

MINUTES OF A MEETING OF  
 ENVIRONMENT SCRUTINY  
 COMMITTEE HELD IN THE COUNCIL  
 CHAMBER, WALLFIELDS, HERTFORD  
 ON TUESDAY, 16 SEPTEMBER 2008 AT  
 7.30 PM

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PRESENT: Councillor W Quince (Chairman).  
 Councillors W Ashley, D Clark, P Grethe,  
 G McAndrew, D A A Peek, M Wood  
 (substitute for Councillor Mrs M H Goldspink).

ALSO IN ATTENDANCE:

Councillor D Andrews.

OFFICERS IN ATTENDANCE:

Cliff Cardoza	- Head of Environmental Services
Marian Langley	- Scrutiny Officer
Peter Mannings	- Democratic Services Assistant
Andrew Pulham	- Parking Manager
George A Robertson	- Director of Customer and Community Services
Neil Sloper	- Head of Customer Services
David Thorogood	- Environmental Co-ordinator

283 APOLOGIES

Apologies for absence were submitted on behalf of Councillors Mrs M H Goldspink, M P A McMullen and N C Poulton. It was noted that Councillor M Wood was in attendance as substitute for Councillor Mrs M H Goldspink.

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The Head of Environmental Services updated the Committee in respect of progress on the procurement of a composting plant for the East Herts area.

RESOLVED – that the Minutes of the meeting held on 10 June 2008 be confirmed as a correct record and signed by the Chairman.

285 UPDATE ON THE WORK OF THE CLIMATE CHANGE TASK AND FINISH GROUP

The Chairman of the Climate Change Task and Finish Group, Councillor D A A Peek, stated that the Group had met on three occasions to discuss how to approach what was a large and complex issue.

Councillor Peek referred to how the work of the group related to the Council's corporate priorities. He commented that two Officer groups had been set up to support the work of Members on the Task and Finish Group. The Committee was advised that these groups were working on the strategic and operational issues for the Council arising from climate change.

Councillor Peek referred to the involvement of young people. He stated that the Task and Finish Group would engage with young people at the Youth Conference on 24 September 2008. He also commented that a briefing would be given to the Youth Council in October.

Councillor Peek highlighted the 6 themes agreed by the Group to facilitate effective consideration of a Climate Change Strategy and Action Plan. He referred the Committee to the strategic carbon embedding matrix at appendix A of the report now submitted. Councillor Peek detailed the performance of the Council on each strand of

ACTION

the matrix and referred to the aspired levels of performance through 2009 to 2010.

Councillor W Quince sought and was given clarification on why East Hertfordshire had a particularly high carbon footprint. The Environmental Co-ordinator advised that contributing factors were a large geographic and affluent area with significant levels of car usage. The Committee was advised that the District had a number of larger older properties that were difficult to insulate. Members were advised that domestic insulation was one of a number of ways that the domestic carbon footprint in East Herts could be reduced.

RESOLVED – that the update report be noted.

286 'STOP THE DROP' - EAST HERTS COUNCIL  
CONSIDERATION OF THE ISSUES RAISED BY THE  
CAMPAIGN FOR THE PROTECTION OF RURAL  
ENGLAND

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The Head of Environmental Services submitted a report detailing the background and context to assist Members consideration of the Campaign for Rural England's 'Stop the Drop' campaign.

The Committee was advised that the campaign would run for 3 years and was aimed at addressing the increasing problems of litter and fly tipping. The Head of Environmental Services reported that the campaign was aimed at encouraging Local Authorities and the Government to do more to discourage litter and fly tipping.

The Head of Environmental Services advised that any campaign which discouraged the dropping of litter was to be welcomed. However, the CPRE's proposals needed to be considered in the context of East Hertfordshire's issues and challenges. He referred to difficulties Officers faced when catching those who drop litter in such a large rural district and even in busy locations people do not offend

ACTION

when there are officers present.

The Head of Environmental Services commented on the effectiveness of fly tipping enforcement. He confirmed that limited success had been achieved and a number of prosecutions secured. The Council had increased its enforcement activity significantly in the last few years. The Committee was advised that catching fly tippers on rural lanes in rural areas had proved very challenging.

The Committee was advised that the maximum fine that could be given by the courts was £50,000. The Head of Environmental Services stated that such penalties were rarely employed in practice as the Courts are required to issue fines that are proportionate to the offence and smaller fly tipping offences received much smaller fines. He reported that Officers had to exercise caution in using Closed Circuit Television (CCTV) to collect evidence to avoid issues over invasion of privacy and remain within the law.

The Head of Environmental Services commented that the use of disproportionate activity could result in a loss of public support. The Council has an enforcement policy which requires enforcement to be proportional to the crime. He stated that, with respect to street cleansing operations, Officers had to apply resources according to need and to meet obligations covered by legislation.

Members were advised of the statutory standards in respect of the time East Herts Council had to respond to a report of littering in urban and rural areas. Legislation requires different response times in different areas, according to their intensity of use. The Committee was advised that where litter increased to a specified level the response time in the town centres was one hour and up to 14 days for a rural road.

Councillor G McAndrew expressed concern that when London Boroughs commenced a drive to clean up London prior to the Olympics, problems may overspill into

ACTION

neighbouring areas. He commented that a joined up approach could be adopted with the London Boroughs to prevent problems occurring.

The Head of Environmental Services reported that East Herts Council adopted a joint approach with Hertfordshire and Essex Constabularies on enforcement against fly tippers. He stated that the authority could prosecute offenders from anywhere in the country should evidence come to light in relation to a fly tip in East Herts. He confirmed that East Herts Council would share evidence and undertake joint enforcement where appropriate.

Councillor D A A Peek commented on whether the Council could enforce against fly tips on private land. The Committee was advised that East Herts Council would not get involved in civil matters and there was no obligation for the authority to remove a fly tip from Private Land.

Councillor W Quince commented on the process for securing the removal of dangerous waste such as glass. The Head of Environmental Services advised that Offices would assess the risk and where appropriate, issue an instruction to a contractor to clear up the dangerous waste.

Councillor D Clark commented on the introduction of a sponsored campaign to provide a litter pick in a box to enable the public to conduct clean up days. The Head of Environmental Services stated that litter picking equipment was made available to community groups upon request. He commented that Officers would look at how this was promoted to see if this could be improved. The Head of Environmental Services also advised that in Town Centres, mobile clean up crews were required to bring the areas up to a high standard by 8.00 am each day.

In respect of a query from Councillor Clark on whether building inspectors inspect disposal receipts, the Head of Environmental Services undertook to respond to Councillor Clark following the meeting.

ACTION

Councillor Clark commented on whether a clearly identifiable section of the website was available for reporting fly tipping. The Committee was advised that this function was available, Officers acknowledged this facility could be made easier to locate.

The Head of Customer Services reported that a Customer Working Group had been set up to examine how each team delivered a service to the public. He advised that work was ongoing to separate the intranet and Members' pages to make the website easier to navigate.

Councillor M Wood commented on East Herts Council involvement with Housing Associations in addressing issues of litter and fly tipping. He expressed concerns over the length of time it took to address litter issues at housing association properties. Councillor Wood queried whether Officers could issue Control Notices under the Environment Protection Act.

The Head of Environmental Services stated that Officers had the power to issue control notices. He commented, however, that the law stated that local authorities should work in partnership with housing associations before issuing control notices.

The Committee was advised that a swift resolution could often be achieved by requesting a housing association clear up an untidy section of land. Members were also advised that East Herts Council had a close working relationship with housing associations.

RESOLVED – that (A) the Campaign for Rural England's 'Stop the Drop' campaign for discouraging litter and fly tipping be noted; and

(B) the Council's current approach to tackle environmental crime and raising environmental standards be noted.

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287 MODIFICATIONS TO JACKSON SQUARE MULTI  
STOREY CAR PARK - PROGRESS REPORT AND  
CAPITAL BID

The Parking Manager submitted a report advising Members of the measures East Herts Council proposed to take to improve parking arrangements in Jackson Square Car Park. The Committee was advised of the proposed package of measures to alleviate the worst of the issues relating to the traffic flow out of the car park.

The Parking Manager detailed the outcome of extensive discussions with Hertfordshire County Council and reported that the County Council had endorsed the proposed works. The Committee was advised that, subject to ongoing negotiations, it was anticipated that 50 percent of the £120,000 capital cost could be recharged to the owner of the shopping centre. The Committee was also advised that Officers had to submit a bid for the full capital cost of the project.

Councillor D Clark commented on the lessons that could be learnt from a planning perspective in relation to the problems with the car park at Jackson Square. The Parking Manager commented that he hoped that the proposed works would be the solution to the recent problems at Jackson Square.

Councillor D A A Peek commented that he was pleased works would be undertaken to improve the situation at Jackson Square. He referred to the chaos that often resulted from minor secondary issues severely affecting the traffic flow inside the car park.

Councillor M Wood referred to the comments of Members and the public when the car park was built in respect of expert advice received. He commented on whether alternative solutions existed to alleviate the current problems.

ACTION

Councillor D Clark commented on the difficulties experienced by Members in situations when Members disagreed with expert advice when faced with making Development Control decisions.

RESOLVED – that (A) the progress to date and proposals for further modifications to the Jackson Square multi-storey car park be noted; and

(B) the Committee supports a capital bid to the Executive for £120,000 to fund the creation of a new exit from the car park should this be confirmed as a viable improvement to the current position.

288 WORK PROGRAMME 2008/09

The Committee considered items to be included in the work programme for 2008/09 and approved the programme as now submitted, subject to the addition of a Parks and Open Spaces and development plan update for the meeting on 2 December 2008.

The Committee also approved the addition of a report on the guidelines for partnership working in respect of environmental maintenance for the meeting on 2 December 2008.

The Scrutiny Officer advised of a change to the reporting format for health check reports relating to performance indicators. She commented that this amendment had arisen out of recommendations of a task and finish group set up by Corporate Business Scrutiny Committee.

RESOLVED – that the work programme as now amended, be approved.



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The meeting closed at 9.20 pm

Chairman	.....
Date	.....

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