

MINUTES OF A MEETING OF THE
ENVIRONMENT SCRUTINY COMMITTEE
HELD IN THE WAYTEMORE ROOM,
COUNCIL OFFICES, THE CAUSEWAY,
BISHOP'S STORTFORD ON TUESDAY 8
JUNE 2010, AT 7.00 PM

PRESENT: Councillor Mrs D L E Hollebon (Chairman)
Councillors W Ashley, R H Beeching
(substitute for B M Wrangles), D Clark,
Mrs M H Goldspink, P Grethe, G McAndrew,
D A A Peek.

ALSO PRESENT:

Councillors D Andrews and M G Carver.

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Committee Secretary
Cliff Cardoza	- Head of Environmental Services
Marian Langley	- Scrutiny Officer
George A Robertson	- Director of Customer and Community Services

66 APOLOGIES

Apologies for absence were submitted on behalf of Councillors N C Poulton and B M Wrangles. It was noted that Councillor R H Beeching was in attendance as substitute for Councillor B Wrangles.

67 MINUTES

The Minutes of the meeting held on 16 March 2010 were

submitted. In relation to Minute 644 - Refuse, Recycling and Street Cleansing – Contract Design, Councillor D Clark requested that this be amended by the inclusion of the words “to co mingling” at the end of the final paragraph.

Councillor D Clark also suggested that the word “ambitious” in the final paragraph of Minute 645 - Environment Scrutiny Health Check – from October 2009 to January 2010 be amended to “more realistic”. Members supported these amendments.

RESOLVED – that the Minutes of the meeting held on 16 March 2010, as amended, be confirmed as a correct record and signed by the Chairman.

68 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed those in attendance. She welcomed Councillor D A A Peek on his appointment as Vice Chairman.

The Chairman was pleased to announce that Southern Country Park Green Flag status had been renewed for the second time. Officers were also awaiting an announcement on the Ridgeway Open Space and its possible success in a Green Flag award. Officers were said to be “optimistic” of the renewal award being given. Councillor G McAndrew said that he had walked around Southern Country Park and that it looked good and was maturing well.

69 CONTRACT PERFORMANCE - ENVIRONMENTAL OPERATIONS

The Head of Environmental Services submitted an annual report detailing the current performance of the three main contracts for refuse and recycling, street cleansing and grounds maintenance. The refuse and recycling service (Alternate Refuse Collection - ARC) continued to perform at or above the expected levels. It was noted that the percentage of household waste recycled and composed had increased from 34.9% in 2008/09 to 41.24% in 2009/10. The target for 2009/10 was 41%, which reflected the expansion in materials

collected and the part year effects of ARC. It was anticipated that this would increase further over the summer months during the gardening season.

The Head of Environmental Services advised that in relation to street cleansing, the measures of performance were slightly worse in the last financial year. Litter had fallen from 2% to 3% but that detritus had improved from 12% to 7%. It was noted that problems with severe weather during the winter months meaning that litter picking could not always take place, had affected performance. The Head of Environmental Services stated that on the street cleansing side, complaints had fallen by 38% since 2004/05. In 2009/10 there were 857 complaints compared with 826 in 2008/09. It was noted that Fly Tipping in the District had been steadily increasing over the last few years. The Council was working in partnership with other environmental partners on providing a range of initiatives to enforce against fly tipping.

The Head of Environmental Services advised that performance on the grounds maintenance contract with John O'Conner (GM) Limited had improved in 2009. It was noted that the contractor had developed a strong and effective level of supervision using a programme of works and working with the Council's monitoring officers. Other initiatives had also been implemented to ensure that the contract achieved a consistently high standard.

Councillor D Clark queried what had happened in 2005/06 which led to a strong rise in the number of street cleansing complaints in January 2006. The Head of Environmental Services indicated that he was not sure whether records would show the reasons for the "blip" in performance in 2005 but undertook to look into it and write to Councillor Clark if it could be evidenced.

In response to a query from Councillor R H Beeching regarding the degree of contract flexibility in relation to cleansing and recycling. The Head of Environmental Services explained that it was a seven year contract and within it there were elements which were fixed and needed to be fixed as

contractors would price according to risk and needed some certainty about their investment. Where there was a possibility that the Council might cease certain activities (e.g. where there were options within the Medium Term Financial Plan), this was stated within the contract and provided the flexibility to remove or change these. Flexibility was considered by the Task and Finish Group in making recommendations to the Council.

In response to a query concerning commercial refuse collection services and gross income, the Head of Environmental Services stated that commercial waste services were outside of Council Tax charges. The Council sought to recover all costs of providing the service and was not allowed to make excessive profits but aimed to set charges to break even. He added that any income the Council made from running the commercial waste service made a contribution to Council's fixed costs and running waste services, e.g. providing Buntingford Service Centre.

Councillor D A A Peek said that policing fly tipping was difficult. He asked whether there was a scheme which could reward anyone who reported that fly tipping was taking place. The Head of Environmental Services stated that the Council actively publicised its enforcement activities and how to contact the Council in such situations. In terms of offering a reward, further advice would have to be sought from the Legal Services Manager as this might affect the ability to achieve convictions. He undertook to discuss the matter with the legal services.

Councillor W Ashley expressed his "delight" with the report and stated that the figures were better than anticipated. He referred to the fact that fly tipping had fallen by 19% and was happy to see that the Council was working well with partners. He offered his congratulations to all involved.

Councillor P Grethe was disappointed with the level of fixed penalty notices regarding litter given the number of PCSOs in the District. The Head of Environmental Services stated that the Council had a good relationship with PCSOs. He

explained that they had a number of functions to undertake and stated that it was difficult to catch people actually in the act of dropping litter. He undertook to raise the issue with PCSOs. The Head of Environmental Services reminded Members that it was the Council's policy to act reasonably and proportionately when conducting enforcement and this meant that informal warnings might be given for minor transgressions rather than formal enforcement / prosecutions. Fixed penalty notices would be issued if the informal warning was not acknowledged.

Councillor R H Beeching referred to the amount of litter in Sawbridgeworth around pubs at weekend evenings and suggested that this could provide an enforcement opportunity for PCSOs.

The Chairman praised the report and was pleased to see that there had been no increases in rat infestations alongside the introduction of ARC.

The Committee received the report.

RESOLVED – that the performance of the Council's main environmental management term contracts be received and noted.

70 REVIEW OF ENVIRONMENTAL QUALITY - PROGRESS WITH ACTION PLAN

The Executive Member for Environment and Conservation submitted a report on the progress to date with the Action Plan following a review by a Task and Finish Group. The remit of the review was detailed in the report now submitted. In summary, the review highlighted the need to work more closely with partners and private landowners to raise and maintain standards.

The Head of Environmental Services advised that although some good progress had been made against the Action Plan, there was more to do in terms of developing the partnership aspects of the action plan. Priority had been given to the

implementation of ARC and the design and procurement of a new refuse, recycling and street cleansing contract over the last six months.

Councillor D Clark referred to the Action Plan and the need to work with Circle Anglia to understand management issues. The Head of Environmental Services confirmed that this issue had not been completed yet and was still outstanding.

Councillor R H Beeching queried the decision by the County Council to reduce grass cutting on dual carriageways to twice a year and asked whether litter would be picked up just as frequently as it had been previously. The Head of Environmental Services confirmed that litter picking would take place before cutting by the County Council, but also regularly when the grass was not being cut. He advised that the Council had possession of the County Council's cutting schedule so matters could be co-ordinated. He stated that it was the contractors' responsibility to pay for traffic management when litter picking was carried out. It was noted that a new Hertfordshire Highways District Manager had been appointed and it was hoped that regular liaison between the two authorities would continue.

The Chairman praised the initiative by BT and Virgin media to fund the Council in removing graffiti from their boxes and in providing paint.

The Chairman raised the matter of Network rail and the litter problem. The Head of Environmental Services stated that Network Rail did not have a base in East Herts and treated all local authorities in the same way. He advised that Network Rail had cleaned up the Goods Yard in Bishop's Stortford under threat of a Litter Abatement Notice and seemed only to respond when under this level of pressure. He hoped to obtain a programme of works from them in anticipation of some commitment to tackle the litter problem on their land.

Councillor G McAndrew referred to the Sunday Boot Sale in Bishop's Stortford and the fact that people grazed on food then dropped their litter on the way back.

Councillor D A A Peek suggested that the Council needed to work proactively with the Town Council on a wide range of issues, not just on environmental matters. Councillor D Clark suggested that a report be brought back to Members in six months on further progress made. This was supported.

The Committee received the report.

RESOLVED – that (A) the progress in the Action Plan be noted; and

(B) Officer report back in six month on further progress.

DCCS

71 ENVIRONMENT SCRUTINY HEALTH CHECK - FROM FEBRUARY 2010 TO APRIL 2010

The Director of Customer and Community Services submitted an exception report on the performance of key indicators relating to Environment Scrutiny for the period February 2010 to April 2010. The report now submitted provided a breakdown of information by corporate priority.

Councillor Mrs M H Goldspink queried whether the Council should arbitrarily reduce the “Fit for Purpose” target from 85% to 75% and whether this reduction had been agreed by Members. The Director of Customer and Community Services stated that the targets for 2010/11 had been agreed by Members.

The Director of Internal Services confirmed that the Comprehensive Area Assessments had been withdrawn and that the Council would have an opportunity of focussing on what it felt was important. There was the possibility that something would take the place of CAA’s. The Director of Customer and Community Services added that Corporate Management Team (CMT) had agreed that, until the Council had further information, it would be “business as usual”.

Councillor D Clark asked why the Council had the second

highest figure for Penalty Charge Notices issued in March 2010. The Director of Customer and Community Services stated that there was no specific reason why that may be the case.

The Committee received the report.

RESOLVED – that the report be received.

72 SCRUTINY WORK PROGRAMME 2010/11

The Committee considered items to be included in the work programme for 2010/11. The Scrutiny Officer referred to the extracts from the Medium term Financial Plan and the Capital Programme attached to the report now submitted.

Councillor D Clark referred to work from the Planning Enforcement Task and Finish Group. The Scrutiny Officer stated that this feedback had been scheduled in for the second meeting in 2011/12 of this Committee as this timing would give the task and finish group time to analyse all the data collected during 2010/11 and compile their report.

Councillor Mrs M Goldspink referred to the cost of replacement brown bins. The Director of Customer and Community Services explained that the Portfolio Holder had indicated that he would be taking a decision to suspend charging for replacement bins. Members supported a request that the Executive Member be invited to attend the next meeting.

Councillor Mrs M H Goldspink referred to the Medium Term Financial Plan and proposed savings for the next four years falling within the remit of Environment Scrutiny Committee. She asked that all matters in relation to Grange Paddocks, including capital matters, be included on the Scrutiny Work Programme for further discussion.

The Director of Internal Services advised that Members were being asked to look particularly at figures in the Medium Term Financial Plan for 2011/12 to see whether there were any

issues they might wish to review and add to their Work Programme in terms of receiving a detailed report. The Director stated that it would be helpful if Members were able to advise the Executive how Members wished to achieve particular savings if any exiting saving items were cancelled. The Director of Customer and Community Services advised that some savings suggested could be the cause of unrest and bad publicity for the Council e.g. the closure of all public conveniences in Bishop's Stortford and discontinuing weed control and leaf clearance on highways.

Councillor D Clark asked that the schemes to discontinue all recycling banks be reviewed by Members. She further requested that the Planning Service saving proposals in relation to C3W be reviewed. She referred to the Capital Programme and the proposed major refurbishment works at Bircherley Green Car Park and suggested that Members be provided with a better understanding of what was happening.

Councillor G McAndrew referred to the item in the Capital Programme of standardising litter bins. The Head of Environmental Services advised that this was an on going programme of works to improve the quality and replace litter bins, some of which were very old and of an inappropriate size.

Councillor Mrs M H Goldspink referred to the closing of public conveniences in the District. The Director of Customer and Community Services advised that decision to introduce a Community Toilet Scheme had already been made by Council and Members were being asked to focus on those items that would be considered in the future. If Members wanted to revisit this decision, this could be done as part of a separate review of savings accrued as part of the budget process.

Councillor D Clark stated that Members were being presented with ideas to review and that there could be a case for looking at matters on which decisions had already been made. She added that some residents in Bishop's Stortford were very unhappy about the public conveniences closing.

Councillor P Grethe queried the energy grants figure in the capital programme. The Director of Internal Services advised that this was a Council priority and one which needed support.

The Director of Internal Services asked Members to consider the items identified for inclusion in the Committee's work programme and whether they considered it reasonable to review the items over two meetings.

Councillor D Clark queried whether there might be a need for an additional meeting to review the backlog of scrutiny work. The Director of Internal Services advised that if one scrutiny committee had an additional meeting this might set a precedent and then all scrutiny committees might request additional meetings. If Members needed more meetings then a request should be made to Council. He suggested that Scrutiny Chairmen liaise on this issue.

Members supported a suggestion to review the Grange Paddocks project, (including the capital works), recycling "bring" banks, C3W savings for planning and building control, leaf clearance, weed spraying, Bircherley Green Car Park and that the Work Programme be amended accordingly.

The Director of Customer and Community Services referred to the Joint Meeting of Scrutiny on 1 June 2010 wherein a number of issues were raised in relation to the allocation of funding by the Herefordshire Waste Partnership. The Director sought clarification on whether Members wished to receive a briefing note or whether they would prefer a full report to a future meeting, bearing in mind earlier comments regarding the Committee's work load. Members requested that a report be submitted to Environment Scrutiny Committee explaining the basis of allocation of funding to the Council by the Hertfordshire Waste Partnership.

RESOLVED – that (A) the report be received;

(B) Members receive further reports as detailed in the Medium Term Financial Plan and Capital Programme of the report now submitted, in relation

DCCS
/CE

to projected savings generated in relation to Grange Paddocks project, 'bring' banks service, leaf clearance and weed control, savings related to C3W and staffing in planning and building control as detailed in the essential reference paper B of the report now submitted;

(C) Chairmen of all Scrutiny Committees meet to discuss the work load and agendas for future scrutiny meetings; and

(D) the work programme as amended be received.

The meeting closed at 8.35pm

Chairman
Date

This page is intentionally left blank