

MINUTES

STRATEGIC PLANNING & ENVIRONMENT OVERVIEW & SCRUTINY

12 SEPTEMBER 2017

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|---------------------|---------------------|---|
| Councillors: | Anderson (Chairman) | Chairman) |
| | Birnie | Matthews |
| | Fisher | Ransley |
| | S Hearn | Riddick |
| | Hicks | Timmis |
| | Howard (Vice- | C Wyatt-Lowe |
| Officers: | Holly Butterworth | Environmental Awareness Officer |
| | James Doe | Assistant Director - Planning, Development and Regeneration |
| | Rachel Hall | Recycling Advisor |
| | Katie Mogan | Member Support Officer |
| | Melanie Parr | |
| | David Skinner | Assistant Director - Finance & Resources |
| | Chris Taylor | Group Manager - Strategic Planning and Regeneration |
| | Craig Thorpe | Group Manager - Environmental Services |
| | Emma Walker | Food Safety and Health and Safety Team Leader |
| | Fred Whale | Project Development Officer |

Also in attendance:

Councillor Janice Marshall
Councillor Graham Sutton

The meeting began at 7.30 pm

105 **MINUTES**

The minutes of the Strategic Planning and Environment Overview and Scrutiny Committee meeting held on 18 July 2017 were confirmed by the members present and signed by the Chairman.

106 **APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Barrett.

107 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

108 **PUBLIC PARTICIPATION**

There was no public participation.

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

None.

110 **BUDGET MONITORING Q1**

D Skinner introduced the report to members – quarter 1 was a good news story with a continued positive outturn from 2016/17. The main highlights of this quarter are:

- A £77,000 over spend on employee costs due to additional spending in Strategic Planning as a new post has been created to deal with the Brownfield Land Register which is a government requirement and is funded from reserves.
- A £98,000 over spend due to legal costs in Regulatory Services which is met from litigation reserves.
- There is a £100,000 over achievement in income due to an increase in planning applications as there has been a decrease in the factors that affected the downturn in 2016/17.
- There is also extra income from the Alternative Financial Model and recycling credits.
- In the capital program there has been slippage due to the fleet replacement which is delayed costing £1.5 million as refuse vehicles are needed for the flat recycling project.

Councillor Birnie asked what the complex legal case was about.

D Skinner said it was a prosecution against a large retailer.

Councillor Birnie asked if this due to end by the end of the year.

E Walker said it should be closed by the end of the financial year.

Councillor Riddick asked where the council are in the legal process.

E Walker said the Council was close to serving summons which was likely to be successful.

Councillor Riddick questioned the £76,000 over spend from employees due to a new post. He said the employee was already employed by the Council and just moved roles – surely this wouldn't create an additional spend.

C Taylor said this was a 12 month post to perform a particular function. The post left vacant has not been back filled and the team are picking up the extra work.

Councillor Riddick said two planning officers have left so questioned why there wasn't a surplus.

J Doe said the vacant posts are being advertised to be filled as the capacity is needed.

Councillor Matthews asked what would happen to the employee once the post ends. C Taylor said they would return to their previous role.

Councillor Fisher asked about the progress of the Brownfield Land Register.

J Doe said they are currently completing the register after an overall survey to identify land for potential development. Stage 2 requires picking out larger sites to grant them permission in principle. The impact of this is not yet known and it will be an ongoing task to monitor sites.

Councillor Anderson asked if councillors could have a copy of the brownfield sites identified for development in their ward

J Doe said this shouldn't be a problem. Constitutional amendments are also required before permission in principle can be granted to sites and this will go to Cabinet and Council for approval.

Councillor Riddick referred to paragraph 4.3 and the under achievement of £90,000 in the waste service. Has there been any progress on understanding why commercial customers are taking their business elsewhere?

D Skinner said they collect about £1 million from commercial waste service. Some companies are offering deals such as free collections or they are able to negotiate a lower price. Work is ongoing to understand how these companies can undercut our prices.

Outcome

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

111 REGULATORY SERVICES Q1 PERFORMANCE REPORT

E Walker introduced the item to the committee and ran through the main highlights:

- 53.3% of A-C food inspections have been completed in Q1. There has been successful recruitment in the department at the beginning of Q2 so this should improve.
- The Corporate Health and Safety team has been working on 12 work streams to improve management of health and safety risks.
- The enforcement team has served two prohibition notices
- There are continuing investigations into two accidents in the borough
- The Environmental Protection and Housing Team Leader post has been filled.
- A vehicle has been seized for fly tipping offences and has been crushed.

- The dog warden was involved in an animal welfare case where the owners licence has been revoked and the 100 rabbits affected have all been found new homes.

Councillor Riddick referred to paragraph 3.2 and the two major accidents that the department is investigating. He asked what happened in these cases.

E Walker said one accident involved someone slipping and suffering a fractured pelvis and the second one involved a large heavy gate falling on an employee and they suffered crushing injuries.

Councillor Birnie asked about the enforcement investigation into a staircase at a public house.

E Walker said a member of the public complained about the staircase being rotten. It was investigated by officers and they confirmed it was rotten. Repairs were carried out in 2-3 days.

Councillor Birnie asked if the department only acts on complaints from members of the public.

E Walker said there is a work plan to carry out pro-active inspections but they are limited in their scope.

Councillor Anderson said this topic had come up in last week's Member Development session and thanked E Walker for a great presentation.

Councillor Matthews asked about the seized vehicle. He asked if the vehicle had been dumped as part of the fly tipping.

E Walker said the vehicle was being used to fly tip.

Councillor Timmis referred to the action taken by the dog warden and asked what establishment it was.

E Walker said it was a home for rabbits and there were 100 rabbits living there full time.

Councillor Riddick referred back to the seized vehicle which has come up previously at this committee. He asked if this case will be given a high profile to get the message out there that the Council will not accept fly tipping.

E Walker said she believed there had been a couple of press releases but the case is still ongoing.

M Parr said agencies have worked together to produce a video of the vehicle being crushed which will be released to the public.

Councillor Riddick referred to paragraph 4.4 and said he had been deeply involved in the noise complaints from Bovingdon Airfield. He asked if E Walker could confirm that officers were staying on top of technical information and data. Councillor Riddick said he was being contacted regularly from constituents who believe they are not getting anywhere.

E Walker said officers are working hard to get all the data that is necessary.

Outcome

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

112 ENVIRONMENTAL SERVICES Q1 PERFORMANCE REPORT

C Thorpe introduced the officers that were in attendance. R Hall is the new recycling advisor on the flat recycling project and has also visited all 70 schools in the borough to help and advise them on recycling. H Butterworth has been in the department for six months and has been working on educational awareness and has produced a new letter that replaces WasteWire. C Thorpe then ran through the highlights of the report:

- The additional garden waste service now has 130 green bins and 591 subscriptions which has generated £33,000 in extra income. The refuse vehicles are recording data from garden waste collections to identify households that may benefit from the extra service and the department has sent letters to them.
- The Love Food, Hate Waste campaign has been very successful this year with 55 households taking part.
- The Clean, Safe and Green team have been maintaining the gateways to the borough and have retained all the Green Flags for the parks.
- A Lead Gardener has been employed for the Water Gardens and there will soon be an advert for an apprenticeship.
- Page 26 of the report gives a sickness update. C Thorpe advised that there was a mistake in the report, it should say 68 days in June not 8.
- In relation to the performance indicators, there is only one red in relation to complaints. The complaints system changed and the department couldn't get access to the system.

Councillor Timmis referred to page 26 and said that long term sickness was still pretty high. She asked what was being done to combat stress and anxiety in the department.

C Thorpe said managers are very supportive of staff. They are referred to Occupational Health and offered counselling sessions. In one case, a member of staff had experienced a death of a close relative so they were put on sick pay because a loss of wages would have placed them at risk of financial difficulty. Councillor Timmis asked if the sickness levels were higher than other Council departments.

C Thorpe said it was to be expected simply because they have a larger number of employees.

Councillor Birnie said the committee has seen this before and the nature of the work being outside and heavy manual work then these sickness levels are to be expected.

Councillor Riddick referred to the gateways into the borough and said they were clean, tidy and presentable. However, fly posting was ruining the hard work

especially at the Two Waters junction and Magic Roundabout. There has been a huge increase in posters for circuses and fairs which do not seem to be removed. He asked if this was something the council could do.

C Thorpe said that staff were told to remove them as they come across them.

However, in some instances, the department must liaise with the planning department and there is certain legislation surrounding fly posting.

J Doe said it depends where the notice is placed. If they are on highway structures then they can be removed but they have a right to display them if it is on private land. It is difficult to differentiate between helpful adverts for events and those that aren't so helpful like those touting for trade.

Councillor Matthews asked if they could be removed once the event that was being advertised had passed.

J Doe said he would take the point away but it was also a matter of resources in the departments.

Councillor Hicks referred back to the sickness in the department. He said it was worrying that a lot of reasons for sickness were not musculoskeletal related.

C Thorpe said he could assure members that they work closely to support staff.

Councillor Marshall pointed out that stress and anxiety sometimes means a long time off work – it only takes one member of staff to be off for this reason and it will affect the sickness figures.

Outcome

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

113 RECYCLING IN FLATS

C Thorpe gave a presentation to members regarding recycling in flats.

- In 2002/3 there was a weekly backdoor collection and there was no limit on the number of black bags that would be collected. Garden waste sacks could be pre-paid. The recycling rate was poor but comparable with other authorities. Waste was taken back to Cupid Green and sorted and sold. This was labour intensive.
- In 2005/6 recycling frames were installed in flats. 200 frames were installed serving 4000 properties. After this, no more were installed and 3000 properties had no kerb side collection for their waste. This increased the recycling rate to 48%.
- In November 2014, the recycling boxes were removed and blue lidded bins were introduced for co-mingled recycling. This was well received by residents
- In 2016, a task and finish group was set up with members and officers to try and establish a way forward.

- There were three options suggested. Option 1 was to leave the situation as it was but it was clear that this wasn't an option.
- Option 2 would be co-mingled recycling and cost a maximum of £450,800
- Option 3 would include weekly food waste collection and cost a maximum of £612,800.
- The task and finish group decided that option 3 would be the best but were worried about the costs.
- There are 8000 flats in the borough which have no food waste collection. A pilot will be carried out over three months in Berkhamsted for 70 blocks of flats.
- The department will contact residents in these blocks of flats to let them know and the trial and provide them with kitchen caddys, bags, posters and signage.
- Officers have commenced surveying all the flats in the borough to find out their individual needs.

Councillor Birnie asked if these costs were above existing costs.

C Thorpe said they represent an additional cost to the service.

Councillor Birnie asked if this would be more expensive than collecting waste from households.

C Thorpe said yes it would be more expensive as there is a weekly collection in flats.

Councillor Matthews was curious as to why Berkhamsted was selected for the trial.

C Thorpe said it was a dense area and there was a history of good quality recycling being collected from Berkhamsted.

Councillor Anderson said it would be interesting to see how this huge project would work and how many residents would be left on black sack collection afterwards.

Councillor G Sutton said if this food waste pilot proves successful, would there be an opportunity to reduce flat collections to fortnightly as the rubbish that goes off would be removed.

C Thorpe said yes this was the idea.

Councillor G Sutton said that a number of residents do recycle but are unaware of why they have to do it or where it goes. Perhaps it might be useful to have a video online showing people where their rubbish goes.

C Thorpe said the Christmas calendars this year will have more space for educational pieces.

M Parr said there was a video for both dry recycling and food waste and is promoted over social media.

Councillor Riddick asked if the majority of the set up costs would be for the first year only and that in the subsequent years, the money spent would decrease.

C Thorpe said yes.

Councillor Timmis said it might be worthwhile to make sure that there is publicity surrounding leaving food waste bags on the floor that attracts vermin.

Councillor Riddick suggested that there could be a risk that commercial users will use these bins in the flats.

C Thorpe said the bins will be locked away in bin stores and accessible to residents only.

M Parr added that the lids on the bins have smaller gaps for residents to put their waste into – it wouldn't be possible for commercial users to get large bags into them.

Outcome

That the Strategic Planning and Environment Overview and Scrutiny Committee approve the report, support the option chosen and thank officers for their hard work.

114 PLANNING, DEVELOPMENT AND REGENERATION Q1 **PERFORMANCE REPORT**

J Doe introduced the report to members and apologised that the performance update report was not in the agenda as there had been some technical problems. He ran through some of the highlights in the report:

- The speed of processing Building Control application is just under target and there is a £33,500 under achievement in income which is being watched closely.
- Income has increased within Development Management and is £60,000 ahead of target. It is predicted that the department will have a £100,000 surplus by the end of the year.
- The appeal success rate is also just under target however; two enforcement appeals were partially allowed which has had an effect on the rate.
- The department is struggling to validate applications on time due to a high volume of complex applications and the team are recovering from long term sickness and overtime is currently in operation.
- Enforcement targets are good, Priority 1 cases are visited within one working day.
- The new homes indicator will fluctuate from quarter to quarter but there is a lot of building currently underway in the borough. Last year 630 new homes were built which is well over target.

Councillor Birnie asked what cases fall into Priority 2 and 3 in the enforcement department.

J Doe said they are less urgent cases, for instance, if someone isn't following the planning conditions attached to their application. Priority 1 cases are where someone is breaking the law.

Councillor Birnie questioned the craft beer shop in Berkhamsted and the awning they have placed outside which doesn't match their planning permission. What class would this fit into?

J Doe said that wouldn't require immediate action. Priority 2 cases are visited within 10 days and Priority 3 are visited with 15 days. The recent reoccupation of the Bobsleigh hotel site by travellers was dealt with on the same day.

Councillor Birnie asked if it was possible to have figures for actual successful enforcement action.

J Doe said this would be possible.

Councillor Anderson suggested that it would be useful if J Doe could arrange to send members a distinction of the two categories. He asked Councillor G Sutton if he would consider a new performance indicator regarding enforcement as this would be beneficial to watch.

Councillor Riddick asked if the Council could recover its costs if the enforcement action was successful.

J Doe said there was provision to in some cases. If the case goes to court then the Council can apply to recover its costs.

Councillor Matthews referred to page 47 and the refusal rate. How does this performance compare to other authorities?

J Doe said the refusal rate varies but the national average is 10%. At Dacorum, we encourage applicants to take pre-application advice which tends to iron out any issues.

Councillor Timmis said she was concerned about water in the borough, both shortage and flooding. Private households have received letters about conserving water usage yet there seems to be more and more applications for residents to concrete over their driveways which leads to flooding issues.

J Doe said water shortage was an issue for the strategic planning department and there is currently a county wide water study taking place. It is an important planning consideration with major developments. In relation to flooding, there is national policy about developments in high flood risk areas. However, the government have changed the rules under permitted development rights to ensure that the materials for creating new driveways must be porous – concrete driveways require planning permission.

Councillor S Hearn asked if planning legislation has changed in relation to development access and visibility splays.

J Doe said it was county council policy and the Development Management Committee take the advice of highway officers

Councillor S Hearn questioned if this was something that could be raised to County.

J Doe said they have published standards and they are interpreted in each case.

Dacorum are reliant on their advice and if the committee refuse on grounds of highways when the report states otherwise then it could be subject to appeal as Dacorum have no legitimate highway authority.

Councillor Anderson suggested that it might be an idea to liaise with the Chair of the planning committee and discuss having an item on the agenda regarding the reports from Herts Highways.

Councillor Birnie said he was not satisfied with the quality of the reports received from highways and they are often inconsistent with their advice.

J Doe said he would liaise with Councillor G Sutton to work out how to go forward, it would be useful to have specific examples of reports that members aren't satisfied with.

Councillor G Sutton said he was quite disappointed with the recent meeting he had with Herts highways and they didn't address the issues raised.

Councillor Anderson suggested that J Doe and Councillor G Sutton should identify five examples where members are not happy with the advice given and prepare a formal representation.

Councillor Riddick said he was also concerned with county parking standards and the size of parking spaces. Modern cars do not fit in these spaces and are no longer fit for purpose.

J Doe said this had been the standard for many years and was currently being reviewed.

Councillor Marshall asked if the problems experienced with the new planning website had been fixed.

J Doe said there had been a change to the system and was aware of the issues raised. The department is working closely with IT to get it fixed.

Councillor Hicks said Tring Town Council were unable to view plans on the website at their last meeting.

J Doe said it is something they are trying to solve.

Councillor Timmis also mentioned that comments made by residents are not showing on the website if they have been sent via email to the planning officer.

J Doe noted the comments and said if it is not on the website, it doesn't mean that those comments are not being considered.

Councillor Ransley said the issue was more that if residents can't see the comments, they don't know if they have been received.

Councillor Birnie said it detracts from the value of the website.

J Doe mentioned that some plans can't be seen due to delays in the validation process.

Outcome

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

115 ECONOMIC DEVELOPMENT UPDATE

C Taylor introduced the report to members. This was an annual update and members have been circulated a document which shows the activity that took place in 2016/17.

C Taylor ran through the highlights of the report:

- There are positive economic signs.
- The team has 7.5 staff members but only 2.5 are funded by the Council.
- There has been a 4% growth in jobs and a 2.4% growth in the participation rate (those that can be employed)
- The new extension to the Maylands Business Centre is complete and all units have been occupied since opening.
- The Urban Realm improvements have been completed on time and in budget.
- The Enterprise Zone was launched successfully and there has been lots of investment and 60 businesses are paying into the scheme.
- There has been a drop in vacancy rates in the Town Centre but extra events have taken place this year which has increased footfall.
- The team has undertaken 350 face to face meetings with local businesses and this has produced good outcomes and has highlighted issues that we can address.
- Dacorum Den has been fully funded by business this year.

Councillor Birnie said it was good that footfall was increasing in the Town Centre but he had been approached by businesses in the Old Town that were concerned about the lack of footfall there.

C Taylor said they had tried lots of solutions. They have worked with shops to improve their window displays and customer service skills. On a Friday-Sunday the Old Town is extremely busy but it is the daytime trade that suffers. There have been five new businesses opened in the last year and the council has given some financial support to the Sunday market. There are also plans to reopen the toilets. It is up to the businesses to respond to demand in the town.

Councillor Birnie said a lot of money had been invested into the Marlowes and perhaps it would be a good idea to exploit the Old Town as an important heritage site. The Tour of Britain was well attended in the Old Town.

C Taylor said the upcoming Halloween event normally brings in 5-6000 people.

Councillor S Hearn congratulated C Taylor and her team on the changes in Hemel Hempstead. He said there was a simple reason as to why the Old Town suffers a lack of footfall and that is because it does not have the necessities that the Town Centre has. Also, the car parking is an issue; it is normally full by the morning by

people who are working, not shoppers. He said he felt that the Council had done as much as possible.

Councillor Hicks echoed the comments that the Town Centre changes were great. However, he asked if similar work was planned for the other towns in the borough. C Taylor said the department had lost three staff and so resources were less. She hoped that the town centre improvements would enable businesses to invest in other areas around the borough.

Councillor C Wyatt-Lowe said the Old Town has had a huge amount of money invested in it and businesses have had a lot of support of the years. The right businesses will thrive if they respond to demand and this in turn will generate footfall for the cafes. Councillor C Wyatt-Lowe also thanked C Taylor and her team for all their hard work. She referred to 3.1 and asked about the investment from Capital and Regen?

C Taylor said they had paid £53.5 million for the Marlowes Centre and will be investing £13 million for improvements. She said the company had made it clear that they were investing due to the Council's work on upgrading and improving the town centre.

Councillor Timmis said the department had done a fantastic job but it focussed on Hemel Hempstead and did not help the villages in the borough.

C Taylor said the team do contact businesses in the villages and help them to improve their skills.

Councillor Anderson asked about the business interviews and questioned whether resilience had been mentioned. Are businesses concerned about Brexit and the consequences if it doesn't work out? It is important that smaller businesses plan for the future.

C Taylor said it hadn't come up in conversation and Brexit doesn't seem to be an issue however that's not to say it wont become one. The department have a history of being pro-active and responsive to the economy.

Councillor G Sutton said he had been invited to a tourist meeting where he promoted the towns and villages across the borough. Also, the improvement to Gadebridge Park will attract families and hopefully push them up into the Old Town. He said he was very proud of the team and all their hard work and said the town wouldn't be as vibrant as it is today without them.

Councillor S Hearn asked if any work was done with schools to promote Dacorum as a great place to work once they have returned from university.

C Taylor said they do work with schools and they meet with the Headteachers of all the schools four times a year. The shortage of highly skilled workers is a county wide problem

Outcome

That the Strategic Planning and Environment Overview and Scrutiny Committee approve the report and endorse the comments made by the Portfolio Holder.

116 **MARKYATE SURGERY UPDATE**

J Doe gave a verbal update to the committee on the progress of the Markyate Surgery. The background to this issue is that a new unit was built for the surgery to move into but the previous practice did not think it was fit for purpose. They did look at building a new surgery on the Council owned car park with a development partner that they would rent back to the practice. The unit was also rejected by the CCG as it was not fit for a refurbishment. J Doe advised members that he was attending meetings with the practice, the CCG and NHS England. There may be a chance to use funding from NHS England which must be used by March 2019. As matters develop and progress, then reports can be submitted to the committee for consideration.

Councillor Timmis said this affects her ward and been involved with the potential solutions. The surgery should have been built by the developer under a s106 agreement. It is frustrating that a solution seems no closer.

J Doe assured councillors that progress was being made but it is currently commercially sensitive.

Councillor Birnie asked who was responsible for paying for the new surgery.

J Doe said there were two options – one would be in partnership with a development partner who would rent the premises back to the surgery and the second option would be some input NHS England for capital works.

Outcome

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

117 **WORK PROGRAMME 2017/18**

The work programme was approved.

The Meeting ended at 10.00 pm