



Officer Decision Record – Key Decision

Key decisions taken by an officer are subject to the 5 day call in period from circulation to Members, and therefore the decision will be released for implementation following the call-in period and no call in being received

1. Cabinet date and copy resolution this key decision relates to

“Enforcement Review” 8th March 2023 – DN.112 Enforcement Review

2. Subject and details of the matter (to include reasons for the decision)

In 2018, the Council entered into a contract with City of Doncaster Council to deliver a range of environmental patrols e.g. litter, Public Space Protection Orders (PSPO) and smokefree through a third-party provider. The enforcement functions in relation to dog fouling, littering, smoke free and PSPOs are set out in the Environmental Protection Act 1990, Anti-Social Behaviour, Crime and Policing Act 2014, Clean Neighbourhoods and Environment Act 2005 and Health Act 2006.

A report was presented to Cabinet on the 8th March 2023, seeking approval to:

1. Extend the current contract with Doncaster Council and their delegation of enforcement powers to undertake environmental patrols for a further 2 years with a possible two further 1-year extensions, therefore being a 2 + 1 + 1 contract extension.
2. Authorises the Director for Economy, Environment and Infrastructure, in consultation with the Portfolio Holder for Safer and Stronger Communities, to award any contract extensions or variations.

The current contract was extended by 2 years in 2023 to December 2025, therefore a further 1-year extension is now sought of the possible two 1-year extensions that is

possible under the terms of the agreement. This will take the contract to December 2026. At that point one further 1-year extension would be available.

Approval is now sought to:-

1. Extend the length of the current 2-year contract by 1 year, as above.

3. Decision being taken

That the Director for Economy, Environment and Infrastructure, in consultation with the Portfolio Holder for Safer and Stronger Communities extends the current contract with Doncaster Council by a period of a further 1 year to December 2026.

4. Is it an Urgent Decision? If yes, specify the reasons for urgency. **Urgent decisions will require sign off by the relevant scrutiny chair(s) as not subject to call in.**

No.

5. Anticipated outcome(s)/benefits

The Council are currently contracted with City of Doncaster Council to deliver a range of environmental patrols through a third-party provider, Waste Investigations and Enforcement Services (WISE) to December 2025.

This decision to extend the contract by one year will enable the Council to have an operational litter, Public Space Protection Orders (PSPO) and smokefree enforcement provision with coverage across the borough, including the ability for direct tasking into areas of concern mobilised delivered by WISE through till December 2026.

6. Details of any alternative options considered and rejected by the officer when making the decision (this should be similar to original cabinet decision)

The following alternative options have been considered:

Option 1 – Do Nothing

If no action is taken the contract will expire in December 2025. This will mean that the council will have no directed operational ability to enforce the provisions around litter, PSPO and smokefree enforcement. Therefore, this is not considered viable.

Option 2 – Serve Notice to terminate agreement

The contract requires 6 months' notice of our intention to withdraw from the agreement. Following service of this withdrawal notice, the contract would expire in December 2025. This will mean that the council will have no directed operational ability to enforce the provisions around litter, PSPO and smokefree enforcement. Therefore, this is not considered viable.

Option 3 – Contract another provider

With 6 months remaining, this is not considered sufficient time to procure alternative arrangements. Therefore, this is not considered viable.

Option 4 – Terminate contract and deliver services in house

With 6 months remaining, this is not considered sufficient time to create and deliver an in-house delivery team. Therefore, this is not considered viable.

7. Background documents considered (web links to be included and copies of documents provided for publishing)

“Enforcement Review” Cabinet report of 8th March 2023.

“Approach to Dog Fouling and Littering” Cabinet report of 14th February 2018.

8. Does the taking of the decision include consideration of Exempt information? If yes, specify the relevant paragraph of Schedule 12A and the reasons

Not applicable.

9. Details of any conflict of interest declared by any Cabinet Member who was consulted by the officer which relates to the decision (in respect of any declared conflict of interest, please provide a note of dispensation granted by the Council's Chief Executive)

None.

10. Monitoring Officer Comments (Monitoring Officer or nominee)

The decision is consistent with the will and expectation of Cabinet. A contract extension is sound due to the appropriate delegation and the ability to do so under the terms of the contract. Legal colleagues are supporting as appropriate.

11. Section 151 Officer Comments (Deputy S151 Officer or nominee)

There are no significant financial implications arising from the decision to extend the current contract. The extension period will provide an opportunity to consider the value for money of future delivery options.

12. Human Resource Comments (Head of People and Culture or nominee)

There are no direct HR implications arising from the contents of this report.

13. Risk Assessment (in accordance with the Report Writing Guide)

Any enforcement can attract negative publicity, and this area of environmental enforcement is often subject to media interest for a period of time. However, these arrangements with a third party provider have been in place since 2018 and therefore not considered new.

Regular communications on the outcomes achieved through this contract are produced in consultation with the Communications Team and therefore the council will continue to respond showing the positive effect of this enforcement work on the place of North East Lincolnshire in order to inspire behaviour change around littering, compliance with PSPO and smokefree provisions.

14. Has the Cabinet Tracker been updated with details of this decision?

No.

15. Decision Maker(s):

Name: Carolina Borgstrom

Title: Director for Economy,
Environment, and Infrastructure

Signed: REDACTED

Dated: **25th July 2025**

16. Consultation carried out with Portfolio Holder(s):

Name: Cllr Ron Shepherd

Title: Portfolio Holder for Safer and
Stronger Communities

Signed: REDACTED

Dated: **28th July 2025**

**17. If the decision is urgent then
consultation should be carried out
with the relevant Scrutiny
Chair/Mayor/Deputy Mayor**

Name:

Title:

Signed:

Dated:

Key Decisions are defined in the Constitution as:

A decision (whether taken collectively or individually by members) which is likely:

- (i) to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or
- (ii) to be significant in terms of its effects on communities living or working in an area comprising two or more wards.

A decision will be considered financially significant if:

- (i) in the case of revenue expenditure, it results in the incurring of expenditure or making savings of £350,000 or greater;
- (ii) in the case of capital expenditure, the capital expenditure/savings are in excess of £350,000 or 20% of the total project cost, whichever is the greater

In determining whether a decision is significant in terms of its effect on an area comprising two or more wards, consideration shall be given to:

- (i) the number of residents/service users that will be affected in the wards concerned;
- (ii) the likely views of those affected (i.e. is the decision likely to result in substantial public interest)
- (iii) whether the decision may incur a significant social, economic or environmental risk.