



Wednesday, 10 June 2026

Dear Sir/Madam

A meeting of the Overview and Scrutiny Committee will be held on Thursday, 18 June 2026 in the Council Chamber, Council Offices, Foster Avenue, Beeston, NG9 1AB, commencing at 6.00 pm.

Should you require advice on declaring an interest in any item on the agenda, please contact the Monitoring Officer at your earliest convenience.

Yours faithfully

Zulfiqar Darr
Chief Executive

To Councillors:	S Dannheimer (Chair)	H Land
	S Webb (Vice-Chair)	D L MacRae
	J M Owen (Vice-Chair)	A W G A Stockwell
	S J Carr	C M Tideswell
	H L Crosby	E Winfield
	H J Faccio	K Woodhead
	K A Harlow	

AGENDA

1. Apologies

To receive apologies and to be notified of the attendance of substitutes.

2. Declarations of Interest

Members are requested to declare the existence and nature of any disclosable pecuniary interest and/or other interest in any item on the agenda.

Further information can be found at: [Member Code of Conduct of Broxtowe Borough Council](#)

3. Minutes (Pages 5 - 6)
The Committee is asked to confirm as a correct record the minutes of the meeting held on Thursday, 25 March 2026.
4. Minutes from Working Groups
To receive minutes from Working Groups.
5. Consideration of Call - in
To consider any matter referred to the Committee for a decision in relation to the call in of a decision.
6. Annual Scrutiny Report 2025-26 (Pages 7 - 28)
To consider the Annual Scrutiny Report 2025-26 and recommend to Cabinet.
7. Cemetery Memorials (Pages 29 - 44)
The purpose of the report is to provide an update on the progress made in implementing the recommendations approved by Cabinet relating to cemetery memorials.
8. Broadgate Toilets (Pages 45 - 80)
To review the provision of public toilet facilities at Broadgate in Beeston.
9. Terms of reference - Missed Bin Collections Sub Committee (Pages 81 - 84)
To agree the terms of reference and scope of the Sub Committee on missed bin collections.
10. Terms of reference - Lime bikes Spotlight Review (Pages 85 - 90)
To agree the terms of reference of the Spotlight Review into Lime bikes in Broxtowe.

11. Work Programme (Pages 91 - 94)

Committee is asked to approve its Work Programme, including identifying topics for scrutiny, that will help to achieve the Council's key priorities and associated objectives.

12. Cabinet Work Programme (Pages 95 - 96)

To inform the Committee of items on the Cabinet's work programme, from which items for scrutiny may be identified.

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OVERVIEW AND SCRUTINY COMMITTEE

THURSDAY, 26 MARCH 2026

Present: Councillor S Dannheimer, Chair

Councillors: S Webb (Vice-Chair)
S J Carr
H J Faccio
H Land
C M Tideswell
E Winfield
D Pringle (Substitute)

Apologies for absence were received from Councillors D L MacRae, J Owen and K Woodhead. Cllr D Pringle was present as a substitute.

94 DECLARATIONS OF INTEREST

None received.

95 MINUTES

The minutes of the meetings of Monday, 19 January and Tuesday, 20 January 2026 were confirmed as a true and accurate record.

96 MINUTES FROM WORKING GROUPS

There were no minutes from working groups to be considered.

97 CONSIDERATION OF CALL - IN

There were no call-ins to be considered.

98 CONFIRMATION OF TOPICS FOR CONSIDERATION BY THE OVERVIEW AND SCRUTINY COMMITTEE

The Committee discussed the various suggestions for areas to receive future scrutiny consideration detailed in the papers. After listening to the various representations of Members and Officers on the items brought before the Committee, various areas were selected for consideration.

The Committee RESOLVED to conduct a spotlight review into the operation of Lime bikes in Broxtowe, and to form a sub-committee to consider the issue of missed bin collections and how these are calculated.

99 CABINET WORK PROGRAMME

The Committee noted the Cabinet Work Programme.

100 WORK PROGRAMME

The Committee considered its work programme, in light of the additions agreed earlier in the meeting.

RESOLVED that the work programme be approved.

Report of the Monitoring Officer**Annual Scrutiny Report 2025-26****1. Purpose of Report**

The Committee is asked to review the Annual Scrutiny Report 2024/25 and to recommend the Report to be forwarded to Council.

2. Recommendation

The Committee is asked to RECOMMEND that Council NOTES the Overview and Scrutiny Committee Annual Scrutiny Report for 2024/25.

3. Detail

The Overview and Scrutiny Annual Report reflects on the work of the Overview and Scrutiny Committee during 2024/25 and looks forward to Overview and Scrutiny activity in 2025/26 (Appendix attached). The report is a summary of Overview and Scrutiny over the last year and the positive impacts secured on the Council's policy, and service delivery. Information has been provided when approval was required from the Chair of the Committee to add items to the forward plan that had missed the published deadline and were key decisions or exempt in line with the Council's Constitution.

4. Key Decision

This report is not a key decision as defined under Regulation 8 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

5. Financial Implications

The comments from the Interim Deputy Chief Executive and Section 151 Officer were as follows:

There are no direct financial implications arising from this annual report. Any financial considerations as part of the scrutiny review process were considered at the time and any budget changes reported to Cabinet for approval.

6. Legal Implications

The comments from the Monitoring Officer / Head of Legal Services were as follows:

Whilst there are no direct legal implications arising from this report under Section 9F of the Local Government Act 2000, Overview and Scrutiny Committee has the power to make reports or recommendations to Cabinet on matters which affect the Council's area or the inhabitant of its area.

7. Human Resources Implications

Not applicable.

8. Union Comments

Unison noted the contents of the report.

9. Climate Change Implications

The climate change implications are contained within the report.

10. Data Protection Compliance Implications

This report does not contain any OFFICIAL(SENSITIVE) information and there are no Data Protection issues in relation to this report.

11. Equality Impact Assessment

Not applicable.

12. Background Papers

Nil.



Annual Report Overview and Scrutiny Committee 2025/26



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Foreword

“Over the past year, the Overview and Scrutiny Committee has carried out robust scrutiny of the Council’s priorities, as identified in the Corporate Plan, and monitored the Council’s budget, and scrutinised the 2025/26 budget proposals.

Scrutiny has recommended to Cabinet issues that have been raised from Members. The next step will be engaging more with the wider community to ensure we focus on issues that matter to residents and have a real impact on Council policies and services. This report summarises the main issues which have been reviewed and challenged throughout the year and highlights some of the key achievements.

Some significant achievements for Overview and Scrutiny this year include:

- The task-and-finish report into the issue of cemetery memorials.
- Advanced, comprehensive scrutiny of the 2025/26 budget proposals.
- Continued oversight of Broxtowe’s environmental enforcement contractor through performance data.
- Significant engagement with reviews of Equality, Diversity and Inclusion (EDI) across many council assets, such as parks and the D.H. Lawrence Birthplace Museum.

The Overview and Scrutiny Committee is cross-party and aims to be non-political, it is a critical friend to provide clarity and influence positive conversations. The Committee aims to amplify the voice of residents and invite witnesses to contribute to the meetings and share both expertise and lived experiences.

I am happy to submit this report to Council.”



Councillor S Dannheimer
Chair of the Overview and Scrutiny Committee

Overview and Scrutiny at Broxtowe

Overview and Scrutiny is a key part of the local democratic governance arrangements for local authorities in England and Wales. Effective scrutiny helps secure the efficient delivery of public services and drives improvements within the authority itself. Authorities who welcome challenge and recognise the value scrutiny can bring are more likely to thrive, develop resilience, and deliver better value for their residents.

The Overview and Scrutiny Committee continues to be an active and integral part of the Council's governance apparatus. During 2025/26 the Committee Members have acted as a critical friend as they have scrutinised the items selected for their work programme. It provides a vehicle for elected Members to influence the development of Council policies and enhances transparency and accountability to residents. The Committee also suggest service improvements through recommendations.

Scrutiny engagement has included appointing subcommittees, receiving presentations and taking reports followed by question-and-answer sessions, and delivering a complex task-and-finish review. This has enabled scrutiny to take an in-depth look at specific areas within the Council and has provided a variety of opportunities for Members to discuss and add value to key service areas.


During 2025/26, the Committee has received no call-ins. Legislation permits Overview and Scrutiny Committees to investigate, make reports and give recommendations regarding Cabinet decisions that have been agreed, but are pending implementation, subject to 'call-in'. The decision is suspended until it is reviewed - the Committee can ask Cabinet to reconsider its decision based on further evidence gathered.

The Committee has maintained oversight of the Council's budget performance throughout the year, scrutinising key areas of overspend and underspend, as well as emerging financial risks and key performances within business plans at the annual Overview and Scrutiny budget meetings each January. The Constitution requires the Executive to refer its initial budget proposals to the Overview and Scrutiny Committee for consideration each year.


Councillor S Dannheimer, J Owen and S Webb, as Chair and Vice-Chairs respectively, would like to thank all the Officers and Members who have been involved in supporting and assisting in the Overview and Scrutiny process over the past year.

Membership of the Overview and Scrutiny Committee


Councillor S Dannheimer (Chair)
Councillor S Webb (Vice Chair)
Councillor J M Owen (Vice Chair)
Councillor S J Carr
Councillor H L Crosby
Councillor H J Faccio
Councillor K A Harlow
Councillor H Land
Councillor D L MacRae
Councillor A W G A Stockwell
Councillor C M Tideswell
Councillor E Winfield
Councillor K Woodhead



"Overview and Scrutiny plays an important function in the work of the Council, providing valuable insight, experience and a second look to the work of the Executive."



' Having been a Member of Scrutiny for two years, I appreciate the valuable role that Scrutiny is able to play in enhancing the Council's performance. The adage that Scrutiny should be a critical friend of the Council is only too true.'



"Having site visits to places that Scrutiny is examining provides hands-on evidence to support recommendations to Cabinet."

How does scrutiny make a difference?



The principal power of the Overview and Scrutiny Committee is to influence the policies and decisions made by the Council and other organisations involved in delivering public services. The Committee gathers evidence on issues affecting local people and makes recommendations based on its findings.

Call-in Information

The Call-in Procedure at the Council provides a way for non-Executive Members of the Council to refer Executive (or 'Cabinet') decisions to the Overview and Scrutiny Committee before they are implemented. Once a decision has been called in, the matter must be included on the agenda of an Overview and Scrutiny Committee meeting for review. Further information relating to the call-in process can be found within the Council's Constitution. [Constitution on Wednesday, 9 October 2024: Broxtowe Borough Council](#)

2022/23 - No Call-ins were made during 2022/23.

2023/24 - Two Call-ins were made during 2023/24 and were resolved within legislative timescales

2024/25 - No Call-ins.

2025/26 – No Call-ins.

Requests for reports to be added and approved to the Forward Plan

A forward plan regulation 28-day notice refers to a requirement in Local Government regulations that mandates Councils to publish a list of upcoming 'key decisions' they plan to make, providing at least 28 days' notice to the public before the decision is taken, allowing for transparency and public engagement.

Purpose:

To give residents and interested parties enough time to review proposed decisions, give their comments or raise concerns, and potentially influence the Council's final decision.

What is included in a forward plan:

Details about the key decision, such as the subject matter, proposed action, responsible Officer, date of the decision-making meeting, and relevant background information. Any report where the decision will be made in a private session will be listed by its title and the reason that the contents of the report is exempt from the press and public.

Where to access a forward plan:

The Council publish the forward plans on the website, making it accessible to the public. [Browse plans - Cabinet, 2026: Broxtowe Borough Council](#)

Legal basis:

This requirement stems from the [The Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#), which outline procedures for decision-making and public engagement.

If an urgent decision needs to be made before the next Cabinet meeting, the report requires the permission of the Chair of Overview and Scrutiny Committee in accordance with the Constitution, with a report on the subject to be included at the next Cabinet meeting. A Statutory Notice must be published stating the reason why the decision must be taken urgently and was not identified in the published Forward Plan giving 28 days' notice of a decision being made.

The Chair of the Committee has approved a total of ten requests for either a Key Decision or an Exempt decision to be made in the period May 2025 to April 2026. The reports were not identified in the published forward plan giving 28 days' notice before a decision had to be made, and the decisions were considered urgent.

<i>Request to add to the Forward Plan</i>	<i>Decision Date Cabinet</i>	<i>Subject</i>	<i>Reason for Urgency</i>	<i>Date approved by the Chair of Overview and Scrutiny Committee and Notice Published</i>
1	4 November 2025	Opportunity to Purchase a Property for Housing Conversion	Commercially sensitive report to be able to proceed with discussions	Tuesday, 28 October 2025
2	27 November 2025	Fire Safety Works	By virtue of paragraphs 1 (Information relating to any individual), 2 (Information which is likely to reveal the identity of an individual), and 3 (Information relating to the financial or business affairs of any particular person (including the authority holding that information)).	Wednesday, 19 November 2025
3	16 December 2025	Submission of the Greater Nottingham Strategic Plan for Examination	In order to meet the necessary deadlines and outcomes.	Monday, 8 December 2025

4	16 December 2025	Scrutiny Review of Cemetery Memorials	In order to meet the necessary deadlines and outcomes.	Thursday, 11 December 2025
5	3 February 2026	Scrutiny Review of Cemetery Memorials	In order to meet the necessary deadlines and outcomes.	Tuesday, 27 January 2026
6	3 February 2026	Budget Proposals and Associated Strategies	In order to meet the necessary deadlines and outcomes.	Tuesday, 27 January 2026
7	3 February 2026	Housing Scrutiny Group Report - Voids Process	In order to meet the necessary deadlines and outcomes.	Tuesday, 27 January 2026
8	3 February 2026	Environmental Enforcement Update	In order to meet the necessary deadlines and outcomes.	Tuesday, 27 January 2026
9	10 March 2026	New Replacement Bramcote Leisure Centre	In order to meet the necessary deadlines and outcomes.	Monday, 2 March 2026
10	14 April 2026	Eastwood Health Hub and Town Centre Redevelopment	In order to meet the necessary deadlines and outcomes.	Thursday, 2 April 2026

Special Urgency Notice

There were no Special Urgency Notices in the period May 2025-April 2026.

Member Development

The Overview and Scrutiny Committee built on the suite of external training delivered last year through sustained scrutiny activity, helping to effectively solidify what they had learnt in previous training and help deliver sustained benefits for residents. Select members of the Committee had the opportunity to deepen their scrutiny capabilities through

involvement in the long-running and complex task-and-finish enquiry into cemetery memorials.

Further member training is planned for later in 2026, allowing members to deepen their knowledge of other aspects on which they have not previously received training. The opportunity for members to receive bespoke training from the Association of Democratic Services Officers (ADSO) is being explored by the Council's Member Development Group.

Key Achievements in 2025/26

Final report of the Cemetery Memorials Task and Finish Group

The Overview and Scrutiny Committee, following continued feedback from local residents, constituted a task-and-finish group of six members in September 2025 to investigate and consider the matter of unauthorised memorials in borough cemeteries. This followed the deferral of a decision by Cabinet at its 3 June 2025 meeting, subject to the outcome of this scrutiny exercise.

After agreeing the review's scoping document at its 25 September 2025 meeting, the group worked to scrutinise the issue of cemetery memorials, unauthorised constructions in borough cemeteries, present and previous cemetery management procedures and practices, the approaches of other authorities, and local resident interest in the issue. The group delivered its final report to the Overview and Scrutiny Committee at its meeting of 15 December 2025 before it was referred to the 3 February 2026 meeting of Cabinet alongside a comprehensive Equality Impact Assessment following public consultation.

The purpose of the review was to consider present cemetery management practices alongside resident feedback and, in light of national trends, make recommendations to ensure that current practices met the needs and desires of residents. Extensive review of council reports, papers from other authorities, government publications, industry guidance and other documentation was necessary alongside conducting a wide array of interviews and meetings with a range of stakeholders: these included residents who were for and against changes to the present rules, council officers, and members.

The following recommendations were put to Cabinet and approved accordingly:

- 1. To recognise the confusion caused to some local residents and thank them for their contributions, while also commending the work of Council Officers, acknowledging the difficult work they undertake in an often conflicting environment and also thanking them for their contributions to the work of the task and finish group.*
- 2. To allow the construction and maintenance of cemetery memorials and memorial gardens on leased grave plots in Borough cemeteries, **up to a maximum length of one metre** from the headstone plinth and of the equivalent width as the headstone at*

its base. These must be bounded by an kerbset installed by a registered stonemason (or an agreed alternative, if signed off by the Officers deemed appropriate by Cabinet), and subject to agreement on the materials used, the absence of any prohibited items, and an agreed plan of action should any issues arise. The outside of the kerbset should be in alignment with the headstone at its base.

- 3. To therefore permit the installation of kerbsets on grave plots in Borough cemeteries, subject either to official installation by Council staff, or a suitable standard of installation and maintenance that does not unduly interfere in grounds maintenance. It is advisable that any kerbing fitted to a grave should bound the outer limit within which memorial items are permitted, up to a limit of **one metre**, with the width being the same as that of the headstone at its base. Any kerbset that is not officially installed must be signed off by the relevant Council Officers.*
- 4. To instruct Legal Services to review (and draft where required) any revisions to the existing Cemetery Rules and Regulations and internment forms that may be required. This will ensure compliance by the grave owners of the terms and conditions and to ensure the Council complies with their statutory obligations.*
- 5. All new graves (plots leased or dug since new Rules and Regulations take effect) should be permitted to maintain a memorial of up to one metre as stipulated in recommendations above, while older graves will be permitted to maintain memorials of more than one metre and up to a maximum length of the length of the grave plot, where these are already in place. When such older graves are reopened, they must then revert to 'the one metre rule', only maintaining memorials of up to one metre after this reopening. Any such memorials over one metre in length must still be at or below the width of the headstone at its base and bounded by an appropriate and agreed upon kerbset.*
- 6. The owners of any graveside memorials outside of those allowed under these new rules (i.e. where older graves with pre-existing memorials do not revert to 1m in length following a reopening, are too wide, or feature prohibited items, or where new graves have memorials of >1m, etc.) should be offered time and assistance to reorganise their memorials, after which time their memorials should be removed in accordance with the new regulations. Support may include notification of the grave owners that their memorial items may need to be cleared and storage of such items for a specified period of time.*
- 7. The list of items prohibited on graveside memorials is to be reviewed and agreed, in collaboration with relevant stakeholders, including the Friends of Broxtowe Cemeteries and other cemetery users and bereaved families. The list should then be strictly adhered to by all grave owners and clearly enforced by grounds staff to*

safeguard against health and safety concerns. An exception should be made for a small amount of additional decoration on birthdays (for 14 days after the deceased's birth date) and Christmas (until 4 January).

- 8. Planted flowers, trees or shrubs should not be permitted in graveside memorials, due to the unsettling effects that roots can have on headstones and other features. Where planted vegetation is present, grave owners should be contacted and asked to pot them. If this is not done within an agreed timespan, any such planted features should be removed.*
- 9. To consider, in consultation with any Officers, the Friends of Broxtowe Cemeteries, and any other stakeholders as appropriate, new messaging to grave owners and cemetery visitors informing them of the changes to Cemeteries Rules and Regulations and how this may affect them, such as in relation to adjacent burials, among other areas. Consideration should be given to communications stating that the Council wishes to work with visitors to manage any new health and safety and accessibility dynamics that may arise from new regulations and that visitors are duly informed of these by entering any Borough cemetery. Input should be sought from Communications, Bereavement Services and Health and Safety to ensure accuracy and consistency.*
- 10. Grave owners should be given a copy (paper or electronic) of the Council's Cemeteries Rules and Regulations upon signing their interment form, where this is not already the case.*
- 11. To consider making available any additional funding necessary to implement changes to cemetery management and grounds maintenance procedures which are required to work around any memorials that will remain under the new rules, i.e. changes to shift patterns, procurement of different grass-cutting, soil boxes or other equipment, etc. This would need to be subject to specific approval by Cabinet where there would be budget implications. Use of the Council's apprenticeship scheme should be considered if it is deemed necessary to take on additional staff.*
- 12. The feasibility of implementing a 'cooling period' of seven days or more before the signing of the interment form by grave owners should be evaluated. This would be a period in which grave owners are able to contact the Council, enquire about and potentially reconsider whether they would like to sign their interment forms assenting to the Rules and Regulations, allowing them time to properly comprehend all of the conditions while in a state of grief, though this must of course occur before and not delay interment. This may also function as an improved accessibility measure for mourners with dyslexia, ADHD etc., who may struggle to digest the form in full when they are first presented with it.*

13. *Grave owners should be contacted again before they are able to commission an official memorial – such as a headstone – to ensure that they are still cognisant of the Rules and Regulations and appreciate what they may and may not construct. The possibility of having them sign a document again at this stage to reiterate this should also be investigated.*
14. *The Council should investigate alternative possibilities to facilitate residents' mourning at Borough cemeteries, such as the creation of designated memorial gardens where more significant, personalised memorials are permitted, or augmented reality/VR offers, such as has been implemented at the D.H. Lawrence Birthplace Museum, especially where this would be helpful in managing accessibility or health and safety concerns.*
15. *The Council should investigate the possibility of helping to offer or signpost cemetery visitors to bereavement counselling services as part of its communications with residents on this issue.*
16. *To consider requesting that Bereavement Services should work closely with local funeral directors to understand their processes and procedures, if it would not duplicate work and as and when resources allow. The Council's Cemeteries Team should also consider the creation of a working group or bi-monthly catch-up meeting between themselves and local funeral directors to discuss any issues regarding communications with grave owners. This may help improve co-ordination and understanding of the Rules and Regulations and allowable memorial features among grave owners.*
17. *To consider, in consultation with Officers as appropriate, investigating the co-ordination of forms of funding for those that cannot afford funeral costs, such as helping those who cannot afford one to purchase a headstone. Monies from metals extracted during cremation should also be considered for this purpose, in collaboration with the Institute of Cemetery and Crematorium Management (ICCM), as required.*

Cabinet also added the following recommendations:

18. *The formation of a working group, composed of Members, Officers, and any other stakeholders as considered appropriate, that will work to implement all new measures arising from any Cabinet resolutions on these recommendations, in a robust and compliant manner.*

19. *Any reopened graves would not be required to revert to the one metre stipulation.*
20. *To undertake consultation with concerned individuals and groups regarding the number of celebration/memorial days.*
21. *New memorials to comply with the one-metre rule.*

Members of the Committee are receiving and update on the progress made toward implementation of the recommendations at its 18 June 2026 meeting.

The Task and Finish Group was Chaired by Cllr S Dannheimer, with Councillor S Webb the Vice Chair, and Councillors D D Pringle, S Carr, E Winfield and D Watts the remaining members.

Equality, Diversity and Inclusion

Building on the work of the previous year's review of Equalities, Diversity and Inclusion (EDI) at Broxtowe, the Committee continued to scrutinise Council EDI performance in several areas, chiefly by continuing to track performance against previous recommendations and reviewing update reports.

The Committee reviewed update reports on 'Equality, Diversity and Inclusion in Council Parks' and 'Equality, Diversity and Inclusion at the D.H. Lawrence Birthplace History Museum' at its September 2025 meeting.

The Committee will receive further updates on each of these at its September 2026 meeting as part of its responsibility to keep a watching brief over EDI at the Council.

EDI aspects also evaluated and accounted for in other scrutiny activities, such as the review of cemetery memorials, and will be properly considered through other upcoming planned scrutiny activities.

Budget Scrutiny

Members considered the budget through the standard budget-setting process, scrutinising the proposals before they were decided on by Cabinet. The Interim Deputy Chief Executive and Section 151 Officer reported to the Committee on key issues affecting local government finance in the future, such as the requirement to carefully manage resources, uncertainty of the future of Local Government Reorganisation (LGR)

as relates to large contracts and core infrastructure (among other areas) and the work planned for residents through the capital programme. Members scrutinised the proposals and raised questions on availability of grant funding and the final business case for the replacement Bramcote Leisure Centre before enquiring about the Housing Revenue Account (HRA) and Housing Modernisation Programme. They also gave attention to the performance of markets and retail events and appeals to Council planning decisions.

In January 2026, there were two budget scrutiny meetings: on 19 and 20 January 2026. Members considered proposals for business plans, detailed revenue budget estimates for 2025/26; capital programme for 2025/26 to 2026/27; and proposed fees and charges for 2025/26 in respect of the Council's priority areas. The Committee recommended to Cabinet to approve the Business Plans, the detailed revenue budget estimates for 2025/26, the Capital programme for 2025/26 to 2027/28 and fees and charges for 2025/26 for all business areas and they noted the Liberty Leisure business plans. Budget scrutiny allows the Committee to ask questions to anticipate potential challenges and build meaningful oversight.

Sub-committees

Missed bins

Following discussion between Members and Officers at the 26 March 2026 meeting, the Committee constituted a Sub-Committee to examine the issue of missed bins and how these are recorded and calculated.

The Sub-Committee will:

- Review and evaluate the causes of Broxtowe's recorded below-average performance on missed bin collections and related calculations, including any specific challenges or differing working practices – what is the definition of a 'missed bin' in Broxtowe as opposed to other areas;
- Assess the effectiveness of any actions being taken to remedy any issues that are identified, understanding whether these will be effective into the future; and,
- Decide whether further change is needed to deliver best value for Broxtowe residents and, if so, recommend accordingly

Press coverage asserting an especially high frequency of missed bins in the borough has led to reviewed working practices; the sub-committee intends to review bin collection data for all bin types, any analyses of the most commonly missed bins/routes, staff testimony and resident survey and complaints data to ascertain the root of any problems and the efficacy of actions already taken in this area, making additional recommendations if deemed necessary.

The Sub-Committee will be chaired by Councillor S Webb, with Councillor H Land as the Vice Chair. Councillor S Dannheimer and H Faccio are also members of the Sub-Committee.

Once its terms of reference are agreed by the wider Overview and Scrutiny Committee at its meeting of 18 June 2026, the Sub-Committee will gather and assess all of the relevant information and evidence, including internal reports, collection data and direct testimony (gathered from witness sessions with a range of Members and Officers, and potentially residents impacted by the issue) across a number of meetings. This will culminate in the production of a report, detailing the Sub-Committee's conclusions and any recommendations it deems necessary, which will be considered by the Overview and Scrutiny Committee and then Cabinet.

Spotlight Reviews

Lime bikes

No spotlight reviews were carried out in 2025/26 given the much longer and more intensive task-and-finish exercise. Nevertheless, a spotlight review into Lime bikes in the borough was scoped by its members in May 2026, to be agreed by the members of the Overview and Scrutiny Committee at its 18 June 2026 meeting.

This review is in response to extensive resident feedback to Members on issues relating to Lime bikes, chiefly poor parking or 'dumping' of bikes outside of allocated parking bays, suspected antisocial behaviour (ASB) involving Lime bikes and reported incidents of vandalism/theft of the bikes.

To reassure residents that the Council is taking the necessary action in this area, the members of the spotlight review will gather and assess the relevant evidence, including policies and the history of their introduction into Broxtowe, any reported ASB data, testimony from relevant Broxtowe officers throughout different teams, usage data from Lime and details of the sanctions that are applied to users for causing disruption to residents.

The review will be aimed at producing the assurance for residents, as well as for Members and Officers, that the right action is being taken regarding any ASB or other inappropriate behaviour that may be taking place involving Lime bikes, and that the operation of a private e-bike hire company in the borough has the right safeguards and oversight to produce the best results for local people.

After reviewing all of the relevant information, the review will produce a report of its conclusions and any recommendations it feels are required, which will then be presented to the wider Overview and Scrutiny Committee. A report on these recommendations will then be notified to Cabinet.

Work Programme

The Scrutiny Committee consider suggestions for scrutiny as part of the Work Programme, which is also submitted to each Cabinet meeting. The criteria to consider new topics by the Committee are listed below:

- Issues identified by Members as a key issue for the public

- Issue has a significant local impact
- Significant public dissatisfaction (e.g. through complaints)
- Issue raised by auditors
- New government guidance/legislation
- New evidence provided by external organisation
- Poor performance (e.g. evidence from performance indicators)
- High level budgetary commitment
- Pattern of budgetary overspending.

The Committee also dedicated its 26 March 2026 public meeting to discussing topics for consideration and deciding the level of scrutiny that they should receive; they decided to form a subcommittee to examine missed bin collections at this meeting, as well as spotlight review on Lime bikes in the borough.

The Work Programme shows the following items for the agendas of its upcoming meetings:

18 June 2026	<ul style="list-style-type: none"> • Annual Scrutiny Review • Missed bin collections and calculations – agree the scope of the subcommittee • Lime bikes – to agree the scope of the Spotlight Review • Cemetery Memorials • Consideration of options for Broadgate Public Toilets
24 September 2026	<ul style="list-style-type: none"> • Equalities, Diversity and Inclusion in Council Parks • Equality, Diversity & Inclusion at the D.H. Lawrence Birthplace Museum • Environmental Enforcement • Trade Waste Service
19 November 2026	<ul style="list-style-type: none"> • Recycling Banks Review

1. Topics agreed by the Overview and Scrutiny Committee

	Topic	Topic suggested by	Link to corporate priorities/values
1.	Budget Consultation	Overview and Scrutiny Committee	All Corporate Priorities.
2.	Building Control	Councillor B C Carr agreed by the Overview and Scrutiny Committee to put on hold. Awaiting the outcome of a report to Cabinet.	A good quality home for everyone.

2. Update items

	Title	Length	Expected date	Link to corporate priority
1.	Cemetery memorials	<i>Update paper</i>	June 2026	Protect the environment for the future
2.	Equalities, Diversity and Inclusion in Council Parks	<i>Update paper</i>	September 2026	Invest in our towns and our people
3.	Equalities, Diversity and Inclusion at the D.H. Lawrence Birthplace Heritage Museum	<i>Update papers</i>	September 2026	Healthy and supported communities; a safe place for everyone

3. Items referred from Cabinet

	Title	Details	Expected date	Link to corporate priority
1.	Renters Rights Act 2025 - Private Sector Housing Enforcement Policy	<p>At its 2 June meeting, Cabinet resolved that '<i>The Overview & Scrutiny Committee be requested to conduct regular reviews of the progress and implementation of the Policy.</i>'</p> <p>This is to be considered by the Overview and Scrutiny Committee on 18 June, and a decision taken on whether it should be scrutinised.</p>	<i>To be determined</i>	Invest in our towns and our people

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Report of the Interim Director of Environment and Leisure

Cemetery Memorials

1. Purpose of Report

The purpose of the report is to provide an update on the progress made in implementing the recommendations approved by Cabinet relating to cemetery memorials.

2. Recommendation

The Committee is asked to NOTE the report.

3. Detail

On 3 February 2026, Cabinet approved 17 recommendations from the Overview and Scrutiny Committee relating to memorials and put forward a further four recommendations. This report provides an update on progress against those recommendations.

In total, 20 actionable recommendations have been identified. Following Cabinet approval, progress has been made across the programme, with 14 actions being completed and six currently in progress. This represents an overall completion rate of 70%.

Progress against each of the recommendations is set out in detail in **Appendix 1**, with a comprehensive list of agreed prohibited items provided in **Appendix 2**.

A collaborative approach has been adopted throughout, working closely with both internal stakeholders and the Friends of Broxtowe Cemeteries. Their input and ongoing support has been invaluable, and the Council would like to formally acknowledge and thank them for their contribution to this work.

This programme of work will culminate in a comprehensive revision of the Council's Cemetery Rules and Regulations. The updated framework is scheduled to be presented to Cabinet for final approval in September 2026.

4. Financial Implications

The comments from the Interim Deputy Chief Executive and Section 151 Officer were as follows:

There may be additional operational costs associated with the implementation of the revised Cemetery Rules and Regulations. These are currently being identified and will be set out in a separate report to Cabinet for consideration and approval. Any additional funding requirements arising from this will need to be met from the Council's General Fund reserves.

5. Legal Implications

The comments from the Head of Legal Services were as follows:

There is no statutory duty on the Council to provide burial facilities but where they do then the management is governed by the Local Authority Cemeteries Order (LACO) 1977. The Council's powers to provide a cemetery derives from the Local Government Act 1972. LACO 1977 gives the Council wide ranging powers of management to do what is considered necessary or desirable for the management, regulation and control of the cemeteries. The Council also have a legal obligation to keep the cemeteries in good order and repair from a health and safety element whilst maintaining records, plans, issuing deeds, etc. In relation to Health and Safety a principle piece of legislation the Council must adhere to is the Health and Safety at Work Act 1974 (HSAW) which places the Council under a legal duty to protect employees and other persons working or visiting the cemetery.

The Management of Health and Safety at Work Regulations (1999) made under the HSWA, require all employers to assess the risks to employees and nonemployees which arise out of the employer's undertaking. Therefore, the Council is under a legal duty to assess the risk from all plant, structures (including memorials), and work activities in their cemeteries to ensure that the risk is controlled.

The Council also has a duty of care under the Occupiers Liability Act 1957 Section 2(2) which states 'The common duty of care is a duty to take such care as in all the circumstances of the case is reasonable to see that the visitor will be reasonably safe in using the premises for the purposes for which he is invited or permitted by the occupier to be there'. Furthermore, case law has established the principle of a duty of care towards others who may foreseeably be injured by their activities (Donoghue v Stevenson 1932).

6. Human Resources Implications

Not applicable.

7. Union Comments

Unison noted the contents of the report.

8. Climate Change Implications

Not applicable.

9. Data Protection Compliance Implications

This report does not contain any OFFICIAL(SENSITIVE) information and there are no Data Protection issues in relation to this report.

10. Equality Impact Assessment

Not applicable.

11. Background Papers

Nil.

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Progress Overview

Table 1 provides a RAG status overview summarising progress to date across all 20 recommendations. Further detail is provided in the Appendix, setting out a comprehensive update on the progress of each individual action.

1	2	3	4	5	6	7	8
9	10	11	12	13	14	15	16
17	18	19	20				

Table 1: Overview of progress on Overview and Scrutiny Recommendations

Progress review (Detail)

- To allow the construction and maintenance of cemetery memorials and memorial gardens on leased grave plots in borough cemeteries, up to a maximum length of one metre from the headstone plinth and of the equivalent width as the headstone at its base. These must be bounded by an kerbset installed by a registered stonemason (or an agreed alternative, if signed off by the officers deemed appropriate by Cabinet), and subject to agreement on the materials used, the absence of any prohibited items, and an agreed plan of action should any issues arise. The outside of the kerbset should be in alignment with the headstone at its base.**

The proposed sign-off process for memorials has been agreed and will follow an approach consistent with that used for headstone applications. Fees and charges associated with this process are currently being developed and will be presented to Cabinet for consideration and approval as part of the September 2026 report.

Work in relation to kerbsets is ongoing in consultation with the Friends of Broxtowe Cemeteries, with a focus on identifying suitable options from those available through stonemasons. This includes agreeing consistent specifications, such as dimensions and height, to ensure that kerb sets are both practical and in keeping with the character and environment of the cemetery.

- To therefore permit the installation of kerbsets on grave plots in Borough cemeteries, subject either to official installation by Council staff, or a suitable standard of installation and maintenance that does not unduly interfere in grounds maintenance. It is advisable that any kerbing fitted to a grave should bound the outer limit within which memorial items are permitted, up to a limit of one metre, with the width being the same as that of the headstone at its base. Any kerbset that is not officially installed must be signed off by the relevant Council officers.**

It has been agreed that Council staff will not undertake the installation of kerbsets. However, families wishing to install their own kerbsets, where they do not wish to appoint a stonemason, will be permitted to do so within defined parameters. A list of suitable kerbset specifications, including agreed boundaries for dimensions and height, has been developed and will be formally set out within the revised Rules and Regulations to be presented to Cabinet in September 2026. Throughout this process, the working group has been mindful of the potential costs associated with kerbset installations and has sought to ensure that the approach remains accessible and affordable for families. To support this, a proportionate application process will be introduced, including a minimal fee to cover sign-off and compliance checks. In addition, there will be a requirement to review and approve existing memorial garden areas currently in situ to ensure they align with the updated Rules and Regulations.

- 3. To consider delegating authority to the Head of Legal Services, in collaboration with the Leader or Deputy Leader and any other officers as deemed appropriate, to review the drafting and agreement of any future Cemetery Rules and Regulations and interment forms that detail that grave owners must abide by the Cemetery Rules and Regulations. Their agreement should ensure that these are legally enforceable, clear to all parties, and does not impede the Council in meeting its health and safety obligations.**

This is in progress. As part of this work, the Friends of Broxtowe Cemeteries have been invited to review the existing rules and regulations. While not a specific requirement of the original recommendations, this additional step has been included to support a more collaborative and inclusive approach. They have been asked to highlight any areas that may be unclear or difficult to understand, enabling these to be addressed as part of the revised drafting. This will help ensure that the updated Rules and Regulations are clear and accessible.

- 4. All new graves (plots leased or dug since new Rules and Regulations take effect) should be permitted to maintain a memorial of up to one metre as stipulated in recommendations above, while older graves will be permitted to maintain memorials of more than one metre and up to a maximum length of the length of the grave plot, where these are already in place. When such older graves are reopened, they must then revert to 'the one metre rule', only maintaining memorials of up to one metre after this reopening. Any such memorials over one metre in length must still be at or below the width of the headstone at its base and bounded by an appropriate and agreed upon kerbset.**

This will be formally incorporated within the revised Cemetery Rules and Regulations to be presented to Cabinet in September 2026. It should be noted that a related amendment has subsequently been identified and captured through a later recommendation, namely that reopened graves will no longer be required to revert to the previous one-metre rule. This change will also be reflected within the new rules and regulations.

- 5. The owners of any graveside memorials outside of those allowed under these new rules (i.e. where older graves with pre-existing memorials do not revert to 1m in length following a reopening, are too wide, or feature prohibited items, or where new graves have memorials of >1m, etc.) should be offered time and assistance to reorganise their memorials, after which time their memorials should be removed in accordance with the new regulations. Support may include notification of the grave owners that their memorial items may need to be cleared and storage of such items for a specified period of time.**

The group has agreed that, while the new Rules and Regulations will come into force following approval by Cabinet, any formal enforcement programme will not commence until Spring 2027. The approach to implementation will be phased and managed on a cemetery-by-cemetery basis, with the overall programme expected to take approximately 18 months to complete. As part of this process, grave owners will be contacted directly to ensure they are fully informed of the changes. A reasonable and sensitive timeframe will be provided to allow families to make any necessary arrangements or adjustments in line with the updated requirements.

- 6. The list of items prohibited on graveside memorials is to be reviewed and agreed, in collaboration with relevant stakeholders, including the Friends of Broxtowe Cemeteries and other cemetery users and bereaved families. The list should then be strictly adhered to by all grave owners and clearly enforced by grounds staff to safeguard against health and safety concerns. An exception should be made for a small amount of additional decoration on birthdays (for 14 days after the deceased's birth date) and Christmas (until 4 January).**

Following consultation with the Friends of Broxtowe Cemeteries, a comprehensive list of prohibited items has now been developed, which is set out in **Appendix 2**. This has been the result of a highly collaborative process, with the group demonstrating a clear understanding of, and support for, environmental considerations associated with certain materials and items. Their input has been invaluable in shaping a balanced and sensitive approach, and their ongoing support is acknowledged and appreciated.

In relation to seasonal and commemorative decorations, arrangements for Christmas will remain unchanged, with wreaths permitted during the festive

period and removed towards the end of January. Clear signage is in place to ensure cemetery users are aware of these arrangements.

Further work is underway to consider additional commemorative occasions, including Mother's Day, Father's Day, wedding anniversaries, anniversaries of passing, Chinese New Year, and other religious festivals. This aspect is still being finalised.

- 7. Planted flowers, trees or shrubs should not be permitted in graveside memorials, due to the unsettling effects that roots can have on headstones and other features. Where planted vegetation is present, grave owners should be contacted and asked to pot them. If this is not done within an agreed timespan, any such planted features should be removed.**

This will be formally incorporated within the revised Cemetery Rules and Regulations to be presented to Cabinet in September 2026. In terms of implementation and enforcement, this will follow the phased approach as outlined in Recommendation 6.

- 8. To consider, in consultation with any officers, the Friends of Broxtowe Cemeteries, and any other stakeholders as appropriate, new messaging to grave owners and cemetery visitors informing them of the changes to Cemeteries Rules and Regulations and how this may affect them, such as in relation to adjacent burials, among other areas. Consideration should be given to communications stating that the Council wishes to work with visitors to manage any new health and safety and accessibility dynamics that may arise from new regulations and that visitors are duly informed of these by entering any borough cemetery. Input should be sought from Communications, Bereavement Services and Health and Safety to ensure accuracy and consistency.**

This recommendation remains in progress. Updated messaging will be developed alongside the finalisation of the revised Rules and Regulations. This is likely to include the introduction of new signage and/or information boards within cemeteries to support clear communication with visitors. In developing this approach, the Council will work collaboratively with relevant internal departments, including Communications, Bereavement Services, and Health and Safety, as well as with the Friends of Broxtowe Cemeteries, who provide a valuable link to residents and cemetery users.

- 9. Grave owners should be given a copy (paper or electronic) of the Council's Cemeteries Rules and Regulations upon signing their interment form, where this is not already the case.**

Funeral directors already provide relevant information to families on behalf of the crematorium. Building on this, a process is being developed to ensure that, once contact details for the person responsible for the burial have been identified, they will be issued with a follow-up email from the Council. This communication will include key information relating to the burial process, including a copy of the Cemetery Rules and Regulations, to ensure that families are fully informed and have received the necessary guidance at an appropriate stage.

- 10. To consider making available any additional funding necessary to implement changes to cemetery management and grounds maintenance procedures which are required to work around any memorials that will remain under the new rules, i.e. changes to shift patterns, procurement of different grass-cutting, soil boxes or other equipment, etc. This would need to be subject to specific approval by Cabinet where there would be budget implications. Use of the Council's apprenticeship scheme should be considered if it is deemed necessary to take on additional staff.**

This recommendation is currently in progress. Grounds Maintenance is currently trialling a range of new equipment, including battery-powered machinery to replace fuel-based alternatives, with the aim of reducing vibration and improving health and safety for the Cemeteries Team. In parallel, work is underway to introduce an electronic HAV's monitoring system to replace the existing paper-based process, enabling more accurate and efficient data recording.

Consideration is also being given to the introduction of dedicated compliance roles within the crematorium to support the increased administrative requirements associated with memorial applications and approvals, and to provide a clear point of contact for this process. This is being explored alongside the current arrangements for memorial testing, which are undertaken by an external contractor, with the potential to bring this function in-house to ensure greater control and minimise costs. A further report will be presented to Cabinet once these elements have been fully developed and finalised.

- 11. The feasibility of implementing a 'cooling period' of seven days or more before the signing of the interment form by grave owners should be evaluated. This would be a period in which grave owners are able to contact the Council, enquire about and potentially reconsider whether they would like to sign their interment forms assenting to the Rules and Regulations, allowing them time to properly comprehend all of the conditions while in a state of grief, though this must of course occur before and not delay interment. This may also function as an improved accessibility measure for mourners with dyslexia, ADHD etc., who may struggle to digest the form in full when they are first presented with it.**

Once burial arrangements have been confirmed and contact details have been provided by the funeral director, the Council will issue an email directly to the grave owner. This will provide sufficient time for them to review all relevant documentation, including information supplied by both the funeral director and the Council, ensuring they are fully informed and able to consider any decisions before proceeding.

- 12. Grave owners should be contacted again before they are able to commission an official memorial – such as a headstone – to ensure that they are still cognisant of the Rules and Regulations and appreciate what they may and may not construct. The possibility of having them sign a document again at this stage to reiterate this should also be investigated.**

Arrangements relating to contact prior to the commissioning of a formal memorial, such as a headstone, are already well established, with grave owners required to submit an application for approval before any installation can take place. This approach will continue under the revised framework, and will be extended to include other memorial elements, such as kerb sets (both installed by a stone mason or by the grave owner), which will be subject to a similar application and sign-off process. This ensures that, at each stage, grave owners are fully aware of the requirements.

- 13. The Council should investigate alternative possibilities to facilitate residents' mourning at Borough cemeteries, such as the creation of designated memorial gardens where more significant, personalised memorials are permitted, or augmented reality/VR offers, such as has been implemented at the D.H. Lawrence Birthplace Museum, especially where this would be helpful in managing accessibility or health and safety concerns.**

This recommendation is currently being explored. A range of options for designated memorial areas is being considered, including concepts such as a memorial tree similar to that provided at the crematorium, where individuals may commemorate loved ones through plaques or hanging ornaments. At this stage, no final decisions have been made, with further work required to assess the suitability, practicality, and sensitivity of these approaches.

- 14. The Council should investigate the possibility of helping to offer or signpost cemetery visitors to bereavement counselling services as part of its communications with residents on this issue.**

The provision of support through signposting will be implemented as part of the new approach, following approval of the recommendations by Cabinet in September 2026. As outlined previously, once the Council is provided with the contact details of the grave owner via the funeral director at the point of booking,

a follow-up email will be issued. In addition to including the Cemetery Rules and Regulations and relevant guidance, this communication will also signpost individuals to a range of support services to assist them during their bereavement, ensuring that families are made aware of appropriate help and resources at an early stage.

- 15. To consider requesting that Bereavement Services should work closely with local funeral directors to understand their processes and procedures, if it would not duplicate work and as and when resources allow. The Council's Cemeteries Team should also consider the creation of a working group or bi-monthly catch-up meeting between themselves and local funeral directors to discuss any issues regarding communications with grave owners. This may help improve co-ordination and understanding of the Rules and Regulations and allowable memorial features among grave owners.**

This recommendation is already in place. The Bereavement Services Team maintains regular meetings and ongoing engagement with local funeral directors to discuss operational matters and address any emerging issues. These established arrangements will continue, and funeral directors will be fully briefed and updated once the revised Rules and Regulations have been approved.

- 16. To consider, in consultation with officers as appropriate, investigating the co-ordination of forms of funding for those that cannot afford funeral costs, such as helping those who cannot afford one to purchase a headstone. Monies from metals extracted during cremation should also be considered for this purpose, in collaboration with the Institute of Cemetery and Crematorium Management (ICCM), as required.**

This recommendation has been considered in the context of the metal recycling scheme operated by the Bereavement Services Team. While this scheme generates funding, its use is restricted and the monies must be directed towards bereavement-related charities. As such, it cannot be used to directly support the provision of headstones. Cabinet may wish to consider the creation of a discretionary fund to assist those unable to meet the cost of a memorial; however, this may present practical challenges in terms of administration and demand. By way of context, the cost of a basic headstone is typically in the region of £2,000, meaning that any limited funding provision would support only a small number of cases. Given the current cost of living pressures, demand for such support could be significant.

- 17. The formation of a working group, composed of Members, Officers, and any other stakeholders as considered appropriate, that will work to implement all new measures arising from any Cabinet resolutions on these recommendations, in a robust and compliant manner.**

A working group of officers has been established following the February Cabinet meeting to support the delivery of the agreed actions. The group meets on a fortnightly basis to review progress and coordinate activity across the work programme. As part of this process, there has also been ongoing engagement with the Friends of Broxtowe Cemeteries, with their input sought to help inform and shape the development of the proposals.

18. Any reopened graves would not be required to revert to the one metre stipulation.

This matter will be addressed within the revised Cemetery Rules and Regulations, where it will be clearly set out that any reopened graves currently in use will not be required to revert to the one-meter rule.

19. To undertake consultation with concerned individuals and groups regarding the number of celebration/memorial days.

This recommendation is currently in progress and is being considered as part of the work outlined under Recommendation 6.

20. New memorials to comply with the one-metre rule.

New memorials will be required to comply with the revised one-metre rule. This has been agreed and will be clearly set out within the updated Cemetery Rules and Regulations.

Appendix 2

Prohibited Items

To ensure that the cemetery remains a safe, dignified and well-maintained environment for all visitors, the Council regulates what may be placed on graves. The items prohibited below have been identified as presenting risks to health and safety, causing obstructions to maintenance, creating accessibility barriers for visitors, or detracting from the respectful appearance of the cemetery.

The Council cannot accept responsibility for any loss, theft, damage or vandalism to items left on graves.

In order to avoid accidents, protect visitors and employees, and retain a tidy, well-kept appearance, any damaged, broken, weather-worn or discarded items found within the cemetery grounds will be removed and disposed of without notice to grave owners.

The detailed list of prohibited items is set out below.

Glass

- Glass vases
- Glass jars / containers
- Drinks glasses
- Glass bottles containing alcohol

Glass lanterns provided by stonemasons are approved.

Fencing and Borders

- Plastic picket fencing (including white PVC garden-style fencing)
- Chain-link fencing
- Metal fencing or decorative railings
- Rolled wooden fencing. Wooden fencing installed on stakes is considered acceptable, where it meets the approved specifications set out for memorials.
- Rope barriers
- Solar-light stakes arranged as a boundary
- Plastic “garden edging” styled as flowers or pickets
- Wire plant borders
- Mini-arches, gates or trellises used to demarcate the grave
- Slate chips or stones placed intentionally as a perimeter line (If used, these must be contained within the kerbset)
- Any fencing, edging, pots, or objects placed outside the approved headstone area
- Any item placed on grass areas maintained by Broxtowe Borough Council employees

- Any boundary marker extending widthwise or lengthwise along the grave

Only kerb materials approved by the Council may be used.

Floral Related items

- Plastic flowers
- Silk flowers
- Artificial bouquets or arrangements (the exception for this maybe Christmas)
- Artificial greenery or vegetation
- Plastic potted plants
- Artificial flower stakes
- Floral tributes attached to fencing, trees or council property
- No planting in the ground of any vegetation

Natural potted plants and flowers are allowed. These will though be removed if they are in decline, broken or pose a risk to health and safety.

Solar lighting, lanterns and illumination

Solar lighting is permitted **only within the grave's defined boundary** and must comply with the following requirements.

Acceptable Solar Lights

To maintain dignity, safety, and consistency, the following conditions apply:

- Lights can be white or multi-coloured
- Lights must be static - no flashing, pulsing or rotating
- Lights must be low-level and unobtrusive
- Lights must be securely placed within the grave boundary, not spilling onto access paths or adjacent plots
- Lights must not create glare that affects visitors or staff during early morning/late evening visits

Lanterns

Lantern-style solar units (non-flame) are permitted under the following conditions:

- Must be stable, shatter-resistant, and made of plastic (not glass)
- Must remain within the grave boundary
- Must not be hung from trees, bushes, railings, or any Council property
- Battery-operated tea lights may be used within these units, provided the lantern meets the above requirements (LED flickering candles are permitted)
- Candles are permitted only when they are fully enclosed within a lantern supplied by a stonemason

Prohibited items

- Flashing, strobe or novelty lights
- Lights mounted on fencing, trees, railings or structures
- Lights placed outside the grave boundary

Decorative items

- Paper decorative items
- Children's toys (plastic toys only). Up to four soft toys are permitted, provided they are placed within the grave boundary
- Windmills / spinning toys
- Balloons, including foil and latex balloons
- Hanging decorations or tributes attached to trees, fences, or Council property

Furniture

- Chairs (including plastic garden chairs)
- Settees / small sofas
- Benches not installed or authorised by the Council
- (Benches must be council-approved and installed in designated areas only.)
- Stools or small personal seating
- Folding chairs or camping chairs
- Any improvised seating such as upturned boxes or crates
- Picnic tables
- Side tables or coffee tables
- Plastic or wooden patio tables
- Homemade or makeshift tables or platforms

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Report of the Interim Director of Environment and Leisure

Broadgate Public Toilet Facilities

1. Purpose of Report

To review the provision of public toilet facilities at Broadgate in Beeston.

2. Recommendation

The Committee is asked to note the contents of the report; consider the range of options as set out within the report; support further investigation into the most appropriate and sustainable delivery model; and RECOMMENDS that a further report be bought back to Committee setting out a preferred option.

3. Detail

With the development and opening of modern, accessible toilet facilities in Beeston Square, the role and necessity of the Broadgate toilets could now be reconsidered.

The Broadgate toilets are located adjacent to Broadgate Park, away from the main town centre activity. This location has contributed to significant operational challenges, particularly in relation to anti-social behaviour with incidents including illicit drug use, misuse of accessible facilities, and a pattern of unacceptable and hazardous conditions. There has been a notable increase in the severity of incidents, including threats made towards Town Centre Attendants when attending the site.

The facility is subject to misuse, with repeated occurrences of extreme fouling, including excrement being deliberately spread across walls and floors, creating health and safety risks for staff and users. In addition, persistent vandalism has resulted in frequent damage to fixtures and fittings, including broken locks, damaged handrails, and the systematic disruption of consumables, such as paper towels being scattered throughout the facility. These issues have led to a high level of reactive maintenance and increased operational costs.

Monitoring and intervention are further constrained due to the distance from the Town Centre Attendant base, limiting the ability to manage incidents effectively and maintain acceptable standards of cleanliness and safety.

It is recommended that the Overview and Scrutiny Committee considers the options in **Appendix 1**, with particular focus on identifying a solution that:

- Ensures safe, accessible and inclusive provision
- Reduces instances of anti-social behaviour
- Represents value for money

- Aligns with evolving models of service delivery, including partnership approaches

Further background information is provided in **Appendix 2**, which includes an earlier report presented to Cabinet on 5 December 2023 regarding the development of a strategy to improve access to public toilet facilities across the Borough of Broxtowe.

4. Financial Implications

The comments from the Interim Deputy Chief Executive and Section 151 Officer were as follows:

The ongoing cost of maintaining a public toilet facility is estimated at around £20,000 per annum.

The cost, and potential savings, of each of the options being considered would need to be fully costed and developed prior to any future Cabinet approval. Some options would require additional revenue and/or capital resources, and these would have to be carefully considered partially for the funding of any capital investment where the Council's limited General Fund capital resources are already committed elsewhere.

5. Legal Implications

The comments from the Head of Legal Services were as follows:

Section 87 The Public Health Act 1936 (as amended) provides that a local authority may provide sanitary conveniences in proper and convenient situations. The provision of public toilets is therefore a discretionary service. The discretion should be exercised reasonably and with a clear, objective rationale.

6. Human Resources Implications

Not applicable.

7. Union Comments

Unison noted the contents of the report.

8. Climate Change Implications

There are no Climate Change implications.

9. Data Protection Compliance Implications

This report does not contain any OFFICIAL(SENSITIVE) information and there are no Data Protection issues in relation to this report.

10. Equality Impact Assessment

An Equality Impact Assessment has not been completed at this stage. This will be undertaken once a preferred option for the future provision of the Broadgate toilet facility has been identified. Given the potentially significant service changes under consideration, a full assessment will be required to understand the impacts on all users, particularly those with protected characteristics, and to ensure that any proposed approach is fair, inclusive and compliant with statutory duties.

11. Background Papers

Nil.

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Appendix 1

Public Consultation

As part of the consultation exercise undertaken in 2023 to inform the development of the Toilet Strategy, a total of five responses were received. This represented a limited evidence base on which to draw conclusions regarding local need and user expectations.

Should options for the future of the Broadgate public toilets facility be progressed, a more comprehensive and targeted public consultation exercise should be undertaken.

Public toilet provision in other Nottinghamshire Districts

District	Provision
Ashfield DC	No information available.
Bassetlaw DC	4 locations across the Borough
Broxtowe BC	4 locations, 5 public toilets. (2 x Beeston, 1 x Stapleford, 1 x Kimberley, 1 x Eastwood
Gedling BC	1 location. Town centre toilets closed due to 'lewd' behaviour.
Mansfield DC	Charges 20p per visit to use facilities
Newark and Sherwood DC	4 Locations across the Borough
Rushcliffe BC	4 Locations across the Borough

Table 1: Public toilet provision across Nottinghamshire.

Usage figures

There is no reliable or consistent footfall data available for the Broadgate toilet facility, as there are no physical counting mechanisms in place. This is currently being explored, in conjunction with ICT Services, to identify potential options for implementing a suitable counting system. It is intended that this data can be captured and developed further to inform a future report to Overview and Scrutiny Committee.

Options for Consideration

A number of potential options are available for the future of Broadgate public toilets. These are presented for consideration by Overview and Scrutiny Committee:

Option 1: Retain the facility in its current form.

This option would involve continuing to operate the Broadgate toilets as a standalone public convenience without any significant changes to the current service model. The primary advantage of this approach is that it maintains an established provision in the Broadgate area and avoids any immediate reduction in access. However, this option does not address the ongoing and escalating issues associated with anti-social behaviour, vandalism, and health and safety risks. In addition, it would require continued revenue expenditure, estimated at £20,000 per annum, with limited ability to improve service quality or value for money.

Option 2: Close the Broadgate toilets.

Closure of the facility would remove the ongoing operational and maintenance burden associated with the site. This would deliver a direct financial saving and eliminate the risks posed to staff and users linked to anti-social behaviour and vandalism. However, this option would result in a reduction in public toilet provision in the Broadgate area and may have adverse impacts on accessibility, particularly for those who rely on nearby facilities. While alternative provision exists in Beeston Square, this may not fully meet the needs of users in this locality.

Option 3: Introduce charging at the facility

Under this option, a pay-to-use model would be introduced, requiring users to make a payment per visit. This approach has the potential to offset a proportion of operational costs and may act as a deterrent to some forms of anti-social behaviour.

However, there are a number of practical, financial, and equality considerations associated with implementation. If the existing doors and frames are compatible, it is estimated that card payment systems would cost approximately £4,000 per door. Where replacement doors and frames are required, costs could increase to £6,000 per door, with further additional costs if external posts are necessary to mount equipment. Each door would also require an associated payment processing system, typically contracted externally at an estimated cost of £15 per unit per month.

In practice, a cashless (card-only) system is likely to be required, as coin-operated systems would necessitate regular cash collection, creating additional security and operational demands.

Consideration must also be given to accessibility requirements. The accessible (disabled) toilet would need to remain free of charge to ensure compliance with the Equality Act 2010, particularly in relation to users with urgent medical needs. Access would therefore need to remain via RADAR key. However, it is recognised that RADAR keys are widely available and easily obtained, which has contributed to ongoing misuse of these facilities.

Overall, while this option may provide some income generation and control over access, it is unlikely to fully recover operating costs and does not fully mitigate the existing challenges associated with misuse and vandalism.

Option 4: Develop a Community Toilet Scheme

This option would involve working in partnership with local businesses and organisations to provide public access to toilet facilities, supported by a modest financial contribution from the Council. The key advantages of this model include reduced operational costs compared to maintaining a standalone facility, improved oversight and natural surveillance within existing premises, and potentially higher standards of cleanliness and safety. Evidence from other local authorities suggests that such schemes can be cost-effective and well-received. However, successful implementation would depend on securing willing partners, ensuring equitable coverage, and maintaining consistent standards through monitoring and agreements.

Option 5: Alternative or hybrid approach (to be explored)

A hybrid approach could combine elements of the above options, such as retaining limited provision at Broadgate while piloting a Community Toilet Scheme, or repurposing the existing building for alternative use. This option provides flexibility and allows for a phased transition, enabling the Council to test new delivery models while maintaining some level of provision. However, this approach may still incur partial costs and require careful management to avoid duplication of provision or confusion for users.

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Appendix 2

Report of the Portfolio Holder for Economic Development and Asset Management.**Public Toilet Strategy**1. Purpose of Report

The purpose of this report is to develop a strategy to improve access for all to public toilet facilities across the Borough of Broxtowe.

2. Recommendation

The Policy Overview Working Group is asked to **RECOMMEND** to Cabinet to **RESOLVE** that:

1. the development of a public toilet strategy based upon options 4 and 5 of *“Options considered to improve provision of public toilet facilities”* be approved
2. sufficient funding is included in future years’ budgets to ensure toilet facilities are fit for purpose. (*Section 4. Financial Implications*)
3. adopting the suggestions provided by staff for the upgrading of staff toilet facilities within Council office buildings be approved. (*Appendix 4*)
4. the possibility of siting a new public toilet facility on the ground floor of the Enterprise Hub at Stapleford is explored. The development of this facility will be dependent on the cost and space required. These factors will be known once the architects have drawn up the plans and provided costings. (*Future Strategy. Stapleford*)
5. a programme of publicity to promote locations and opening times of all public facilities across the Borough be approved. (*Appendix 3*)
6. people with a variety of needs are involved in the design and / or refurbishment of public and staff toilet facilities (*Appendix 4*)

3. Detail

The report also covers a review of the toilet facilities within the Council Offices at Beeston and the Depot at Kimberley. This review was undertaken by a group consisting of Officers who live with disabilities.

- Appendix 1 covers the main details of the report.
- Appendix 2 includes the Equality Impact Assessment.
- Appendix 3 outlines the details of opening hours and facilities within public buildings.
- Appendix 4 includes the feedback from the public consultation and employees.

4. Financial Implications

The comments from the Head of Finance Services were as follows:

The cost of providing public toilet facilities is contained within existing budgets. Further details on spending is provided within the appendix to this report along with projected future maintenance costs which are not yet factored into the base budget. Considerations on the ongoing affordability of public toilets is also covered in the appendix.

There is currently no capital budget for any additional enhancement or replacement of existing public toilets. Any significant budget implications with regards to this strategy, going forward, would need to be carefully considered and require approval by Cabinet.

5. Legal Implications

The comments from the Monitoring Officer / Head of Legal Services were as follows:

Section 87 The Public Health Act 1936 (as amended) provides that a local authority may provide sanitary conveniences in proper and convenient situations. The provision of public toilets is therefore a discretionary service. The discretion should be exercised reasonably and with a clear, objective rationale, by having a strategy will ensure this is achieved.

6. Human Resources Implications

The comments from the Human Resources Manager were as follows:

In relation to any adjustments to employee facilities, HR support any reasonable adjustments for colleagues with disabilities or other health difficulties.

7. Union Comments

The Union comments were as follows:

A Unison representative is a member of the staff panel who gave feedback on staff toilet facilities with the Council offices at Beeston and the Depot at Kimberley.

8. Climate Change Implications

The comments from the Waste and Climate Change Manager were as follows:

Sharing toilet facilities across the borough offers a practical and efficient use of resource with positive environmental benefits. Doing so will lead to a reduction in energy consumption and lower carbon emissions.

If new toilet facilities are built, the environmental impact during the construction and running of any new facilities needs to be considered part of the toilet strategy. It is important to prioritise sustainable practices in order to minimise the carbon footprint associated with not only the construction process of any new facilities but the on-going running and maintenance of them. Some measures to be considered include, appropriate insulation of the building fabric, LED lighting, greywater harvesting systems and the possibility of installing a living wall or roof

9. Data Protection Compliance Implications

This report does not contain any [OFFICIAL (SENSITIVE)] information and there are no Data Protection issues in relation to this report.

10. Equality Impact Assessment

As this is a change to policy / a new policy an equality impact assessment is included in Appendix 2 to this report.

11. Background Papers

Nil

APPENDIX 1

Background

As well as the new Changing Places toilet in Beeston Square, public toilets can be found in the following locations within the Borough.

- Beeston Town Centre: Broadgate.
- Beeston: Council Offices, Foster Avenue.
- Eastwood Town Centre: Nottingham Road.
- Kimberley Town Centre: Eastwood Road.
- Stapleford Town Centre: The Roaches.

All of the public toilets provided by the Council conform to the Equality Act 2010 but only the new toilet facilities in Beeston Square meet Changing Places standards. There is currently no budgetary provision for the Capital improvement of existing public toilets or to provide new facilities. Day to day maintenance and operation is covered by existing approved Revenue budgets and responsibility for ongoing maintenance of the buildings is undertaken by the Estates Department.

The table below shows the opening times of the public toilets and the facilities located at each site. The table will be updated with information for the new toilets in Beeston Square, when the information is available.

Table 1: Public Toilets in the Borough

Location	Opening Times	Facilities	Baby Change
Beeston, Broadgate	8:00-16:30 Monday to Thursday and Saturday 8:00-16:00 Friday	Female, Unisex, DDA	In the Unisex facility
Beeston Council Offices, Foster Avenue	8:30-17:00 Monday to Thursday 8:30-16:30 Friday	Unisex/DDA	In the Unisex/DDA facility
Kimberley, Main Street	8:00-16:30 Monday to Thursday and Saturday 8:00-16:00 Friday	Male, Female, DDA	N/A
Stapleford, The Roach, Nottingham Road	8:00-16:30 Monday to Thursday and Saturdays 8:00-16:00 Friday	Male, Female, DDA	In the male and female facility
Eastwood, Nottingham Road	8:00-16:30 Monday to Thursday and Saturday 8:00-16:00 Friday	Male, Female, DDA	In the female facility

Current cost of maintenance

Table 2 outlines the cost of maintaining the toilets within the four town centres. The cost is for 2022/23 only. Unfortunately, there is no breakdown of the individual elements to the individual toilets. The total associated costs for 2022/23 was £134,881.

Table 2: Public Toilets' Maintenance cost 2022/23

Public Toilets Maintenance 2022/23	
Staff costs	£112,240
Repairs and Maintenance	£3,032
Electricity	£12,849
Water Charges	£3,061
Cleaning Materials	£3,388
Towel Supply	£311
Total	£134,881

Future Maintenance of Current Facilities

A report to the Community Safety Committee in September 2020 outlined the estimated cost of refurbishment of the toilets within the next few years. The 2020 report estimated potential refurbishment costs of £18,000 by 2025/26 and costs of £45,000 by 2030/31 for all the toilets within the four centres.

Department of Business and Trade statistics show that from 2020 to 2023, costs of building materials for repairs and maintenance work increased by 40.7%. During that time, non-domestic energy costs increased by 282.5% and labour costs by 13.5%. When labour costs and increased energy costs are added, it is not unrealistic to assume an overall price increase in repair and maintenance costs of 300%

Table 3 has been updated to show the present anticipated cost of refurbishment. As costs of building materials are expected to continue to rise, the costs below will increase too. The table does not take into account any new maintenance issues that may have arisen since 2020.

Table 3: Anticipated maintenance spend on public toilets

Public Toilet	Estimated refurbishment spend by 2025/26	Estimated refurbishment spend by 2030/31
Broadgate, Beeston	£12,000	£30,000
Eastwood	£12,000	£30,000
Kimberley	£18,000	£45,000
Stapleford	£12,000	£30,000
TOTAL	£54,000	£135,000

If a replacement programme is agreed, in the short term, the toilet facilities could be upgraded via repainting of the walls a more welcoming colour and covering this in an anti-graffiti varnish so that it is more difficult to graffiti the walls.

Damaged panels could also be replaced. The building exteriors can be made more welcoming by the addition of hanging baskets outside the entrances. The baskets can be maintained by the Ground Maintenance Teams.

The costs for the additional work should be in the region of £4,000 to £5,000 per site resulting in a total bill of £16,000 to £20,000

Changing Place Toilet Beeston

The total construction cost for the new toilet facilities is anticipated to be £270,000, when construction is complete. Maintenance costs for the facility have not been finalised as yet but as it cost almost £135,000 to clean and maintain four public facilities in 2022/23, a rough guide of £33,750 for each toilet facility can be assumed. The addition of a new facility would mean that the cost for five toilet facilities across the Borough would be (on present costs) at least £168,750 per annum.

The Changing Place toilet also incurs specific costs. Access to the unit which houses the Changing Place facilities (not access to the main toilets) will be via an entry card. These cards will have to be purchased by Broxtowe Borough Council and although may not be a large expense, will still contribute to increased costs.

Usage of toilet facilities

A dedicated count of numbers of people using toilet facilities across the Borough has not been undertaken since 2015. During the 2015 count, there was difficulty accessing true numbers as the counters were tampered with, multiple times during the day rendering the data unreliable. Even though monitoring of usage was undertaken by independent observers, this was only for one hour at different times of the day so could not give a full picture.

A more recent count has not been undertaken but is recommended in order to gain more accurate figures. If new and upgraded toilets are provided across the Borough, then it is likely that the numbers of people using the toilets will increase as many people may find the state of the current facilities off putting.

Anti-Social Behaviour in Public Toilets

Beeston Broadgate toilets are situated next to Broadgate Park, away from the main area of Beeston Square. These facilities suffer the most from illicit drug use and like the other public facilities, the toilet for people with disabilities is used by homeless people as a place to sleep (mainly on the weekends). Disabled toilets are easy to access as RADAR keys are used to operate the doors and RADAR keys can easily be bought online. The town centre attendant's office is within Beeston Square so they are not able to regularly monitor usage of the toilets.

The public toilets with the Beeston Council offices have also seen some anti-social behaviour. Empty wine bottles have been found in the toilets and recently, suspicious behaviour has been observed.

Eastwood's facilities are based within a newer building than the toilets at Beeston Broadgate, Kimberley and Stapleford. Eastwood also benefits from the toilets being near the library and a bus stop, in the town centre. The town centre attendant has an office next to the toilets and is able to monitor usage regularly. These factors combined, encourage people to use the facilities and Eastwood's public toilets are seen as the most widely used, of all the facilities in the Borough.

Kimberley's toilet facilities are based on the busy main road which has a heavy traffic flow for most of the day. Like Beeston Broadgate, the facilities are slightly away from the main centre of the town. The building is used for male sexual activity. This is of concern as the toilets are near Kimberley School and a number of years ago, the School was contacted by the Council to warn them that this type of activity was taking place. The Police have also been informed. There is no attendant's office at Kimberley public toilets as the facilities are opened by the Street Cleansing Crew in the morning and cleaned, restocked and closed in the afternoon by an agency employee from Kimberley Depot.

Stapleford's toilets are located within the Roaches area, next to a crossroads and are not in the main town centre. This building is also used for drug taking and sexual activity in the male toilets. There has also been occasions when the toilet for people with disabilities has been used by homeless people to sleep in. Like Beeston, the town centre attendant's office is not next to Stapleford' toilets but housed further down, in Stapleford Business Hub (the old Police Station) which reduces the amount of time that can be spent monitoring usage of the toilets.

For all toilet facilities across the Borough, when the town centre attendants are on leave, then the Street Cleansing crew open the toilets. However, additional staff have to be paid to close the toilets as closure times are later than the working hours of the Street Cleansing crew.

Overall, anti-social behaviour and activities generate sites which are not welcoming and attractive to other users. It also creates issues for any attendant who has to clean up any paraphernalia or debris. Finally, it damages the Council's reputation when some of their facilities are used for illegal activities.

Can the Council afford to build new toilet facilities?

In 2020, quotes were gathered for the new toilets in Beeston Square. These quotes were not for Changing Places toilets but facilities of a more general nature. The quotes were for two types of toilet facilities:

- One unit toilets which are suitable for use by people both with and without disabilities. These toilets are for single occupancy only. Therefore, in a town centre, there would need to be at least two of these units to meet future building requirements.
- The other type of toilets facilities quoted for, were facilities which included one separate unisex cubicle and one cubicle accessible for people with disabilities.

The prices in Table 4 reflect the basic specifications; upgrades and modifications can be made but this would entail a price increase in the unit cost.

Since 2020, overall construction costs have risen substantially. Department of Business and Trade statistics show that from 2020 to 2023, the cost of building materials for new work increased by 41.3%. When labour costs and increased energy costs are added (total fuel increase of 282.5%), it is not unrealistic to assume an overall price increase in repair and maintenance costs of 300%.

Table 4: Estimated cost of new toilet facilities

Number	Toilet Type	2020 Cost	VAT Included	Cost Increase	2023 Cost	Comments:
1	One pod	£24,800	No	300%	£74,400	Includes delivery and installation
2	One pod	£36,500	No	300%	£109,500	Includes delivery (clad in red brick)
3	Two units	£83,000	No	300%	£249,000	Includes delivery, installation and utility connections.
4	Two units	£94,837	No	300%	£284,511	Includes delivery and installation
5	Two units	£106,710	Unclear	300%	£320,130	Includes delivery and installation Construction of the toilets is in Germany so price subject to exchange rate fluctuations

Future Proofing any new build

In July 2020, the Government amended the Buildings Regulations to include the specification that buildings for assembly, recreation or entertainment that had a capacity for 350 or more people (or a collection of smaller buildings with a capacity of 2,000 or more) must include a Changing Places toilet.

Also in 2020, the Government announced that they were undertaking a review on toilet provision for men and women. Following the review, it was announced in July 2022 that all new public buildings should have separate male and female toilets and that Building Regulations would be changed to reflect this.

To date, no further information has been given as to what the definition of a public building covers and whether or not public toilets are included. However, it may be safer to assume that public toilet facilities will be included in the amended building regulations and ensure that all new facilities can meet the requirements, if needed.

Options considered to improve provision of public toilet facilities:**1. Do Nothing:**

This is not a feasible option due to toilet facilities being housed in ageing buildings which will incur increasing repair and maintenance costs over the next few years.

2. Council to utilise own funding to build new stand-alone toilet facilities:

Table 4 “Estimated costs for new facilities” outlines the costs of new facilities based upon quotes which were gathered in 2020.

This is not a feasible option due to the many competing demands upon Council budgets. Due to increasing costs, there is substantial financial strain upon funding available. Priorisation for allocation of funding to projects is undertaken via the annual budget process where priorities are agreed for the forthcoming year.

3. Town centres: negotiate with larger businesses in town centres to enable their toilet facilities to be accessed by the public. The business to then receive an annual payment from the Council to cover their additional maintenance and cleaning costs

This is not a feasible option due to potential ongoing costs and uncertainty about how much use the public will make of these facilities.

4. Utilise the toilet facilities within public buildings such as libraries and Town Halls:

The opening hours for both libraries and Town Hall are outlined in Appendix 3. Usage of these facilities could help improve access to facilities across the Borough.

5. Close current toilet facilities (when appropriate) and utilise external funding to build new public toilet facilities within or adjacent to new town centre buildings funded by the Levelling Up Fund and the Towns Fund. The order of priorisation of building new facilities funded by external monies would be Stapleford, Eastwood, Kimberley and Beeston Broadgate

Options 4 and 5 are seen as the most effective strategy both in terms of cost and ability to provide improved facilities within Broxtowe.

Future Strategy

Currently the public toilets provided for the use of the residents and visitors to the Borough's town centres do not deliver up to date, attractive or welcoming facilities. The estimated refurbishment costs outlined in Table 3 will not bring the facilities up to date but will merely ensure that they provide the same standard of facility as is currently available.

There is currently no Governmental funding available for refurbishment or for building new toilet facilities. The Changing Places Fund, which provided a contribution towards the building of these facilities, has now closed and no announcements about new funding have been made. There are no other sources of potential funding

Due to the cost of building new standalone toilet facilities, it would be more cost efficient to incorporate facilities into public buildings across the Borough, wherever possible.

Beeston:

Prior to the construction of the new toilet unit in Beeston Square, Beeston only had one set of toilets, which were located at Broadgate Park. With the opening of the new, up to date toilet facilities in Beeston Square, the future of the toilets at Broadgate can be investigated.

As the toilets are adjacent to a well-used park and are not near Beeston Square, the toilet facilities should remain open until additional funding is identified to upgrade them. As Beeston already has a Changing Places toilet located within Beeston Square, a new Changing Places toilet for Broadgate should be considered only after the other three town centres within the Borough have had their new facilities built.

Eastwood

Eastwood's toilets are located in a busy thoroughfare and are well used. There are fewer instances of anti-social behaviour in the toilets than in other areas of the Borough. However, the toilets do need updating. It would be prudent to wait until

the next round of Government funding for towns / areas is announced and then build in the provision of updated public toilet facilities into buildings which could be funded by new Government funding.

Working in this way would enable adequate time for public consultation to identify what is really required in the area as well as the drawing up of plans for the new buildings and their facilities.

In the meantime, as the toilets are situated next to Eastwood Library, a partnership with Inspire could be agreed to enable the library's toilet facilities to be used by the general public.

Kimberley

Although Kimberley's public toilets are on the main road, they can be difficult to access as they are near the edge of the town centre and are close to a junction of three roads. There is a large Sainsbury's supermarket within the town centre which has accessible toilets with baby changing facilities. The toilets are already free for customer use. The store is open 6 days per week from 7am to 10pm and on Sundays, from 10am to 4pm. These opening hours are longer than the Council's public toilets.

Even though these facilities are available, it would still be prudent to have a Changing Places toilet facility when external funding is available to do so. Like Eastwood, this would enable adequate time for public consultation to identify what is really required in the area as well as the drawing up of plans for the new buildings and their facilities.

Stapleford

Like Kimberley, Stapleford's toilet facilities are located out of the main town centre and so do not meet the needs of the majority of the people who visit the town centre. Unlike the other three town centres, Stapleford does not have as many public buildings in the town centre where toilet facilities could be utilised.

When Stapleford won Government funding via the Town Fund, one of the projects was to build an Enterprise Hub in the centre of the town. The planning for the Hub is currently at RIBA stage 1 (preparation and briefing prior to the design being drawn up). As part of the stakeholder consultation for the development of the Enterprise Hub design, the architects have been approached to consider how public toilets could be considered as part of the new design, where they would not

impact upon the management of the building.

As the Enterprise Hub will be centrally located, there will be substantial footfall in and around the area as shoppers, businesses and residents use the variety of services nearby. Placing public toilets within this area will enable more people to have quick and easy access to toilet facilities.

In order to meet all needs, it is proposed that new toilet facilities match those in Beeston; a Changing Places toilet, a toilet for people with disabilities who are mobile and separate male and female toilet facilities. The options for siteing the facilities are as follows:

1. Build all facilities adjacent to the Enterprise Hub, so that no access to the building is required
2. Build all facilities within the Hub which enables access when the building is open
3. Build the Changing Places toilet so that it is accessed via reception within the building. Other toilet facilities for people with disabilities who are mobile and the male and female units could be accessed by the public from a door that is external to the building

It is recommended that option 2 is adopted as Changing Places toilets contain specialised equipment which is expensive to purchase and replace. The ability to monitor access to all toilet facilities should help to reduce the possibility of vandalism and theft.

The addition of public toilets to the Enterprise Hub may require additional funding as the Town Fund grant may not be sufficient to fund the new toilet facilities.

There is an additional advantage to relocating the current public toilets in Stapleford. The Council own land around the toilets and if the current toilets were closed and demolished, then the Council could build new housing in the area, which would contribute to meeting the Council's housing target as well as providing much needed housing for the local area.

Order of Prioritisation

In order to maximise external funding, it would be beneficial to prioritise the building of public toilet facilities, including Changing Places toilets, in the following order:

- Stapleford
- Eastwood
- Kimberley
- Beeston Broadgate

Additional factors for consideration

Aside from the public toilets currently adjacent to Broadgate Park, there are no dedicated public toilet facilities in other parks or open spaces within the Borough. Provision of permanent facilities would not be feasible within current budgetary constraints. The provision of temporary portable toilets is potentially only feasible for large events and not as a more permanent fixture.

Baby changing facilities in older facilities are often housed in the female toilets. Any new toilet facilities that are commissioned should include baby changing facilities in both male and female toilets.

People who live with disabilities often need urgent access to toilet facilities. The provision of a card which highlights this need could be developed by the Council and promoted via specific networks to increase uptake.

Potential Savings

The cost of keeping four public toilets open in 2022/23 was in the region of £135,000. The majority of that cost was staff costs of £112,000. If the current toilets are closed and facilities located in other public buildings, the staff cost will remain as staff will be allocated other duties around the Borough.

However, it is in the long term, that financial savings will be apparent as the current facilities will need refurbishment at a cost of £135,000 by 2030/31. It is likely that maintenance costs will continue to rise until then and there is no contingency fund to meet these costs. Any future costs will have to be taken from current years'

budgets and agreed by Cabinet.

Effects of closure of current facilities on town centre attendants

Libraries and businesses around the Borough will have their own cleaning schedules, undertaken by their own staff. As they would not have to clean public toilet facilities, the workload of the town centre attendants would be reduced. However, as the attendants already have an extensive workload, the closure of the current public toilet facilities will enable the attendants to undertake additional cleaning of the overall area, resulting in cleaner, more inviting town centres.

Staff toilet facilities

Feedback regarding current staff facilities can be found in Appendix 4. If the comments and points raised are implemented, this will result in toilet facilities which cater to more people's needs.

Overall, it is clear that people with disabilities should be included from the beginning of the decision making process when decisions are taken about how to adapt (or build) toilets for those with additional needs. When the plans are drawn up for new toilet facilities on the ground floor of the Council offices, a staff survey should be circulated as well as a Teams presentation outlining the proposals. Using a variety of communication methods to highlight the issues and proposed solutions will enable people with different visualisation techniques to understand and feedback on the proposals.

APPENDIX 2

Equality Impact Assessment

The Equality Act 2010 replaces the previous anti-discrimination laws with a single Act. It simplifies the law, removing inconsistencies and making it easier for people to understand and comply with it. It also strengthens the law in important ways, to help tackle discrimination and equality. The majority of the Act came into force on 1 October 2010.

The general equality duty applies to all of the decisions made in the course of exercising public functions, not just to policy development and high-level decision-making. The functions of a public authority include all of its powers and duties. Examples of this include: policy decisions, strategies, individual decision-making, budgetary decisions, public appointments, service provision, statutory discretion, employment of staff and procurement of goods and services.

Public bodies are required in it to have due regard to the need to:

- eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited under the Act
- advance equality of opportunity between people who share a protected characteristic and people who do not share it, and
- foster good relations between people who share a protected characteristic and people who do not share it.

The public sector Equality Duty came into force on 5 April 2011. The duty ensures that all public bodies play their part in making society fairer by tackling discrimination and providing equality of opportunity for all. It ensures that public bodies consider the needs of all individuals in their day to day work – in shaping policy, delivering services and in relation to their own employees.

The Equality Duty encourages public bodies to understand how different people will be affected by their activities so that policies and services are appropriate and accessible to all and meet different people's needs. By understanding the effect of their activities on different people, and how inclusive public services can support and open up people's opportunities, public bodies are better placed to deliver policies and services that are efficient and effective.

The new equality duty replaces the three previous public sector equality duties, for race, disability and gender. The new equality duty covers the following protected characteristics:

- age
- disability
- gender reassignment
- pregnancy and maternity

- race – this includes ethnic or national origins, colour or nationality
- religion or belief – including lack of belief
- sex
- sexual orientation.

The council has agreed to treat people with care experience as if they had a protected characteristic

The duty also applies to marriage and civil partnership, but only in respect of the requirement to have due regard to the need to eliminate discrimination.

Having due regard means consciously thinking about the three aims of the equality duty as part of the process of decision-making. This means that consideration of equality issues must influence the decisions reached by public bodies, including how they act as employers, how they develop, evaluate and review policies, how they design, deliver and evaluate services, and how they commission and procure from others.

Having due regard to the need to advance equality of opportunity involves considering the need to:

- remove or minimise disadvantages suffered by people due to their protected characteristics
- meet the needs of people with protected characteristics, and
- encourage people with protected characteristics to participate in public life or in other activities where their participation is low.

Fostering good relations involves tackling prejudice and promoting understanding between people who share a protected characteristic and others.

Complying with the equality duty may involve treating some people better than others, as far as this is allowed by discrimination law. For example, it may involve making use of an exception or the positive action provisions in order to provide a service in a way which is appropriate for people who share a protected characteristic.

The Equality Duty also explicitly recognises that disabled people's needs may be different from those of non-disabled people. Public bodies should therefore take account of disabled people's impairments when making decisions about policies or services. This might mean making reasonable adjustments or treating disabled people better than non-disabled people in order to meet their needs.

There is no explicit requirement to refer to the Equality Duty in recording the process of consideration but it is good practice to do so. Keeping a record of how decisions were reached will help public bodies demonstrate that they considered the aims of the Equality Duty. Keeping a record of how decisions were reached will help public bodies show how they considered the Equality Duty. Producing an Equality Impact Assessment after a decision has been reached will not achieve compliance with the Equality Duty.

It is recommended that assessments are carried out in respect of new or revised policies and that a copy of the assessment is included as an appendix to the report provided to the decision makers at the relevant Cabinet, Committee or Scrutiny meeting.

Where it is clear from initial consideration that a policy will not have any effect on equality for any of the protected characteristics, no further analysis or action is necessary.

Public bodies should take a proportionate approach when complying with the Equality Duty. In practice, this means giving greater consideration to the Equality Duty where a policy or function has the potential to have a discriminatory effect or impact on equality of opportunity, and less consideration where the potential effect on equality is slight. The Equality Duty requires public bodies to think about people's different needs and how these can be met.

EQUALITY IMPACT ASSESSMENT (EIA)

Directorate:	DCE	Lead officer responsible for EIA	Commercial Manager
Name of the policy or function to be assessed:	Toilet Strategy		
Names of the officers undertaking the assessment:	Commercial Manager		
Is this a new or an existing policy or function?	New		
<p>1. What are the aims and objectives of the policy or function?</p> <p>To offer up to date, fit for purpose public toilet facilities which meet the needs of all people regardless of (dis)abilities.</p> <p>To provide toilet facilities in town centres which will maximise access to the facilities</p> <p>To provide toilet facilities in a safe environment for all users</p> <p>To provide toilets with Council buildings which meet the needs of all staff.</p>			
<p>2. What outcomes do you want to achieve from the policy or function?</p> <p>Increased use of public toilets.</p> <p>Decreased incidents of illicit activities</p>			

Directorate:	DCE	Lead officer responsible for EIA	Commercial Manager
Minimise financial strain to Council by use of Governmental funding to provide new toilet facilities. This will maximise the impact of Governmental funding.			
3. Who is intended to benefit from the policy or function?			
All residents, staff, businesses and visitors to the Borough			
4. Who are the main stakeholders in relation to the policy or function?			
Councillors, residents, staff, visitors and businesses of Broxtowe			
5. What baseline quantitative data do you have about the policy or function relating to the different equality strands?			
ONS data relating to Broxtowe.			
6. What baseline qualitative data do you have about the policy or function relating to the different equality strands?			
The Public Toilet Strategy report outlines the reasons why improvement of public toilets facilities is needed.			
7. What has stakeholder consultation, if carried out, revealed about the nature of the impact?			
<ul style="list-style-type: none"> • The Disability Forum has been consulted. • A variety of groups have been consulted via the Health Communities Officer • Staff who live with disabilities have been consulted 			
8. From the evidence available does the policy or function affect or have the potential to affect different equality groups in different ways? In assessing whether the policy or function adversely affects any particular group or presents an opportunity for promoting equality, consider the questions below in relation to each equality group:			
<ul style="list-style-type: none"> • Does the policy or function target or exclude a specific equality group or community? Does it affect some equality groups or communities differently? If yes, can this be justified? <p>No group or community will be targeted or excluded due to this strategy. The needs of people with disabilities need to be addressed through the delivery of the strategy to ensure they are enabled to have equal access to toilet facilities and not be disadvantaged.</p>			

<ul style="list-style-type: none"> • Is the policy or function likely to be equally accessed by all equality groups or communities? If no, can this be justified? <p>Yes, the strategy enables equal access by all groups / communities (see previous comments relating to people with disabilities)</p>
<ul style="list-style-type: none"> • Are there barriers that might make access difficult or stop different equality groups or communities accessing the policy or function? <p>The aim of the strategy is to ensure that toilet facilities are accessible to as many people as possible and remove barriers that may previously have made access to toilets facilities difficult.</p> <p>Although the current toilet facilities met previous disability standards, the buildings are not in line with updated provision which takes into account a wider variety of disabilities. Facilities such as Changing Places toilets enable people with severe disabilities to use public toilets in a safe and appropriate manner.</p>
<ul style="list-style-type: none"> • Could the policy or function promote or contribute to equality and good relations between different groups? If so, how? <p>Not applicable</p>
<ul style="list-style-type: none"> • What further evidence is needed to understand the impact on equality? <p>Stakeholder consultation with groups with specific needs to assess the diversity of need for continued provision of public toilets</p>
<p>9. On the basis of the analysis above what actions, if any, will you need to take in respect of each of the equality strands?</p>
<p>Age:</p> <p>It may be the case that older people and very young children are more dependent on toilet facilities than other age groups. Changing facilities for babies need to be incorporated into both male and female public toilets.</p>
<p>Disability:</p> <p>The aim is to ensure that there are facilities available for people with disabilities which meet as wide a variety of needs, as possible.</p>
<p>Gender:</p> <p>Ensure that new built facilities are future proofed by being able to conform to any potential new amendments to Building Regulations, regarding separate provision for male and female toilets. While men can then use both cubicles and urinals, women can only use the former, and women also need safe spaces given their</p>

particular health and sanitary needs (for example, women who are menstruating, pregnant or at menopause, may need to use the toilet more often).

Gender Reassignment:

This does not mean that gender-specific toilets should be replaced with gender-neutral toilets. But there should be balanced consideration of how the needs of all those with protected characteristics including gender reassignment should be considered, based on the mix of the population and customer demand.

Marriage and Civil Partnership: None

Pregnancy and Maternity: see above (gender)

Race: None

Religion and Belief: None

Sexual Orientation: None

Deputy Chief Executive: Zulf Darr

I am satisfied with the results of this EIA. I undertake to review and monitor progress against the actions proposed in response to this impact assessment.

Signature:



APPENDIX 3

Public Buildings across the Borough with toilet facilities

There are 5 libraries across the Borough which are managed by Inspire (community benefit society). The library at Inham Nook which is open for 8 hours per week has no toilet facilities

The library in Beeston is based in Foster Avenue and has customer toilets as well as wheel chair friendly access both inside and outside the building. Opening hours total fifty-three hours per week and are as follows:

Monday, Wednesday, Thursday & Friday:	9am to 6pm
Tuesday	9am to 7pm
Saturday	9am to 4pm

Eastwood's library is based in Wellington Place. Like Beeston, the building has customer toilets as well as wheel chair friendly access both inside and outside the building. Opening hours total thirty-one hours per week and are as follows:

Monday and Thursday:	9am to 6pm
Tuesday and Saturday:	9am to 1pm
Friday:	9am to 2pm

Kimberley's library is based on Main St and also has customer toilets as well as wheel chair friendly access both inside and outside the building. Opening hours total twenty-four hours per week and are as follows:

Monday and Friday:	9am to 5pm
Wednesday and Saturday	9am to 1pm

Toton Library which is based in Stapleford Lane has customer toilets but it is unclear if there is wheel chair accessibility. Opening hours total thirteen and a half hours per week and are as follows:

Monday:	1:30pm to 5pm
Wednesday and Friday:	9:30am to 1pm and 2pm to 5pm
Saturday:	9:30am to 1pm

The opening hours for the town halls across the Borough are as follows:

- Eastwood: Monday to Thursday. 10am to 2pm
- Kimberley: Monday to Friday. 10am to 2pm
- Stapleford: Monday to Friday 11.30am to 1pm

APPENDIX 4**Feedback**Public Consultation

There have been 5 responses to the consultation. The feedback is outlined below.

1. What do you think about the current public toilet facilities?

- a. I am not really aware of any.
- b. Kimberley's public toilets are dire. Poor interior aesthetic and upkeep. Very, very dreary toilets. Never use them and never see anyone else use them except for occasionally at Kimberley Council run events. Then we receive complaints about the cleanliness and hygiene of the toilets.
- c. I think that the public toilet facilities in Beeston are practically non-existent. If I need to use the toilet I normally have to wait until I get home. If such facilities were available, I would use them.
- d. Not very good.

2. What facilities would you like to see in public toilets?

- a. I no longer have young children but the ability to change babies is important, plus accessibility for people with disabilities.
- b. Better hand washing and hand drying facilities. Better toilets and urinals.
- c. In addition to toilet cubicles it would be good if there were shower facilities for cyclists and also baby changing facilities; I would not use these extra facilities myself, but I bet there are many who would
- d. Clean, usable facilities with good lighting and open longer hours

3. Currently the public toilets are located in town centres; is there anywhere else where toilets should be located?

- a. Has the Council ever considered supporting larger shops opening up (if not already) their toilets to the public? They would be responsible for maintaining the

facilities but subject to Council inspections. If their standards fall short, withdraw the funding. The current costs are eye watering but toilets are important.

Beeston has Sainsbury's and Tesco - I personally would always choose a supermarket over unattended public toilets. Stapleford has Lidl and Aldi so maybe a shop in between - the old Co-op? Also, the libraries. Support these areas and promote them. Plus pubs. Accessibility also needs consideration but I am not sure why we need separate buildings but these businesses should be compensated to a degree, subject to meeting set standards.

- b. No
- c. By bus/tram stations
- d. Where are the toilet facilities in Beeston town centre? There used to be toilets at the old bus station but these have not been built for the new bus/tram interchange. In general, toilets should be situated in bus stations, busy shopping areas and car parks.

4. Would you use public toilets if they were located in public buildings such as village halls and libraries? Please explain why / why not?

- a. Yes
- b. I would, providing they were accessible during the hours required, but not if the public toilets were better maintained as they are closer. That being said, the Kimberley public toilets are further away from the central shopping precinct and Kimberley Sainsbury's have public toilets.
- c. I would use toilets if they were located in libraries and village halls. I don't use them now because I'm unsure if I'm allowed to use them.
- d. Yes, but opening hours may restrict availability.

5. Any other comments.

- a. Work with existing businesses for a cost-effective solution.
- b. Yes, the exterior visage of the public toilets whilst basic and of the age of those sorts of buildings, it could benefit from an exterior face-lift to make them look more appealing and in keeping with the Kimberley street scene. Also, work to the roof to accommodate a cycling store and or electric scooter/bike charging point would be good.

- c. If not already done so, then it would be useful to show maps in noticeboards in town centres showing where public toilets are situated. Also need signposting of toilets
- d. Please keep male and female toilets separate. You could have a unisex toilet but I think women would find it intimidating if men were in there at the same time.

5th person's feedback

- Clean fresh smelling toilets, ladies, and gents, separate.
- Disabled access in convenient locations, city centres and establishments where one is welcome to use them, even if not purchasing any products.
- Simple to use well maintained not much to ask.

General feedback

- a. Map/signage of alternate provision
- b. Important that toilets are accessible and preferably changing places toilets.

Staff feedback

Toilets within Council Buildings:

As well as staff toilets within the Foster Avenue building, there is a public toilet on the ground which includes a cubicle, urinal and baby change facilities. When the plans for the refurbishment of the ground floor of the office are drawn up, modifications to meet the needs of all groups will be highlighted and included.

One of the staff toilets within the building was recently modified to provide additional facilities for people with disabilities. The room which houses the 2nd floor disabled toilet was made slightly bigger with the addition of a floor drain, sink, small shower and a folding seat. Feedback indicated that other toilets within the building are too small to modify

Despite the modifications, it is clear that additional work could be undertaken to ensure that the facilities truly meet peoples' needs. When looking at digestive disorders, it is clear that the following additional modifications are needed:

1. Hooks to hang clothing and belongings as well as shelves to place personal belongings when dealing with medical matters

2. Certain conditions require mats on which to kneel when cleaning medical aids.
3. Paper toilet covers to cover toilet seat that users with digestive disorders can use the facilities without fear of contamination and reduce issues of spillage.
4. Sanitary surfaces where medical supplies can be placed. The surfaces need to be able to be wiped clean before and after use.
5. A full length mirror so that if placement of valves etc. is correct
6. A closed bin and liners / bags in which to dispose of used medical equipment.
7. Currently the modifications appear to be too far away from each other and are not placed within an easy to use range. This adds to the stress of having to undertake medical procedures in a public place.

Staff panel comments

The staff panel consisted of members of staff who are living with different disabilities. This enabled a variety of viewpoints to be raised when considered toilet facilities within Council premises. These views are outlined below.

1. All toilets which have facilities suitable for those with disabilities should have a sign on their doors highlighting this fact. This will not only enable toilets with disabled access and facilities to be easily identified by those who need to use them but also make people aware that it is not just a normal toilet. The sticker should include “Not all disabilities are visible” and not just focus on a person in a wheelchair.
2. Kimberley Depot has no disabled access to the main office building. There are no ramps, only stairs at the entrance, no ramp only stairs at the entrance. An important point was raised in that the seasons can affect a person’s mobility and ability to do different things. In winter when muscles etc. are stiffer/ seize up, climbing stairs may be impossible whereas in Summer, it may have been possible with effort.
3. There are no disabled toilets at the Depot. There are male and female toilets on the first floor which provide neither access nor facilities for people with disabilities. On the ground floor, female toilets are located outside of the main building. Access to the toilets is via a step. The door is kept locked but the toilets are located outside the male changing room where people often gather to chat.
4. A basin should be installed in each of the cubicles in every toilet on each of the floors in the Council Offices. This would enable users of menstrual cups and

those dealing with Crohns, diverticulitis and other digestive diseases to clean up after themselves effectively and privately.

5. The placement of air fresheners in each cubicle as well as the main body of the toilets would also aid those with digestive issues and provide a pleasanter atmosphere.
6. People tend to bring in their own sanitary product and leave them in the cubicles for use when necessary. It would be beneficial if the Council provided baskets in each cubicle for storage of the sanitary products.
7. It is not clear if the red flashing light for the fire alarm can be seen from all cubicles. A concern has been raised that should a deaf employee be using a cubicle and their hearing aid is not operating correctly, they may not hear the alarm if they are in a cubicle.
8. The drains in the toilets are old and often unfit for task. This leads to toilet windows being left open constantly whilst the building is in use and results in the toilets often being extremely cold.
9. The panel requested that when plans for new toilets in Council buildings are being drawn up, that a survey is included which outlines the proposals. This will enable staff to comment on the plans to ensure that they meet as wide a range of needs as possible. The survey should include a Teams presentation so that people who are not visual learners can understand the two dimensional drawings.

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Report of the Monitoring Officer

Terms of Reference of the Sub-Committee on Missed Bin Collections1. Purpose of Report

For the Overview and Scrutiny Committee to consider the scoping document, including terms of reference, of the subcommittee on missed bin collections, and agree accordingly.

2. Recommendation

The Committee is asked to RESOLVE to agree the subcommittee's scoping document.

3. Detail

The previous meeting of the Overview and Scrutiny Committee, of 25 March, was dedicated to considering items that had been suggested for inclusion on the Committee's Work Programme. The items selected for inclusion would then receive some form of scrutiny consideration – most as papers to subsequent meetings, some through other scrutiny exercises.

One item chosen for consideration was the issue of missed bins collections in Broxtowe, with the Committee choosing to constitute a Sub-Committee to consider the issue in more depth and across a range of meetings. The Sub-Committee members met in May to formulate a terms of reference for the group, which is attached for the Committee's consideration at **Appendix 1**.

4. Key Decision

This report is not a key decision as defined under Regulation 8 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

5. Financial Implications

The comments from the Interim Deputy Chief Executive and Section 151 Officer were as follows:

There are no financial implications to consider at this stage. If the scrutiny review proposes any changes to policy or operations that would likely result in budget implications for the Council (either additional costs or revenues), these would have to be picked up as part of the recommendations to Cabinet for approval.

6. Legal Implications

The comments from the Monitoring Officer / Head of Legal Services were as follows:

Broxtowe Borough Council are legally a Waste Collection Authority and hold statutory obligations under the Environmental Protection Act 1990 to manage domestic and some commercial waste which includes managing the collection of household waste and Government guidance indicates that this should be collected weekly.

7. Human Resources Implications

Not applicable.

8. Union Comments

Unison noted the contents of the report.

9. Climate Change Implications

The climate change implications are contained within the report.

10. Data Protection Compliance Implications

This report does not contain any OFFICIAL(SENSITIVE) information and there are no Data Protection issues in relation to this report.

11. Equality Impact Assessment

No Equality Impact Assessment is required at this stage. One will be produced during the process of the review if necessary.

12. Background Papers

Nil.

Scoping Report – O&S subcommittee

Title of subcommittee	Missed bin collections and calculations
Expected outcomes	<ul style="list-style-type: none"> • Review and evaluate the causes of Broxtowe’s recorded below-average performance on missed bin collections and related calculations, including any specific challenges or differing working practices – what is the definition of a ‘missed bin’ in Broxtowe as opposed to other areas. • Assess the effectiveness of any actions being taken to remedy any issues that are identified, understanding whether these will be effective into the future • Decide whether further change is needed to deliver best value for Broxtowe residents and, if so, recommend accordingly
Terms of reference/Key lines of enquiry	<p>What are the reasons for Broxtowe’s supposedly poor historic performance relating to missed bin collections, i.e. specific organisational or other challenges, reporting differences, differing working practices? Does Broxtowe do anything differently to other areas?</p> <p><i>How are missed bin complaints handled at Broxtowe, and does this differ from other authorities?</i></p> <p>The results of the previous ‘missed bins’ scrutiny exercise, including whether recommendations were implemented and if they were effective.</p> <p>What conclusion can be drawn about the reason for the recorded rates of missed bin collections in Broxtowe?</p> <p>What actions are being and have been taken to remedy any issues?</p> <p>How might the above be impacted by other changes in waste collection, i.e. food waste collection and the reviews of recycling banks and the trade waste service?</p>
Possible sources of information	<p>Internal collections data, including most regularly missed bins/routes, impacts of changes to routes, data capture and recording, etc.,</p> <p>Rates of emptying for all bin types – do figures include recycling, voluntary garden waste service, etc.,?</p> <p>Rates of missed ‘pull-out’ bins, i.e. for elderly/disabled residents</p> <p>Officer testimony</p> <p>Testimony from bin lorry crews and union</p>

	Resident survey data – Residents’ Engagement Survey? Percentage of complaints relating to bins Resident reports (web forms, email, phone, etc.,)		
How review could be publicised	Report to meeting of the Overview and Scrutiny Committee Report on recommendations to Cabinet Possibility for further comms. if appropriate		
Specify site visits	Possible visit to the Depot re: speaking to bin crews		
Possible witnesses	Officers: <ul style="list-style-type: none"> • Assistant Director of Environment, possibly with someone at manager level • Waste collection teams/bin crews • Customer service staff (that have dealt with/can collate resident reports) • Complaints Officer Members Resident/s with repeated missed bins		
Resource requirements	Scrutiny officer time		
Projected start date	TBC	Draft report deadline	Report to O&S – 24 September
Projected completion date	Report to Cabinet – 3 November 2026		

Report of the Monitoring Officer**Terms of Reference of the Lime bikes Spotlight Review****1. Purpose of Report**

For the Overview and Scrutiny Committee to consider the scoping document, including terms of reference, of the Spotlight Review regarding Lime bikes, and agree accordingly.

2. Recommendation

The Committee is asked to RESOLVE to agree the Spotlight Review's scoping document.

3. Detail

The previous meeting of the Overview and Scrutiny Committee, of 25 March, was dedicated to considering items that had been suggested for inclusion on the Committee's Work Programme. The items selected for inclusion would then receive some form of scrutiny consideration – most as papers to subsequent meetings, some through other scrutiny exercises.

One item chosen for consideration was the issue of Lime bikes in Broxtowe, with the Committee choosing to undergo a Spotlight Review on the subject. A Potlight Review is usually one day of scrutiny activity in which Members will review all relevant evidence and testimony before formulating conclusions and recommendations, where appropriate.

The members of the review met in May to formulate a terms of reference for the group, which is attached for the Committee's consideration at **Appendix 1**.

4. Key Decision

This report is not a key decision as defined under Regulation 8 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

5. Financial Implications

The comments from the Interim Deputy Chief Executive were as follows:

There are no financial implications to consider at this stage. If the scrutiny review proposes any changes to policy or operations that would likely result in budget implications for the Council (either additional costs or revenues), these would have to be picked up as part of the recommendations to Cabinet for approval.

6. Legal Implications

The comments from the Monitoring Officer / Head of Legal Services were as follows:

Under the *Highways Act 1980*, councils have a legal duty to prevent public nuisances and ensure pedestrians have clear access. If a Lime bike creates a hazard (e.g., blocking wheelchair access or a fire exit), councils are obligated to clear the obstruction, later reclaiming removal and storage costs directly from Lime.

7. Human Resources Implications

Not applicable.

8. Union Comments

Unison noted the contents of the report.

9. Climate Change Implications

The climate change implications are contained within the report.

10. Data Protection Compliance Implications

This report does not contain any OFFICIAL(SENSITIVE) information and there are no Data Protection issues in relation to this report.

11. Equality Impact Assessment

No Equality Impact Assessment is required at this stage. One will be produced during the process of the review if necessary.

12. Background Papers

Nil.

Scoping Report – Spotlight Review

Title of spotlight review	Lime bikes in Broxtowe
Expected outcomes	<ul style="list-style-type: none"> • To investigate the issue, including how Lime began operating in the borough and whether there is evidence of any significant issues • To clarify what powers that Broxtowe may have to impact any areas where issues are identified • To develop an understanding of the logic behind the choices of parking bays - their location, design, necessary and typical consultations, etc., • How are bikes located and how is data reviewed and used? • To understand the incentives for good customer behaviours, and disincentives and controls in place to prevent poor parking and other behaviour by Lime customers • To develop any recommendations that may be beneficial, as appropriate
Terms of reference/Key lines of enquiry	<p>What, if any, issues relating to Lime bikes have been reported in Broxtowe and are there any identifiable patterns or trends among reports? Are any issues due to the operations of Lime specifically, the fact of their being an e-bike private hire company, or simply the presence of any e-bikes in the borough?</p> <p>Levels of crime and ASB reporting, including any technicalities or details of reporting practices that may be helping to create the discrepancy between Member reports and official statistics.</p> <p>The history of their introduction into Broxtowe, the consultations and other procedures required.</p> <p>What benefits and disbenefits have Lime bikes brought to Broxtowe and how might these be quantified? (This could include:</p> <ul style="list-style-type: none"> • Total and average mileages covered; • Average number of journeys per customer; • Less and more popular routes, parking bay capacities; Lime’s financial returns from operating in the borough; and • Analyses of the above and what this could indicate <p>What is planned for the future and why, with respect to continuing this provision?</p>

	<p>Are any remedies required to any problems that may have been identified in the borough? What might these be, if so? This could include traceability, public reporting mechanisms for poor parking, etc.,</p> <p>What challenges are being experienced by other authorities and what have they said and proposed in relation to the issue?</p>
Possible sources of information	<p>Testimony from members and officers (membership of the spotlight review; PHs for Community Safety, Transport; Environment, ASB and Economic Development officers, etc.,)</p> <p>ASB reports to Broxtowe Borough Council</p> <p>Lime</p> <p>Nottinghamshire County Council</p> <p>Nottingham City Council (?)</p> <p>Other borough and district authorities in Nottinghamshire</p> <p>Sector and governmental reporting on e-bikes and other approaches that have been taken in the sector</p>
How review could be publicised	<p>This terms of reference to be circulated to the wider Overview and Scrutiny Committee, with a brief covering papers, at its June meeting.</p> <p>Resulting spotlight review paper to be notified to the wider Overview and Scrutiny Committee at the appropriate meeting.</p>
Specify site visits	<p>Any Lime bike parking bays in the borough that members decide upon.</p>

Possible witnesses	PH for Community Safety PH for Climate Change Members (<i>Beeston, Stapleford, other affected areas</i>) Officers from: <ul style="list-style-type: none"> • Community Safety/ASB • Transport/Ec.Dev. • Climate Change/Environment • Above officers from other authorities Lime Any residents who may have reported issues to the council		
Resource requirements	Officer time Background papers		
Projected start date	TBC	Draft report deadline	TBC
Projected completion date	TBC		

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Report of the Monitoring Officer

Scrutiny Work Programme

1. Purpose of report

The purpose of this report is to make Members aware of matters proposed for and undergoing scrutiny. This is in accordance with all the Council's priorities.

2. Recommendation

The Committee is asked to CONSIDER the report and RESOLVE to agree subjects to be considered for review including those submitted as suggestions for scrutiny, including the suggestion from Cabinet made at its 2 June meeting.

3. Detail

Details of the reviews currently suggested on the work programme are within **Appendix 1**.

Members may wish to consider new topics using the criteria below for their current programme:

- Issues identified by Members as a key issue for the public
- Issue has a significant local impact
- Significant public dissatisfaction (e.g. through complaints)
- Issue raised by auditors
- New government guidance/legislation
- New evidence provided by external organisation
- Poor performance (e.g. evidence from performance indicators)
- High level budgetary commitment
- Pattern of budgetary overspending.

The work programme for business to be discussed at upcoming meetings are as follows:

24 September 2026	<ul style="list-style-type: none"> • Equalities, Diversity and Inclusion in Council Parks • Equality, Diversity & Inclusion at the D.H. Lawrence Birthplace Museum • Environmental Enforcement • Trade Waste Service
19 November 2026	<ul style="list-style-type: none"> • Recycling Banks Review

4. Financial Implications

The comments from the Interim Deputy Chief Executive and Section 151 Officer were as follows:

There are no additional financial implications.

5. Legal Implications

The comments from the Head of Legal were as follows:

The terms of reference are set out in the Council's constitution. It is good practice to include a work programme to help the Council manage the portfolios.

6. Human Resources Implications

Not applicable.

7. Union Comments

Not applicable.

8. Climate Change Implications

This report does not contain any climate change implications.

9. Data Protection Compliance Implications

This report does not contain OFFICIAL(SENSITIVE) information. There are no Data Protection issues in relation to this report.

10. Equality Impact Assessment

There are no Equality Impact Assessment issues.

11. Background Papers

Nil.

1. Topics agreed by the Overview and Scrutiny Committee

	Topic	Topic suggested by	Link to corporate priorities/values
1.	Budget Consultation	Overview and Scrutiny Committee	All Corporate Priorities.
2.	Building Control	Councillor B C Carr agreed by the Overview and Scrutiny Committee to put on hold. Awaiting the outcome of a report to Cabinet.	A good quality home for everyone.

2. Update items

	Title	Length	Expected date	Link to corporate priority
1.	Equalities, Diversity and Inclusion in Council Parks	<i>Update paper</i>	June 2026	Invest in our towns and our people
2.	Equalities, Diversity and Inclusion at the D.H. Lawrence Birthplace Heritage Museum	<i>Update papers</i>	June 2026	A safe place for everyone; healthy and supported communities
3.	Cemetery memorials	<i>Update paper</i>	June 2026	Protect the environment for the future

3. Items referred from Cabinet

	Title	Details	Expected date	Link to corporate priority
1.	Renters Rights Act 2025 - Private Sector Housing Enforcement Policy	<p>At its 2 June meeting, Cabinet resolved that '<i>The Overview & Scrutiny Committee be requested to conduct regular reviews of the progress and implementation of the Policy.</i>'</p> <p>This is to be considered by the Overview and Scrutiny Committee on 18 June, and a decision taken on whether it should be scrutinised.</p>	<i>To be determined</i>	Invest in our towns and our people

Report of the Leader of the Council

Cabinet Work Programme

1. Purpose of Report

Cabinet is asked to approve its Work Programme, including potential key decisions that will help to achieve the Council’s key priorities and associated objectives.

2. Recommendation

Cabinet is asked to RESOLVE that the Work Programme, including key decisions, be approved.

3. Detail

The Work Programme for future meetings is set out below. Key decisions and

30 June 2026	<ul style="list-style-type: none"> • Glyphosate update • Local Government Reorganisation Update • Update on the Housing Regulator’s Report • Allocations Policy • Bramcote Quarry Consultation • D.H. Lawrence Walk • Play Strategy • Residents and Tenants Domestic Abuse Policy • Statement of Accounts Update and Outturn Position 2025/26 • Treasury Management Annual Report 2025/26 • Housing Repairs Restructure • Employee Domestic Abuse Policy • Sexual Harassment Policy • Factory Lane Industrial Estate
21 July 2026	<ul style="list-style-type: none"> • Complaints Report Quarter 4 • Local Government Reorganisation Update • Update on the Housing Regulator’s Report • Annual Food Safety Service Plan* • Air Quality Status Report Update* • University of Nottingham Retrofit Roadmap • Fit and Proper Persons Policy – Housing Act 2004 – Private Sector Housing* • Disabled Facilities Grants Policy Additional Review • Crisis Resilience Policy+ • Climate Change and Green Futures Strategy Review+ • Play Strategy

8 September 2026	<ul style="list-style-type: none"> • Local Government Reorganisation Update • Update on the Housing Regulator's Report • Broxtowe Health and Wellbeing Action Plan • Broxtowe Crime Reduction Action Plan • Hate Crime Strategy • Crisis Resilience Policy
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exempt items are marked with *.

4. Key Decisions

This report is not a key decision as defined under Regulation 8 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

5. Financial Implications

The comments from the Interim Deputy Chief Executive and Section 151 Officer were as follows:

There are no additional financial implications.

6. Legal Implications

The terms of reference are set out in the Council's constitution. It is good practice to include a work programme to help the Council manage the portfolios.

7. Human Resources Implications

There are HR implications purely from the point of view of clarifying roles and responsibilities of Council Officers and responsibilities of partner agencies as required.

8. Union Comments

Not applicable.

9. Climate Change Implications

Not applicable.

10. Data Protection Compliance Implications

This report does not contain OFFICIAL(SENSITIVE) information. There are no Data Protection issues in relation to this report.

11. Equality Impact Assessment

There are no Equality Impact Assessment issues.

12. Background Papers

Nil.

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