

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

PRESENT: Councillor M Allen (Chairman)
Councillors M Casey, G Cutting, B Deering,
I Devonshire, H Drake, M Freeman,
J Goodeve, P Moore, M Stevenson and
N Symonds

ALSO PRESENT:

Councillors A Alder, M Pope and S Rutland-
Barsby

OFFICERS IN ATTENDANCE:

David Allen	- Waste Services Manager
Lorraine Blackburn	- Democratic Services Officer
Isabel Brittain	- Head of Strategic Finance and Property
Paul Dean	- Principal Planning Enforcement Officer
Jess Khanom	- Head of Operations
Andrew Pulham	- Parking Manager
Claire Pullen	- Scrutiny Officer
Ian Sharratt	- Environmental Manager
Liz Watts	- Chief Executive

144 APOLOGIES

Apologies for absence were submitted from Councillors D Abbott and Mrs D Hollebon. It was noted that Councillor K Warnell was substituting for Councillor Mrs D Hollebon.

145 MINUTES - 13 JUNE 2017

RESOLVED - that the Minutes of the meeting held on 13 June 2017 be confirmed as a correct record and signed by the Chairman.

146 CHAIRMAN'S ANNOUNCEMENTS

The Chairman stated that, with Members' consent, he would bring item 7 (Update on Planning and Member Development) and item 9 (Planning Enforcement Update) forward. This was supported.

The Chairman stated that Councillor S Rutland-Barsby was in attendance to present the report on item 7 and, with Members' consent, would stay to answer any comments in relation to item 9. This was supported.

The Chairman provided an update from Officers in relation to Fuel Poverty. It was noted that the report would be presented to Members in December 2017.

147 UPDATE ON PLANNING AND MEMBER DEVELOPMENT

Councillor S Rutland-Barsby provided Members with a presentation on issues impacting on Development Management, Building Control and Member support. The presentation summarised the increases in major and minor applications since 2011/12 and the issues affecting the wider region. Management restructures within the planning team were explained.

The Executive Member provided an update in relation to changes and caseloads in terms of enforcement and recent

changes regarding the management of building control. A summary was provided in relation to Members' training, development and support. A list of questions and respective responses were circulated to facilitate the presentation.

The Executive Member explained the pressures on the service in terms of the recruitment of suitably qualified staff that were able to earn much more in London and the impact this had had on the service including a recent restructure. She hoped that the restructure would allow the Council to take a more holistic approach to developing a planning team with a "grow your own" approach to career development.

The Executive Member provided an update in relation to enforcement and the use of external solicitors to assist with the backlog of cases. She explained the role of Hertfordshire Building Control.

Members sought and were provided with clarification on issues relating to:

- Major and local planning applications determined.
- Recruitment issues.
- How applications were allocated / determined.
- Enforcement – and when it was not in the public's interest to take action, e.g., a shed built six inches too high.

The Chief Executive explained that survey data from the East of England had identified recruitment as a regional problem and that the Council had signed up to a proposal to bring in people from the private sector to work within planning teams. She explained that a company was being established for professionals to work alongside planning teams as part of a learning process.

Members thanked the Executive Member for the presentation.

RESOLVED – that the presentation be received.

148 PLANNING ENFORCEMENT UPDATE

A progress report was submitted on the current position in relation to the Council's Planning Enforcement Service.

In response to a query from Councillor B Deering, the Enforcement Officer explained that the External Consultants managed some of the caseload on behalf of the Council and provided regular weekly progress. The Enforcement Officer agreed to provide Members with a breakdown of the costs for the provision of this service.

In response to a query by Councillor N Symonds, the Enforcement Officer explained that the consultants currently had a case-load of around 30 – 31 cases (originally 38) which included Esbies. He explained that the consultants were paid on a case by case basis and were responsible for all legal work necessary. The Enforcement Officer provided an update in relation to what Officers were working on within the enforcement section.

Members received the report and noted the progress made in relation to the Action Plan, as detailed.

RESOLVED – that the progress made in relation to the Action Plan be noted.

149 PROPOSALS FOR GROUNDS MAINTENANCE CONTRACT - REPORT OF THE TASK AND FINISH GROUP

The Committee Chairman submitted a report setting out the scope of the Terms of Reference in relation to the Grounds Maintenance Contract Task and Finish Group. It was noted that the Council's Grounds Maintenance Contract was due to be retendered on 1 January 2020.

The Environmental Manager, Open Spaces provided a summary of the report and referred Members to the proposed terms of reference for the Task and Finish Group in Essential

Reference Paper “B”.

Councillor G Cutting referred to issues in Bishop’s Stortford in terms of overgrown vegetation around a number of twitchels in Thorley and other overgrown hedges which he believed, contributed to anti-social behaviour. He asked that the frequency of hedge pruning be reviewed. The Environmental Manager explained that some were the responsibility of Hertfordshire County Council and that the Council could only encourage HCC to review the frequency of the pruning.

In response to a query from Councillor B Deering, the Environmental Manager explained the role of the current contractor and the work undertaken generally and in relation to grass verges. In response to a query from the Chairman regarding service provision, the Environmental Manager explained that there were few large companies available who could provide the large scale service required by the Council. Councillor M Casey queried the monetary value of the contract which was stated to be approximately £1.2Million.

The Environmental Manager, Open Spaces asked that any suggestions or comments relating to the remit of the Task and Finish Group be referred to the Lead Officer and Scrutiny Officer.

Members supported the Terms of Reference as detailed.

RESOLVED – that (A) the scope and Terms of Reference of the Grounds Maintenance Contact Task and Finish Group as detailed, be supported; and

(B) any comments or suggestions in relation to the remit of the Task and Finish Group be referred to the Lead Officer and Scrutiny Officer.

150 PRIORITIES FOR PARKING ENFORCEMENT

The Head of Operations submitted a report on the findings and recommendations of the Member Task and Finish Group established to review the Council’s Parking Enforcement

priorities. The Parking Manager provided a summary of the report.

Councillor N Symonds commented that she was pleased to see Parking Enforcement Officers outside of schools.

In response to a query from Councillor M Freeman regarding the revenue stream generated by parking tickets, the Parking Manager outlined the restrictions imposed by statute in terms of the enforcement of contraventions. Councillor M Casey queried why this aspect of the service could not be self-financing. The Parking Manager suggested that part of the reason why gross revenue generated from car parks was around £3.2m was because of the incentive to pay the parking charge created by the Council's parking enforcement activities. He explained that statute dictated that a local authority should not seek to generate a surplus through enforcement measures and that if it did, this should be ring-fenced.

Enforcement during the evening, the difficulties enforcement officers could face and the measures which could be deployed were discussed.

Councillor J Kaye commented that in seven years there would be more cars on the road and hoped that what was in place now would be able to cope with the additional patrolling needed. Councillor B Deering referred to the possibility of patrolling in pairs during the evening. He stated that most of the complaints he received were about people parking outside of their doors and parking on verges. The Parking Manager explained that the possibility of introducing enforceable footway and grassed verge parking bans had been investigated but not taken further because of an apparent lack of interest. He stated that when parking became an obstruction, the Police could take action.

Councillor M Stevenson sought and was provided with clarification on Blue Badge Fraud and deception.

The Chairman, on behalf of Members thanked the Task and

Finish Group for their recommendations.

Members noted the recommendations of the Task and Finish Group and that these be endorsed.

RESOLVED – that the Executive be advised that Overview and Scrutiny Committee support the recommendations of the Task and Finish Group as detailed in paragraph 3 of the report and endorse their inclusion in the Council's new parking enforcement contract.

151 WASTE CONTRACT OPTION FOR CHARGEABLE GREEN WASTE SERVICE

The Head of Operations submitted a report outlining a proposal to introduce a chargeable green waste service alongside a weekly food collection prior to consideration of a joint waste contract with North Herts Council. She provided a summary of the report.

Councillor G Cutting sought and was provided with clarification on how the service currently worked and the concept of a weekly food collection. He expressed concern about the impact this would have on people living in flats and houses in multiple occupation.

The Waste Services Manager explained that 47% of all food waste was still wrapped and explained that food caddies would be collected weekly from a 3 litre container. The Head of Operations reiterated how the current collections worked and explained that 30% of residents surveyed would either be very likely or quite likely to pay up to £40 a year for the service with 70% stating that they would be unlikely to take up the service. The Head of Operations commented that an indicative sum of £35 was what other Hertfordshire authorities charged.

Councillor H Drake stated that she felt that this was a reduction in service as food was already placed in the black bins. Councillor N Symonds felt that the approach was being

driven by the joint waste contract with North Herts who had yet to make a decision.

The Waste Services Manager explained how the service could be applied in terms of people with disabilities, those living in flats and houses in multiple occupation and how operatives would know whose container to collect aided by stickers and PDAs. He commented that the proposal would ensure that waste food was properly and safely composted and not disposed of in black bins which went to landfill. In response to a query from the Chairman regarding modifications to vehicles, the Waste Services Manager explained that a new contract was about to begin and that Officers would need to review new vehicles.

Councillor G Cutting referred to the waste recycling site in Bishop's Stortford and stated that its closure two days a week was very frustrating, adding that people visited the site not just to compost things but to dispose of rubble, furniture, etc. He referred to the impact of more homes in Bishop's Stortford and asked Officers to work with Hertfordshire County Council to facilitate more sociable opening hours before matters became acute. The Head of Operations acknowledged the issues of the centre and assured Members that she was working with the Herts Waste Partnership to explore more effective ways to deliver the service.

Members queried the driver behind this new green collection service. The Head of Operations confirmed that this would contribute to the gap in the medium term financial plan and would facilitate a reduction in the amount of food waste that went to landfill which could be composted.

Councillor G Cutting stated he was not convinced about the need to provide this service adding that Members needed to be provided with more information and have more clarity on the issue. The Waste Services Manager provided an overview on the legislation about managing food waste and other waste materials and what could and could not be composted.

Members debated at length, the issue around the food collection, green waste collection and the technical aspects of collection / no collection and the associated issues. At the conclusion of the debate, a number of Members were unclear on how the proposed, separated and optional waste service would impact on the most vulnerable and high occupancy buildings and sought more information on the technical aspects of food waste collection and the actual implications of an optional operation where who had “opted in” and who had “opted out”, needed to be determined.

Members felt that that it was important to consider the financial issues properly, as every tax payer was paying for the collection of waste and asked that the Executive be provided with further information on the technical aspects of the collection as detailed above, supported by flow charts to aid the decision making process.

Councillor I Devonshire proposed and Councillor K Warnell seconded, a motion to not charge for a green waste collection. After being put to the meeting and a vote taken, this motion was declared LOST following the Chairman’s casting vote.

Councillor J Goodeve proposed and Councillor M Casey seconded, a motion that a proposal to introduce charging for green waste be given further consideration and that the issue of a food collection service be considered separately. After being put to the meeting and a vote taken, this motion was declared CARRIED.

The Committee supported the recommendations now detailed.

RESOLVED – that the Executive be advised that (A) further information be provided on the technical aspects of the collection as now detailed supported by flow charts to aid the decision making process and to facilitate a clear recommendation to Council on a proposal to introduce charging for green waste; and

(B) the issue of a food collection service be considered

separately.

152 WORK PROGRAMME 2017/18

The Chairman of Overview and Scrutiny Committee submitted a report detailing the Committee’s future work programme.

Councillor G Cutting confirmed that he had a topic which he would like included for further consideration and agreed to complete the referral form.

Members confirmed that having an Executive Member in attendance to give a presentation on issues within their remit was a preferred way forward. It was suggested that supporting notes accompanying a presentation be made available to Members in advance of a meeting.

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 9.33 pm

Chairman
Date