

## MINUTES

### STRATEGIC PLANNING & ENVIRONMENT OVERVIEW & SCRUTINY

20 MARCH 2018

<b>Councillors:</b>	Anderson (Chairman) Barrett Birnie England Fisher S Hearn Hicks	Howard (Vice-Chairman) Matthews Riddick Timmis C Wyatt-Lowe
<b>Officers:</b>	David Austin Emma Cooper James Doe  Katie Mogan Craig Thorpe Emma Walker	Assistant Director - Neighbourhood Delivery Assistant SPAR Officer Assistant Director - Planning, Development and Regeneration Member Support Officer Group Manager - Environmental Services Group Manager - Environmental and Community Protection

#### Also Attendance:

Councillor Ron Tindall  
Jake Rigg – Senior Public Affairs Manager (Affinity Water)

The meeting began at 7.30 pm

#### **43**            **MINUTES**

The minutes of the Strategic Planning and Environment Overview and Scrutiny Committee meeting held on 6 February 2018 were confirmed by the members present and signed by the Chairman.

#### **44**            **APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Ransley.  
Councillor England substituted on behalf of Councillor Ransley.

#### **45**            **DECLARATIONS OF INTEREST**

There were no declarations of interest.

**46**                    **PUBLIC PARTICIPATION**

There was no public participation.

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

None.

**48**                    **AFFINITY WATER PRESENTATION**

Jake Rigg from Affinity Water gave a presentation to members in response to the stakeholder bulletins on drought and water usage.

Councillor Matthews arrived at 7.35pm

Affinity Water has published a 60 year Water Resource Management Plan (WRMP) this week which sets out the key challenges and solutions to the water problem. The WRMP uses population growth data to track future demand which is currently increasing. By making the process more sustainable, it is hoped this will reduce demand. This has produced a preferred plan and two alternatives.

Councillor Birnie arrived at 7.40pm

The government is putting pressure on water companies to reduce demand and bills. Water companies must reduce demand despite major developments being built. Affinity Water is confident they can meet this demand but not in the same way it has done before.

One idea is to begin water trading with other companies and to find policy solutions to unlock the barriers to work together. A lot of people ask about installing water meters but these are more complicated to install than energy smart meters. There has been a roll out programme in Folkestone which has produced a 16% decrease in water usage.

Drought is also a problem. There have been two consecutive dry winters and the winter rain is the most important. Rain in the summer doesn't get into water stores as it evaporates or is absorbed by the plants. There has been wet December and March but it will be difficult if there was a hot summer this year.

Affinity Water has been working with Hubbub who are an environmental NGO to spread the message.

The South East of England has less rainfall per head than Sub Saharan Africa.

Councillor Timmis said she felt it was the wrong way round that houses were planned and built and then the water had to be supplied afterwards. She said Affinity Water

sounded positive that they could cope with demand but water is a finite supply and said she was sceptical about delivery.

J Rigg said the question for the water companies was 'Where is the breaking point?' of the system. By working with more partners, it is hoped there will be a solution to the water demand issue. He said he was confident that demand could be met and the next thing to look at is the spatial distribution of housing and the reconfiguring of the network when planning phased developments.

Councillor S Hearn asked about the transfer of water using the Grand Union canal. He noted that in the summer, a boat will use a lock of water to transfer from A to B and this is fed by a reservoir. Leisure activities on the canal were causing enormous water wastage.

J Rigg said there are modelled options in the plan looking at the canal. There would need to be a highly complex treatment plan before the canal water was safe to be used. Water companies cannot control legislation but one big option being looked at is creating a water grid with the canals but this comes with huge technical and policy problems.

Councillor Hicks asked about localised issues getting water to places.

J Rigg said other water companies have increased their percentage of water from ground water. The challenge is to trade water effectively between companies. The main issue is that it does not rain enough in Hertfordshire but we have been working with the Met Office to try and better predict rainfall.

Councillor Anderson noted that the opportunity to use reservoirs to store water locally was constrained in that most of the area was located on chalk.

Councillor Birnie asked if J Rigg could give an indication of Affinity Water's profits and what percentage of these profits were invested in research.

J Rigg said he was not sure but would get back to him after the meeting.

Councillor Matthews asked if there was a strategy for grey water recovery at a domestic level.

J Rigg said it depended on a number of challenges – do housing developers want to do it and who will pay for it? There is a pressure to keep water bills down but it is being looked at seriously.

Councillor Anderson asked if Affinity Water were aware of DBC's Issues and Options consultation for the new Local Plan and asked if they had participated.

J Rigg said they were aware and they did submit a response as part of their stakeholder engagement work.

Councillor G Sutton said hundreds of thousands of new homes would be built in the coming years and one effect of Brexit is that the country might be expected to produce more food. He said that countries like Morocco do not seem to suffer with water shortages because they use desalination plants for farming.

J Rigg said water companies do consider using them but they are filtered out for economic modelling based on cost. They drive bills up but countries like Morocco don't have any other choice. There is one on the Thames Estuary.

Councillor Birnie said he rarely ever heard from the water company and asked if any information was publicised on how to save money.

J Rigg said the water company was working with customers on how to save money. They are also working with the NHS and vulnerable people.

Councillor Anderson said the monthly information emails were having an affect.

J Doe said there has been a 2-3-year county wide water study and a key finding was that investment in infrastructure was needed.

J Rigg said Affinity Water had participated in the Herts County study. We do participate in debates through think tanks and submit evidence to reviews in housing growth.

### **Outcome**

The committee thanked J Rigg for his presentation and they note the progress made and supports the efforts made in the future to conserve water supply.

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

## **49 PLANNING, DEVELOPMENT AND REGENERATION Q3 PERFORMANCE REPORT**

J Doe introduced the report to members. There were some exceptions in building control under paragraph 3 as they are currently under a transitional period after a large staff turnover. The department currently have an interim manager from Watford. There are currently no issues with processing times of applications but drew members' attention to paragraph 13 and 14 of the report which shows appeals under target. Q3 has been quite light with five cases determined at appeal, with the council winning three of these cases. Planning validations are below 70% but since Christmas, there has been a huge turn around to shift the backlog of cases. Paragraph 15 and 16 relates to enforcement and shows a slight dip in visits to lowest priority cases. It is hoped that the government increase in planning fees will allow for extra resources in the department.

There is no issue with performance within land charges but there has been a dip in income which reflects a slowdown in the market not a loss in business.

Councillor Birnie said at the last meeting, there was a discussion about the shortfalls in the IT system which runs the website and asked if there had been any improvement.

J Doe said that he hadn't received any more complaints since the last meeting but asked members to forward any they received. There have been some short term glitches but the visibility of comments will only be resolved with a new system and this should be operational by the end of the year.

Councillor Matthews referred to appeals and the cases approved by the inspector. He asked if the department have analysed the reasons why they were allowed.

J Doe said all appeals get reported to the Development Management Committee.

Councillor Birnie asked if the council had suffered in relation to costs awarded.

J Doe said he wasn't aware of any.

Councillor Timmis asked about enforcement. She said in her ward, there were four enforcement issues but people do not abide by rules and prolong their resistance and get away with flouting the rules by submitting a retrospective planning application.

J Doe said unfortunately, there are some people who know how to play the system. Breaking planning rules is not a criminal offence but most the council can do is serve a notice and take it through the courts. This usually results in a fine.

Councillor Anderson said that Councillor C Wyatt-Lowe had attended an appeal hearing on behalf on the council this week and no costs had been awarded against the council. He also queried the council's website as when you go to land charges, the website provides a list of private companies.

J Doe said the register of land charges can be inspected by anyone but asked for more details so he could look into it.

Councillor Anderson said parking standards had been deferred on the work programme and understood the reasons for it but asked for assurance that it hadn't been forgotten. He said he was also disappointed with the Two Waters Masterplan report on the Cabinet agenda and the committee's comments and concerns seem to have been missed.

Councillor Birnie asked about the session that was going to be organised with Herts Highways.

J Doe said the previous session was postponed. A Horner has had a meeting with Highways about the Member Development session and what members expect to hear in the session.

Councillor Fisher asked how satisfactorily was building control being managed.

J Doe said there was now stability in the team as it was now fully staffed. It is a fragile department as staff move into the private sector for a bigger salary.

Councillor Barrett referred to the risk register which was dated December 2016 and asked if it was the latest version.

J Doe said yes, it was reviewed every quarter but it had not changed.

### **Outcome**

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

## **50                    ENVIRONMENTAL SERVICES Q3 PERFORMANCE REPORT**

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

- The Community Champion awards were held at the Marchmont Arms.
- The calendars for Christmas collections were delivered successfully.
- The survey for flat recycling is 50% complete
- DBC won best partnership award for the work on fly tipping. The new fly tipping leaflet has gone out with the Council Tax information.
- The Trees and Woodland contract has been awarded and the new team leader has started.
- Vacancies have been filled in the Clean, Safe and Green team with 10 summer temps.
- Sickness in December was slightly higher than November but there is no increase in trend for injuries.

Councillor Birnie asked how far the flat recycling project had got.

C Thorpe said the survey has now been completed and it will take 3-4 weeks to go through the anomalies.

Councillor Birnie congratulated officers on fixing the issue he reported in his ward.

Councillor S Hearn congratulated the department on their speed of solving the fly tipping on the A41. He said it was reported and cleared in two days.

Councillor Timmis said another local authority had called their grey waste bins 'landfill bins' to make residents think about what goes in them.

Councillor Anderson thanked C Thorpe for clearing the roadkill he reported in his area. He asked for an update on the dog waste bins.

C Thorpe said the takeover begins on 1<sup>st</sup> April. All teams will initially take it on as part of their daily duties and empty bins when required until a further full review is undertaken.

Councillor Anderson asked if it had been decided on whether the borough council would be emptying the bins that are owned by the parish councils.

C Thorpe said he would get back to him with an answer.

Councillor Fisher asked if there was anyone first aid trained on the waste collection crews.

C Thorpe said that the Clean, Safe and Green team were trained in basic first aid.

### **Outcome**

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

## **51 ENVIRONMENTAL AND COMMUNITY PROTECTION Q3 PERFORMANCE REPORT**

E Walker introduced the report to members.

- There had been a restructure in the department with the creation of four new teams.
- Private Sector Housing has moved under Natasha Beresford.
- 95% of high risk food inspections have been carried out.
- 100% of all pest controlled contracts were renewed.
- Fly tipping cases have been referred to the legal team. Two cases have been adjourned and one case resulted in a fine of over £1,000
- 3 Fixed Penalty Notices were served.

Councillor Birnie said he was disappointed that the data from the air pollution monitors were not available.

E Walker said the corrected figures are controlled by DEFRA who haven't released them yet.

Councillor Birnie asked if there was any update on invasive species and who was going to take it on.

D Austin said from a protection point of view, the council can serve CPNs in reaction to a complaint and J Doe had agreed to look at it from a development angle.

Councillor Timmis asked if E Walker could expand on how the fly tippers were prosecuted – was evidence left or were they spotted?

E Walker said in one case, the team found letters with the address of the fly tipper and in the second case, it was a serial allegation and CCTV was used along with evidence found in the fly tip. It is believed this individual was responsible for eight instances of fly tipping.

### **Outcome**

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

## **52                    ENVIRONMENTAL SERVICES ANNUAL REPORT**

C Thorpe gave a presentation to members on what the service had done over the year.

Councillor Birnie referred to the new transport manager and asked if he had approached Community Action Dacorum as they had a fleet of buses.

C Thorpe said he hasn't yet but would be part of his plan. He needs to present his business case first before bringing in third party work.

Councillor Timmis asked about the grass cutting review.

C Thorpe said it wasn't necessary looking at verge cutting but a third party had gone through the waste team and clean, safe and green to find efficiencies.

Councillor Matthews congratulated C Thorpe on his full and detailed presentation. He said he had volunteered with the Scouts during the Christmas tree recycling event but said a lot of the chippers lost power through the day.

C Thorpe said he wouldn't be able to comment on a replacement but the event might need looking at to do it in a different way to save residents turning up at the same place within a short period of time.

Councillor Anderson said he had received comments from residents in Kings Langley about the event not taking place there.

### **Outcome**

Councillor Anderson thanked C Thorpe for his very full and comprehensive presentation. The Strategic Planning and Environment Overview and Scrutiny Committee approved the report.

## **53                    PUBLIC SPACE PROTECTION ORDERS**



Councillor Marshall introduced the report to members. I am seeking OSC views on implementing a Public Space Protection Order for the Marlowes and the High Street in the old Town to prohibit just spitting (including discharging chewing gum), urinating and defecating and to prohibit cycling and skateboarding along the Marlowes. When this matter was before your committee in June 2017, it was proposed that the Order could also be used to prevent consumption of alcohol (when basically there was unruly drunken behaviour), to prohibit street encampments, begging and feeding wildfowl and the public consultation in August to Oct 2017 included those grounds. Since the consultation, the Government issued statutory guidance which stated that PSPO should not be used to target people based solely on the fact that someone is homeless or rough sleeping as that in itself would not mean the behaviour is having an unreasonable detrimental effect on the community's quality of life – although I must stress that DBC would have been highly unlikely to do that - there would have been other behavioural reasons of the rough sleeper concerned to justify using the PSPO. Activating the PSPO is discretionary. Nevertheless, officers in the Council's ASB team feel they have sufficient powers using the Community Protection Notices route with regard to rough sleeping and also in respect of begging or an anti-social behaviour injunction – DBC has already had 2 such injunctions issued against people who implied they were homeless and whose actions were such that they could be perceived to be begging. Conversely, the public consultation showed a clear majority in favour of including street encampments and begging in the PSPO – many comments were made along the lines that people felt intimidated. There were also comments along the lines that DBC should be tackling the homelessness – which of course the Housing Department do. Regarding consumption of alcohol, the area in question already has a Designated Public Place Order which can continue under transitional arrangements as if they were Public Space Protection Orders until October 2020. The public consultation showed a majority not in favour of prohibiting feeding of wildfowl. At the moment, it is thought that this problem is not so great as cannot be managed by publicising and informing people on the dangers and consequences of feeding wildfowl. I would be grateful for your views so that they can be considered by Cabinet.

Councillor Hicks said the Marlowes was a big area and questioned why bicycles couldn't use it as a cut through.

Councillor England said there doesn't seem to be a budget for enforcement and the availability of resources.

Councillor Marshall said the no cycling relates to the paved area of the Marlowes and doesn't cover the bus interchange. There isn't a provision in the budget but a CPN would not be the right vehicle for enforcement.

D Austin said as part of E Walker's remit, there are generic enforcement officers. It is difficult to catch people in the act but there will be targeted events to raise publicity.

Councillor England underlined that it was important to identify when these activities take place.

Councillor Anderson said these activities are not happening on a huge scale so resources would need to be targeted.

Councillor Birnie said if the council are not making examples of people, then it is wasting its time. Incidents of nuisance cycling are low.

Councillor Marshall said the consultation shows a strong public desire for this to be included.

Councillor Timmis asked who would be carrying out the enforcement.

D Austin said it would be council staff who have carried out accredited training to issue fixed penalty notices.

Councillor Fisher said the public toilets had been closed due to vandalism. She asked if this was covered under the proposed PSPOs.

Councillor Marshall said they had been closed for a long time but said she didn't think that the unavailability of public toilets allows for urinating on the street.

Councillor G Sutton said there was some concerns about the public toilets. They were being used for everything but going to the toilet. The council are looking at options to turn it into a radar key toilet but the issue is that these keys are readily available online.

Councillor England said a night time economy may improve some behaviours.

### **Outcome**

Councillor Anderson proposed that the committee were mindful of the consultation feedback and offer its conditional support to implement these PSPOs. The Strategic Planning and Environment Overview and Scrutiny Committee approved the report.

## **54                    WORK PROGRAMME 2018/19**

Councillor Anderson asked members to raise any issues they wished to add to the work programme for the next civic year.

The Meeting ended at 10.00 pm