

## MINUTES

### STRATEGIC PLANNING & ENVIRONMENT OVERVIEW & SCRUTINY

20 NOVEMBER 2018

**Present:**

**Members:**

**Councillors:** Anderson (Chairman)  
Bateman  
Birnie (Vice-Chairman)  
Fisher  
S Hearn  
Hicks  
Howard  
Matthews  
Ransley  
Riddick  
Timmis  
C Wyatt-Lowe

<b>Officers:</b>	David Austin	Assistant Director - Neighbourhood Delivery
	Sharon Burr	Corporate and Democratic Support Officer
	Emma Cooper	Assistant SPAR Officer
	Claire Covington	Strategic Planning and Regeneration Officer
	Lesley Crisp	Strategic Planning & Regeneration Officer (MBC)
	James Doe	Assistant Director - Planning, Development and Regeneration
	Nigel Howcutt	Assistant Director - Finance and Resources
	Shalini Jayasinghe	Strategic Planning and Regeneration Assistant Team Leader
	Mary Jeffrey	Assistant SPAR Officer
	Melanie Parr	Environmental Projects Lead
	Dawn Rhoden	Regulatory Services Operations Team Leader
	Craig Thorpe	Group Manager - Environmental Services

**Also Attendance:**

The meeting began at 7.00 pm

**142**      **MINUTES**

The minutes of the Strategic Planning and Environment Overview and Scrutiny Committee meeting held on September 2018 could not be confirmed as not all

members had been able to access the minutes in time for the meeting It was agreed that they would be signed by the Chairman at the next meeting.

**143            APOLOGIES FOR ABSENCE**

None were received.

**144            DECLARATIONS OF INTEREST**

There were no declarations of interest.

**145            PUBLIC PARTICIPATION**

There was no public participation.

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

None.

**147            BUDGET MONITORING Q2**

Nigel Howcutt introduced the report to members.

- O/S mix of Overs and Unders
- paragraphs 3.1 – 3.4 highlights the Overs and Unders.
- 450,000 reduction value of recyclables.
- Other key area is Building Control – number of Temps.

Cllr Birnie said he was concerned about commercial waste and asked how long the review would last and should we be considering axing it?

N Howcutt explained that there has been pressure over the last few years but at present it is not costing the council.

D Austin said that the draft report work would be put together next year for the 750 customers and changes would be brought in from April 2019.

Cllr Birnie remarked that the Capital Budget of £155,000 seems a tiny amount for vehicles.

N Howcutt explained that this has slipped into 2020,21 and 22 as procurement is a long process and rather than rushing in, time is being taken to procure the best vehicles..

Cllr Birnie asked what then would be happening this year?

N Howcutt confirmed that older vehicles were being purchased with a view to them lasting u until the new arrived in just over a year. .

Cllr Hicks asked how the overspend in garages has happened.

N Howcutt said that this was ongoing due to a decrease in take-up and said there was lots of work going on around this.

Cllr Fisher said that if CSG was running satisfactorily with vacant posts, should this vary would we be able to recruit in time.

N Howcutt said that more budget was available, but budget would be reducing.

D Austin explained that due to a wet April followed by the hot Summer grass died down naturally as a result of which no temporary staff were recruited and there was no issue with output.

Cllr Matthews said that there was a lot of 'red' on Page 16, and asked what that related to.

D Austin said that did not refer to the CSG side but rather to Waste.

Cllr Anderson said that Paragraph 3.1 – Assertion meeting SLA's – Members are asking for things to be done but it isn't happening. How does that square with the assertion that the service is reaching its delivery plan?

D Austin explained that he would need to know what requests are coming through.

N Howcutt remarked that the requests maybe outside of remit.

Cllr Anderson gave the example that a church fence had fallen which was the responsibility of Dacorum, a replacement had been requested three times but nothing had happened.

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

#### **148**                    **ENVIRONMENTAL SERVICES Q2 PERFORMANCE REPORT**

C Thorpe presented the report.

-Food Waste Project – Flats roll out

- Community Champion Awards

-Splash Park

Cllr Birnie said that he noticed accidents reported were up.

C Thorpe replied that most of these were things such as wasp stings or being hit by a branch and they also had someone who fell off a ladder and fractured his wrist.

Cllr Timmis asked how many of the 200,000 bulbs were going to be used in the villages.

C Thorpe said that he will find out and confirmed that 9 or 10 places had been identified in Markyate where bulbs could be planted.

**Action Point:** C Thorpe to get the information for the next meeting of SPAE.

The Report was approved.

#### **149**                    **ENVIRONMENTAL AND COMMUNITY PROTECTION Q2 PERFORMANCE REPORT**

D Austin presented the report.

-Food Hygiene Inspections – 100% Q2

-Dawn Rhoden will be presenting item on PSPO

-Russell Ham is the new Health and Safety Advisor. Looking into accidents and assessments.

-Nikki Lobendhan deals with Anti-Social Behaviour and Enforcement side, several fly tipping cases at the moment, clean up days and checking vehicles carrying waste for licences will be taking place.

Cllr Riddick asked for an update on fly tipping in Box Lane.

D Austin said that they have been invited to 2 interviews but have not appeared and this has now been passed to our legal team.

The report was approved by members.

#### **150**                    **PLANNING, DEVELOPMENT AND REGENERATION Q2 PERFORMANCE REPORT**

James Doe presented the report.

-17 indicators on Planning and Performance report – 9 at green, 2 at amber and 3 at red, the rest are for information.

-Currently just under £40,000 below target income, hit target in September, exceeded target in October and on track to meet them for November.

-Land Charges income suffering from reduction in business from processing searches etc

-Enforcement workload constantly rising, little down on one of the indicators.

-Appeals performance cause to flag for a little concern as has dipped under 70% target.

Cllr Birnie said that he had not had time to read the report since it came in at the last minute and said that when the committee has turned down an item it goes to appeal it seems the member concerned is automatically asked to write a defence of the reasons it was turned down for the officer, and he would like a protocol established for this which he had already discussed with P Newton.

J Doe responded that he had noted this.

Cllr Matthews asked that out of the cases heard how many resulted in costs being awarded against the council.

J Doe said that he was not aware of any costs being awarded.

Cllr Anderson pointed out that the cost of officer time should be considered.

Cllr Riddick said that he believed that the majority of appeals go beyond 8 weeks. He expressed his concern over Runways Farm (item 14) because was a 3 day Public Enquiry, and a complex situation and the Planning Officer delivered his full report in 14 days and he is unhappy about that as he feels it is unrealistic.

J Doe addressed the Chairman and said that it was not something he could really comment on as it is a matter for the Planning Inspectorate, but Inspectors have different workloads some busier than others and some cases take longer to get to enquiry or to a written representation decision but it is not in our hands at that point.

Cllr Anderson said that it would not be a matter for this committee but if anyone felt it was in the Public interest they could challenge it.

J Doe explained that there is a 6 week window for an application for judicial review after the decision is issued and it can only be challenged on a point of law or procedure.

Cllr Hicks asked that if it was a planning application for less than 10 houses, even if we lose are there no costs against us.

J Doe responded that the issue of costs could apply to any planning appeal but they do tend to be on the larger applications.

Cllr Birnie asked if in this quarter we have not turned down any major proposals that have gone to appeal.

J Doe said that this was not in the report but he believed that was correct.

Cllr Fisher asked about the increase in enforcement cases and whether it indicated a change in people's behaviour or vigilance.

J Doe explained that research was probably needed to give an evidential response, but he thought it was probably a combination of the two.

Cllr Riddick said that although the team are superb but going from 400 to 600 cases indicated that we really need more staff.

J Doe agreed and said that an increase in resources into the department from the rise in planning fees has been dedicated to a number of different officers across planning including a new team leader post in Enforcement.

Cllr Anderson asked if the Committee would support and this was seconded and agreed.

C Thorpe introduced the report and confirmed that it had been circulated to the Committee.

-New Service introduced in 2014/15 Blue Bin and Food Waste bin introduced and weekly collection of food waste began.

-Flats were not included in the new service. Participation and Contamination were concerns.

-Task Group consisting of Officers and Members looked at options around providing a service which was the same for all residents.

- 3 month food trial introduced to see if Residents would engage, then facts and figures would be looked at to make a decision for the future. It was made clear that this was a trial.

Cllr Birnie said that the costs were shown to make permanent, but asked what would the plus side.

C Thorpe replied that there would not necessarily be a saving but we would be providing the same service to everyone, and also improves our environmental credentials, as we will be diverting another couple of hundred ton a year from landfill.

Cllr Timmis asked if there was a possibility of using the food waste with digesters that produce energy and whether food waste was collected from Restaurants and Cafes.

C Thorpe explained that all our food waste goes to energy and is sold back to the National Grid which gave us a saving over sending to landfill. Commercial collections needs further work.

Cllr Riddick said he thought the numbers on the 7 year programme didn't make sense as numbers would escalate when we have more properties.

C Thorpe said we still have stock so no increase on that but new properties have not been factored into the scheme.

Cllr Riddick felt that it would have a significant impact on the figures and asked if C Thorpe could look into this and report back.

Cllr Matthews said he thought it was an interesting initiative and wanted to know what type of contamination is in the bins and when the bins were taken away was there any evidence of food waste being left where bins were.

C Thorpe said that it is not always possible to tell the level of contamination but there had been no rejected loads from the energy and waste plant and they can receive and remove upto 20% level of contamination. He confirmed that there had been no issues of fly-tipping food waste.

M Parr said that if we proceed with rolling out this service to flats, there would be more information and help given to tenants in order that they could recycle successfully.

Cllr Anderson said that it was the first trial that he could remember where we have actually stopped the trial and he would share the residents frustration being told that they cannot recycle anymore and asked was the trial only stopped due to financial reasons .

C Thorpe replied that the reasons were not purely financial but there was a cost of hiring a vehicle and employing a driver to carry out that trial and it could have been a complete failure, so with a start and end date to allow evaluation of the success of the trial.

Cllr Anderson asked what was next.

C Thorpe said that was for the members to decide, the trial was a success contamination was low participation levels were high.

Cllr Sutton said that going back to comments regarding Digesters, he had seen the Digester in action at Cobham and it was very interesting. It produces energy and

also the residue is sprayed on food crops. He felt that we should explain on the website etc as people may then become more interested in doing it.

M Parr explained that our website contains all the information as to how we deal with our waste and we also share as much as we are able on Social Media and in Dacorum Digest etc. <http://www.dacorum.gov.uk/home/environment-street-care/recycling-refuse-waste/what-happens-to-my-recyclables>

Cllr Marshall said that she would personally like to see this go ahead 2019/2020.

Cllr Wyatt-Lowe asked if it was within remit to decide if the committee wanted to support.

Cllr Anderson asked if the committee supported the item and it was seconded and agreed.

## **152                    DOG PSPO**

### **OS/152/18 DOG PSPO (Pages 25 -141)**

D Ryder introduced this item.

-1220 responses to consultation

- Agreeing or disagreeing with the requirements – 95.2% supported this proposal.

- National Trust land excluded – preferring the stick and flick method.

-Requirements of clearing up after dogs was strongly supported – 95.1%

-- Placing dogs on a lead - there are some issues with professional dog walkers who take out groups of dogs, 91.9% agreed with the proposal.(Q4 refers)

- Dogs and Play areas – dogs should be excluded from fenced areas. Over 90% agreed.

Cllr Hicks asked if the area was not fenced could the proposed rules still be enforced, and said that he was keen for sports pitches to be included.

D Rhoden explained that establishment of the boundaries would be difficult and therefore would be open to legal challenges.

Cllr Riddick asked whether Boxmoor Trust as opposed to the National Trust were in favour of picking up dog mess on their land.

D Rhoden said that at a meeting with Boxmoor Trust they had expressed that they wanted their land to be covered.

Cllr Anderson asked if this enabled the authority to deal with issues where people just allowed dogs to roam off their property.

D Rhoden said that if dogs are continually roaming there is legislation that can be used including community protection warnings. This piece of legislation would not cover that.

Cllr Timms asked if there was a breakdown of area with regards to the survey and how people were made aware of it.

D Rhoden replied that it was an anonymous survey and awareness was raised via social media, Dacorum's website, Boxmoor Trust and the National Trust, and Parish Councils amongst others.

Cllr Howard commented that she had spoken to a group of dog owners who totally agree that they want something done.

Cllr Birnie remarked that putting waste in normal bins is a reasonable idea but they should be emptied more often and that needs to be addressed.

Cllr Marshall told the committee that the list of play areas in the report all allude to the fenced play areas but that the companies that supply the equipment for this have found that unfenced areas are what the industry is moving towards. This will cause problems in respect of prosecution for dog fouling so asked if dogs could be excluded within a certain distance of these areas.

Cllr Timmis Said that she supported the idea of people picking up after their dogs, but that she felt dogs should not be demonised as families with children often have a dog and it would not be practical for the dogs to be kept metres away. She made the point that we have no control over cat mess which is equally if not more dangerous. Cllr Anderson proposed that the proposal was supported with the kennel club wording but also with the proviso that we are able to report specific bins or inadequate bin coverage. It was agreed.

## **153                    UPDATE ON THE ECONOMIC DEVELOPMENT SERVICE 2017-2018**

Lesley Crisp presented the item.

-Dacorum continues to outperform the County and National 5 year new business survival rate at 46.5%.

-We have secured funding from Regional European Development Fund which allows us to work with businesses under 3 years and offer them free training and free workshops. 66 new signups and 64 new jobs have been created in the last year through that programme alone.

-518 visits with established businesses in the area to ensure they have what they need from Dacorum.

- New business centre opens at Kylna Court in January hosting 8 serviced offices of which we have filled 7 already.

- We have run 57 workshops in the past year to upskill businesses and their staff on sub-skills and that has brought in just over £29,000 with a profit of just over £4,000.

-Breakdown of investment can be circulated to everyone.

-Town Centre events have been put on eg: Halloween event and the Christmas Lights switch on.

Cllr Birnie asked who is funding the Dacorum Ambassadors.

L Crisp replied that it is self- funding although the Council has contributed to get the team going. It was only ever temporary.

Cllr Birnie said that we claim we are above the average for new businesses but he knows that St Albans over a five year period had a better percentage than ours – is there anything we can learn from them?

L Crisp responded that we work quite closely with them so she is happy to speak to them to find if we are 'missing a trick'.

Cllr Hicks asked how much of spend for events, functions and subsidised offices was used outside Hemel Hempstead itself.

L Crisp said that all areas are covered and there are often visits to rural businesses as well but events tend to be in Hemel Hempstead Town Centre.

Cllr Matthews asked if studies had been done on start- up and mid- range accommodation for growing businesses and whether we had the right mix.

L Crisp explained that a regular business survey was done and there is a gap between the 1500 square foot and the 3000 square foot space. Work is being done to improve this. Kylna Court is aimed specifically at move on businesses so these offices are for 6-12 people.

Cllr Anderson asked if we are able to do something about this using the local planning process.

J Doe said that there were actually 2 strands – the business survey and the employment land study across SW Herts and that informs us how much new space we need and we will be addressing this as we move through the local plan between now and Summer next year.

Cllr Ransley remarked that we had lost a lot of space which was used for start-up businesses and small business to re-development for housing and asked where the priority is.

J Doe replied that it was a problem particularly in Tring, and that although space was being added through the extension to the Icknield Way employment scheme that was really for the larger business need. We are intending to introduce through an article 4 direction which will cover a lot of Maylands, Icknield Way and the two sites in Berkhamsted River Park and Northbridge Road which would take away those permitted development rights and save further losses through the permitted development route for residential.

L Crisp was asked whether the Chamber of Commerce Meetings in Berkhamsted and the Business Smart in Tring are attended and she replied that they were.

Cllr Birnie said that he was concerned about retailers, in particular the Old Town where the rents are now high.

Cllr Anderson asked whether the rent increases were a result of the business rate valuations.

J Doe was unsure of the answer to this, but he confirmed that most of the Old Town was in private ownership with the council only owning a few properties.

Cllr Birnie said that he felt whether or not we own the properties we need to do something to support the area. He added that one of the complaints he has had is regarding the lack of public transport, and the distance from the car parks to the shops.

J Doe confirmed that public transport has been looked into in the past there is a limited service now. He added that there is provision for parking on the street.

Cllr Anderson remarked that the reason Homebase left the town was the rent.

Cllr Harden asked about Dacorum sub-contracting to Visit Herts. They have not met the SLA's, so what mechanisms are we putting in place to make sure that we can deliver on the action plan of better tourism for our borough, due to concerns with Visit Herts.

J Doe said that we meet regularly with Visit Herts and have raised our concerns. He added that it was something he would be taking up with Cllr Sutton as portfolio holder to see what our approach would be for tourism for the next year.

Cllr Sutton said that at present negotiations are going on for a new contract with the market which is in the town centre and we are trying to involve that operator to be more active in the Old High Street and that will be one of the conditions that is in the contract. He felt that we have seen the Old High Street become more of a night time economy, which has made the premises more desirable for Restaurants and that type of trade rather than the niche businesses. As far as parking is concerned – it has been the same for many years. He added that Dacorum should be amazingly proud of what has been achieved, we have a thriving business community thanks to having a proactive team that have developed that.

Cllr Marshall made an observation on buses – she said that she was very keen on the extension of services, but for the time being the distance between the bus stops at the end of Queensway and the Old High Street is about equal to the distance from the bus station in The Marlowes to the end of The Marlowes. She said that pamphlets in a stand in Asda, the Sports Centre and other locations are not representative of this borough but all about other areas that Visit Herts promote.

Cllr Ransley said they have had to reproduce leaflets in Tring as the demand for them had been so high. Cllr Matthews added that there is a huge amount of information available, someone should gather it.



Cllr Anderson spoke to the meeting about Destination Dacorum which was updated when we had a tourism officer and went down the digital route which is more economical.

J Doe said that Visit Herts was asked as part of their remit to handle information going out. We could not sustain the resource of a Tourism Officer, it was only a temporary initiative to promote the Borough through the Dacorum Look No Further programme.

Cllr Marshall suggested that it was because Visit Herts may not have the material to put out.

AP – L Crisp to go back to Visit Herts and see what they have and what they need.

Cllr Harden said that in the action plan it says between 2017 and 2020 you are going to increase the value and volume of tourism in Dacorum by £25 million – queried whether we are looking in the next three years to double the amount of tourism into Dacorum and where the figures have come from.

L Crisp answered that according to Visit Herts this was doable but the plan was written when we still had a tourism officer in place. The figure has come from Visit Herts, we need to have talks with them.

Cllr Birnie asked how much the contract has cost Dacorum and was told it was £26,000 a year, other boroughs are paying £5,000 for some tourism cover which is probably what we would choose for the future so that we are in line with the other boroughs.

Cllr's Timmis and Anderson discussed the naming and perception of Dacorum and Hemel Hempstead.

Cllr Hicks spoke about Tring and mentioned that Visit the Chilterns did some work on their tourism, he also felt that leaflets have to be carefully considered as 8 out of 10 will end up in the bin, especially if they are just in a stand in a hotel or another business rather than somewhere people have gone specifically to find information for the area. He suggested an electronic stand illustrating what we have available.

Cllr Sutton expressed concern that he has been underwhelmed at the Visit Herts meetings he has attended by the representation that has been put forward for Dacorum. They have pushed Knebworth and Harry Potter World but very little that happens in Dacorum. He said that together with James and the team he will discuss this to look for a solution.

Cllr Silwal asked how many members were in the Hemel Hempstead Business Ambassadors scheme and L Crisp replied that there were 71.

Cllr Anderson proposed that the team were congratulated and the report was approved. It was agreed by the Committee.

## **154                    ANNUAL REVIEW OF CIL**

S Jayasinghe presented.

S Jayasinghe said that that this year 17/18 was really good and income exceeded expectation.

Cllr Birnie asked if the CIL division that was highlighted was a statutory decision and S Jayasinghe confirmed that it was. In view of this Cllr Birnie enquired why the task group would be taking suggestions for CIL expenditure if everything was already pre-determined. J Doe explained that the current report was about known priorities in connection with the local plan. A new business plan will be produced which would give us a clearer position on the amount of infrastructure needed to match the amount of growth anticipated through to 2036. Once we are in receipt of that it may be that the priorities have to change. In terms of the task and finish arrangements they are not there to determine expenditure on CIL as we already have a mechanism

to do this. Cabinet approved it in the form of a working group to look at this with representation from other bodies including the County Council and other infrastructure providers sitting on that to make recommendations back to Cabinet then Council about spend. There will be more information once we have the result of this work.

Cllr Anderson asked if it was known how much we hadn't received in relation to CIL receipts – when we first started we did struggle to collect quite a large amount.

S Jayasinghe replied that a lot of work tightening up on this has been done our debt recovery and payments to date have been good. There are some outstanding debits but nothing older than 6 months

Cllr Anderson asked if the only one that was outstanding was the Beacon Development in Apsley. J Doe explained that development has not yet started so it is not yet due.

Cllr Anderson said that on the point of expenditure he was slightly concerned with an issue in Berkhamsted which a letter in the local paper suggested that a major improvement that was necessary was being held back because no CIL funding was being released to make it happen, and he thought it may have involved the surgery although he cannot remember. He added that although he knows we are not going to get the amount of money through CIL that we need he wonders whether he wonders if we could take a tiny proportion of it to get some big wins and whether there was any opportunity to do that.

James Doe made the point that the issue mentioned was thoroughly debated internally and it was about re-organising provision in Berkhamsted. He said that in terms of ongoing spend the process for the infrastructure advisory group takes place in Spring and that would be the time for further debate. There will be letters going out to seek bids into the process. CIL is a very small proportion of spend and the gap is really huge so we have to be careful how we spend the money.

Cllr Matthews asked that with regard to the new timetable when will the letters be going out and who is going to get them.

S Jayasinghe answered that they had not gone out yet, but previously we have had 3 expressions of interest all for projects of around 6 million pounds and at the time we had not even received a million pounds. We need to run in parallel with the infrastructure delivery plan and the local plan to ensure that we are targeting the right ones. The letters will go out to all those who have expressed an interest previously, stakeholders in the area through the Parish Councils and we will publicise it widely through the website and other places.

Cllr Matthews asked if these expressions of interest could be broken down and reviewed so that we can look at individual items that may have significant effect on a particular part of Dacorum but are not going to cost the entire CIL fund.

J Doe explained that expressions of interest have not been accepted at the moment as the decision was taken not to spend any of the CIL so it will be what is put forward next year.

Cllr Birnie asked the meaning of the paragraph (9.4 Page 188) regarding exceptional circumstances. .

S Jayasinghe replied that if someone comes with a really good case in terms of viability or any exceptional circumstance why they should not pay a CIL we can choose to apply that policy.

Cllr Birnie went on to ask about the last paragraph which on page 189 S106 allocations and asked for assurance that members will be asked to approve this.

J Doe replied that a lot collected under S106 goes to County because a lot of it is transport or education related etc., there is a proportion for things in the S106 agreement which are the responsibility of different departments and services

throughout the Borough Council. It would be the responsibility of each managing officer to liaise with their portfolio holder about the expenditure. The level of expenditure will determine whether it needs member approval. A lot of the decisions are taken at the planning application stage, a lot of the spend is prescribed within the S106 agreement. Members have a role in that through the Development Management Committee. The Government plans to bring in derestriction on pooling which the Government is planning to bring in which is intended to be operational by the start of the new business year in 2019. This will enable us to group together lots of very small contributions we have taken all over the place. We will then need to review the process of S106 spend.

Cllr Anderson said that his understanding was that we were going to apply S106 to Affordable Housing only and that would limit the scope of members getting involved in decisions.

S Jayasinghe replied that it largely applies to Affordable Housing and there is no policy restriction around that if it is listed on our regulation 123 list and not listed as an exception we can't collect S106 for that item.

Cllr Anderson asked about neighbourhood plans and the local community getting 25% off CIL rather than 15%, could we make it clear that you cannot use neighbourhood plans in the villages to try and get out of the Green Belt pressures that we are all under.

J Doe confirmed that this is the case.

Cllr Hicks said that on Appendix 3 there is a list of monies allocated to the different areas and he asked if there was a breakdown of where the money was allocated to and where it came from.

S Jayasinghe confirmed that she could provide that information.

Cllr Anderson proposed that the report was approved and welcomed the work that had been put into it.

The Committee agreed.

The Meeting ended at 9.40 pm