

MINUTES

STRATEGIC PLANNING & ENVIRONMENT OVERVIEW & SCRUTINY

20 JUNE 2017

Present:

Members:

Councillors:	Birnie	Chairman)
	Fisher	Riddick
	S Hearn	Timmis
	Hicks	Tindall
	Howard (Vice	C Wyatt-Lowe

Officers:	David Austin	Assistant Director - Neighbourhood Delivery
	James Doe	Assistant Director - Planning, Development and Regeneration
	Katie Mogan	Member Support Officer
	David Skinner	Assistant Director - Finance & Resources
	Craig Thorpe	Group Manager - Environmental Services

Also Attendance:

Councillor Janice Marshall
Councillor Graham Sutton

The meeting began at 7.30 pm

64 MINUTES

The minutes of the Strategic Planning and Environment Overview and Scrutiny Committee meeting held on 14 March 2017 were confirmed by the members present and signed by the Chairman.

65 APOLOGIES FOR ABSENCE

Apologies were received from Councillors Anderson, Adshead and Ransley.

Councillor Tindall substituted on behalf of Councillor Ransley.

Councillor Howard chaired the meeting in the absence of Councillor Anderson.

66 DECLARATIONS OF INTEREST

There were no declarations of interest.

67 **PUBLIC PARTICIPATION**

There was no public participation.

68 **CONSIDERATION OF ANY MATTER REFERRED TO THE COMMITTEE IN RELATION TO CALL-IN**

None.

69 **ENVIRONMENTAL SERVICES Q4 PERFORMANCE REPORT**

C Thorpe introduced the report to members and ran through the main highlights of the quarter:

- The department took the opportunity to train staff in Waste Services and Clean, Safe and Green in the winter months. One day refresher training was carried out for all staff and performance appraisals were undertaken. Also, agency staff were brought in for inductions and all annual mandatory driver training was completed.
- There is currently a trial being undertaken with 360 degree cameras on the refuse lorries to help monitor and prevent verbal abuse towards staff.
- There has been a good take up of additional green bin subscriptions.
- 3000 Christmas trees were recycled.
- 40 groups and 1300 volunteers took part in the Great British Spring Clean.
- Clean, Safe and Green have cleaned all the 'Welcome to Dacorum' signs across the borough and completed small scale landscaping projects around housing areas.
- In relation to sickness, the department lost 90 days to long term sick leave in January but this had decreased by March. Short term sickness has decreased month on month. One to one meetings are up to date after staff have returned from sick leave and Return to Work interviews took place on average three days after that staff member has returned to work.
- The performance indicators for dog fouling is 100%, graffiti removal is low because the jet wash is awaiting repair.

C Thorpe said at future meetings, he would like to focus on schemes that have happened in the last month of each quarter to ensure members are as up to date as possible.

Councillor Tindall referred to page 17 of the agenda and the 18 days sick leave for gastroenteritis. He was concerned about the potential of the infection spreading to other staff members and if the staff member picked up the illness from the work place or at home.

C Thorpe said the member of staff concerned had 65 days off sick due to complications with the infection.

Councillor Tindall asked if it was established where the illness was picked up.

C Thorpe said it was not medically established where it was picked up from or what it was.

Councillor Birnie asked if the sickness figures were an improvement on the previous year.

C Thorpe said there was a month on month improvement and also an improvement on last year.

Councillor Birnie asked if the 360 degree cameras were just to monitor abuse or to detect cyclists too.

C Thorpe said the refuse vehicles are now more complex and the cameras were mainly to fight insurance claims and prevent abuse towards staff from members of the public which unfortunately, is quite common.

Councillor Timmis asked about grass cutting on the A5 and was concerned that no one seemed to be taking responsibility. It is becoming a problem because the litter cannot be cleared because of the long grass and hedges.

C Thorpe said the road had been detrunked but is trying to get to the bottom of what it actually means and involves. Legal advice is being sought as it does not seem right that responsibility is passed to the local authority without any additional resources.

Councillor Timmis said the detrunking of the road means lorries can no longer use the road as a new route and junction has been added on the M1. It can't just be left without anyone taking responsibility and she said she would be grateful if that could be resolved. In relation to fly tipping, Councillor Timmis suggested it would be cheaper to provide free tipping for building contractors instead of having to keep clearing the rubbish that is fly tipped.

C Thorpe said there are outlets for companies to dispose of their commercial waste provided by Herts County Council but they do charge.

Councillor Timmis said this was counterproductive as it is small business that need these services not large commercial companies.

C Thorpe said this was covered by Herts County Council not Dacorum Borough Council but there is an on-going project to investigate the reasons for fly tipping.

Councillor Timmis said it would be encouraging to hear the results from the project as this is a national problem.

Councillor Marshall said that fly tipping was on the work programme for the November meeting so a lot of these points will be covered then. It is important to consider that there are costs associated with disposing of fly tipped waste and also to find out what waste it is.

Councillor Howard asked C Thorpe to look at the points raised by members.

Councillor Fisher asked how dependant the department was on agency staff as 70 inductions seems like a large number and how many days do these staff work.

C Thorpe said they are fairly reliant on agency staff to cover sickness and annual leave. The department carries out inductions for a pool of agency staff to ensure they are trained so they have a good idea of what the work involves when they are needed. There are lots of agency staff trained because often, when the department requires agency staff, they are often posted elsewhere and are unavailable.

Councillor C Wyatt-Lowe asked why some of the risks on the operational risk register had incomplete signoffs.

D Austin said he would need to check as he was unsure why the system had picked up the wrong version.

Councillor G Sutton referred to residents leaving household waste being more common than fly tipping. The Council's collection service should be publicised more widely. It costs just £75 for large household items and this could be an additional revenue stream.

Councillor Tindall echoed Councillor G Sutton's comments and did not believe it was appropriate to offer a free service through 'blackmail'. Councillor Tindall asked if the Proceeds of Crime Act (POCA) applied in cases of fly tipping and wondered if a brief survey could be undertaken to match the cost of enforcement against the income of fines as enhanced enforcement should pay for itself.

Councillor Hicks asked what CPC stood for.

C Thorpe said it was a Certificate of Professional Competence and is part of the continual training of LGV drivers.

Councillor Hicks asked what the opening times of the tips are.

C Thorpe said he did not know the definite times of all the tips but knows they close two days a week.

Councillor Hicks asked if a comparison could be done on the incidents of fly tipping compared to the opening times of the tips.

C Thorpe said fly tipping has increased since the opening hours have decreased.

Councillor Riddick said the council should be introducing deterrents. There was a situation in Kings Langley where a van stopped and dumped a substantial amount of rubbish, it was stopped but the offenders ran off. Should the council be confiscating vehicles of offenders to send out a strong message to others?

D Austin said this is the danger with the quarterly reports as there is a time lag. He said a van had recently been crushed for fly tipping offences and this should be publicised next week. One vehicle is currently being investigated for seven fly tipping offences in the borough and a prosecution case is being put forward. POCA does apply in fly tipping cases and this can be used alongside the new powers to issue higher Fixed Penalty Notices – five have been issued so far at £500 each. Duncan Jones of the Herts Waste Partnership also chairs the Herts Fly Tipping Committee that involves the police, landowners and local authorities and it might be helpful to invite him along to the committee meeting when fly tipping is to be discussed.

Councillor Riddick said it would be useful to take photographs of vehicles being crushed and publicise them.

D Austin said it has been videoed and some local authorities have placed all the rubbish collected from fly tips in their town centres to highlight the issue.

Outcome

That the Strategic Planning and Environment Overview and Scrutiny Committee approve the report.

70 PROVISIONAL OUTTURN REPORT 2016/17

D Skinner introduced the report to members and said it was good news and was still consistent. The final outturn report will go to Cabinet next week but there aren't any major material changes. The main highlights are:

- Added £1.1 million into reserves and that is due to additional income generated through garages, Alternative Financial Model and parking income.
- Capital is on track with previous forecasts
- Some special items have been moved over into this year's budget like the improvements at Hemel Sports Centre and the Water Gardens.

Councillor Birnie referred to page 6 and asked what new burden grants were.

D Skinner said it was for activity as a result of changes in legislation. This year it was awarded for meeting welfare reforms and benefits caps. The Council also received late notification of the brownfield land register so that would have come under a new burden grant.

Councillor Birnie referred to page 8, line 170 and asked what the total cost of the Town Centre regeneration was.

J Doe said he did not have a precise figure but he believed it was around £4 million for the Marlowes and Bank Court. The bus interchange was a separate project.

Councillor Birnie referred to page 9 and queried what parking initiatives were.

D Skinner said it was the introduction of Controlled Parking Zones mainly to tackle commuter parking and was usually determined by residents.

Councillor Tindall referred to page 7, paragraph 4.2 and the £125k overspend due to insurance provisions in Environmental Services budgets and questioned if this was usual.

D Skinner said there was two large claims but the Council is normally covered.

Councillor Tindall asked if the subsidence was caused by tree roots.

D Skinner said it was something he would need to check and get back to members about.

Outcome

That the Strategic Planning and Environment Overview and Scrutiny Committee approve the report.

71 PLANNING, DEVELOPMENT AND REGENERATION Q4 PERFORMANCE REPORT

J Doe introduced the report to members and ran through the main points.

- Paragraph 3 relates to building control and the two months determination target is a fraction under 100% but income is healthier than it has been. Building control is a competitive service and there is competition – the Hertfordshire Building Control Consortium has been set up and does not include Dacorum, St Albans and Watford. There is also a pressure in staff recruitment and there was a reliance on agency staff but this has decreased due to three trainees being recruited. The Council has raised its fees by 10% to bring it in line with the competition.
- Development Management workload remains high and there has been an increase in major applications which take longer to deal with but brings in extra income. Income has increased to £843k which exceeds the target of £812k. This is encouraging as there were concerns the target would not be met after market uncertainty in the wake of last year's EU referendum. There has also been an increase in turnaround times for all applications.

- Appeals have a success rate of 70% which is in line with the national average.
- The only exception is validating planning applications in three days. The target is 70% but it was just above 50% this quarter. There are ideas on how to improve this but importantly, it did not affect the processing times of the applications.
- In Strategic Planning and Regeneration, new developments have reached 523 properties, the majority of this is private sector but some is Housing Association and Council stock.

Councillor Birnie referred to the income of £544k in building control and asked how profitable the service is.

J Doe said the service cannot make a profit. It is fee earning to process statutory applications. The Council must make a rolling balance over three years and some services cant be written off against the income, for example, inspecting dangerous buildings.

Councillor Birnie asked why Dacorum hadn't joined the Hertfordshire Building Control Consortium.

J Doe said it had been considered but these discussions were confidential. The consortium can only make a profit if they set up as an approved inspector and the business model does not expect this for a few years yet.

Councillor Birnie asked if 'golden handcuffs' had been applied to the trainee positions in building control.

J Doe said there is a repayment period if you leave before 24 months.

Councillor Riddick referred to the briefing paper that had been emailed to members regarding fire safety in the wake of the Grenfell Tower fire. He said he had concerns that leaseholders were not forced to comply with the Council's safety standards and suggested there should be mandatory compliance.

J Doe said the briefing paper was produced by the housing service and these concerns should be directed towards the Portfolio Holder and the Housing and Community OSC. He said you can't force leaseholders to take the fire doors but they are provided by the council.

Councillor Birnie suggested this was something that needed to be discussed at the next group meeting.

J Doe said that since the devastating fire, the council's first priority is to look at its tower blocks. The council has 6 towers and they have been assessed. Private tower blocks, like the KD Tower, are the responsibility of private owners through a building control assessment. Private sector developers tend to use private building control companies.

Councillor Tindall suggested that the concerns of this committee should be passed to the housing department and housing associations.

Councillor Howard said she was surprised at just how many different housing associations there were in Dacorum. She was told there were about 123.

Councillor Hicks asked if building control at the Council had signed a building off, is there a report on file.

J Doe said yes. Once plans are received from developers, they are checked for compliance against regulations.

Councillor Hicks said if there is an instruction from the government to check all tower blocks, it will just be a case of checking the reports.

J Doe said yes and it was down to the owners. The Council tends to get most of its building control applications from smaller developers.

Councillor Hicks asked if the Council have records from private building control sign offs.

J Doe said they had limited access. The priority is for Council owned blocks and the building control function would ensure the buildings complied with regulations at that time.

Councillor Birnie asked if J Doe was aware of any significant changes in fire regulations.

J Doe said he would have to liaise with building control colleagues. There is a big difference between the council as the landlord and its role in building control. J Doe suggested that he would take the point away and discuss with the Portfolio Holder and the housing team.

Councillor G Sutton said it was worth considering and checking the advice given to residents in tower blocks as there was conflicting information for residents at Grenfell Tower on the "stay put" policy.

Councillor Tindall said he had lived in a tower block previously and most of these blocks were built in the 1960s and 1970s and they were fire proof at the time of building. The stay put policy is standard practice as the buildings are designed to ensure that fire is contained. Problems begin to arise when the original design is interfered with.

Councillor Riddick said he was shocked that the only communication Hightown Housing Association have had with their residents about fire safety, is to post information on their website. The internet is not accessible to all and they have a greater duty of care than that.

J Doe said the council had written to all residents in the tower blocks and these letters had been hand delivered today.

Councillor Tindall referred to page 4 and the low refusal rate for planning applications.

J Doe said the Council had received 2429 planning applications in 2016/17 and there were just 94 refusals and 39 appeals from those refusals. The council lost just 12 appeals.

Councillor Tindall congratulated the department on their work

J Doe said the refusal rate is a problem in some authorities but Dacorum have a focus on pre-application advice to ensure less is refused.

Outcome

That the Strategic Planning and Environment Overview and Scrutiny Committee approve the report.

72 REGULATORY SERVICES Q4 PERFORMANCE REPORT

D Austin introduced the report and ran through the main highlights:

- Food inspections in this quarter are at 80%. There is some change in the figure throughout the year as premises change in the banding priority of inspection. Despite staffing issues, the department has done well to get back on track.
- There have been cases of Shigella in the borough which have been fully investigated.
- A new team leader will be starting in the department next week to replace the contractor that has been working with the team.
- The dog warden has been working on some enforcement cases.

Councillor Riddick asked about the staff member that was injured.

D Austin said it involved a member of staff being crushed under a large gate. This was not a Council staff member, the incident happened on a private premises but the Council has a duty to investigate health and safety breaches.

Councillor Riddick asked what Shigella was.

D Austin said he believed it was a form of dysentery normally associated with foreign travel.

Councillor G Sutton said he had done some research and the bacteria are passed through direct contact with faeces or through contaminated food or water.

Councillor Hicks asked if this was becoming more common.

D Austin said it was on the increase and Public Health England are involved to understand the spread and try to prevent it.

Councillor Tindall asked if dog fouling could increase the spread of this illness as children are more likely to come into contact with it.

D Austin said he would need to check but didn't believe so.

Councillor G Sutton said it might be an idea to carry out more inspections in nurseries to prevent the spread.

Councillor Marshall stated that no DBC staff were infected.

Councillor Birnie said he was concerned about the two red indicators on the risk register on high risk food inspections.

D Austin said the maths does not work as food premises can move into different risk categories and this affects how often they are inspected.

Outcome

That the Strategic Planning and Environment Overview and Scrutiny Committee approve the report.

73 PUBLIC SPACES PROTECTION ORDER - HEMEL HEMPSTEAD TOWN CENTRE

D Austin introduced the item and said the report will be going to Cabinet in July. There will be a face-to-face and online consultation and it will cover the Old Town, the Marlowes and the Water Gardens. Paragraph 1.2 states the conditions that must be met with regards to impact on others. This order will help give the council another tool to tackle anti-social behaviour. Previously, the committee considered a report on park by-laws and work is ongoing in relation to wild fowl feeding.

Councillor C Wyatt-Lowe said she was pleased to see the report and all the measures proposed were good ones particularly the one aimed at chewing gum which is a huge expense for the council to clear. Councillor C Wyatt-Lowe said she was in town last week and witnessed somebody feeding nuts through the railings onto the grass. This is counterproductive to the council's efforts to stop the mess caused by wild fowl. It might be a good idea to have a designated feeding area near the Friends building once the Water Gardens are completed. Councillor C Wyatt-Lowe was also concerned about how they would be enforced.

Councillor Tindall was in favour of controlling wildlife and feeding the birds was also damaging to them. He hoped staff would be sympathetic when enforcing these

orders as it would not be appropriate to punish a parent and child who are feeding the birds.

Councillor Birnie said he appreciated the need for a tidy town and anti-social behaviour needs to be addressed and some of the undesirable behaviours are more serious than others. Councillor Birnie asked if people would be criminalised for cycling through the town for example.

D Austin said the key was education which would run alongside the consultation which will seek the public's view about which activities should be criminalised as not one size fits all. The report can come back to committee after the consultation state which will be October/November.

Councillor Birnie suggested there should be a light approach as people want to enjoy the town centre.

Councillor Marshall said it would be similar to park bye laws in the respect that they are in the back pocket to be used against serious anti-social behaviour.

Councillor Howard said the geese in the Water Gardens used to make a huge mess of the grass and asked what was being done to stop that when the new gardens open.

J Doe said that there will be fencing along the river bank to stop them from getting on the grass. He said these orders were about proportionality and education – signage would be going up to educate the public on the dangers of feeding the birds. The Council is advertising for a lead gardener in the Water Gardens who will be able to advise and educate the public. These orders are mainly for dealing with persistent offenders.

Councillor C Wyatt-Lowe said she saw a report on geese which said they produce 3lb worth of waste which causes major problems with the grass which no longer grew before the regeneration.

Councillor Timmis said feeding bread to ducks was harmful and maybe the Council should sell packs of proper bird food for children to still enjoy feeding the birds. In addition, chewing gum is a huge problem and its time the companies should take responsibility.

Councillor Tindall asked about culling the geese and if the crushing of the eggs has worked.

D Austin said it did happen but it was unsuccessful.

Councillor Tindall asked if there could be greater enforcement of cyclist through the town centre as they are dangerous to pedestrians.

Councillor Riddick said that begging was becoming a greater problem in the Town Centre and he was personally approached for money four times by the same person

and there is also a camp set up on the lower deck of the car park taking up three spaces.

D Austin said the man in the car park was due to be relocated in the coming week and court action has been ongoing for some time. The Council work closely with the police to stop begging but it is difficult as it normally involves drug dependencies.

Outcome

That the Strategic Planning and Environment Overview and Scrutiny Committee approve the report.

74 WORK PROGRAMME 2017/18

Councillor Howard said that herself and Councillor Anderson had sat with officers to devise a work programme for the rest of the year and had hopefully included items that members were interested in.

The committee members agreed the work programme.

The Meeting ended at 9.10 pm