bill Bilton (*in the Chair*),
Councillor Laura McWilliams, Councillor Alan Briggs,
Councillor Ralph Toofany, Councillor Kathleen Brothwell
and Councillor Jane Loffhagen

Apologies for Absence: Councillor Hilton Spratt and Councillor Pat Vaughan

49. Confirmation of Minutes - 20 August 2019

RESOLVED that the minutes of the meeting held on 20 August 2019 be confirmed.

50. Declarations of Interest

No declarations of interest were received.

51. Health and Environment Enforcement Policy 2019-2024

Simon Colburn, Assistant Director Health and Environment Services

- a. presented the Health and Environment Policy 2019-2024 for consideration prior to submission to Executive.
- b. advised that the policy sought to clarify the principles which the Health and Environment service area would undertake in terms of regulatory activity including:
 - *We will ensure that we enforce the law in a fair, equitable and consistent manner;*
 - *We will work to assist businesses and others in meeting their legal obligations.*
 - *Our focus will be on prevention rather than cure, where appropriate.*
 - *We will take action against those who breach the law or act irresponsibly.*
- c. explained that the policy also clarified that Officers would follow relevant good practise guidance in all regulatory activities, this included:
 - The Principles of Good regulation
 - The Regulator's Code
 - The Code of Crown Prosecutors
 - Any other relevant legislation or guidance
- d. highlighted the Principles of Good Regulation (under the Legislative and Regulatory Reform Act 2006) as detailed at paragraph 4.3 of the report.
- e. further highlighted the Regulator's Code (Department of Business, Innovation and Skills) as detailed at paragraph 4.4 of the report.

- f. advised that the Policy also clarified that the Council would always have regard to the Code for Crown Prosecutors and the two tests detailed at paragraph 4.5 of the report.
- g. advised that the policy specifically introduced:
 - Civil Penalties
 - Penalty Charge Notices in relation to Smoke and Carbon Monoxide Alarms.
 - Charging for Enforcement Activity under the Housing Act 2004
- h. advised that the policy applied to the functions carried out by the following services:
 - a. Environmental Health – Food Safety, Health & Safety, Pollution Control and Private Sector Housing
 - b. Licensing
 - c. Anti-Social Behaviour and Public Protection
- i. explained that the overarching policy provided the context and framework for more detailed policies and procedures such as the existing Licensing Policy Statement and detailed procedures may be developed in particular service areas to assist officers in specific enforcement activities.
- j. advised that the policy would be reviewed no later than 2024.
- k. invited members comments and questions

During the discussion Councillor Laura McWilliams requested it be noted in the interest of transparency that she worked for a letting agent. The discussion did not relate directly to her employer and the only element being discussed was the legislation.

Question: Referred to paragraph 4.9 of the report and asked if the Council inspected rented properties for smoke and carbon monoxide alarms?

Response: Clarified that the Council would inspect Houses in Multiple Occupation as part of their licence to check that smoke and carbon monoxide alarms were fitted. Private rented properties would only be inspected by the Council if a complaint had been received. Landlords were required to include information in their lettings pack on how to make a complaint to the Council.

Question: What were the procedures for issuing a civil penalty?

Response: The procedures were set out in the separate guidance, all enforcement procedures would be followed before a fine was issued. There would be an opportunity to appeal against a fine.

Question: Could a fine be issued and then a person be prosecuted for the same offence?

Response: No, a fine would be issued instead of a prosecution.

Question: Had consultation on the policy taken place with landlords etc?

Response: They had not seen the Policy but there had been discussions and they were informed of the Councils intentions regarding Penalty Charge Notices.

RESOLVED that

1. the introduction and use of civil penalties, penalty charge notices and charging for enforcement activity be supported.

2. the contents of the report be noted and referred to Executive for approval.

52. Safeguarding Policy

Paula Burton, Housing Solutions Manager

- a. presented the proposed Safeguarding Policy for comments prior to submission to Executive.
- b. advised that the proposed policy was being implemented by all district councils within Lincolnshire.
- c. explained that the joint policy would ensure that all districts would operate in the same way which would ensure consistency across the county and also enable the districts to support one another and assist each other should changes to working practices require amending.
- d. advised that there had been changes within safeguarding and there was now more focus on the areas of Hate Crime and Mate Crime, Modern Slavery and Human Trafficking, County Lines and Cuckooing and Stalking. The proposed policy had been written to reflect this.
- e. gave an overview of the chapters included in the Policy:
 - Chapter 1 – Safeguarding is everyone’s business – roles and responsibilities.
 - Chapter 2 – Safeguarding Children and Young People
 - Chapter 3 – Safeguarding Adults at Risk
 - Chapter 4 – Domestic Abuse
 - Chapter 5 – Preventing Violent Extremism
 - Chapter 6 – Hate Crime and Mate Crime
 - Chapter 7 – Modern Slavery and Human Trafficking
 - Chapter 8 – County Lines and Cuckooing
 - Chapter 9 – Stalking
- f. advised that included in the appendices of the policy were declarations that were to be signed by all staff, volunteers, Members and contractors that declared that the person signing it was aware of the safeguarding responsibilities that were expected of them.
- g. advised that the proposed Safeguarding Policy and Procedures would be implemented with immediate effect and would be reviewed in 2022.
- h. invited members questions and comments.

Comment: Figures had been reported to Performance Scrutiny Committee recently that had shown an increase in the amount of hate crime reported. There was more of a focus on hate crime in this proposed policy which was welcomed.

Question: Had there been any referrals to PREVENT relating to preventing violent extremism?

Response: There had been 2 referrals but they had not come to anything.

Question: Did the Council assist vulnerable tenants to prevent cuckooing?

Response: Yes, consideration would be given to the area that the vulnerable person was housed, referrals could also be made to P3 for support. There had

been instances of cuckooing in Lincoln, the issues were addressed via a multi-agency approach. The Protecting Vulnerable People Board were looking at ways to flag up these issues.

Question: Would there be any training on this policy for Members?

Response – Yes a Members Development training session was planned for 30th October 2019.

In addition to the report The Strategic Director of Housing and Investment explained the role of the Protecting Vulnerable People Board and reassured members that Safeguarding was taken very seriously within the Authority.

RESOLVED that the Safeguarding Policy be supported and referred to Executive for approval.

53. Policy Scrutiny Work Programme 2019-20 and Executive Work Programme Update

The Democratic Services Officer:

- a. presented the report 'Policy Scrutiny Work Programme 2019-20 and Executive Work Programme Update'.
- b. presented the Executive Work Programme October 2019 – September 2020.
- c. requested councillors to submit what items they wished to scrutinise from the Executive Work Programme and policies of interest.
- d. invited members questions and comments.

Members made no further comments or suggestions regarding the Policy Scrutiny work programme.

RESOLVED that:

1. the work Policy Scrutiny work programme be noted.
2. the Executive work programme be noted.

54. Health Scrutiny Update

The Chair of Policy Scrutiny Committee updated members of the business that had been discussed at the Health Scrutiny meeting held on 18 September 2019, these were:

- Update for Healthy Conversion 2019, the NHS Long Term Plan and NHS Estates.
- Medical Services at Grantham and District Hospital – Cause for change and Emerging Options (Health Conversion 2019)
- Trauma and Orthopaedic Services – Case for Change and Emerging Options (Healthy Conversion 2019)
- General Surgery Services – Case for Change and Emerging Options (Healthy Conversion 2019)
- Winter Resilience.

RESOLVED that the report be noted.