

MINUTES OF A MEETING OF THE
 ENVIRONMENT SCRUTINY COMMITTEE
 HELD IN THE COUNCIL CHAMBER,
 WALLFIELDS, HERTFORD ON TUESDAY 9
 JUNE 2015, AT 7.00 PM

PRESENT: Councillor J Wyllie (Chairman)
 Councillors P Ballam, K Brush, K Crofton,
 H Drake, M Freeman, T Page, P Phillips and
 S Reed

ALSO PRESENT:

Councillors A Alder, D Andrews, R Brunton,
 J Cartwright, L Haysey, A Jackson, G Jones,
 G McAndrew, A McNeece, P Moore,
 P Ruffles, S Rutland-Barsby and
 C Woodward

OFFICERS IN ATTENDANCE:

David Allen	- Waste Services Manager
Lorraine Blackburn	- Democratic Services Officer
Cliff Cardoza	- Head of Environmental Services
Karl Chui	- Performance Monitoring Officer
Simon Drinkwater	- Director of Neighbourhood Services
Marian Langley	- Scrutiny Officer
Andrew Pulham	- Parking Manager
Neil Sloper	- Head of Information, Customer and Parking Services
Kevin Steptoe	- Head of Planning and Building Control Services

Ben Wood

- Head of Business
Development

64 APPOINTMENT OF VICE CHAIRMAN

It was proposed by Councillor P Phillips and seconded by Councillor T Page that Councillor H Drake be appointed Vice-Chairman of the Environment Scrutiny Committee for the 2015/16 civic year.

After being put to the meeting, Councillor H Drake was appointed Vice-Chairman of the Environment Scrutiny Committee for the 2015/16 civic year.

RESOLVED – that Councillor H Drake be appointed Vice-Chairman of Environment Scrutiny Committee for the 2015/16 civic year.

65 APOLOGY

An apology for absence was received from Councillor B Harris-Quinney.

66 MINUTES - 17 FEBRUARY 2015

RESOLVED – that the Minutes of the meeting held on 17 February 2015 be confirmed as a correct record and signed by the Chairman.

67 CHAIRMAN'S ANNOUNCEMENTS

The Chairman referred to the important role of Scrutiny in that it was an opportunity to question decisions and to make recommendations to the Executive. He asked all Members and Officers to introduce themselves.

The Chairman referred to agenda item 8 (Strategic Outline Case for Joint Working with North Herts Council on Waste and Street Cleansing) and reminded Members that Essential Reference Paper “B” contained exempt information, the content of which should not be debated in public.

68 WORK PROGRAMME FOR 2015/16

The Chairman submitted a report setting out the future work programme for Environment Scrutiny Committee for 2015/16.

The Scrutiny Officer explained that the items contained in the work programme had been requested by the previous administration but that Members were free to suggest other items for inclusion on the work programme.

The Scrutiny Officer sought to clarify the set up for the reference group in relation to Conservation Area Management Plans in terms of roles and responsibilities. She explained that Ward Members were in an ideal position to see at first hand, what was happening at street level and could advise and support Officers in putting management plans into action.

Councillor C Woodward expressed concern about the ability to deliver Conservation Area management plans given the issues associated with areas crossing multiple wards. The Head of Planning and Building Control commented that he saw this as an “open invitation” to all as there was potential for all Members to be involved. He added that Members could nominate a person from an area to lead in the process.

The Committee approved the work programme, as now detailed.

RESOLVED – that (A) the work programme, as now detailed, be approved; and

(B) a Conservation Area Appraisal reference group be set up on a trial basis and report back to Environment Scrutiny Committee on 23 February 2016.

69 CONTRACT PERFORMANCE - ENVIRONMENTAL OPERATIONS 2014/15

The Head of Environmental Services submitted a report setting out the current performance of the Council's main environmental management term contracts in relation to Waste Services (Refuse and Recycling, Street Cleaning) and Grounds Maintenance and initiatives which had been undertaken. He explained that the environmental operations within these contracts included services which were of most concern to local residents. The Head of Environmental Services stated that, generally, the contract had performed very well last year.

The Waste Services Manager gave a presentation outlining the roles and responsibilities of both Veolia and John O'Connor, summarising the main points of each contract in terms of performance, non-compliance and enforcement.

In response to a query from Councillor K Crofton regarding fly tipping following a reduction in hours by Hertfordshire County Council at various recycling sites, the Head of Environmental Services stated that the figures showed that, overall, there had been a reduction in fly tipping last year. However, whilst there had been a significant reduction of small quantities of fly tipping, there had been an increase in fly tipping of larger quantities. These larger fly tips were not materials that business would be able to take to Household Recycling Waste Sites, and therefore, there was no apparent increase from the change in opening hours so far.

Councillor T Page thanked the Officers for the report and asked what the drivers were for improving the quality of service delivery for Grounds Maintenance. The Head of Environmental Services explained that there were a range of measures of service delivery, one of which was the number of complaints received in relation to services. Generally, the Grounds Maintenance Contract was performing well. He further added that the quality of grounds maintenance provision was driven by the contract specification and that, if Members wanted to improve the quality of service, e.g., by an increase in grass cutting frequency or more flower beds, then

a decision needed to be taken regarding further investment.

Councillor P Philips asked how recycling performance could be improved in the future. The Waste Services Manager explained the approach to recycling by Three Rivers Council, which had a higher performance, and the constraints on East Herts regarding those residents who refused to recycle. He referred to the importance of investment in services and of ongoing education to persuade those residents to recycle.

Councillor C Woodward welcomed the introduction of biannual conservation cuts. In response to a query regarding contractors using apprenticeship schemes, the Head of Environmental Services confirmed that the Council's contractors supported apprenticeship schemes and undertook to write to the Member with further information on the numbers employed.

In response to a query from Councillor K Brush regarding the Council's approach to education in terms of a broader strategy, the Head of Environmental Services explained that there were different strategies regarding litter, street cleansing and waste recycling. He stated that the Council had delivered a number of campaigns to encourage a change in behaviour on littering, e.g., working with Keep Britain Tidy on the "Which side of the Fence" campaign, which had involved not cleaning one side of a street in three town centres to raise awareness of the impact of littering.

In response to a query by Councillor P Ballam regarding enforcing penalties for those residents who refused to recycle and what could be done about abandoned cars, the Head of Environmental Services explained that East Herts policy was that it did not compel recycling nor did it enforce it. He stated that some councils' had introduced compulsory recycling and took enforcement action against those who allowed recycling materials in their refuse bins. This was a route which the Council could adopt if it wished. He provided an update regarding what the Council could now do in relation to abandoned cars.

In response to a query from Councillor M Freeman regarding

litter on minor roads and rural areas, the Head of Environmental Services explained that rural areas were equally important but had less litter problems. This was reflected in the legislation which dictated the speed at which local authorities must remove litter when it increased to a specified level. He referred to the training given at the recent Member induction day.

Councillor K Crofton suggested that the approaches to recycling and those who contaminated their bins needed to be more rigorous. He referred to the issue of dog fouling and what help could be given to Parish Councils on this issue. The Head of Environmental Services undertook to speak to the Member further on this issue.

Councillor C Woodward referred to the work of volunteers in collecting and bagging fallen leaves and asked that a constructive relationship be developed between the Council and these helpers.

The Committee received the report.

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

70 STRATEGIC OUTLINE CASE FOR JOINT WORKING WITH NORTH HERTS COUNCIL ON WASTE AND STREET CLEANSING

The Executive Member for Environment and Public Open Space submitted a report setting out a strategic outline case for working in relation to Waste and Street Cleansing Service with North Herts Council. Members were reminded that Essential Reference Paper "B" contained exempt information which was commercially sensitive and that if Members wished to discuss that information, then Members would need to move a resolution to exclude the press and public from the meeting.

The Ambassador and Executive Member for Shared Services and the Head of Environmental Services explained the

background leading up to the submission of the strategic outline case for joint working and outlined the benefits to both Councils.

The Head of Environmental Services outlined the process to be followed if Members wished to recommend to the Executive that the Council proceed to the next stage. The Head of Environmental Services explained that in moving forward and in terms of possible future options, there were three:

- (1) do nothing;
- (2) have a fully integrated service and joint infrastructure; or
- (3) same as (2) but excluding the joint infrastructure.

In response to a query by Councillor P Phillips regarding North Herts' commitment to a shared service, the Ambassador and Executive Member for Shared Services was confident that North Herts was serious about joint working. The Chairman stated that North Herts' Scrutiny Committee would be receiving the same report on 9 June 2015.

In response to a query by Councillor P Phillips about improving productivity and higher performance, the Head of Environmental Services suggested that one option for the Council could be to introduce separate food waste collection, which could be delivered through a new joint contract from 2018. He stated that it was possible to add different services to different Councils with costs accruing to the responsible Council.

In response to a query from Councillor K Crofton, the Head of Environmental Services explained the benefits to be achieved from a larger joint contract including bulk buying of vehicles and access to cheaper fuel.

In response to a query by Councillor K Brush regarding competition and interest by smaller companies in the tendering process, the Head of Environmental Services explained that with regard to a waste contract, because the costs of equipment and vehicles were so high and larger companies were able to benefit from economies of scale, potential bidders were likely to be larger companies. Contract

tendering in relation to European legislation would be observed.

The Committee received the report and asked that Members' comments as now detailed, be referred to the Executive along with its recommendation to the Executive for approval.

RESOLVED – that (A) Members' comments as now detailed, be referred to the Executive; and

(B) the Committee recommends to the Executive that the Council proceed to the next stage, and that an Outline Business Case for a Shared Waste and Street Cleansing Service with North Herts District Council (NHDC) be developed.

71 RESIDENT PERMIT PARKING SCHEME POLICY REVIEW

The Executive Member for Economic Development submitted a report setting out the existing policy in relation to the Residents' Permit Parking schemes, and sought Members' comments on future policy options, including whether an additional survey of existing schemes needed to be commissioned.

The Parking Manager outlined the Residents' Permit Scheme adopted in 2003/4 and what parts were amended as a result of decriminalisation legislation. The Parking Manager explained that the Council was prohibited from achieving a surplus profit in developing resident parking schemes. Possible options and operational difficulties were considered including that of shared use parking. Twelve resident parking schemes were currently in existence. A log of further requests for resident parking schemes was attached within Essential Reference Paper "E" of the report submitted.

The Executive Member for Economic Development explained that the report had been requested following requests by residents for more schemes. He referred to the difficulties of parking displacement and overspill in off-street parking.

Councillor C Woodward referred to the lack of business parking in the Southmill Road area of Bishop's Stortford and suggested more shared space parking. The Head of Information, Customer and Parking Services provided an update in relation to Southmill Road and the possible effects of a "wave" in terms of parking displacement. He stated that permit schemes worked, but was concerned about the number of requests which had been received and the need to ensure that costs did not accrue to the Council. He suggested that Members might wish to wait for further information before making a recommendation.

Councillor K Crofton was happy to hear that the Council was helping residents with parking and added that there was a need to ensure that the area thrived in terms of its visitors.

Councillor A Alder referred to the parking problem in Bishop's Stortford and suggested that the Council negotiate usage with the football club. The Leader of the Council stated that this suggestion could present some legal complexities.

Councillor G Jones referred to an earlier suggestion of a "Park and Ride" outside of Bishop's Stortford which was later not found to be a viable proposal.

Following extensive further debate, the Committee accepted that there were considerable issues which needed to be taken into account and recognised that the existing policy was no longer adequate. The Committee confirmed their support of the guidelines set out in the report now submitted and further agreed that a new policy should be developed for consideration by the Executive before any new schemes were agreed.

RESOLVED – that (A) the existing resident permit parking schemes should continue under the current arrangements other than to explore opportunities for shared use parking where appropriate;

(B) there be no commencement of new schemes until the Council formally adopts a new policy regarding the creation of resident permit zones; and

(C) the Executive Member for Economic Development be advised of Members' comments.

72 PLANNING PERFORMANCE - ENFORCEMENT TARGETS

The Deputy Leader and Executive Member for Development Management and Council Support submitted a report setting out the background to Performance Indicators EHIP 2.1d (Planning Enforcement Initial Site Inspections and 2.1 (Service of Planning Enforcement Notices)).

The Head of Planning and Building Control explained that the performance targets had been agreed in 2010 and that the Council sought to achieve compliance with regulations before resorting to formal action. He explained that complex cases were not included in the performance target.

The Head of Planning and Building Control commented that in relation to the service of enforcement notices, very few were issued and that the Council sought to secure compliance with landowners adding that the test of expediency was delegated to Officers.

Councillor T Page referred to the Council's policy "not to punish but to work with" and queried whether this was a weakness in the system. The Acting Chief Executive explained that this was part of the policy concordant which was a nationally agreed policy. He stated that it did not reflect any weakness the Council's planning policy.

Councillor C Woodward queried the Council's level of staffing resources to handle site inspections and planning enforcement. He stated that he was aware of a number of cases which needed addressing. The Head of Planning and Building Control confirmed that the resources were the same as they were in 2010 when the target had been set and that there were three Officers dealing with these issues. He asked the Member to contact him about the cases which he felt, needed investigation.

Councillor P Phillips expressed concern regarding the 15

(working) day performance target in relation to 2.1d (Planning Enforcement Initial Site Inspections). The Deputy Leader suggested that it might be useful to consider the implications of changing the target. This was supported.

The Committee received the report and asked that Members' comments as now detailed, be referred to the Executive along with its recommendation to the Executive for approval.

RESOLVED – that (A) that the Performance Indicators EHPI 2.1d and 2.1e be noted;

(B) the Committee recommends to the Executive to consider the implications of reviewing the 15 day target in relation to 2.1d (Planning Enforcement Initial Site Inspections) and to report back to the joint meeting of Scrutiny Committees in February as part of the 2016/17 Future Targets report; and

(C) the Executive be requested to delete the Performance Indicator 2.1e (Service of Planning Enforcement Notices) but that Development Management Committee be provided with an update on each occasion when authorisation has been given.

73 2014/15, 2013/14 AND 2011/12 SERVICE PLANS - END OF YEAR MONITORING REPORTS

The Director of Finance and Support Services submitted a report which explained how the Council had performed in 2014/15 against the actions and objectives it set out to achieve and reported on the status of all outstanding actions from 2013/14 and 2011/12.

The Head of Business Development explained that this was a retrospective look at the actions agreed by the previous administration and that Members might wish to agree a new set of priorities.

Councillor P Phillips referred to the Castle Weir Micro Hydro Scheme at Hertford Theatre and sought an update on the

proposal. The Head of Environmental Services explained that it was still working closely with the Environment Agency and summarised the difficulties in moving the project along.

The Committee received the report.

RESOLVED – that progress against the Council’s priorities, including revised completion dates, suspensions and deletions against 2014/15 Service Plan actions and 2013/14 and 2011/12 Service Plan actions be received.

74 HEALTHCHECK THROUGH TO MARCH 2015 (INCLUDING 2014/15 OUTTURNS AND TARGETS)

The Director of Finance and Support Services submitted a report on the performance of key indicators for Environment Scrutiny for the period January to March 2015. The Head of Business Development explained that the report looked retrospectively at performance covering the period of the previous administration and that the new Members might want to set new objectives and priorities.

The Committee received the report.

RESOLVED – that the reported performance for the period January to March 2015 be received.

The meeting closed at 9.15 pm

Chairman
Date