

EXECUTIVE DECISION

made by a Cabinet Member



REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL CABINET MEMBER

Executive Decision Reference Number – L33 17/18

Decision	
1	Title of decision: Increasing Environmental Enforcement in Plymouth
2	Decision maker (Cabinet Member): Cllr Ian Bowyer, having taken responsibility for this decision.
3	Report author and contact details: Dr Ruth Harrell, Director of Public Health
4	<p>Decision to be taken:</p> <ul style="list-style-type: none">• To increase the available capacity for environmental enforcement as set out in the Briefing Paper for a trial period of 12 months (with a 6 month break option should this be delivered externally)• To approve the business case and authorise commencement of the procurement process detailed in the business case• To delegate the evaluation and comparison of the most favourable tender received with the alternative option of in-house provision to Andrew Hardingham, Interim Joint Strategic Director of Transformation and Change in accordance with the published procurement process• To delegate the award of a contract, following the required procurement process, to Ruth Harrell, Director of Public Health, in consultation and agreement with Councillor Ian Bowyer, should the option to deliver the additional service through external provision be more favourable than undertaking it in-house which will be determined by applying the procurement's published evaluation criteria.• To request the involvement of Place and Corporate Overview and Scrutiny Committee in the evaluation of the pilot after 6 months of implementation.
5	<p>Reasons for decision:</p> <p>The Corporate Plan sets out a clear aim to ensure that Plymouth is a green and pleasant city. Unfortunately, there is evidence that achievement towards this is affected by a small proportion of people breaking the law, through activities such as littering and fly tipping. The enforcement of laws around environmental protection is therefore a necessary step to meet this aim.</p> <p>There is a recognition that the current enforcement capacity for environmental protection is insufficient to address these issues in full and that there is a requirement for additional capacity.</p>
6	<p>Alternative options considered and rejected:</p> <p>Failing to increase capacity will not enable a step-up in enforcement around these issues. Redeployment of current staff would divert them from other required tasks.</p>

7	Financial implications: Increasing capacity, whether through increasing internal staffing or procuring an external company, can be supported through the income generated from FPNs.			
8	Is the decision a Key Decision? (Contact Ross Jago, Democratic Support, 304494 for further advice)	Yes	No	
			x	results in the Council spending or raising annual income by more than £500,000 (or more than £2,000,000 if that is the total cost of a contract award)?
			x	results in the Council saving more than £1,000,000?
			x	results in the Council saving less than £1,000,000 and the saving will have a material impact upon service provision such as a significant change or a cessation of service delivery and associated staff redundancies or a significant impact on customers?
		x	has a significant impact on communities living or working in two or more wards?	
If yes, date of publication of the notice in the Forward Plan		N/A		
9	Please specify how this decision is linked to the Council's corporate plan 2013/14 to 2016/17 and/or the policy framework and/or the revenue/capital budget:	The Corporate Plan sets out a clear aim to ensure that Plymouth is a green and pleasant city; this decision will increase the resources for enforcement against those small minority of people who are putting this aim at risk.		
Urgent decisions				
10	Is the decision urgent and to be implemented immediately in the interests of the Council or the public?	Yes		(If yes, the Lead Scrutiny Officer must be consulted before approaching the Chair of the Overview and Scrutiny Committee. Ensure that the Chair signs the report at section 11a and that section 11b is completed <u>after</u> the sign off codes in Section 17 are completed)
		No	x	(If no, go to section 12)
11a	Signature			Date
	Print Name			
11b	Reason for urgency:			

Consultation				
12	Are any other Cabinet members' portfolios affected by the decision?	Yes	x	(If yes, go to sections 13 and 14)
		No		
13	Which other Cabinet member's portfolio is affected by the decision?	Councillor Dave Downie, Cabinet member for Safer and Stronger Communities		
14	Please confirm that you have consulted this Cabinet member	Yes	(No is not an option)	
15	Has any Cabinet member declared a conflict of interest?	Yes		Need a note of dispensation granted by the Council's Monitoring Officer
		No	x	
16	Which Corporate Management Team member has been consulted?	Name and title	Dr Ruth Harrell, Director of Public Health	
17	Please include the sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DSO56 17/18	
		Finance (mandatory)	djn1718.133	
		Legal (mandatory)	MS/28832 29397DVS	
		Human Resources		
		Assets		
		IT		
		Procurement		
Other Information				
18	An Equalities Impact Assessment should be attached to the report	Yes	X	(Please attach the EIA to this report)
Briefing report				
19	Is the briefing report attached?	Yes	X	(No is not an option)
	List (and include a hyper link to) <u>published</u> work/information used to prepare the report.			
	Do you need to include any confidential/exempt information?	If yes, prepare a second, Part II, report and indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box. (Remember to keep as much information as possible in the briefing report that will be in the public domain)		

	Exemption Paragraph Number						
	I	2	3	4	5	6	7
Confidential/exempt briefing report title							


Background Papers

20 Please list all background papers relevant to the decision in the table below.
 Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. A folder or a file should not be cited as a background paper, though individual items within the folder or file may be. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.

Title	Part I	Part II	Exemption Paragraph Number						
			I	2	3	4	5	6	7
Increasing Environmental Enforcement in Plymouth	x								
Business Case - Environmental Enforcement - PART II		x			x				

Cabinet Member Signature

21 I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget.

Signature		Date of decision	17 th November 2017
Print Name	Councillor Ian Bowyer		