



Alison Stuart  
Head of Legal and  
Democratic Services

**MEETING** : OVERVIEW AND SCRUTINY COMMITTEE  
**VENUE** : COUNCIL CHAMBER, WALLFIELDS, HERTFORD  
**DATE** : TUESDAY 12 SEPTEMBER 2017  
**TIME** : 7.00 PM

PLEASE NOTE TIME AND VENUE

**MEMBERS OF THE COMMITTEE**

Councillor M Allen (Chairman)  
Councillors D Abbott, M Casey, G Cutting, B Deering, I Devonshire,  
H Drake, M Freeman, J Goodeve, Mrs D Hollebon, P Moore, P Phillips,  
M Stevenson and N Symonds.

**Substitutes**

Conservative Group: Councillors P Kenealy, C Snowdon, R Standley  
and K Warnell.

*(Note: Substitution arrangements must be notified by the absent Member  
to Democratic Services 24 hours before the meeting)*

**CONTACT OFFICER:  
LORRAINE BLACKBURN  
01279 502172**

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## DISCLOSABLE PECUNIARY INTERESTS

1. A Member, present at a meeting of the Authority, or any committee, sub-committee, joint committee or joint sub-committee of the Authority, with a Disclosable Pecuniary Interest (DPI) in any matter to be considered or being considered at a meeting:
  - must not participate in any discussion of the matter at the meeting;
  - must not participate in any vote taken on the matter at the meeting;
  - must disclose the interest to the meeting, whether registered or not, subject to the provisions of section 32 of the Localism Act 2011;
  - if the interest is not registered and is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days;
  - must leave the room while any discussion or voting takes place.
2. A DPI is an interest of a Member or their partner (which means spouse or civil partner, a person with whom they are living as husband or wife, or a person with whom they are living as if they were civil partners) within the descriptions as defined in the Localism Act 2011.
3. The Authority may grant a Member dispensation, but only in limited circumstances, to enable him/her to participate and vote on a matter in which they have a DPI.
4. It is a criminal offence to:
  - fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register;
  - fail to notify the Monitoring Officer, within 28 days, of a DPI that is not on the register that a Member disclosed to a meeting;
  - participate in any discussion or vote on a matter in which a Member has a DPI;
  - knowingly or recklessly provide information that is false or misleading in notifying the Monitoring Officer of a DPI or in disclosing such interest to a meeting.

(Note: The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale and disqualification from being a councillor for up to 5 years.)

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## AGENDA

### 1. Apologies

To receive apologies for absence.

### 2. Minutes - 13 June 2017 (Pages 5 - 16)

To receive the Minutes of the meeting held on 13 June 2017.

### 3. Chairman's Announcements

### 4. Declarations of Interest

To receive any Member(s)' Declaration(s) of Interest and Party Whip arrangements.

### 5. Proposals for Grounds Maintenance Contract - Report of the Task and Finish Group (Pages 17 - 26)

### 6. Priorities for Parking Enforcement (Pages 27 - 62)

### 7. Update on Planning and Member Development

Presentation by Councillor S Rutland-Barsby

### 8. Waste Contract Option for Chargeable Green Waste Service (Pages 63 - 80)

### 9. Planning Enforcement Update (Pages 81 - 86)

### 10. Work Programme 2017/18 (Pages 87 - 98)

### 11. Urgent Items

To consider such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration and is not likely to involve the disclosure of exempt information.

MINUTES OF A MEETING OF THE  
OVERVIEW AND SCRUTINY COMMITTEE  
HELD IN THE COUNCIL CHAMBER,  
WALLFIELDS, HERTFORD ON TUESDAY  
13 JUNE 2017, AT 7.00 PM

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PRESENT: Councillor M Allen (Chairman)  
Councillors D Abbott, M Casey, G Cutting,  
B Deering, I Devonshire, H Drake,  
M Freeman, J Goodeve, P Phillips,  
M Stevenson, N Symonds, Mrs D Hollebon  
and K Warnell

ALSO PRESENT:  
  
Councillors A Alder, J Jones, P Kenealy,  
M Pope, P Ruffles, C Snowdon and J Wyllie

OFFICERS IN ATTENDANCE:

- |                    |  |
|--------------------|--|
| Lorraine Blackburn | - Democratic Services Officer                  |
| Isabel Brittain    | - Head of Strategic Finance and Property       |
| Fiona Corcoran     | - Scrutiny Officer                             |
| Mark Kingsland     | - Leisure Services Manager                     |
| Joseph Liggett     | - Leisure Services Development Manager         |
| Andrew Pulham      | - Parking Manager                              |
| Claire Pullen      | - Engagement and Partnerships Officer (Grants) |
| Helen Standen      | - Director                                     |
| Liz Watts          | - Chief Executive                              |

ALSO IN ATTENDANCE:

Ms Lisa Forsyth - Max Associates

49 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed all those in attendance. For the benefit of the public, he provided some general "housekeeping" information in relation to fire exits and public conveniences.

The Chairman stated that with Members' consent, he would like to bring agenda item 6 (Priorities for Parking Enforcement) forward. This was supported.

50 APPOINTMENT OF VICE CHAIRMAN

It was moved by Councillor M Freeman and seconded by Councillor K Warnell that Councillor P Phillips be appointed Vice Chairman for the civic year 2017/18.

RESOLVED – that Councillor P Phillips be appointed Vice Chairman for the civic year 2017/18.

51 APOLOGY

An apology for absence was received from Councillor P Moore. It was noted that Councillor K Warnell was substituting for her.

52 DECLARATIONS OF INTEREST

Although not a Disclosable Pecuniary Interest, Councillor I Devonshire asked that his daughter's employment at Fanshawe Pool be recorded.

53 PRIORITIES FOR PARKING ENFORCEMENT (TASK AND FINISH GROUP)

The Parking Manager submitted a report outlining the scope and draft Terms of Reference of the Parking Enforcement

Contract Scrutiny Task and Finish Group. He provided a summary of the report adding that the membership had been agreed and that Group meetings would be held in June and July 2017. The Parking Manager invited Members to contact either himself or the Scrutiny Officer with any comments or observations within the next seven to ten days.

Councillor M Casey referred to the issue of evening enforcement. The Parking Manager explained that the majority of parking restrictions ended at 6:30pm but that there was some evidence of chronic parking on double yellow lines well into the evening, which caused problems.

In response to a query from Councillor P Phillips about reviewing the need for some single and double yellow lines, the Parking Manager explained that a review had been undertaken several years ago and that this was not within the scope of the Task and Finish group.

Councillor Mrs D Hollebon agreed that areas around schools needed greater enforcement attention and that this should be given priority.

In response to a query from Councillor N Symonds, the Parking Manager explained the function of double yellow lines and when penalty charges could be issued to vehicles parked on the footway adjacent to yellow lines.

Members supported the report, as detailed.

RESOLVED – that (A) the scope and Terms of Reference of the Parking Enforcement Contract Scrutiny Task and Finish Group as detailed in Essential Reference Paper “B” of the report submitted, be endorsed; and

(B) Members’ comments or suggestions relating to the remit of the Task and Finish Group be referred to the Lead Officer and Scrutiny Officer.

54 LEISURE STRATEGY: PART 1 - PROPOSED FUTURE DIRECTION OF TRAVEL FOR COUNCIL MANAGED FACILITIES; PART 2 - PROPOSAL TO DEVELOP THE LEISURE AND SPORTS PROVISION IN BISHOP'S STORTFORD

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Part 1

The Leisure Task and Finish Group submitted a report setting out the proposed future direction of travel for Council managed leisure facilities.

Councillor M Freeman provided a summary of the Leisure Strategy Facilities report regarding a proposed mix of leisure facilities to be provided by the Council over the next 20 years and the options available. He referred to the remit of the Task and Finish Group, reminding Members that the Council had no statutory obligation to provide leisure facilities, but that there was a statutory responsibility in terms of the health and wellbeing of its community.

A presentation was provided by Councillor M Freeman on the work of the Task and Finish Group which highlighted key challenges, the profile of the communities and the business case evidence for the five facilities. Ms Lisa Forsyth, (Consultant from Max Associates), provided detailed responses to questions previously notified.

Councillor M Stevenson referred to the Education Funding Agency (EFA) Government funding and queried where this would leave the school and the children if this was clawed back by the Government. The Leisure Services Development Manager explained how Government funding supported education related leisure and the need for the proposal to be commercially viable.

In supporting the proposals, Councillor K Warnell thanked the Task and Finish Group for the report and referred to the Old River Lane proposals and the refurbishment of Bishop's Stortford Town Centre. He hoped that what was being proposed complied with Sport for England specifications.



Councillor J Wyllie fully supported the proposals and the investment in leisure facilities in Bishop's Stortford. He stated that Rye Street was a "hot spot" in terms of traffic and that this would only deteriorate when thousands of homes planned on the Bishop's Stortford North site were developed. He suggested that there was a need to review the infrastructure and use Section 106 monies and New Homes Bonus monies.

Councillor B Deering supported investment in health and fitness. He queried the £31Million proposed investment in terms of the impact this would have on revenue streams and whether this was commercially viable. He sought assurances that a development with the private sector had been fully explored. A query was also raised by Councillor P Phillips on the funding through borrowing and the rate of return on investment. The consultant provided a detailed response on the breakdown of the investment figure and why working with private leisure developers was not feasible in this instance.

The Head of Strategic Finance assured Members that financial modelling had been carried out and was satisfied that the margins necessary to achieve a profit, could be reached.

Councillor C Snowdon was concerned that many current facilities were not properly managed and that there were times through the day when people were turned away. The Leisure Services Development Manager explained how joint use pools were managed and the contributions made by schools.

Councillor H Drake commented on the cost of membership of private sector leisure facilities and of the difficulties of on-site parking. She referred to the concessions provided by some pools to individuals by virtue of their employment and asked that this be reviewed in due course.

Councillor G Cutting referred to the Old River Lane project and the sustainable transport planned for the Bishop's Stortford North housing development and stated that Hertfordshire County Council was aware of the problems and the significant piece of work being done to support infrastructure requirements.

Councillor M Casey reminded Members that Grange Paddocks was 50 years old and of the need to replace the facility with one which could meet the needs of the current population of 40,000 which would likely increase with the new housing. He stated that the level of investment proposed was a lot of money, but when apportioned to population numbers, considered that this offered good value for money. Councillor Mrs D Hollebon stated that many people from surrounding areas such as Takeley and Stansted used facilities in Bishop's Stortford creating more pressure on demand.

Councillor N Symonds referred to the flooding of the Grange Paddocks football pitches and sought assurances that this would not occur. Approaches to mitigate this were outlined. Councillor G Cutting explained that the Environment Agency was proposing to alter the upper River Stort which would mitigate the flow and so reduce risk.

The Chairman referred to Fanshawe Pool and Gym. The Leisure Services Development Manager explained the difficulties in relation to EPA funding. In the circumstances, Members felt that they could not support investment of this facility.

During the debate, the Leisure Services Development Manager and the Consultant provided Members with detailed response to all of the issues raised.

Members of Overview and Scrutiny Committee acknowledged the investment proposed was a large sum of money but that some of its managed facilities, specifically Grange Paddocks was not meeting the needs of a growing population which would grow further as a result of the Bishop's Stortford North housing development. Members felt that it was important to provide facilities which not only met with demand, but which would contribute to the health and wellbeing of residents and address the key challenges as detailed in the report.

Members of Overview and Scrutiny Committee were unanimous in their support of the investment proposal with the exception of the options proposed in relation to Fanshawe Pool and Gym which they felt they could not support in terms

of further investment and expressed a preference for Option B, which did not include proposals for long term investment at Fanshawe Pool and Gym.

RESOLVED – that the Executive be advised that Overview and Scrutiny Committee (A) unanimously supports the investment proposed with the exception of Option A in relation to the Fanshawe Pool and Gym;

(B) endorses the view that existing joint use facilities should remain in operation until compensating investments had been made at Hartham and Grange Paddock facilities;

(C) endorses the views of the “Vision for Leisure Facilities” and that these be included in the Physical Activity Strategy, as now detailed; and

(D) the remit of the Task and Finish Group be extended to support the leisure service specification in relation to key service policy considerations such as concessionary pricing policy, health and wellbeing and community development.

## Part 2

The Leisure Services Development Manager submitted a report which outlined proposals for a leisure facility in Bishop’s Stortford within the context of the emerging leisure facility requirements, Physical Activity Strategy and the Bishop’s Stortford North Section 106 Sports Investment Strategy. He provided a summary of the approach to the Council by the Head teacher of Herts and Essex School as detailed in the report.

Members debated the issue of funding in relation to the Bishop’s Stortford North 106 Sports Investment Strategy and noted that the projects identified within the Strategy, totalled approximately £22.8 million with a contribution being sought from the Council of £3 million. The benefits of supporting the Strategy were summarised.

Councillor B Deering queried what safeguards were in place to protect the Council's financial investment. The Leisure Services Development Manager assured the Member that a water tight agreement would be drawn up to protect the Council's interests and if necessary, would take legal action should there be any departure from the agreement.

Councillor K Warnell expressed concern regarding the loss of £23,000 revenue. The Leisure Services Development Manager referred to Sports Halls and explained how cross subsidisation worked.

Councillor J Wyllie referred to the issue of infrastructure and the impact this would have on extra traffic using Beldams Lane in Bishop's Stortford. He did not support a suggestion he had heard (outside of the meeting) that 6<sup>th</sup> Formers would be able to park on the site.

In response to a query from Councillor H Drake regarding planning permission and other financial queries, the Leisure Services Development Manager explained the planning process and the expenditure versus profit element. He reassured Members that the school was familiar with public liability insurances and was confident in the school's ability to ensure equity in the use of the facility.

Councillor G Cutting suggested that a Contract Guarantee be drawn up.

Councillor M Casey acknowledged that £3 million was a lot of money and stated that, given the demand and rising population, this represented good value for money. He noted that the dedicated Dojo represented 1/3 of the overall £3 million sought and also expressed concern about cars and coaches using Beldams Lane which, he reminded Members, was narrow and had traffic calming measures in place. The Leisure Services Development Manager commented that the issue of access would be addressed at the planning stage. He reminded Members that there was strong martial arts support in Bishop's Stortford and cited other disciplines which could use the Dojo, such as Karate, Yoga and Tae Kwando.

In response to a query regarding the submission of the planning application, the Leisure Services Development Manager explained the background to EPA Funding from the Government and the timing of the application. He explained that this was time limited.

Councillor M Pope referred to the shortage of football pitches across the District.

The Chairman queried the impact of the proposal on the Council's Medium Term Financial Plan. The Head of Strategic Finance provided a detailed response.

Members of Overview and Scrutiny Committee were unanimous in their support of a proposal to invest in a leisure facility development proposed by Herts and Essex School to develop leisure and sports provision in Bishop's Stortford.

RESOLVED – that the Executive be advised that Overview and Scrutiny Committee unanimously supports the investment proposed by Herts and Essex School to develop leisure and sports provision in Bishop's Stortford.

## 55 REVIEW OF PLANNING ENFORCEMENT

The Director submitted a report outlining the current position in regard to the Council's Planning Enforcement Service. She provided a summary of the report and of the action being taken including the production of an action plan, employment of additional staff and the use of a specialist enforcement company to help clear the backlog.

Councillor M Freeman welcomed the action being taken and asked that the Chairman of Development Management Committee be kept informed of progress.

Councillor I Devonshire and Councillor M Casey welcomed the report. It was acknowledged that some of the enforcement delays could be attributed to re-structuring the department. Councillor M Casey hoped that developers would be made aware of the steps which were being put into

action.

Concern was expressed by Members regarding the disregard by some developers in terms of the planning process. Councillor K Warnell asked Officers to ensure that consultants were advised to stick with the legal process regarding unauthorised developments. The Director provided assurances that the Council would take whatever action was appropriate.

In response to a query regarding the basis for external charging and follow ups, the Director explained that the Consultants would provide a cost basis for handling each enforcement action and would ensure that the Enforcement Team were provided with the resources and ability to support the action needed.

Members received the report.

RESOLVED – that (A) the report be received; and

(B) an Action Plan be presented to the next meeting of Overview and Scrutiny Committee.

56 DRAFT WORK PROGRAMME 2017 /18

The Chairman submitted a report setting out the draft work programme for Overview and Scrutiny Committee for the civic year 2017/18. The Scrutiny Officer advised that the report before Members was a draft and that further reports would be added to the programme. She stated that a meeting would be held on 12 July 2017 to which all Members were invited, to consider other items for inclusion on the draft work programme.

The Scrutiny Officer explained that the two new Scrutiny Committees would also be supported by Claire Pullen who would be co-ordinating with Officers.

Members approved the draft Work Programme for Overview and Scrutiny Committee.

RESOLVED – that the draft Work Programme for Overview and Scrutiny Committee, as now detailed, be approved.

The meeting closed at 9.28 pm

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

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## EAST HERTS COUNCIL

### OVERVIEW AND SCRUTINY: 12 SEPTEMBER 2017

#### REPORT BY CHAIRMAN OF OVERVIEW & SCRUTINY COMMITTEE

#### GROUND MAINTENANCE CONTRACT: SCRUTINY TASK AND FINISH GROUP – TERMS OF REFERENCE AND SCOPE

WARD(S) AFFECTED: NONE

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### **Purpose/Summary of Report**

- To confirm the scope and draft Terms of Reference of the Grounds Maintenance Contract Scrutiny Task and Finish Group as outlined in **Essential Reference Paper 'B'**.

<b><u>RECOMMENDATIONS FOR OVERVIEW AND SCRUTINY COMMITTEE</u></b>	
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<b>That:</b>	
<b>(A)</b>	<b>the scope and Terms of Reference of the Grounds Maintenance Contract Scrutiny Task &amp; Finish Group as detailed in Essential Reference Paper B be endorsed by the Committee; and</b>
<b>(B)</b>	<b>Members' comments or suggestions relating to the remit of the Task and Finish Group be referred to the Lead Officer and Scrutiny Officer.</b>



### 1.0 Background

1.1 The Council's grounds maintenance contract is due to be re-tendered, with a commencement date of 1<sup>st</sup> January 2020. Officers are seeking to explore performance and consider contract delivery options and procurement arrangements, to craft a contract that meets the changing needs of the district for the next 5+ years.

1.2 Members play an important community leadership and representative role and are ideally placed to reflect the views of East Herts residents and business community. Accordingly they are invited to contribute to the process of crafting the next

generation contract, primarily by confirming the Council's grounds maintenance priorities.

## 2.0 Report

2.1 The Terms of Reference and Scope is set out at **Essential Reference Paper "B"**.

2.2 The aim of the Task and Finish Group is to allow Members to discuss and agree the proposals for the new grounds maintenance contract and specification prior to tendering the contract in 2018/19

2.3 The work of the Task & Finish Group will contribute to the following outcomes:

2.3.1 a contract (and therefore a grounds maintenance service) that is fit for purpose and which reflects the changing nature of our communities;

2.3.2 a service that provides East Herts residents with value for money.

2.4 Members are asked to note the constraints as detailed in **Essential Reference Paper "B"**.

2.5 The Task and Finish Group is due to meet 3 or 4 times between September 2017 and January 2018, with its findings to be reported back to the Committee at its meeting on the 20<sup>th</sup> February 2018. This timeframe will allow recommendations and priorities identified to inform the writing of contract specification to be undertaken by officers in 2018.

## 3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

### Background Papers:

none

Contact Member: Overview and Scrutiny Committee Chairman: Cllr Mike Allen  
[mike.allen@eastherts.gov.uk](mailto:mike.allen@eastherts.gov.uk)

Contact Officer: Ian Sharratt, Environment Manager – Open Spaces  
[ian.sharratt@eastherts.gov.uk](mailto:ian.sharratt@eastherts.gov.uk)

Report Author:

Jess Khanom, Head of Operations  
[jess.khanom@eastherts.gov.uk](mailto:jess.khanom@eastherts.gov.uk)

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## ESSENTIAL REFERENCE PAPER 'A'

### IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives <i>(delete as appropriate)</i> :	Priority 1 – Improve the health and wellbeing of our communities  Priority 2 – Enhance the quality of people's lives  Priority 3 – Enable a flourishing local economy
Consultation:	<i>None</i>
Legal:	<i>N/A</i>
Financial:	<i>The Council's budget for the grounds maintenance contract is limited and must be considered carefully as part of any redesign of the specification.</i>
Human Resource:	<i>None</i>
Risk Management:	<i>The contract provides a high profile service to the public which can result in a high level of complaint if not delivered effectively. Comparisons of contract performance are considered by customers across district borders. The level of quality standards therefore need to be considered in this context.</i>
Health and wellbeing – issues and impacts:	<i>An effective grounds maintenance contract contributes directly to the delivery of high quality parks and open spaces which provide opportunity for health and well-being initiatives and activities.</i>

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**SCRUTINY REMIT: East Herts Grounds Maintenance Contract Procurement - Scrutiny Task & Finish Group**

**OBJECTIVE:**

To allow Members to discuss and agree the proposals for the new grounds maintenance contract and specification prior to tendering the contract in 2018/19.

**BACKGROUND:**

The Council’s current grounds maintenance contract with John O’Conner Ltd is to be re-tendered in 2018/19, with a commencement date of 1 January 2020.

Officers want to use the experiences of the previous contract to review the existing contract and specification and tender works that meet the needs of East Herts going forward and would like Members to assist in this process.

**PRINCIPAL QUESTIONS TO BE ADDRESSED:**

- **Explore the scope of a new contract & define functions in relation to customer expectations and cost** – Has the current mix of operations and specifications met the needs of our customers and stakeholders? Are there key areas of service provision which could be improved upon or adjusted? For example; frequency of grass cutting, removal of grass clippings, frequency of hedge pruning, litter picking, dog waste bins, maintenance of football pitches, play areas, floral bedding, play area inspection and maintenance, weed control on hard surfaces. Have our objectives for the contract changed since it was let?
- **Confirm any proposed contract and / or specification changes** – Having determined the outline scope of works; agree significant changes to proposed contract standards such as grass height and hedge cutting frequency. This will include some benchmarking against neighbouring authorities.
- **Review market testing data and agree tender format** – the scope and level of standards chosen will affect the potential cost of

the new contract. A specialist consultant will provide some guidance on how these decisions might affect the price along with changes in market conditions. They will also advise options in relation to industry trends in this competitive market to choose the most appropriate style of contract and tender approach. The recent assessment has already discounted the option of combining grounds maintenance with the emerging waste services contract.

- **Review ‘top up’ arrangement** – the Council currently maintains County Council verges in order to achieve a consistent standard of maintenance across the district (not including A roads). The County pay the Council an amount equivalent to the cost they have calculated to achieve their “safety” standard. The Council fund the additional cost required to cut to our amenity standard, thus meeting customer expectations of a “tidy” district. Should the Council continue to finance this?
- **Consider the continuation of enhanced maintenance to County roundabouts** which are funded through a separate sponsorship contract
- **Consider Network Homes confirmation that they will not require services** through the current agency agreement arrangement in the new grounds contract. Should the Council include a tendered option in the contract to provide such a service in the event that one of the local housing associations might require this in the future?
- **Chemical Weed Control** - Consider future grounds maintenance constraints should glyphosate weed control be outlawed. Should the tender seek rates for mechanical options to provide weed control in shrub beds without reliance on herbicides?
- **Bowling Green** – Consider alternative ways of managing and funding the provision at Hartham Common?
- **Added Value** – Explore areas of provision which can be expanded upon or added to the contract to optimise the potential resources available; e.g. bailiff activities to manage fishing permit scheme, issuing fixed penalty notices for litter and dog fouling under the Community Safety Accreditation Scheme, building links with communities, electronic contract monitoring and vehicle tracking systems and apprenticeship schemes.

#### **OUTCOMES:**

- Evidence based recommendations that will inform the Executive decision regarding the specification and re-tender of the grounds



maintenance contract.

- A grounds maintenance contract and service that is fit for purpose and provides value for money for residents.

**CONSTRAINTS:**

- Members are not being asked to write the new contract specification, but rather will be asked to discuss the questions raised above and agree the Council's priorities going forward.
- The contract does not include the maintenance or inspection of trees, closed churchyards or infrastructure repairs (steps, paths etc.).
- The Council's budget for the grounds maintenance contract is limited and some improvements may not be feasible on cost grounds

**WITNESSES (individuals)**

- Ian Sharratt – Parks & Open Spaces Manager
- Council's consultant assisting with the preparation and retendering of the contract. (To be confirmed as consultant currently being procured)

**EVIDENCE**

- Background information on the current grounds maintenance contract performance – Performance Indicators
- Information from HACO sub group (ParksHerts) on other Authorities' grounds maintenance specifications
- Information from a specialist consultant exploring industry trends, market analysis and contract styles.
- Consultation with HCC on potential for new agency agreement

**METHOD:**

Task & Finish Group  
Three meetings with 3 or 4 weeks  
between each meeting (Evenings)

**DATES:**

TBC - September 2017 to January  
2018

**SITE VISIT:**

No

**DATE:**

N/A

<b>MEMBERSHIP:</b> TBC	

<b>SUPPORT:</b>	
<b>Scrutiny Officer:</b>	Fiona Corcoran / Claire Pullen
<b>Lead Officers:</b>	Ian Sharratt / Rowan Perrin / Jackie Bruce

<b>EHC Corporate Priorities:</b> how this item helps deliver the <b>Priorities</b> <i>delete as appropriate</i>	
<b>Priority 1 - Improve the health and wellbeing of our communities</b>	Residents living active and healthy lives
<b>Priority 2 - Enhance the quality of people's lives</b>	Attractive places
	Future development best meets the need of the district and its residents
<b>Priority 3 - Enable a flourishing local economy</b>	Support for our businesses and the local economy

<b>CfPS ACCOUNTABILITY OBJECTIVES:</b> <i>delete as appropriate</i>
1. Transparent – opening up data, information and governance
2. Inclusive – listening, understanding and changing
3. Accountable – demonstrating credibility

## EAST HERTS COUNCIL

### OVERVIEW AND SCRUTINY COMMITTEE – 12 SEPTEMBER 2017

#### REPORT BY MEMBER TASK AND FINISH GROUP

#### PARKING ENFORCEMENT PRIORITIES

WARD(S) AFFECTED: ALL

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#### **Purpose/Summary of Report**

- To advise the Committee of the findings and recommendations of a Member Task and Finish Group, established to review the Council's parking enforcement priorities.

#### **RECOMMENDATION FOR OVERVIEW AND SCRUTINY COMMITTEE:**

**that:**

<b>(A)</b>	<b>Members review and comment on the recommendations made by the Task and Finish Group in paragraph 3 of the report; and</b>
<b>(B)</b>	<b>the Executive be asked to approve the recommendations of the Task and Finish Group as detailed in paragraph 3 of the report, for inclusion in the Council's new parking enforcement contract.</b>

#### 1.0 Background

1.1 East Herts Council's parking enforcement contract will shortly be re-tendered. The new contract will commence on 16 January 2019 and will operate for five years with the possibility of a maximum two year extension.

1.2 The preparation of this new contract has given the Council an opportunity to review its parking enforcement priorities to ensure they remain fit for purpose. A Member Task and Finish Group was established in May 2017 to assist with this review. This report summarises the findings and recommendations of that Group.

## 2.0 Report

- 2.1 The Task and Finish Group met on five occasions during June, July and August 2017. Evidence was received in person or in written form from a number of interested parties. The composition of the Task and Finish Group and a list of those who gave evidence are set out in **Essential Reference Paper 'B'**.
- 2.2 The Group recognised that the nature of our towns and villages has changed since the current enforcement contract was prepared in 2011. For example, the evening economy has developed significantly - especially in our main towns. As new residential and business developments take place, pressure on off-street and on-street parking capacity is likely to grow. With finite resources and growing (and sometimes conflicting) demands on the service, it is right to re-assess the Council's parking enforcement priorities.

### Statutory Basis of Civil Parking Enforcement

- 2.3 Statutory Guidance issued in conjunction with the Traffic Management Act 2004 confirms the core purposes of Civil Parking Enforcement (CPE) as:
- Managing the traffic network to ensure expeditious movement of traffic.
  - Improving road safety.
  - Improving the local environment.
  - Improving the quality and accessibility of public transport.
  - Managing and reconciling the competing demands for kerb space.

All changes to policy and practice must be considered in the context of these objectives and of the statutory framework within which CPE operates.

### Current Position in East Herts

- 2.4 East Herts Council enforces on-street parking restrictions on behalf of the Highway Authority, Hertfordshire County Council. The County Council wishes there to be a broad uniformity of approach to on-street enforcement across the county; therefore whilst local circumstances can be accommodated to a degree, a

district council's freedom to depart too far from a consistent approach to on-street parking enforcement is limited.

- 2.5 East Herts Council is responsible for the management and enforcement of its off-street car parks. The Council therefore enjoys considerable freedom to dictate the terms under which car park enforcement is conducted.

### Parking and Transport Strategy 2011/12

- 2.6 In 2011/12 East Herts Council surveyed residents' views on a number of parking and transport issues. This included asking where the Council's enforcement priorities should lie. Residents identified their enforcement priorities as follows:

- Safety around schools  
(69% made this their highest or second highest priority)
- Safer parking in general  
(67% made this their highest or second highest priority)
- Keeping traffic moving  
(34% made this their highest or second highest priority)

The view of the Task and Finish Group is that these should remain the Council's core objectives for the delivery of its parking enforcement service.

### Evidence from East Herts Council's Parking Manager

- 2.7 The Council's Parking Manager attended all meetings of the Task and Finish Group and gave detailed evidence on 20 June in particular. Minutes of all T&F meetings are offered as **Essential Reference Paper 'C'(i) – (v)**.

### Evidence from the Hertfordshire County Council (Highway Authority)

- 2.8 Representatives of the Highway Authority, Hertfordshire County Council, gave evidence on 21 June. Their evidence reinforced the evidence given by the Council's Parking Manager that CPE is primarily a safety related tool and is not a revenue raising exercise. (In common with most local authorities in England and Wales, parking enforcement in East Herts operates at a financial deficit. East Herts Council absorbs the deficit incurred through enforcing on-street restrictions on behalf of the County Council). Minutes of that meeting are contained within **Essential**

## Reference Paper 'C'(ii).

### Evidence from Mr Peter Lowe of RTA Associates Ltd

- 2.9 Mr Lowe gave evidence on 17 July. Mr Lowe is the consultant employed by East Herts Council to run the current parking enforcement tender process. Mr Lowe has considerable experience in implementing CPE across many years and is the current President of the British Parking Association – the lead industry body. Minutes of that meeting are contained within **Essential Reference Paper 'C'(iv)**.

### Submissions from Town Councils

- 2.10 Hertford, Bishop's Stortford, Ware, Sawbridgeworth and Buntingford Town Councils, together with Stanstead Abbots Parish Council, were invited to submit written evidence to the Task and Finish Group. A summary of their responses is offered as **Essential Reference Paper 'D'**.

### 3.0 Key Recommendations from the Task and Finish Group

- 3.1 There was much common ground among the parties who gave evidence. The key recommendations of the Task and Finish Group, for consideration and adoption by the Council's Overview and Scrutiny Committee, are as follows (in no order of importance). It will be noted that these correlate with the stated priorities of East Herts residents as recorded in paragraph 2.6.
- i) Increase attendance around schools at the start and end of the school day to promote safety, by ensuring as many Civil Enforcement Officers as possible are at or near a school at the relevant time(s).
  - ii) Prioritise enforcement of the highway over enforcement of car parks.
  - iii) Boost engagement in measures to combat blue badge fraud including more frequent collaboration with the Shared Anti-Fraud Service and publication of prosecutions where possible.
  - iv) Seek recovery of penalty charge debt incurred by European registered vehicles on a 'no win, no fee' basis.
  - v) Increase the amount of safety related on-street evening enforcement in our main towns to reflect the growth of the evening economy.\*

- vi) Increase the amount of safety related on-street Sunday enforcement in our main towns to reflect the growth of Sunday trading and leisure activities.\*
- vii) Engage with schools to promote the safety message.\*
- viii) Consider the use of an ANPR equipped vehicle in the very limited circumstances permitted in law, as an adjunct to foot patrolling.\*
- ix) Allow members of the public access to an out-of-hours service for enforcement requests.\* (It is not proposed to 'outsource' requests for parking enforcement between 0900 and 1700, Monday to Friday. The Council is moving towards a unified customer service function as part of its 'Digital East Herts' programme and requests for enforcement during the Council's opening hours should still be handled by Council officers).

3.2 The competitive tendering process will of course yield the most economically advantageous bid for these services; however the consequence of implementing the primarily safety-related measures marked with an (\*) is a likely increase in the Council's enforcement costs. For example, evening and night time enforcement requires Officers to patrol in pairs for reasons of personal safety.

3.3 Members noted the response of the Manchester Airports Group (MAG) to its inquiries, as recorded in **Essential Reference Paper 'C' (iv)** of this report. The fact the entire response related to the MAG's activities in Uttlesford was regretted as the airport also has a direct effect on the quality of life of residents in East Herts – in particular Bishop's Stortford. Although not strictly related to the remit of this Task and Finish Group, the Group recommended that Members scrutinise the problems of airport parking in East Herts, including inviting the Chairman of MAG to attend an appropriate committee of the Council.

3.4 A reduction in the amount of daytime enforcement to help fund a higher level of evening and weekend enforcement is not considered prudent as the trend over recent years has been to introduce ever more restrictions and controls in our towns and villages, such as Resident Permit Zones, all of which require enforcement to some degree.

3.5 Officers will make a growth bid within the 2019/20 Medium Term Financial Plan (MTFP) to help fund these increasing demands on the enforcement service and it is suggested that, unless this is

awarded, it would be difficult to achieve significant improvement in areas v) and vi) in particular. Without an increase in funding for the new contract, the Council's ability to fund the service enhancements in items vii), viii) and ix) might also be jeopardised.

## **4 Implications/Consultations**

4.1 Information on corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

### Background Papers

The Secretary of State's Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions. (Traffic Management Act 2004)

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## ESSENTIAL REFERENCE PAPER 'A'

### IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives:	Priority 1 – Improve the health and wellbeing of our communities  Priority 2 – Enhance the quality of people's lives  Priority 3 – Enable a flourishing local economy
Consultation:	Consultees with whom the Member Task and Finish Group engaged are listed elsewhere in this report.
Legal:	N/A
Financial:	Many of the service enhancements recommended by the Member Task and Finish Group are likely to increase the cost of the parking enforcement contract. The contract will be re-tendered during 2018 and until tenders have been received it will not be possible to identify these additional costs. The Council's MTFP contains a growth bid of £100k effective from 2019/20 to fund these additional costs. It should also be borne in mind that expenditure on the parking enforcement service yields financial and other returns. As well as intangible benefits in terms of improved safety and the efficient flow of traffic, parking enforcement helps to maintain the Council's income from car park charges. In 2016/17 revenue from penalty charges yielded approximately £0.88 for every £1.00 spent on the enforcement contract.
Human Resource:	The parking enforcement service is contracted out. It is not anticipated that the enhancements to services recommended in this report will require any growth to the Client side operation.
Risk Management:	Should the enhancements to the service recommended in this report not be agreed, the Council will increasingly struggle to meet the demands imposed by growth in the evening and weekend economy and by increasing development (and therefore increasing car use) in our towns and villages.
Health and wellbeing – issues and impacts:	Parking enforcement contributes significantly to the health and wellbeing of communities – primarily by helping to ensure the safe and efficient use of our roads and car parks by all, including pedestrians.

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**Composition of Member Task and Finish Group**

- Chairman - Councillor Jonathan Kaye (Ware)
- Councillor George Cutting (Bishop's Stortford)
- Councillor Holly Drake (Bishop's Stortford)
- Councillor Ian Devonshire (Much Hadham)
- Councillor Jeff Jones (Buntingford)
- Councillor Colin Woodward (Bishop's Stortford)
- Councillor Mark Pope (Ware)

**Witnesses Attending Member Task and Finish Group**

20/06/17	Andrew Pulham, Parking Manager, East Herts Council
21/06/17	Terry Curtis, Principal TRO Officer, Highways Strategy and Compliance Group, Herts County Council  Richard Stacey, Assistant Network Manager, Herts County Council
03/07/17	No external witnesses
17/07/17	Mr Peter Lowe, RTA Associates Consideration of written submissions from town councils
17/08/17	No external witnesses

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**East Herts Council  
Parking Enforcement Contract Task & Finish Group  
20<sup>th</sup> June 2017**

**NOTES**

<b>1</b>	<b>Attendance</b>
	<p><b>Task &amp; Finish Group Members:</b> Chairman: Cllr Kaye Cllrs: Cutting, Devonshire, Drake, Jones, Pope, Woodward</p> <p><b>Contact Officers:</b> Andrew Pulham: Parking Manager</p> <p><b>Support:</b> Fiona Corcoran: Scrutiny Officer</p>
<b>2</b>	<b>Background - Andrew Pulham</b>
2.1	The group heard that EHC is responsible for civil parking enforcement, since the police withdrew and decriminalised parking enforcement. With regard to on-street parking, EHC enforces on behalf of HCC (The Highway Authority), which means EHC is more constrained in terms of what it can do. EHC is also responsible for the management and enforcement of its off-street car parks, which it has more control over. The role of a local authority in parking enforcement is clearly defined in law and this needs to be considered when looking at options for enforcement.
2.2	The purpose of parking enforcement is effective traffic management rather than revenue generation. It also serves as a disincentive for law-breaking. Due to the mostly rural nature of East Herts, it does not generate a surplus from parking enforcement. EHC outsources parking enforcement, currently to NSL.
<b>3</b>	<b>Discussion on key themes/issues/options for change</b>
	The following points were raised in discussion:
3.1	It is essential to be clear on what is the responsibility of the Police and what is the responsibility of the Council. The Council enforces under the civic law, hence 'penalty notices' rather than 'fines. The Police retained some criminal charges, one of which is obstruction.
3.2	EHC cannot enforce parking on grass verges or pavements. As per page 11, para 1 of the EHC Report on Parking Enforcement 2015/16, the option of implementing targeted, local bans on an experimental basis, was proposed but the number of areas identified by Members was not sufficient to take this forward. If

3.3	Members wished to revisit this option, this was unlikely to fall within the remit of this task and finish group so it was suggested they consult with the Executive Member.
3.4	Blue Badge fraud needs to be taken seriously and enforced robustly. The government gives a blue badge holder the right to park on double yellow lines. There was discussion over whether we could use the Shared Anti-Fraud Service (SAFS) for this. It was noted that the SAFS approach to blue badge fraud was more reactive, whereas a more proactive approach could be gained from new contract.
3.5	The Group discussed charging for parking at night and did not feel this was the best option.
3.6	Altering the nature of single/double yellow lines would be within the remit of the County Council and likely to be prohibitively expensive.
3.7	Grace periods – The Government requires a 10 minute grace period following time expired in a permitted parking bay. People parked on yellow lines are not entitled to a grace period but EHC give one of 5 mins, which is considered best practice. The purpose of this is to allow officers to check whether an exempt activity such as loading or unloading is taking place is enforceable so that there is less likelihood of the decision being overturned should a ticket be issued. EHC can withdraw the grace period if they are aware of abuse taking place.
3.8	Residents' Parking Zones (RPZ) were discussed and the group heard that they could create a number of problems as well as solutions, as the parking problem may be dispersed elsewhere rather than resolved. Under new policy it is more difficult to set RPZs, with stringent requirements to be met.
3.9	Members discussed whether existing RPZs could be used by businesses during the day and heard that officers have found two areas in Bishop's Stortford where a managed number of business permit holders use RPZ bays. If successful, a similar approach could be implemented in other areas. Cllr Cutting expressed his disappointment that fewer RPZs will be created going forward and highlighted the problem of residential roads being used for airport parking. It was suggested that stopping people parking in certain roads for a set 1 hour period during each day would prevent commuters and holiday-makers using residential roads to park in, but this would need to be implemented by the County Council.
3.10	Members raised issues around people parking in Bishop's Stortford for Stansted Airport, including the potential to use town centre car parks and top up daily via the pay by phone service for an extended time period. The question of whether the pay by phone service could be modified to put in a restriction, such as a break between sessions, was raised. Members heard that officers did not have evidence of this being a problem currently.
3.11	Members felt that more enforcement was needed near schools

	<p>at pick up and drop off times. The group heard that a random enforcement programme is currently in place and agreed that was a good approach. Members noted that the ways to increase enforcement outside schools would be either to significantly increase staff resources or to use ANPR. Members felt it would be important to address this and for parking enforcement officers to take a proactive approach, as cars parking inappropriately for school pick up and drop off had a significant impact on traffic flow.</p>
3.12	<p>Currently parking enforcement officers spend less than 60% on street. The group felt that this was not the right balance and that 70% on street/30% off street would be more effective, with a focus on schools at certain times.</p>
3.13	<p>Members asked whether school crossing staff could be used to help keep traffic moving. The group heard that EHC officers would be willing to engage with schools, perhaps attending an assembly to communicate the message about parking near the school at pick up and drop off time. It was noted that some work was being done by the County Council to engage and communicate with schools but not all schools engage. Members suggested that EHC Comms produce an advert to go in school newsletters or a flyer.</p>
3.14	<p>Members raised the issue of people not being able to report a parking offence after 6:30pm or on a Sunday. It was suggested that Councillors could be given direct access to the enforcement officers hotline.</p>
3.15	<p>The Group discussed the need for more parking enforcement in the evenings, particularly in areas with a busy night time economy but also noted the need to consider the costs as civil enforcement officers needed to be double-staffed for safety and paid at an enhanced rate in the evenings.</p>
3.16	<p>There was discussion of parking in taxi ranks and it was noted that they need a high level of enforcement in the evening but they cease to be taxi ranks during the day.</p>
3.17	<p>The Group heard about the potential for using Automatic Number Plate Recognition (ANPR) and noted that the resource and cost could be shared with Welwyn Hatfield and Stevenage Councils. ANPR can only be used for parking enforcement in specific places such as zig-zags outside schools and restricted bus stops. It is possible to use ANPR to identify parking breaches and issue the tickets automatically by post. Members highlighted the need to consider cost and resource implications of introducing ANPR. It was noted that if ANPR were to be introduced, it would require strong buy-in from Members as some people are strongly opposed to it.</p>
3.18	<p>The Group heard that if a car is parked across a dropped curb and a resident complains, they will look into it but on some occasions officers are being called to respond to requests for enforcement as a result of a neighbours' dispute. It was suggested that this group could develop a framework around</p>

	when officers are required to respond and when they are not.
<b>4</b>	<b>Potential recommendations emerging</b>
4.1	Buy in anti-fraud service as part of enforcement contract. Include the provision of a blue badge enforcement service in contract. This can be bought in as 1 day per month for example, which would act as a deterrent.
4.2	Members suggested increasing evening enforcement, particularly in areas where there is a significant night time economy
4.3	More enforcement near schools at pick up and drop off times. Civil enforcement officers to be taken out of car parks between 7:30am – 9am and 3pm – 4pm and moved to schools at for this time period.
4.4	Adjust the balance of on street and off street parking to 70% on street/30% off street, with a focus on schools at certain times around drop off in the morning and pick up in the afternoon.
4.5	Members suggested that EHC Comms produce an advert to go in school newsletters or a flyer to be given to all new families with their school induction materials.
4.6	It was suggested that Councillors could be given direct access to the enforcement officers' hotline so that they could report parking offences at any time.
<b>5.</b>	<b>Actions</b>
5.1	The Parking Manager to provide the group with data on SAFS actions relating to blue badge fraud
5.2	The Parking Manager to confer on this matter with other district councils in Hertfordshire (via Herts Forum) and also other district councils nationally.
5.3	The Parking Manager to arrange for Councillors to go out with enforcement officers in Bishop's Stortford as had been agreed previously.
5.4	The Parking Manager to obtain a quote for the introduction of ANPR as an extra to the parking enforcement contract (rather than a core offer)
5.5	The Parking Manager to provide statistics on the number of complaints from residents involved in disputes with neighbours requesting parking enforcement.
<b>5</b>	<b>Date and time (and location) of future meeting(s) of this group</b>
	<ul style="list-style-type: none"> <li>• Wednesday 21st June 2017, 2:30pm – 4pm: County Council Witnesses Q&amp;A</li> <li>• Monday 3rd July 2017, 7pm – 9pm</li> </ul>



- Monday 17th July 2017, 7pm – 9pm (Peter Lowe, Consultant to attend)

The meeting concluded at 20:30

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**East Herts Council  
 Parking Enforcement Contract Task & Finish Group Witness Evidence  
 and Q&A  
 21<sup>st</sup> June 2017**

**NOTES**

<b>1</b>	<b>Attendance</b>
	<p><b>Task &amp; Finish Group Members:</b>          Chairman: Cllr Kaye          Cllr Jones</p> <p><b>Lead Officer:</b>          Andrew Pulham: Parking Manager</p> <p><b>Support:</b>          Fiona Corcoran: Scrutiny Officer</p> <p><b>Witnesses:</b>          T. Curtis, Principal TRO Officer, Highways Strategy and Compliance Group, Herts County Council          R. Stacey, Assistant Network Manager, Herts County Council</p>
<b>2</b>	<b>Background</b>
	The Parking Manager gave an outline of the work and remit of the Task & Finish Group.
<b>3</b>	<b>Witness evidence</b>
	The following comments were made by witnesses:
3.1	Parking enforcement needs correctly signed restrictions that must be maintained and clear, underpinned by accurate, correct and up to date Traffic Regulation Orders (TROs). If these are present, then it is possible to enforce.
3.2	A street survey was carried out by Hertfordshire County Council (HCC) and cross-referenced as much as possible. In Hertfordshire, there are over 8000 TROs, most of which cover numerous roads and types of restriction.
3.3	Tactics for enforcement are decided by the individual enforcement authority.
3.4	If you limit parking enforcement to certain hours, they are the only hours you can enforce.
3.5	The first constraint is when the parking attendants are working

	and the second is the limit of how many officers you have. It can be difficult but it is necessary to match resource to need.
3.6	Problem areas should be targeted, such as drop off and pick up times around schools, which may use an hour of Civil Enforcement Officer's (CEO) time. An area to target should be based on the number of public complaints received.
3.7	Enforcement needs to be robust and should be driven by improving traffic flow rather than generating revenue.
3.8	Priorities for enforcement may include double yellow, no loading for reasons of traffic flow and school keep clear for reasons of safety.
3.9	New regulations from central government in 2016 allow more flexibility on colour/texture of road surface.
3.10	Ultimately compliance is the best outcome.
3.11	Residential dropped kerbs require resident communication before enforcement officers can visit.
3.12	Most complaints received by County Council regarding parking are about dropped kerbs and parking outside schools.
3.13	20 mile per hour zones can be introduced outside schools and can be only in operation during school hours.
3.14	Car Parks should not be a priority for enforcement between 8am and 9am - CEOs should be going out to schools and highways.
3.15	Signage is important – CEOs will check signs and take a context shot with the sign in the background
3.16	The option of Automatic Number Plate Recognition (ANPR) should be considered for use at school drop off/pick up times as one drive through the area could pick up all cars breaching parking regulations.
3.17	Removing 'grace period' around hot spots or where it is being misused (eg. parking to pop in to a shop because grace period is sufficient time to do this.)
3.18	Taxi ranks should also be a priority.
3.19	HCC would support greater emphasis on on-street and Night Time Economy related parking.
3.20	It is important to consider benefits to the community, even though these may not be measurable.
3.21	The County Council view is that there are no specific areas regarding parking enforcement in which EHC is currently lacking.

3.22	The district leads on Residential Parking Zones (RPZs) but new policy will make it harder for an area to qualify for RPZs.
<b>4</b>	<b>Member Q&amp;A and discussion</b>
4.1	Members commented on the difficulty of the need for somewhere for parents to park when they are dropping off/picking up school children but noted that if there was no risk of being caught some people would always breach the parking regulations.
4.2	The need to engage with schools, speak to governors, remind them of parking restrictions around the school was discussed and Members highlighted the need to do this repeatedly with each new intake of students. Members suggested partnership working with the safer schools team at HCC. Coaches dropping off at schools could also be a problem, it was noted that HCC had created bus holding points on the main road near a school so the bus/coach can wait there where the road is wider and be given the go ahead to come to the school entrance at the appropriate time.
4.3	The increase of CEOs core hours until 10pm was welcomed and it was noted that in order to target particular problems, CEOs may need to go out outside usual hours.
4.4	In discussion of ANPR, it was noted that this can be done in conjunction with an officer issuing PCNs in person or they can be issued automatically by post, which uses less officer resources. Use of ANPR is limited to certain areas such as school keep clear and bus stops. ANPR is not currently used anywhere in Hertfordshire for parking enforcement.
4.5	When CEOs are using vehicles, the vehicles must be marked and this will need to be written into the parking enforcement contract.
4.6	There was discussion of advisory disabled bays which are not enforceable and enforceable disabled parking bays. Disabled parking bays need to be reviewed when user of that bay dies or moves.
4.7	Parking enforcement is a national issue as the number of people, cars and size of towns increases.
<b>5</b>	<b>Actions</b>
	The Parking Manager to check if Herts Chief of Police decided if PCSOs can issue Fixed Penalty Notices (FPN)

The meeting concluded at 15:30

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**East Herts Council  
Parking Enforcement Contract Task & Finish Group  
3<sup>rd</sup> July 2017 at 7pm**

**NOTES**

<b>1</b>	<b>Attendance</b>
	<p><b>Task &amp; Finish Group Members:</b> Chairman: Cllr Kaye Cllrs: Devonshire, Drake, Jones, Pope, Woodward</p> <p><b>Apologies:</b> Cllr Cutting</p> <p><b>Contact Officers:</b> Andrew Pulham: Parking Manager</p> <p><b>Support:</b> Fiona Corcoran: Scrutiny Officer</p>
<b>2</b>	<b>Notes from past meetings</b>
2.1	With regard to engagement with schools, the group discussed potential links with the anti-idling campaign and the use of signage was suggested. The group noted that the general drive nationally and locally was to declutter the highways in terms of signage.
2.2	In relation to ANPR, the group heard that the Council had considered ANPR for more general usage at its Environment Committee a number of years ago, but the proposal had been rejected. If ANPR were to be used for Parking Enforcement in future, it would be in a highly specific targeted and focussed way, rather than the more general approach that had been suggested in the past. The group agreed that, if the use of ANPR were to be proposed, it would have to be made clear exactly what the terms and restrictions would be.
2.3	The Group requested that an increase in Sunday enforcement be included in the contract, in addition to the increase in evening enforcement, recorded in the notes from the previous meetings.
2.2	The Group agreed that the hours in which CEOs should be working outside schools must be 8am – 9am and 3pm – 4pm.
<b>3</b>	<b>Response to questions asked at past meetings and issues arising from the responses</b>
	<ul style="list-style-type: none"> <li>• <b>The Parking Manager to provide the group with data on Shared Anti-Fraud Services (SAFS) actions</b></li> </ul>

	<b>relating to blue badge fraud</b>
3.1	<p>There had been 5 prosecutions in 2017 (to date).</p> <ul style="list-style-type: none"> <li>• <b>The Parking Manager to confer on this matter with other district councils in Hertfordshire (via Herts Forum) and also other district councils nationally.</b></li> </ul>
3.2	<p>Officers have contacted a number of other districts in the county and concluded that comparatively East Herts is currently doing more work proactively in terms of parking enforcement than most districts. Watford and St. Albans use a consultant to go out with Civil Enforcement Officers (CEOs) but East Herts would not wish to take this approach as the power to prosecute blue badge fraud lies solely with the County Council. The group heard that the most cost effective approach may be to continue to leave the parking fraud work to the SAFS.</p> <ul style="list-style-type: none"> <li>• <b>The Parking Manager to obtain some feedback from the Manchester Airports Group on their approach to parking and whether they understand the impact of their policy on local residents.</b></li> </ul>
3.3	<p>Officers are looking into this and will provide a response to this at the next meeting.</p> <ul style="list-style-type: none"> <li>• <b>The Parking Manager to arrange for Councillors to go out with enforcement officers in Bishop's Stortford as had been agreed previously.</b></li> </ul>
3.4	<p>Any Members who wish to go out with Civil Enforcement Officers in any area of the district at any time, can contact Andrew Pulham to arrange this.</p> <ul style="list-style-type: none"> <li>• <b>The Parking Manager to obtain a quote for the introduction of ANPR as an extra to the parking enforcement contract (rather than a core offer)</b></li> </ul>
3.5	<p>It was agreed that the quote would be for this as an additional, stand-alone item in the tender documentation.</p> <ul style="list-style-type: none"> <li>• <b>The Parking Manager to provide statistics on the number of complaints from residents involved in disputes with neighbours requesting parking enforcement.</b></li> </ul>
3.6	<p>With regard to contacting the enforcement service out of hours, it was noted that the other district councils do respond to enforcement requests, although currently East Herts does not.</p>
3.7	<p>Currently the service at East Herts is confined to officers' working hours, but a call centre service could handle calls outside these times. Some districts, such as St. Albans, have a</p>



	<p>hotline that the public can call within certain hours. In the case of St.Albans the service is provided by NSL who have a regional call centre. The group considered whether that type of service would be beneficial to East Herts and asked officers to find out more detail (eg. the level of access, times, who can call hotline – public/councillors.) The group heard that an out of hours service could be an add-on to the contract or included in the core contract. The Parking Manger agreed to find out more information about the number of calls to the call centre that were genuine and led to some action. It was noted that the resource to respond to out of hours complaints would be there if more CEOs were working in the evenings and weekends. It was noted that even an out of hours services would not be 24/7 and would not be able to respond to calls at 11pm/midnight. It was noted that the customer wants to access the service at the time that they phone up, rather than having to call back in officer hours. The group suggested that the out of hours call centre could be included as a core part of the contract.</p> <ul style="list-style-type: none"> <li>• <b>The Parking Manager to check if Herts Chief of Police decided if PCSOs can issue Fixed Penalty Notices (FPN).</b></li> </ul>
3.8	It was noted that PCSOs can issue FPNs but only for obstruction of a road or footway.
<b>4</b>	<b>Questions in advance for Mr Peter Lowe</b>
4.1	The Group requested that Peter Lowe be provided with a list of all the issues they had identified and would also like to look at a projection of the situation in 7 years' time.
4.2	The Group agreed to contact the Parking Manager with any further questions they have in advance of the meeting on 17 <sup>th</sup> July.
<b>5.</b>	<b>Other questions/discussion</b>
5.1	<p>Members asked who the potential service providers might be and heard that it was expected that around 4 companies would be likely to tender for this contract.</p> <p>Members raised the question of what can be done to implement parking enforcement against cars registered outside the UK and it was noted that the police did not have access to other countries' databases but there were companies that would take the debt on overseas to pursue it and keep a percentage when it was received. The Parking Manager agreed to find out more information about this service and report back to the Group.</p>
<b>6.</b>	<b>Actions and potential recommendations</b>
6.1	The Parking Manger agreed to find out more information about the number of calls to the call centre that were genuine and led to some action

6.2	The out of hours call centre could be included as a core part of the contract.
6.3	The Parking Manager to obtain a quote for the introduction of ANPR as an extra to the parking enforcement contract (rather than a core offer)
6.4	The Parking Manager to obtain some feedback from the Manchester Airports Group on their approach to parking and whether they understand the impact of their policy on local residents.
6.5	The Parking Manager agreed to find out more information about this overseas debt recovery service.
6.6	The Parking Manager agreed to summarise responses from town and parish councils and bring to the meeting on 17 <sup>th</sup> August.
<b>5</b>	<b>Date and time (and location) of future meeting(s) of this group</b>
	<ul style="list-style-type: none"> <li>• Monday 17th July 2017, 7pm – 9pm (Peter Lowe, Consultant to attend)</li> <li>• Thursday 17<sup>th</sup> August 2017, 7pm – 8pm (Review and comment on draft report)</li> </ul>

The meeting concluded at 19:40



**East Herts Council  
Parking Enforcement Contract Task & Finish Group  
17<sup>th</sup> July 2017 at 7pm**

**NOTES**

<b>1</b>	<b>Attendance</b>
	<p><b>Task &amp; Finish Group Members:</b> Chairman: Cllr Kaye Cllrs: Cutting, Devonshire, Drake, Jones, Pope, Woodward</p> <p><b>Apologies:</b> None</p> <p><b>Contact Officers:</b> Jess Khanom: Head of Operations Andrew Pulham: Parking Manager</p> <p><b>Support:</b> Fiona Corcoran: Scrutiny Officer</p> <p><b>Witnesses:</b> Peter Lowe, RTA Associates</p>
<b>2</b>	<b>Review of minutes of 3<sup>rd</sup> July 2017 Meeting</b>
2.1	There was discussion of how best to tackle blue badge fraud, the role that East Herts should play in this and how it links in to the County Council.
.2.2	With regard to minute 3.5, it was agreed that the Parking Manager would provide an update for the group with a quote for ANPR as an extra to the parking enforcement contract (not part of the core offer.)
2.3	In relation to minute 3.8, it was noted that the general rule was that if the space left was less than 1.2 metres or the width of a push chair, it would be considered an obstruction. The challenge with cases of obstruction of the highway is that it is difficult to prove which car parked last and caused the obstruction. It was noted that where white lines are introduced to allow parking on pavement, the footpaths often needed to be strengthened.
2.4	In relation to paragraph 5.2, it was noted that 153 tickets had been cancelled in the last year on the basis of having a non-UK registration number and therefore not being able to be traced. The Council's current bailiff and enforcement contractors could offer the service of following up fine collection abroad and the Council would get £30 of each claim, with the collection

	company taking the balance. Statistics show this service to be 15/20% successful. The group commented that this was not purely a matter of finances but also a matter of fairness and deterrent and agreed to include this in the contract.
<b>3</b>	<b>Presentation by Mr Peter Lowe, RTA Associates</b>
3.1	Peter Lowe provided information about his background, including roles as the President of the British Parking Association and Chair of the Welsh Parking Association and informed the group of his specialism in writing specifications and procurement.
3.2	Peter Lowe highlighted that parking enforcement is a traffic management tool and not a cash generator as the cost of enforcement and administration outweighs the funds generated from Penalty Charge Notices (PCNs.)
3.3	The model contract provided by Peter Lowe shows efficiencies and consistency of approach and is recommended as a basis for a parking enforcement contract.
3.4	In order to ensure increased evening and Sunday enforcement, it would be advised to extend core hours, for example to 7:30am – 10:00pm.
3.5	The group heard that, as a client the Council could have the final say as to how the contractor was used.
<b>4.</b>	<b>Q&amp;A Session</b>
4.1	In terms of addressing issues around school drop-off and collection times, the group noted that education was key and should start with the children as they will pass the message on to their parents. Ensuring civil enforcement officers (CEOs) were not in car parks but around schools at drop-off and collection times was important but it was unlikely to result in the issuing of large numbers of tickets as parents will move on as soon as they see the CEOs in uniform. It was noted that the camera car used for ANPR would be marked and not covert. A day rate for the ANPR car could be agreed in the schedule or the resource could be shared with neighbouring authorities so it would not be necessary for the Council to purchase a vehicle to utilize ANPR. The Group discussed whether a lighter touch approach may need to be taken in some areas around schools where there is no alternative suitable place to park and it was noted that the Council operated a grace/observation period of up to 5 minutes for parking on a double or single yellow line but not for keep clear lines as they were in place for safety purposes.
4.2	The Group discussed the possibility of using the contractor to deliver an out of hours customer service hotline. It was noted that this could be between the hours of 5pm and 10pm. It was noted that the Parking Manager was currently working on this proposal to establish the details. The Group heard that St. Albans Council outsource their calls all day and evening. It was

	<p>noted that East Herts officers held a significant amount of local knowledge, which could contribute to resolution or response to complaints quickly and appropriately. The number of calls received by officers per week also needed to be considered and the Parking Manager agreed to investigate the option of outsourcing all calls or only out of hours. The group discussed the need to respond to calls out of hours in order to fall line with the modern way of working in many sectors.</p>
4.3	<p>Members suggested the possibility of implementing an out of hours call centre service as a pilot, which could then be reviewed and the need to establish whether the number and severity of out of hours complaints justified the procurement of an out of hours call centre service was highlighted. It was noted that the call centre would need to triage cases with the use of targeted questioning and that the service would reserve the right to refuse service. In conjunction with the call centre service, there would need to be an appropriate number of CEOs on the ground who could take action based on the complaints received. It was noted that after a certain time at night CEOs were required to work in pairs (within line of sight of each other) due to personal safety reasons but this also resulted in higher cost to the Council.</p>
4.4	<p>It was agreed that the Parking Manager would ascertain the costings of the out of hours call centre service as an optional extra to the contract. The Group heard that it could be written in to the contract that the Council reserved the right to pull out with a certain period of notice (Eg 3 months) or the contract could work on a trial basis for the first 6 months.</p>
4.5	<p>With regard to Blue Badge Fraud, it was noted that consistency of assessment was the key to ensuring badges were issued only where appropriate but as far as action that East Herts could take, it was noted that one option would be to hire a Fraud Officer as many of the London Boroughs do, which could potentially be done in collaboration with neighbouring authorities. The Parking Manager agreed to find out the County's statistics for the number of people registered disabled and the number of blue badge holders as it would indicate how significant the issue may be. Members highlighted the need to consider whether this was an area worth pursuing as it could be difficult to enforce, time-consuming and may not be a priority in terms of traffic management. In discussion Members also made the point that prosecutions in this area would act as a deterrent. The Parking Manager agreed to explore this area further to establish whether this was a significant problem in the district or not. The Group noted that the Fraud Officer service could be added as an extra to the contract rather than core offer. The potential costs for these services were discussed and the Group considered whether East Herts' role should be more around influencing the County Council. It was noted that although the prosecution of Blue Badge fraud sat with the County Council, the District Council and CEOs were the 'eyes and ears' on the street, while the County Council provided the administrative role.</p>

4.6	Members suggested making more use of the Shared Anti-Fraud Service and it was agreed that this could be included in the report as a recommendation if it was decided that blue badge fraud was a significant issue needing to be addressed.
4.7	The Group heard that the situation regarding parking may be significantly different in 7 years' time with the move towards electric and even driverless vehicles but it was necessary to work on the basis of the current situation at this point as the future situation could not be known.
4.8	The Group discussed the price versus quality balance and heard that it was not advised to go above 60% as it would be likely to result in more money needing to be spent in order to address problems. The Group agreed that 60% price versus 40% quality balance was appropriate.
4.9	The Group discussed the tendering process and noted that the Council would be required to declare its priorities at the beginning via a scoring system.
4.10	The Group heard that officers had learnt from previous tendering processes and would be more prescriptive about the details of the contract than previously. It was noted that the technical part of the process and would be carried out by officers.
4.11	With regard to evening/Sunday enforcement, the Group noted that officers would establish the key areas to enforce and would not deploy resources when and where they were not needed. This enforcement work would be intelligence-led and pared down to that which was necessary. Members highlighted the importance of backing this up with adequate communications to avoid the incorrect public perception that it is about introducing parking charges.

<b>5.</b>	<b>Responses from town councils</b>
5.1	It was noted that responses from Bishop's Stortford Town Council and Stansted Abbots Parish Council were still awaited but the general consensus from all the Councils that had responded was in line with the stances of East Herts Council (see attached summary of responses.)
5.2	The Group agreed that any town/parish councils that had not yet responded could do so by email and it could be further discussed at the next meeting on 17 August. It was also suggested that Officers provide an update on the work of this Group to the next town clerks' meeting. Town and Parish Councils could also be engaged with post award of tender to highlight specific local concerns.
5.3	It was noted that a request for growth had been submitted by officers but it would not be known if this had been accepted within the Medium Term Financial Plan until early 2018. If this growth was not accepted, it may be necessary to cut back aspects of the contract and prioritise.
<b>6</b>	<b>Summary of Findings and Recommendations</b>
6.1	The Parking Manager agreed to circulate the report to the Group at least one week before the meeting on 17 August.
<b>7.</b>	<b>Next Steps and Key Dates</b>
7.1	Final T&F Group meeting 17/08/17 (draft scrutiny report to be circulated for comment to T&F Group on Thursday 10/08/17)
7.2	Submission of report to O&S Committee on Friday 25/08/17
7.3	O&S Committee on Tuesday, 12/09/17
7.4	Executive on Tuesday 31/10/17
7.5	Preparation of contract specification November 2017 – January 2018
The meeting concluded at 20:35	

1. N.B. A submission from the Manchester Airports Group, detailing its actions to reduce parking problems in the area of Stanstead Airport, was received on Tuesday, 18 July – too late for discussion at this meeting. An un-edited copy of this submission follows below.

*Further to your below email, I can confirm the following action that London Stansted Airport has taken in the last 10 years.*

*Uttlesford District Council's planning policies are clear and longstanding, that airport parking should be within the operational boundaries of the airport. We consume all of our official parking operations within the confines of our airport*

*land. The local authority will not allow the operation of (or grant planning permission for) any off-airport parking operations outside the airport boundary.*

*As part of recent legal obligations associated with the airport's planning permissions, we monitor any reported 'off airport' parking activity through a Fly Parking hotline that residents can call into. Our Transport Forum Highways Group, which comprises of local authorities, Highways England and ourselves, then analyses this data and any hotspots are reviewed. We can then provide a contribution to a parking scheme if a local authority wishes to introduce a scheme to tackle a potential problem ie Permit scheme or 1 hour street parking ban. We successfully worked with Essex CC to provide a contribution for a parking ban in a specific area in Takeley.*

*As part of Sustainable Development Plan, we have a tremendous track record in encouraging air passengers to use public transport as their mode of choice to travel to and from the Airport. We currently have over 51% of our passengers use rail, coach or bus which is the best of any airport in the UK and one the best in Europe. This continues to grow from strength to strength with over 1800 bus and coach services a day operating from the Airport and over 27% of air passengers using rail.*

*Our Sustainable Development Plan is available on the Stansted Airport website – [www.stanstedairport.com](http://www.stanstedairport.com)*

2. In addition, the submission from Bishop's Stortford Town Council discussed in paragraph 5.1 has now been received and has been added to the table of Town and Parish Council responses presented at this meeting.





**East Herts Council  
Parking Enforcement Contract Task & Finish Group  
17 August 2017 at 7pm**

**NOTES**

<b>1</b>	<b>Attendance</b>
	<p><b>Task &amp; Finish Group Members:</b> Chairman: Cllr Kaye Cllrs: Cutting, Devonshire, Drake, Jones, Pope, Woodward</p> <p><b>Apologies:</b> Cllr: Devonshire &amp; Drake Jess Khanom: Head of Operations</p> <p><b>Contact Officers:</b> Andrew Pulham: Parking Manager</p> <p><b>Support:</b> Fiona Corcoran: Scrutiny Officer</p>
<b>2</b>	<b>Notes from past meetings</b>
2.1	<p>The group noted the minutes from the previous meeting on 17 July 2017.</p> <p>With regard to actions in paragraph 2.2, 4.4 and 4.5. the Manager agreed to provide the following via email to the Group:</p> <ul style="list-style-type: none"> <li>• A quote for ANPR as an extra to the parking enforcement contract (not part of core offer);</li> <li>• A quote for out of hours call centre service as an optional extra to the contract;</li> <li>• The county's statistics for the number of people registered disabled and the number of blue badge holders and to find out if blue badge fraud was a significant issue in the district.</li> </ul>
2.2	<p>Members discussed the plans to allow businesses to use Residents Parking Zones (RPZ) during the day when more residents were out. It was noted that the first arrangement of this kind was being implemented in the Chantry area of Bishop's Stortford and the Parking Manager would circulate a copy of the Traffic Order to all Bishop's Stortford district Councillors when it was advertised in September.</p>
<b>3</b>	<b>Draft Report to Scrutiny Committee (12 September)</b>
3.1	<p>The group considered the draft report for Overview and Scrutiny Committee on Parking Enforcement Priorities.</p>
3.2	<p>There was discussion of the recommendations in paragraph 3</p>

	of the draft report and the Group endorsed the recommendations overall and agreed the following amendments:
3.2.1	To amend the wording of 3.1 iii) to strengthen this recommendation and include reference to increased use of the Shared Anti-Fraud Service and publicising of prosecutions.
3.2.2	To include a recommendation around the need to address the issue of airport parking impacting on East Herts residents, particularly in Bishop's Stortford. It was noted that the statement received by the Group from Manchester Airports Group (MAG) provided examples of working with other Councils but did not mention East Herts specifically. Members would like to know what actions MAG are taking to help alleviate the problem of airport parking in the district and it was noted that MAG had funded RPZs in other areas in the past. There was some discussion of the overall impact of increased airport usage at Stansted on the surrounding areas within East Herts and it was noted that this was an area Members may wish to consider for further scrutiny work in future although it was beyond the remit of this task and finish group.
3.3	The Parking Manager agreed to amend the recommendations to reflect the feedback from the Group and send a revised draft, with changes highlighted to all Members to check before it was submitted to the Committee.
<b>4.</b>	<b>AOB</b>
4.1	There were no urgent matters arising.
<b>5.</b>	<b>Key Dates</b>
	T&F Group final report to be considered on Tuesday 12th September 2017, 7pm at Overview & Scrutiny Committee Meeting

The meeting concluded at 19:40

Task and Finish Group – Parking Enforcement Priorities

Summary of Responses from Town Councils

1. Hertford Town Council

Issue	Town Council Response	Officer Response
Enforcement of the evening economy	<p>It would be a concern should higher levels of enforcement of the evening economy operate to the detriment of daytime coverage.</p> <p>It is important to maintain access to the town centre.</p>	<p>It should not be our aim to fund increased evening coverage by reducing coverage during the working day.</p> <p>Enforcement of illegally parked vehicles in the evening would probably enhance access to the town centre in the evening (and certainly safety).</p>
Enforcement around schools	Strongly supported and would support discussions between individual schools and EHDC to aim for an individualised approach where possible.	Congruent with the T&F Group's findings.
Mix of on-street vs off-street enforcement	Difficult to respond without knowing in greater depth what is intended.	N/A
Use of ANPR vehicle in limited circumstances permitted by law.	Supported, should it promote effective parking management and only operate within current legal parameters.	Noted. The service would only operate such a vehicle within legally permitted parameters.
Acceptance of public requests for enforcement	Ability for the public to make requests for enforcement should be maintained, where enforcement action can help resolve the problem.	Noted. The option for the public to request enforcement is likely to be retained and possibly enhanced should we move to offer an 'out of hours' service via the enforcement contractor.

## 2. Bishop's Stortford Town Council

<b>Issue</b>	<b>Town Council Response</b>	<b>Officer Response</b>
Enforcement of the evening economy.	There should be more emphasis on the evening economy, which could have implications for car park charges.	Congruent with T&F Group's findings. No commitment to impose evening car park charges. Council's car park charges are frozen for the next 2.5 years.
Schools enforcement	There should be more emphasis on schools enforcement.	Congruent with T&F Group's findings.
Mix of on-street vs off-street enforcement.	Favour the former over the latter.	Congruent with T&F Group's findings.
ANPR equipped enforcement vehicles	Believe its use to be appropriate on the terms described.	Noted. The service would only operate such a vehicle within legally permitted parameters.

## 3. Ware Town Council

<b>Issue</b>	<b>Town Council Response</b>	<b>Officer Response</b>
Enforcement around schools	Strongly supported.	Congruent with T&F Group's findings.
Mix of on-street vs off-street enforcement	All areas need enforcement, but agree that on-street enforcement merits more time than car park enforcement.	Congruent with T&F Group's findings.
Enforcement of the evening economy	Supported, but must be focussed on-street and not in car parks.	This would inevitably be the case, as car parks do not charge after 1830, so there are precious few contraventions to enforce in car parks after that time. Congruent with T&F Group's findings.
Pavement Parking	There should be enforcement of parking on the pavement.	Not currently possible. EHDC has not adopted these powers.

#### 4. Sawbridgeworth Town Council

Issue	Town Council Response	Officer Response
Enforcement of the evening economy	The town council would not like to discourage the evening economy by enforcement measures.	If a vehicle is parked illegally on a double yellow line (which will only be there to promote highway safety) then it should be appropriate to take enforcement action.
Enforcement around schools	Supported.	Congruent with T&F Group's findings.
Enforcement against 'stationary idling' vehicles.	Town council would like to see this enforced.	The Council's parking service currently has no powers to enforce in this area.
ANPR based enforcement	Not in favour. No substitute for visible foot patrols.	ANPR would not be a substitute to or at the expense of foot patrols. It would be highly focussed as per statutory permissions and would serve as an adjunct to foot patrolling.
Public requests for enforcement	These should still be accepted.	Noted.

## 5. Buntingford Town Council

<b>Issue</b>	<b>Town Council Response</b>	<b>Officer Response</b>
Enforcement of the evening economy	Supported – especially in respect of the High Street, but should not be to the detriment of the evening economy.	Greater enforcement of the evening economy would not be to the detriment of daytime enforcement. Congruent with T&F Group's findings.
Enforcement around schools	Strongly supported.	Congruent with T&F Group's findings.
On street vs car park enforcement	On-street enforcement should be prioritised over car park enforcement.	Congruent with T&F Group's findings.
Enforcement by ANPR	This might release CEOs' time, but would add another vehicle causing obstruction.	Not necessarily the case.
Public requests for enforcement	Only accept when the issue is a persistent nuisance.	No way of telling when a member of the public calls whether the problem is 'persistent' and most members of the public would tend to regard their concerns as meriting a prompt and effective response from EHDC.

***N.B.***

***i) No response received from S Abbotts Parish Council***

## EAST HERTS COUNCIL

### OVERVIEW AND SCRUTINY COMMITTEE – 12 SEPTEMBER 2017

#### REPORT BY HEAD OF OPERATIONS

#### WASTE CONTRACT OPTION FOR CHARGEABLE GREEN WASTE SERVICE

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WARD(S) AFFECTED: ALL

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#### **Purpose/Summary of Report**

- To outline the proposal to introduce a chargeable green waste service alongside a weekly food collection in East Herts and seek the views of Overview and Scrutiny Committee, prior to the Executive's consideration of a joint waste contract with North Herts.

<b><u>RECOMMENDATIONS FOR OVERVIEW AND SCRUTINY: That:</u></b>	
<b>(A)</b>	<b>The proposal to introduce a chargeable green waste service be considered, and</b>
<b>(B)</b>	<b>The Committee makes a recommendation to the Executive on the basis of the evidence detailed in the report, to enable the Executive to come to a conclusion on this element of the new waste contract, at their joint meeting with North Herts District Council on 16 October 2017.</b>

#### 1.0 Background

- 1.1 In February 2016 the Environment Scrutiny Committee agreed to set up a Task and Finish Group to review the Council's Waste and Street Cleansing service with the objective of informing the design of the next Waste and Street Cleansing contract, due to commence in May 2018.
- 1.2 Having considered a number of issues, the Task and Finish Group concluded that providing a chargeable green waste service option alongside a weekly food collection service should not be recommended for approval. The Executive then approved this recommendation in July 2016. At this meeting it was also agreed

that the Council would progress with developing a joint waste, recycling and street cleansing contract with North Herts District Council.

- 1.3 The key discussion points recorded in the Task and Finish group report included:
  - 1.3.1 That the Waste Task and Finish group recognised that a key challenge for local authorities in reducing the amount of waste going to landfill is the amount of food waste in the refuse bin and the negative impact this has on the environment. A number of local authorities in the UK have introduced separate weekly food waste collections, seeking to reduce environmental impacts and the high cost of sending waste to landfill. In 2016, it was estimated that a weekly food collection service would result in increased operating costs in the region of £375k.
  - 1.3.2 This increased cost of service in some local authorities has been met by charging for the green waste collection service. The cost of introducing a chargeable green waste collection service in terms of advertising, back office costs were also considered.
  - 1.3.3 The group acknowledged that the savings from such a scheme would potentially come from the reduced collections of garden waste collections on the basis that not all residents would take up the service and that a suspended service or reduced service may take place in the winter months, resulting in a reduced number of vehicles and crews needed to operate the service.
  - 1.3.4 In 2016, the estimated savings to the Council would be in the region of £107,000.
  - 1.3.5 In addition it was recognised that separate processing arrangements could also result in a saving to the County Council. However, both parties are tied into a contract with the reprocessing facility until 2025. This contract includes a 'guaranteed minimum tonnage' to protect the reprocessor from a fall in income which is necessary to sustain their capital investment. A chargeable garden waste service would potentially result in less material being delivered but at a higher cost and this would be passed on to the



Council, potentially wiping out or exceeding savings in the collection service.

- 1.3.6 The Task and Finish Group recommended that this option was not incorporated into the next contract but is reviewed in 2023 in preparation for the following contract.
- 1.4 During the process of developing the tender documentation, new information came to light, which merits further consideration of the option for a chargeable green waste service:
  - 1.4.1 Three Districts within the County have introduced a chargeable green waste service. All have reported higher than predicted take up in the service.
  - 1.4.2 Both East Herts and North Herts are projected to exceed the 'guaranteed minimum tonnage' for organic waste by 11,000 tonnes (combined) in 2017/18.
  - 1.4.3 The financial pressures on the council continue to be significant. From April 2018 the council will receive no government grant (known as Revenue Support Grant) and will rely on council tax, New Homes Bonus, and a proportion of business rates collected locally to fund its budget.
  - 1.4.4 The Council has a savings target of £1.1m across the life of the Medium Term Financial Plan (2017/18 – 2020/21); there are still uncertainties over how the funding gap will be filled.
  - 1.4.5 The Council has aspirations to sustain and improve services to residents, and this will be challenging with reducing revenue budgets.
  - 1.4.6 Further analysis of the potential net income from charging for green waste shows a significantly better position than was considered by the Environment Scrutiny Committee in February 2016.
- 1.5 Public consultation on the service options for the waste contract including textiles collections from households and introducing a 'fully-comingled' recycling service (i.e. all dry recyclable material in one bin) was due to take place in July 2017. The opportunity arose through this consultation to gauge views of our residents on

whether they would consider paying for the collection of their green waste if the Council considered removing it in order to contribute to the gap in the medium term financial plan. Councils are not obligated to collect green waste and some authorities do not provide this service as a means of savings. The consultation was a joint survey with North Herts DC.

## 2.0 Report

2.1 The Waste Task and Finish Group reconvened on Tuesday 29th August 2017 for an update on the contract options and to revisit the option of introducing a weekly food collection service alongside a chargeable green waste service. Members in attendance included:

Cllr Freeman (Chairman)  
Cllr J Jones  
Cllr Wyllie  
Cllr Pope

2.2 The Task and Finish Group were presented with the findings from the public consultation as of mid-August. In relation to a chargeable green waste service residents were asked:

*“Currently the Council collects food and garden waste fortnightly in the same brown bin. Although the Council do not wish to stop this service, it has no legal obligation to collect garden waste. Bearing this in mind and the need for Councils to save money, we are considering changing the service to a more frequent (weekly) food waste collection service alongside a chargeable garden waste service. To what extent do you agree or disagree that the Council should make this change to the service?”*

2.3 1585 residents in East Herts stated that they either disagreed or strongly disagreed with the statement.

2.4 Residents were then asked:

*“If the paid for garden waste collection service was to be introduced, how would you dispose of your garden waste?”*

2.5 20% said that they would be likely to use the paid for garden waste collection service. 62% said that they would take their garden waste to the Household Waste recycling centre. 17% said

that they would compost garden waste at home. 1% stated that they do not produce garden waste.

2.6 The question that followed was:

*“Please indicate how likely you would be to use a paid for garden waste collection service if the annual cost were up to £40, £41 to £55 and £56-£70.”*

2.7 30% of residents stated that they would either be very likely or quite likely to pay up to £40 for the service. With 70% stating that they would be unlikely to take up the service.

2.8 Based on the information above it can be assumed that between 20-30% of residents may take up the chargeable green waste service should it be introduced.

2.9 The Waste Task and Finish Group concluded that a recommendation on the introduction of a weekly food collection service alongside a chargeable green waste service could not be made based on the information provided.

2.10 Other concerns raised during the consultation period include:

2.10.1 Uncertainty over take up, expenditure and savings

2.10.2 Affordability for all members of the community

2.10.3 Charging for an existing service

2.10.4 An additional bin to manage

2.10.5 Impact on the contract/joint working with North Herts Council

2.10.6 Concerns over increased fly tipping

2.10.7 Household Recycling Centres being busier with no increase in opening times

Each of these concerns is considered in detail below.

#### Uncertainty over take up, expenditure and savings

2.11 Using the initial public consultation findings it could be assumed that approximately 20-30% of residents may take up a chargeable green waste service for £40. Other Authorities within the County are recording over a 50% uptake in the service. At least two Councils have advised that the take up was greater than expected.

- 2.12 In terms of expenditure it is currently not possible to determine the exact cost of the introduction of the weekly food collection service alongside the chargeable green waste service until the Council has awarded the Waste contract. In the 2016 reports it was assumed that the cost of the introduction of a weekly food collection service would be covered by the income generated from a chargeable green waste collection service which potentially would be a reduced collection service on the assumption that not all residents would take up this option. The remaining projected costs in 2016 have been updated to reflect proposed changes in customer service functions and developments in payments/IT systems.
- 2.13 Figures are set out in Table 1. Table 1 assumes a 34% uptake (on the basis of the evidence from other authorities where predicted uptake during the consultation almost always ended up with higher actual uptake). Table 2 assumes a 50% uptake in line with other authorities within the County. Both sets of calculations use an annual charge of £35 to the resident, and demonstrate net income ranging from £260k - £420k annually. (For reference, these figures would equate to a further 2.8% - 4.5% increase on council tax charged to all residents, if the council were to raise this amount of income through council tax – although members will recall that any council tax raise over 2% requires a local referendum).

Table 1

<b>£35 uptake at 17,000 households (34%)</b>	<b>Expenditure</b>	<b>Income</b>	<b>Net</b>
Additional collection cost	0		
Start up cost customer contact	30,000		
Administration @ £15 per trans	255,000		
Inspection of service	80,000		
Income		(595,000)	
Container purchase and delivery	200,000		
Remove 33,000 bins	100,000		
Income for bins		(40,000)	
<b>Total Expenditure / Income (1st year start up)</b>	<b>665,000</b>	<b>(635,000)</b>	<b>30,000</b>
<b>Ongoing Expenditure / Income</b>	<b>335,000</b>	<b>(595,000)</b>	<b>(260,000)</b>

Table 2

<b>£35 uptake at 25,000 households (50%)</b>	<b>Expenditure</b>	<b>Income</b>	<b>Net</b>
Additional collection cost	0		
Start up cost customer contact	30,000		
Administration @ £15 per trans	375,000		
Inspection of service	80,000		
Income		(875,000)	
Container purchase and delivery	200,000		
Remove 25,000 bins	75,000		
Income for bins		(30,000)	
<b>Total Expenditure / Income (1st year start up)</b>	<b>760,000</b>	<b>(905,000)</b>	<b>(145,000)</b>
<b>Ongoing Expenditure / Income</b>	<b>455,000</b>	<b>(875,000)</b>	<b>(420,000)</b>

- 2.14 In terms of savings, an East of England District Council with a similar demographic but smaller population than East Herts has provided indicative net income figures of year one c. £500k and year two c. £650k. This was based on approx. 36% uptake and annual cost to resident of £40. This council is now into year two of charging.

Affordability for all members of the community

- 2.15 There have been some concerns over the affordability of the service for East Herts residents. As with other chargeable services a concession could be provided for those members of the community who wish to take up the service who are unable pay £35 a year for the service, in addition payment in instalments could be provided. Residents who do not wish to take up a chargeable green waste service will not be required to pay towards the weekly food collection service.

Charging for an existing service

- 2.16 50% of councils across England either already charge for green waste, or are committed to doing so in the next 12 months. Three of these are in Hertfordshire. A number of Authorities report that introducing the charge has taken place to raise funds after central government budgets cuts to support operational costs of the waste collection service. In East Herts the waste collection and street cleansing service is the single biggest revenue cost to the Council. Introducing a chargeable green waste collection service could support some of the funding pressure for this area. There is naturally some concern over the public perception of such a decision. Communicating the reasons for a potential change in

service may mitigate some of these concerns, including the environmental benefits of a weekly food collection service and supporting the sustainability of a discretionary garden waste collection service.

#### An additional bin to manage

- 2.17 The introduction of a weekly food collection service would result in residents receiving an additional 23litre food waste caddy (bin) to ensure food waste is not placed into the black bins (and therefore taken to landfill.) To provide some context in terms of size, the inner paper boxes as part of the blue lidded bins are 45 litres.
- 2.18 Given that the additional food waste caddy will be a secure bin to leave outside (preventing pests), in theory residents will be able to manage their food waste in the same manner as they currently do, i.e. using the kitchen caddy to then dispose of its contents in an outside bin.

#### Impact on the contract/joint working with North Herts Council

- 2.19 The option of a weekly food collection service alongside a chargeable green waste service in the tender documents is an 'independent' item meaning that each Authority does not require the other to select the same position on the introduction of the service. The driver for the joint waste and street cleansing service is savings and therefore optimal efficiency is achieved if both Authorities have the same position. However, efficiencies can be achieved with differing positions. Each Authority will have a different customer service approach with East Herts Council managing our own customers and any payments from a proposed service. Should one Authority agree to adopt the weekly food collection and chargeable green waste service and other did not it would be difficult and costly to introduce such a service during the 7 year contract period, should the other Authority make a decision post contract start date. Contract negotiations to vary the contract would almost inevitably result in a cost to the service and the vehicles procured for the service at the beginning of the contract may not be fit for purpose for future changes and therefore a potential additional capital cost for new vehicles. Any income/savings will solely benefit the Authority which achieves income levels from such a service over the 7year contract life.
- 2.20 Therefore, while it would be possible to have a different service from North Herts (there would be some loss of efficiency), of

greater concern is the difficulty that East Herts would have should the council decide it wants to introduce the charge part way through the seven year contract.

#### Concerns over fly tipping

- 2.21 There are some concerns over the potential increase of fly tipping as a result of introducing a chargeable green waste service. Reports of fly tipping across the county from Oct 2016 – May 2017 have generally reduced every month (apart from March 2017). In at least two of the Authorities that have introduced a chargeable green waste service the recorded number of fly tips in those Authorities has reduced; although there is insufficient evidence to draw a correlation or conclusion between the introduction of a chargeable green waste service and its impact on fly tipping.

#### Household Recycling Centres being busier with no increase in opening times

- 2.22 In relation to the household recycling centres, anecdotal data suggests that there have been some increases in use of the centres in the initial stages of the new chargeable green waste service; however the general behaviour has been that residents have soon opted into the paid service over a weekly visit to the local recycling centre. As with fly tipping it is difficult to ascertain whether there is an evidence based relationship between the two.

### **3.0 Feedback from other Authorities**

- 3.1 Feedback from three Authorities has suggested that the back office support and IT systems are crucial in terms of providing an effective chargeable green waste service including the ability to set up direct debit payments. With the work on the Digital East Herts programme there is scope to provide the level of IT required developing such an interface with customers.
- 3.2 Two Authorities stated that the key concerns from residents were why they were being asked to pay for the service and what would happen to their bins if they didn't opt in for the chargeable green waste service. As mentioned previously a clear communications strategy could alleviate some of these concerns, however it is important to recognise that a decision to introduce a charge will come with increased customer call volumes in the first few months and resources should be allocated to deal with this to ensure

residents are provided information in line with our customer service standards.

- 3.3 There have been some queries raised in terms of the relationship with the Waste Disposal Authority (Herts County Council). The position from HCC is that it is essential that any Waste Collection Authority considering changes to its kerbside collection services, including the introduction of green waste charging, fully engage with, consult and work in partnership with the Waste Disposal Authority to ensure any changes do not conflict with contractual commitments and do not represent a position that would lead to increased costs of disposal. The WDA would also seek to ensure all materials are managed in accordance to the national waste hierarchy.
- 3.4 We (East Herts) do not believe that the introduction of the chargeable green waste service would conflict with any contractual commitments on the basis that we are projected to exceed the guaranteed minimum tonnages for organic waste for 17/18. In addition, black bins that contained any green waste would not be collected to encourage residents to recycle or compost at home. A home composting education programme could also be introduced for those residents not wishing to use the chargeable green waste service, this would be in line with the national waste hierarchy. The waste hierarchy provide a continuum of preference in terms of dealing with waste materials, the top of the continuum is waste prevention and the bottom of the continuum is disposal. The favoured option in the middle is reuse and recycling.

#### **4.0 Conclusion**

- 4.1 There are a number of factors to consider when introducing a weekly food collection service alongside a chargeable green waste service as mentioned above. The waste contract will need to be awarded by mid-October 2017. Members are asked to consider the information above for a recommendation to the Executive. It is recognised that additional information on costs may support the decision making process; however, the cost of collections as part of bidders' tender submission is confidential due to commercial sensitivity and cannot be published. Should further information be available from other Authorities prior to the Overview and Scrutiny committee these will be tabled at the meeting.



4.2 Implications/Consultations

4.3 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

4.4 An Equalities Impact Assessment can be found within **Essential Reference Paper 'B'**.

Background Papers

None.

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## ESSENTIAL REFERENCE PAPER 'A'

### IMPLICATIONS/CONSULTATIONS

<p>Contribution to the Council's Corporate Priorities/ Objectives <i>(delete as appropriate):</i></p>	<p>Priority 1 – Improve the health and wellbeing of our communities</p> <p>Priority 2 – Enhance the quality of people's lives</p> <p>Priority 3 – Enable a flourishing local economy</p>
<p>Consultation:</p>	<p>A public consultation has been carried out both online and via the acceptance of a completed paper submission.</p>
<p>Legal:</p>	<p>There are no legal implications for this report.</p>
<p>Financial:</p>	<p>The introduction of a chargeable green waste collection service will have a substantial impact on the future budgets that will last the duration of a new contract and beyond.</p> <p>Exact savings are yet to be identified as the contract is yet to be awarded.</p> <p>Estimated savings have taken into consideration elements such as participation, collection costs and disposal costs. The cost of introducing a weekly food waste service has also been calculated.</p>
<p>Human Resource:</p>	<p>There are none for this report.</p>
<p>Risk Management:</p>	<p>The initial contract is for seven years, a change in service part way through the contract would have a significant financial impact.</p>
<p>Health and wellbeing – issues and impacts:</p>	<p>There are none for this report.</p>

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<b>1 Identify the aims of the policy/service/function and how it is implemented.</b>			
	<b>Key questions</b>	<b>Answers / Notes</b>	<b>Actions required</b>
1.1	Is this an existing or a new policy function?	New	To agree a change in service to charge for a green waste disposal service and introduce a weekly food waste service.
1.2	What is the aim, objective or purpose of the policy/service/function?	To make substantial savings whilst reducing waste sent to landfill.	
1.3	What outcomes do you want to achieve with this policy and for whom?	To enable residents to help improve the environment through direct action from their home.	
1.4	Who is the policy/function being aimed at?	East Herts residents who present waste at the kerbside.	
1.5	Who defines or defined the policy/function?	<ul style="list-style-type: none"> <li>• Members</li> <li>• Legislative changes from Central Government</li> <li>• Partnership targets and policies</li> </ul>	
1.6	Who implements the policy/function?	<ul style="list-style-type: none"> <li>• Waste Services Team</li> <li>• Environmental Inspection Team</li> <li>• Contractors</li> <li>• Herts County Council</li> </ul>	
1.7	How do these outcomes meet or hinder other policies, values or objectives of the public authority	Substantial service costs will be reduced.	
1.8	What factors or forces are at play that could contribute or detract from the outcomes identified earlier?	Consultation results. Tender price.	

1.9	Taking the six strands of equalities is there anything in the function that could discriminate or disadvantage any of these groups?	In performing the functions, the service will consider :- <ul style="list-style-type: none"> <li>• AGE: Services provided across all age ranges</li> <li>• DISABILITY: compliance with DDA</li> <li>• RACE: n/a</li> <li>• RELIGION: Cultural preferences</li> <li>• GENDER: n/a</li> <li>• SEXUAL ORIENTATION: n/a</li> </ul>	No
1.10	From your perspective, how are the functions actually working in practice for each equalities group?		
1.11	How does the local authority interface with other bodies in relation to the implementation of these functions?	<ul style="list-style-type: none"> <li>• Hertfordshire Waste Partnership</li> <li>• Heads of Waste Group</li> <li>• Regular meetings with HCC</li> </ul>	
<b>2</b>	<b>Consideration of available data, research and information</b>		
	<b>Key questions</b>	<b>Answers / Notes</b>	<b>Actions required</b>
2.1	What do you already know about who users of the services?	This will be a service change for the residents of East Herts who present waste at the kerbside. This service change has been implemented in other districts, both inside the county as well as across the country.	
2.2	What additional information is needed to ensure that all equality groups' needs are taken into account?	None.	
2.3	How are you going to go about getting the extra		

	information that is required		
<b>3</b>	<b>Formal consultation</b>		
	<b>Key questions</b>	<b>Answers / Notes</b>	<b>Actions required</b>
3.1	Who do we need to consult with?	<ul style="list-style-type: none"> <li>Residents</li> <li>Councillors</li> </ul>	Consultation already underway as part of the joint waste contract consultation.
3.2	What method/form of consultation can be used?	See 3.1	
<b>4</b>	<b>Assessment of impact</b>		
	<b>Key questions</b>	<b>Answers / Notes</b>	<b>Actions required</b>
4.1	Have you identified any differential impact and does this adversely affect any groups in the community?	No.	None
4.2	If there is an adverse impact can it be avoided, can we make changes, can we lessen it etc?	No.	None
4.3	If there is nothing you can do, can the reasons be fairly justified?		None
<b>5</b>	<b>Consideration of the effect of proposed changes on other groups.</b>		
	<b>Key questions</b>	<b>Answers / Notes</b>	<b>Actions required</b>
5.1	Do any of the changes in relation to the adverse impact have a further adverse affect on any other group?	There is no evidence to suggest any adverse impacts.	None

<b>INTERNAL PROCESSES FOR THE ORGANISATION</b>			
<b>6</b>	<b>Making a decision in the light of data, alternatives and consultations</b>		
	<b>Key questions</b>	<b>Answers / Notes</b>	<b>Actions required</b>
6.1	The organisations decision making process	<ul style="list-style-type: none"> <li>Decision will be taken by the Executive following member consideration at Overview and Scrutiny. Full results of the consultation will be available in time for the Executive decision.</li> </ul>	None
<b>7</b>	<b>Monitor in the future and publication of results of such monitoring</b>		
	<b>Key questions</b>	<b>Answers / Notes</b>	<b>Actions required</b>
7.1	What have we found out in completing this EqIA? What can we learn for the future?		None
7.2	Who will carry out monitoring?		
7.3	What needs to be monitored?		
7.4	What method(s) of monitoring?		
7.5	How will the monitoring information be published?		
<b>8</b>	<b>Publication of results of the impact assessment</b>		



## EAST HERTS COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE: 12 SEPTEMBER 2017

REPORT BY DIRECTOR, HELEN STANDEN

PLANNING ENFORCEMENT PROGRESS

WARD(S) AFFECTED: ALL

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### **Purpose/Summary of Report**

- Provide a progress report and action plan on the current position in regard to the Council's Planning Enforcement Service

<b><u>RECOMMENDATIONS FOR OVERVIEW AND SCRUTINY COMMITTEE: That:</u></b>
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<b>(A)</b>	<b>Members of Overview and Scrutiny Committee be invited to comment on the proposed draft Action Plan as detailed in Essential Reference Paper "B".</b>
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### **1.0 Background**

A review of the Planning Enforcement Service was undertaken in May 2017. A further update was provided in July 2017. A task and finish group (set up in September 2015) considered and revised the Enforcement Plan, culminating in a report back to Environmental Scrutiny Committee in February 2016. The Plan was adopted but not fully integrated within the service area.

### **2.0 Report**

2.1 Following on from the report on 13th June 2017, significant progress has been made.

2.2 Both vacant permanent posts have been offered and accepted, with the required clearances and references in the process of being finalised. An expected start date of September for both officers is anticipated.

- 2.5 Thirty-eight backlog cases are being worked through by LSR Planning Consultants. Significant progress is being made, but this does come at an additional cost to the council. The overall cost is hard to predict as each case needs different action.
- 2.6 The Enforcement Team locally is working through the remaining backlog and is now managing to contain day to day enforcement issues arising.
- 2.7 An Action Plan has been developed (ERP B) but it should be noted that this is work in progress and will not be fully implemented until the team is fully resourced and new employees effective.
- 2.8 Planning Enforcement is included in the wider Digital East Herts Project and work has already commenced to improve our use of IDOX (software system) which will be rolled out and implemented during the 6 months to March 2018, with on-going improvement to our use of technology.
- 2.9 The support will be ongoing for the team and the workload will continue to be monitored until a point of stabilisation has been reached.

### **3 Implications/Consultations**

- 3.1 Information on corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

#### Background Papers

None

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## ESSENTIAL REFERENCE PAPER 'A'

### IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives <i>(delete as appropriate)</i> :	Priority 1 – Improve the health and wellbeing of our communities  Priority 2 – Enhance the quality of people's lives  Priority 3 – Enable a flourishing local economy
Consultation:	<i>None</i>
Legal:	<i>N/A</i>
Financial:	<i>There are no on-going financial implications, although currently we have contracted with specialist Enforcement Consultants to clear some backlog – anticipated end date November 2017</i>
Human Resource:	<i>None</i>
Risk Management:	<i>There is a need for robust measuring and monitoring to increase our ability to respond effectively to reports of planning breaches</i>
Health and wellbeing – issues and impacts:	<i>It is anticipated that once the action plan is implemented and effective, staff morale will improve and there will be more support and resilience within the team.</i>

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ESSENTIAL REFERENCE PAPER “B  
PLANNING ENFORCEMENT DRAFT ACTION PLAN

OUTCOME	ACTION	Person Responsible	Target Date
Increases ability to respond in a timely manner to all incoming reports of breaches and enforcement issues	<ul style="list-style-type: none"> <li>Reduction in external support (LSR)</li> <li>Reduction in all outstanding cases by 50%</li> </ul>	<ul style="list-style-type: none"> <li>Paul Dean</li> <li>Paul Dean</li> </ul>	<ul style="list-style-type: none"> <li>November 2017</li> <li>November 2017</li> </ul>
Informed members with up-to-date information	<ul style="list-style-type: none"> <li>Improved record keeping</li> <li>Evaluate what information members need</li> <li>Formulate a report format proposal</li> <li>Monthly update circulated</li> <li>Initial response to member enquiries within 2 working days</li> </ul>	<ul style="list-style-type: none"> <li>Team</li> <li>Paul Dean</li> <li>Paul Dean</li> <li>Paul Dean</li> <li>Team</li> </ul>	<ul style="list-style-type: none"> <li>Immediate (Sept 17 – ongoing)</li> <li>September 2017</li> <li>End September 2017</li> <li>Oct 17 – ongoing</li> <li>Immediate (Sept 17 – ongoing)</li> </ul>
Supported and resourced team	<ul style="list-style-type: none"> <li>1.5 FTE recruited</li> <li>Fully trained team</li> <li>Weekly update meeting with manager in interim</li> </ul>	<ul style="list-style-type: none"> <li>Paul Dean</li> <li>Paul Dean</li> <li>Liz Aston</li> </ul>	<ul style="list-style-type: none"> <li>August 2017</li> <li>December 2017</li> <li>September 2017</li> </ul>
Improved information availability	<ul style="list-style-type: none"> <li>Full implementation of the recommendations emerging from the Digital East Herts Project</li> <li>Produce a continual review and improvement report</li> <li>Review Planning Enforcement Plan</li> </ul>	<ul style="list-style-type: none"> <li>Paul Dean</li> <li>Paul Dean</li> <li>Paul Dean</li> </ul>	<ul style="list-style-type: none"> <li>In the 6 month period to March 2018 and beyond</li> <li>At least quarterly</li> <li>March 2018 then annually</li> </ul>
Increased public and member confidence in service delivery	<ul style="list-style-type: none"> <li>Response to initial enquiry within 2 working days</li> <li>Response with proposed action within an additional 10 working days, including site visit in 90% of cases</li> <li>Follow-up action within a further 10 working days</li> <li>Appropriate use of Legal resources – monthly update</li> <li>50% of cases closed within 6 months</li> </ul>	<ul style="list-style-type: none"> <li>Team/Paul Dean</li> <li>Team/Paul Dean</li> <li>Team/Paul Dean</li> <li>Paul Dean/Legal department</li> <li>Paul Dean</li> <li>Paul Dean</li> </ul>	<ul style="list-style-type: none"> <li>Immediate (Sept 17 – ongoing)</li> <li>Immediate (Sept 17 – ongoing)</li> <li>Immediate (Sept 17 – ongoing)</li> <li>Immediate (Sept 17 – ongoing)</li> <li>Immediate (Sept 17 – ongoing)</li> <li>Immediate (Sept 17 – ongoing)</li> </ul>

ESSENTIAL REFERENCE PAPER "B"  
PLANNING ENFORCEMENT DRAFT ACTION PLAN

			<ul style="list-style-type: none"><li>• By December 2017 - ongoing</li></ul>
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## EAST HERTS COUNCIL

### OVERVIEW AND SCRUTINY - 12 SEPTEMBER 2017

#### REPORT BY CHAIRMAN OF OVERVIEW AND SCRUTINY COMMITTEE

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#### SCRUTINY WORK PROGRAMME

WARD(S) AFFECTED: *none*

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#### **Purpose/Summary of Report**

- To review and determine Overview and Scrutiny (OS) Committee's future work programme

<b><u>RECOMMENDATION FOR DECISION:</u></b>	
(A)	<b>the work programme shown in this report be agreed</b>
(B)	<b>Members be asked to volunteer to complete a Scrutiny Proposal Form (ERP C) for proposed topics in relation to communications and business engagement as set out in paragraph 2.3.</b>

#### 1.0 Background

1.1 Items previously required, identified or suggested for the OS work programme are set out in **Essential Reference Paper 'B'**.

1.2 Scrutiny committees have the power of influence and are entitled to review and scrutinise the decisions and functions of the council and the Executive. Members of the committees serve as critical friends and can make recommendations to the Executive.

#### 2.0 Report

2.1 The draft agenda for 2017/18 meetings of OS Committee is shown in **Essential Reference Paper 'B'**. The timing of some items shown may have to change depending on availability of essential data (eg. from central government) and officers.

- 2.2 A work planning workshop was held on the 12<sup>th</sup> July and Members suggested the following topics, among others, for potential inclusion: review of existing health and wellbeing strategy with emphasis on 'prevention' approach to save money and improve outcomes, impact of the night time economy on health and emergency services, stress testing of the emergency planning process, effective communications, and business engagement/economic development. An email containing notes of this meeting was sent to all OS Members on the 16<sup>th</sup> August 2017.
- 2.3 Scrutiny Officers will liaise with lead officers on how to best address each topic. Some topics such as the communications, business engagement items require a Scrutiny Proposal Form (**Essential Reference Paper 'C'**) to be completed by Members before Officers can prepare a report.
- 2.4 Members are asked whether there are any additional topics they wish to put forward for inclusion on future agendas. Suggestions can be made at the meeting or by completing a Scrutiny Proposal Form and submitting to the Scrutiny Officer.
- 2.5 At the work planning workshop, Members agreed to extend an invitation to the Executive Member for Development Management and Council Support. Members are asked to agree which other Executive Members they would like to invite.
- 2.6 Members are asked whether there is any training relevant to scrutiny or to the function/remit of OS as a committee which they would like to have arranged. This could be done as a separate session open to all scrutiny members or as an item on a future OS agenda (as appropriate).
- 3.0 Implications/Consultations
- 3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers:  
none

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## ESSENTIAL REFERENCE PAPER 'A'

### IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives:  2017/18 wording	Priority 1 – Improve the health and wellbeing of our communities  Priority 2 – Enhance the quality of people's lives  Priority 3 – Enable a flourishing local economy  Effective use of the scrutiny process contributes to the Council's ability to meet one or more of its corporate objectives.
Consultation:	Potential topics for scrutiny are always invited from the Executive and all Members and the public are asked through an annual item in the 'council tax' edition of LINK magazine which is delivered to every household. Members of each scrutiny committee are consulted at every meeting as their work programme is a standing item on the agenda.
Legal:	According to the Council's constitution, the scrutiny committees are responsible for the setting of their own work programme in consultation with the Executive and in doing so they shall take into account wishes of members on that committee who are not members of the largest political group on the Council.
Financial:	Any additional meetings and every task and finish group has resource needs linked to officer support activity and time for officers from the services to make the required input.
Human Resource:	None
Risk Management:	Matters which may benefit from scrutiny may be overlooked. The selection of inappropriate topics for review would risk inefficient use of resources. Where this involved partners, it could risk damaging the reputation of the council and relations with partners.
Health and wellbeing – issues and impacts:	The broad remit of scrutiny is to review topics which are of concern to the public, many of which have an indirect impact on the general wellbeing of residents of East Herts.

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**Overview & Scrutiny (OS) Committee Work Programme 2017/18 – DRAFT**

Meeting Date	Topic	Lead Officer	Notes
<b>17 October 2017</b> <b>Fiona Corcoran</b>	Update from Executive Member for Health and Wellbeing	Cllr Eric Buckmaster - tbc	Proposed by Cllr Diane Hollebon on 17/8/17 via email.
	<del>Report on Integration of Public Health within the council's core services – review ?</del>	<del>Lead officer + Heads of Service</del>	This item will be incorporated into the review of corporate health and wellbeing strategy. The Community Wellbeing Forum is to consider a draft of the revised Strategy on 8 March 2018. Moved to 17/4/18.
	Economic Development Strategy – business engagement	Ben Wood, Head of Communications, Strategy and Policy	Proposed at Work Programme Planning meeting on 12/7/18. It would be useful if a Scrutiny Proposal Form is completed to identify scope and anticipated outcomes.
	Work Programme	Fiona Corcoran	

Meeting Date	Topic	Lead Officer	Notes
<b>12 December 2017</b> <b>Fiona Corcoran</b>	Update from Executive Member for Environment and Public Space	Cllr Graham McAndrew - tbc	Proposed by Cllr Diane Hollebon on 17/8/17 via email.
	Effective communications	Ben Wood, Head of Communications, Strategy and Policy	Proposed at Work Programme Planning meeting on 12/7/18. A Scrutiny Proposal Form is requested from Members.
	Report on Fuel Poverty	David Thorogood, Environmental Strategy and Development Manager	Postponed from 12 <sup>th</sup> September
	Report from Climate Change T&F Group TBC	David Thorogood, Environmental Strategy and Development Manager	National government policy has moved on so this may affect what Members wish to focus on.
	Night Time Economy (NTE) licensing and impact on health and emergency services – update from Licensing Committee (15/11/17)	Verbal report from Chairman of Licensing (tbc confirmed by Chairman David Andrews) or covering report from Officer plus minutes.	A presentation is to be given to Licensing Cttee on 15 Nov covering (a) overview of licensing policy, (b) Public Health and Police (subject to their agreement), and (c) discussion of what the council can and can't do to remedy any issues raised.

	Work Programme	Fiona Corcoran	
<b>Meeting Date</b>	<b>Topic</b>	<b>Lead Officer</b>	<b>Notes</b>
<b>20 February 2018 Claire Pullen</b>	Update from Executive Member for Finance and Support Services	Cllr Geoffrey Williamson	Proposed by Cllr Diane Hollebon on 17/8/17 via email.
	2018/19 Corporate Service Plans	Ben Wood, Head of Communications, Strategy and Policy	All heads of service to be present
	Report from Grounds Maintenance T&F Group	Ian Sharratt, Environment Manager – Open Spaces	Update from 12/9/17
	Review and evaluation of new Scrutiny arrangements 17/18 and Work Programme for 18/19	Claire Pullen	Feedback from this item to be incorporated into Scrutiny Annual Report for 17/18

Meeting Date	Topic	Lead Officer	Notes
<b>17 April 2018</b> <b>Fiona Corcoran</b>	Update from Executive Member, Leader of the Council	Cllr Linda Haysey	Proposed by Cllr Diane Hollebon on 17/8/17 via email.
	Review of new health and wellbeing strategy	Jonathan Geall, Head of Housing and Health and Claire Carter, Service Manager Community Wellbeing and Partnerships	
	Work Programme	Fiona Corcoran	



## ESSENTIAL REFERENCE PAPER

### Scrutiny Proposal form

**Name of proposer:**

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**What would you like to suggest for investigation / review by scrutiny?**

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**Why would you like this to be reviewed? (Include the main issues / concerns to be considered)**

<p>Please continue on a separate sheet if necessary</p>
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**What would be the likely benefits and outcomes of carrying out this investigation / review?**

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**Estimated resource implications on staff and councillors (e.g. research group, one-off report, dedicated meeting etc) to achieve the likely outcome. The outcome must be proportionate to the cost of carrying out the review.**

**Suggested witnesses, documentation and consultation required**

**Will this investigation / review contribute to one or more of the Council's Strategic Priorities? If so, which (please tick)?**

Improve the health and wellbeing of our communities

Enhance the quality of people's lives

Enable a flourishing local economy

**Will this investigation / review meet one of the criteria below? If so, which (please tick)?**

**Public Interest:** The issue has been identified as a concern by local people

**Impact (Value):** The issue will make a significant difference to the social, economic and environmental wellbeing of residents, and has the potential for outcomes that could lead to real improvements

**Relevance:** The issue is relevant and does not duplicate existing work being undertaken elsewhere

**Partnership working or external scrutiny:** The issue involves moving towards collective action and community leadership

**Would you like to be involved in the investigation / review?**

**Yes**

**No**

**Date of request:**

**Signed:**

Please return this form to the: Scrutiny Officer, East Herts Council, Wallfields, Pegs Lane, Hertford, SG13 8EQ Email: [fiona.corcoran@eastherts.gov.uk](mailto:fiona.corcoran@eastherts.gov.uk)