

4 PUBLIC PARTICIPATION

There was no public participation.

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

None.

6 DOG WASTE BIN CONTRACT

C Thorpe introduced the report to members. He explained that the dog waste bin contract went out to tender in 2013 and was awarded to TBS Hygiene Services. At the end of the contract, it was decided to move the service in-house and so the contract was extended for a further three months and is due to expire on 31st March 2018.

There are 440 bins across the borough which are emptied on a weekly or bi-weekly basis. The service performance has been good, with a few complaints over the summer months about overflowing bins. Modelling suggests that the Council could make a revenue saving of £30k per year by phasing out the specialist dog bins and instead encouraging dog owners to use general litter bins. Officers have contacted colleagues in the Herts Waste Partnership to learn if any of them have undertaken similar projects. Other authorities have introduced stickers on general litter bins to educate the public and raise awareness. Health and Safety issues are included in the report but other local authorities haven't reported any. Staff that empty the bins are provided with gloves and other protective clothing.

The risks associated with Roundworm are incredibly small and it is considered that there is a greater risk from fox excrement left on the ground. Human Resources are in discussions with the current service provider to determine whether TUPE applies which would enable the current operative to transfer into DBC's ranks.

In readiness of this bins that have been in need of repair or replacement have been marked as "out of service" and dog walkers requested to dispose of their dog waste in the nearest litter bin located nearby and no complaints have been received so far. A further rationalisation of dog waste bins, and their location in relation to general litter bins, has been undertaken and it is envisaged that a further 176 dog waste bins could be removed. A further 78 bins require surveying. Dog waste bins hold 35 litres and general litter bins hold 110 litres. To raise awareness of this change, there will a press release, increased signage to encourage responsible disposal of dog waste and ward councillors will be notified if any bins are due to removed in their local area.

Councillor Matthews asked if the contract extension could have been foreseen and avoided. He asked what the financial implications of extending the contract were.

C Thorpe said this contract had only recently moved under his service and felt there was not enough data to make a decision on the contract. It was extended to survey the current stock of bins and there has also been a delay trying to find out if TUPE applies.

Councillor Matthews referred to paragraph 8. He said some people go through litter bins to collect recyclables or to look for things to sell on. He asked what measures will be put in place to ensure that the public are aware of the risks in the bin.

C Thorpe said there will be stickers on the bins advising people that their waste can be disposed of in general bins. Also, there will be some promotion around how to wrap waste responsibly.

Councillor Timmis asked if C Thorpe could confirm if dog waste bins would only be removed if a general litter bin was in close proximity.

C Thorpe said that was correct.

Councillor Timmis said the villages in Dacorum have larger dog populations and small stickers are not obvious to the public. Large notices are needed to make people aware.

C Thorpe said he will be consulting with neighbouring authorities to find out what methods they use.

Councillor Ransley said the current dog waste bins have lids which contain the smell. Litter bins do not. Some of these bins are placed outside shops and restaurants which isn't hygienic.

C Thorpe said the whole service will be reviewed including the placement of bins.

Councillor Birnie said he had an issue with removing dog bins in Bennetts End as spikes had been left behind and were a danger to pedestrians.

C Thorpe said he would take this into consideration.

Councillor Barrett asked if signs would be placed on redundant bins advising the public where the closest litter bin was.

C Thorpe said yes this will happen. Previously, signs have been left up for three weeks prior to removal.

Councillor Barrett referred to the report and said the council are paying £52k for 440 bins but North Herts pay £32k for 432 bins.

C Thorpe said this will be looked at.

Councillor Anderson said that in Kings Langley, there was a problem with dog fouling in three particular areas. At the time, there was no resources from the borough council to install new bins. The Parish Council bought four bins and paid the

supplementary fee to have them emptied. He asked that with the service review, would these be transferred back to the borough council?

C Thorpe said this had not been thought about but it definitely something he would consider moving forward.

Councillor G Sutton suggested that the Dacorum Digest is used to remind people of the by laws surrounding dog waste and use resources to re-educate the public.

Councillor C Wyatt-Lowe said this was a good opportunity to encourage the proper disposal of dog waste. If the public can use general litter bins for their dog waste, they have access to double the number of bins. However, in the new Swallowfields development, there are no bins, general or dog waste.

Councillor Riddick said he was concerned about that health risks mentioned in the report but said he was unsure how this could be controlled. He said that private dog walkers use Boxmoor Trust land on a regular basis and dog fouling is becoming a problem. How does the council educate them or control the problem?

D Austin said the dog warden has visited this area several times and has spoken to the private dog walkers. She has also been to Grovehill where there are also problems. They have been co-operative and diligent and if the council receive reports of problems then these are thoroughly investigated.

Councillor Timmis asked if there was a limited to how many dogs can be walked by one person.

D Austin said there is no legal limit to the number of dogs in Dacorum. Some other Authorities have individually adopted their own laws to limit numbers

Councillor Anderson asked Councillor Marshall if she was satisfied with the risks assessment and that everything had been considered.

Councillor Marshall said she was satisfied to proceed as the risks were so small.

Councillor C Wyatt-Lowe asked if any other local authorities had reported any problems with this scheme.

Councillor Marshall said she did ask other authorities and no issues have arisen.

Outcome

Councillor Anderson proposed that the committee support the proposal with the following conditions:

- 1) That communication of the changes to the public is maximised with for example the use of noticeable stickers on the bins.
- 2) That the Council's procedures are updated to respond to situations where bins are overflowing or there are litter or dog-fouling problems.

- 3) That ward councillors are notified ward by ward of the dog waste bins that are being removed.
- 4) That where dog waste bins are removed, the whole structure is removed.
- 5) That consideration is given to taking over the small number of additional dog waste bins bought by the parish councils.

Councillor Riddick seconded the proposal.

The Strategic Planning and Regeneration Overview and Scrutiny Committee approved the report.

7 ANNUAL REVIEW OF COMPLAINTS

D Austin and J Doe gave a presentation on complaints over the year in their service areas.

D Austin explained that the public can make a complaint online via the website. A stage 1 complaint is investigated by a Group Manager and if it is escalated to stage 2 complaint then it will be investigated by an Assistant Director. If the complainant is not satisfied with the stage 2 response, they can contact the ombudsman.

J Doe ran through the main areas of complaints with the Development Management service:

- didn't receive a letter about application
- didn't see the site notice
- can't see comments online
- comments not taken into account
- disagree with decision
- certain policies not taken into account

J Doe said the complaints process was a positive experience and allows for services to improve. The new planning software is due to go out to tender and this should solve the problems currently experienced by the public.

Councillor Ransley said the main issue with the current system is that people do not know if their comments have been received and perhaps there should be a system in place to acknowledge receipt.

J Doe said this would have to be done manually. There is nothing on the system to allow that function. The department do not have the resources to respond to every comment.

Councillor Timmis said there had been a few applications in her ward that did not have a single comment online. She also added that these complaints in the presentation are only those submitted online and queried about those that are sent via email or on the phone. She hoped that in the future, the report could include what the departments were learning from the complaints.

D Austin said the complaints could be incorporated into the quarterly performance reports and then members could see trends developing. These aren't the only complaints the council receive. A lot come via the MP but this is being looked into by Rob Smyth to see if it can be incorporated into the data.

Councillor Birnie said it would be useful if the complaints could be broken down. He commented that planning officers should be able to make a sensible distinction about sending notification to residents about a planning application. Some controversial applications affect a wider area yet residents are surprised when they find out about it as they haven't been notified.

J Doe said this was a valid point. The Council must prepare a Statement of Community Involvement which sets out standards that must be followed. For major applications, we are required to put adverts in the local press. He said he would this up with Councillor G Sutton to see if policies should be reviewed.

Councillor S Hearn asked who you complain to if Dacorum has made a decision on a planning application due to incorrect information from Herts Highways?

J Doe said the permission comes from Dacorum. Herts County Council are only a consultee. There is a Member Development session on 8th February which will include a presentation from Herts Highways.

Councillor S Hearn asked how many times DBC has overruled the advice from Herts Highways.

J Doe said he didn't have that information.

Councillor Anderson reminded the Committee that DBC did not have the right to overturn highways advice without losing decisions on appeal and incurring considerable legal costs.

Councillor G Sutton said that members could request further information from Highways at the meeting in February. There is a clear agenda of what is going to be discussed.

Councillor Birnie said this issue isn't a case of member training but to query the advice that is being received.

J Doe said it had been done under the Member Development umbrella so that it is open to all members, not just this committee.

Councillor Birnie asked if members will be able to quote actual cases where advice received has been confusing.

Councillor C Wyatt-Lowe said the officers at county would need prior notice of these cases otherwise it will not be an effective session.

Councillor G Sutton suggested that members come up with 2-3 cases that they are concerned about and he said he would try and feed this back to county officers.

Councillor Matthews said it would have been helpful to see the presentation prior to the meeting and said there was no analysis of the complaints data. The real measure of the effectiveness of the process is to understand what is going on.

Councillor Anderson said that this was the first time this report had been requested, that officers had not received any terms of reference, and that the goal of the debate was to identify what members would require in the future. He asked the committee if they would like the data to be in the quarterly reports or to have a stand-alone annual report.

Councillor C Wyatt-Lowe said she felt a stand alone annual report would be better. The numbers may get buried in the quarterly reports. A more detailed and meaningful debate and discussion would increase democratic transparency if the public could see that members were scrutinising both complaints and compliments of the council annually.

Councillor Matthews said the numbers would not be meaningful on a quarterly basis. The council are fortunate to have a small number of complaints and it would be better to analysis these numbers over a 12 month period.

Councillor Timmis asked if other complaints could be included not just those on the website.

J Doe said the principle route is via the council's website. Written complaints are included on the system. If someone phones up to complain, they are directed to the website if they want to make the complaint official.

Councillor Anderson asked the officers if all these suggestions were deliverable.

D Austin said he was not sure but he would take the suggestions away. The scrutiny work programmes are now discussed at CMT so he said he would raise this at the next meeting and would pass the minutes of this meeting on to R Smyth so he is aware of the expectations.

Outcome

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

8 HOUSING WHITE PAPER "RIGHT HOMES IN THE RIGHT PLACES"

Councillor Anderson introduced the item. The Government's consultation had run out some weeks previously, and it was concerning both that the committee had missed an opportunity to have its say on the consultation, and that the Government will have

come under intense pressure to re-raise the lower housing allocation for Dacorum. He felt there was an opportunity to lobby the Government out of the consultation window, and tabled a draft letter appealing to the Government to retain the lower figure.

J Doe said the government issued a consultation in September 2017. It was a long awaited consultation and is supposed to give a standard approach/method on housing needs. It was expected that there would be a formula for local authorities to calculate need however, the responsibility was handed down to individual boroughs. Dacorum was rewarded with a relatively low figure because the council has an up to date Local Plan but here has been confusion around this figure. If a plan is beyond five years old, the figure reverts to a higher number. Dacorum's Local Plan reaches that milestone in September 2018. Currently, the low figure is 607 but the higher number could be in the region of 1,000-1,100 which is way above anything the council have ever experienced. The council need clarity on the figure expected and whether we can rely on the lower figure. The government will be considering the responses submitted and this will contribute to formulating the new National Policy Framework which is expected as a final document in summer of this year.

Councillor Anderson asked J Doe if any harm could be foreseen if the committee was to send the letter as tabled (see Appendix A).

J Doe said he didn't think it would. The government will have received many responses at polar ends of the spectrum. The government's policy is clear: a significant boost to building houses is needed.

Councillor G Sutton said he was happy to take this forward.

Councillor Anderson asked the committee for its support in sending the response to the government.

Councillor C Wyatt-Lowe said she supported the letter with some changes. She felt paragraph four was quite vague and the additional of the new home figures would make it clearer.

Councillor Anderson said he would redraft the letter and send to members via email.

Councillor Fisher asked if the lower figure would mean an increase in house prices.

J Doe said this comes down to many factors. Hertfordshire is a high value area with a high level of unaffordability. The more expensive an area, the more house they will need to build. The supply of new homes is dependent on developers who regulate development to influence the price.

Councillor C Wyatt-Lowe said the mix of homes needed to be looked at to accommodate the rise in single people, the elderly and those with additional needs.

J Doe said the government figures are just numbers, they do not specify the types of housing needed. DBC will be conducting work into what type of housing is needed in the future.

Outcome

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

9 LUTON AIRPORT EXPANSION

Councillor Timmis gave an update to the committee. The report in the agenda is from London Luton Airport and provides statistics about 2017. There is no mention of the new plans which will see 36 million passengers a year by 2050. The current plan is to have 18 million passengers by 2025, but already it has reached 15 million. Luton Airport do not have the same constraints on night flights as other airports like Heathrow.

The noise from the airport falls heavily on Markyate and Flamstead but DBC don't seem to be pushing this. St Albans Council has submitted a huge objection to the expansion so we should be joining with them. The airport is holding consultations in this area but the results don't seem to be fed back.

The airport has promised quieter aircraft but currently they only have two. Also, larger planes are planned which would increase the number of passengers but would need a greater take off angle, further increasing the noise. Air Traffic Control are undertaking a reorganisation of the skies, the current problem at Luton is that there are stacking areas at a higher altitude for Heathrow and London City airports and so the planes have to take off at a lower level to avoid this area. Overall, the problem is that Luton Borough Council owns the airport and are the planning authority. The airport generates income and the Secretary of State is keen to expand airports because of the economic benefits. Councillor Timmis said that she had arranged a meeting with Sir Mike Penning MP in the hope he will be able to lobby the government.

Councillor Birnie said he felt that DBC should be more proactive in approaching the airport about noise. He said it had been brought up at Herts County but the airport is in Bedfordshire so even they have limited influence. The only meaningful influence and direction will come from the Civil Aviation Authority or central government.

Councillor Ransley said if the airport expands, it'll start taking in more goods flights. Currently, there is a goods flight that comes over Tring at 2.30am every night.

Councillor C Wyatt-Lowe agreed that the noise was bad, it is also noisy in Woodhall Farm and Grovehill. She said central government are pushing for airport expansion

but local authorities have greater control and influence over infrastructure. It might be better to focus attention on night flights and try and get them controlled.

Councillor S Hearn said DBC should be contacting Luton Borough Council as they are the driving force behind the airport. Over the last five years, they have improved the airport and road system to allow for gentle expansion.

Councillor Anderson said the government were in favour of growth. He asked Councillor Timmis if it would be an idea to invite Councillor Williams or Councillor G Sutton to her meeting with the MP.

Councillor Birnie said it was important that DBC join with other councils to protest otherwise the flight paths might be shifted towards Dacorum.

Councillor Timmis said the new technology on all routes has meant aircraft have been concentrated in smaller areas.

Councillor Anderson asked Councillor Timmis to let the committee know when opportunities arise for cross working.

Councillor G Sutton said another thing to consider was the expansion of Heathrow and more flights over the South West which could affect flights in the long run.

Outcome

Councillor Anderson asked the committee to support Councillor Timmis in maximising the Council's profile in restricting expansion at London Luton Airport.

10 WORK PROGRAMME

Councillor Anderson said that M Brookes has conducted a scrutiny review and one of the suggestions was to remove the quarterly reports from the work programme as it was felt they were not achieving anything. The idea was for scrutiny committees to scrutinise single issues.

Councillor Ransley said if the quarterly reports are removed then the committee will not be able to specify what issues they want to scrutinise in full.

Councillor Marshall said she found the committee's comments on the quarterly reports helpful and informative and removing them would be a loss

Councillor Matthews endorsed the comments of his other councillors and said the quarterly reports feed into the single issue reports.

Councillor Anderson said he would report the committee's comments back to M Brookes.

The committee agreed the work programme.

APPENDIX A

Dear Secretary of State,

Housing White Paper: Planning for the Right Homes in the Right Places

The consultation period may have ran out some weeks ago, but our Overview & Scrutiny Committee would still like to support to government's approach in relation to our borough.

We are mindful of the need to provide additional housing, but are located in a borough where 77% of the land is Green Belt or AONB, and very little of the remaining 23% is undeveloped.

We are therefore only too aware of the difficult balance that needs to be struck, and were grateful that the government calculated a figure that allowed for sensible, balanced growth.

However, powerful parties will have tried to question and unpick the government's calculation because it fell short of what they had in mind, based on a flawed regional assessment and a goal to develop as much of the Green Belt as possible, contrary to the NPPF.

Thus, our Committee would like to appeal to the government to stand by the White Paper as published in September, so that our council can get on with permitting the new housing that is needed, whilst reducing the development of the Green Belt as much as possible.

The Meeting ended at 9.20 pm