

MINUTES

STRATEGIC PLANNING & ENVIRONMENT OVERVIEW & SCRUTINY

10 NOVEMBER 2020

Councillors: Barrett
Beauchamp
Birnie (Chairman)
P Hearn
McDowell
Ransley
Riddick
Rogers
Silwal (Vice-
Chairman)
Stevens
Taylor
Timmis

Officers:	Bill Buckley	Interim Assistant Director
	James Doe	Assistant Director - Planning, Development and Regeneration
	Fiona Jump	Group Manager - Financial Services
	Katie Mogan	Corporate and Democratic Support Lead Officer
	Dawn Rhoden	Regulatory Services Operations Team Leader
	Ben Stevens	Lead Enforcement Officer
	Craig Thorpe	Group Manager - Environmental Services

Also in Attendance:

Councillor Julie Banks
Councillor Graham Sutton

The meeting began at 6.30 pm

133 MINUTES

The minutes of the last meeting were agreed by the Members present

Councillor Timmis made a statement to the committee regarding Luton airport. She told the committee that the airport are submitting a pre-application for an expansion on the restriction on the numbers of passengers that was granted in 2013. It was 18 million passengers up to 2028 but now they are asking for 19 million by 2024. This will also include a variation of condition 10 which relates to the limit on noise contours at night. This is the third consultation and it includes five questions with a closing

date of 11 November at 23.55. She encouraged members to respond.

J Doe confirmed to members that DBC had submitted a response in objection to the proposed increases.

134 APOLOGIES FOR ABSENCE

Apologies were received from Councillor Anderson.

135 DECLARATIONS OF INTEREST

There were no declarations of interest.

136 PUBLIC PARTICIPATION

The chair notified the committee that there was a member of public registered to speak on Item 8 and that the public participation section would be moved so the speaker could make their statement directly before the relevant item.

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

None

138 BUDGET MONITORING Q2

F Jump introduced the report to members and said this report displays the forecast financial position as of the end of September. The council is reporting a significant pressure against the General Fund of £3.1 million. This is largely due to the impact of the covid-19 pandemic on the council's income and expenditure but particularly on income streams. In the capital budgets within the committee's remit, there is a slippage of £0.2 million

Councillor Beauchamp referred to the pressure against the budget and said the headline totals do not seem to stack up with the sum of the pressures identified in the report.

F Jump responded that the report pulls out the largest variances to highlight to members. Some variances are very small and would not be useful for the committee to see. However, she was happy to provide this additional detail to the committee after the meeting.

Action: F Jump

Councillor Birnie asked what the additional staff costs were identified in paragraph 4.1.

J Jump said this includes a variety of staffing pressures under this committee's remit.

Councillor Birnie referred to the pressure in vehicle repair and asked for clarification.

C Thorpe confirmed that the vehicle repair department had members of staff that were classed as vulnerable and high risk so had to isolate at home. There are five

vehicle repair fitters and three staff fell into this category so the team had to bring in some agency staff to cover their absence.

Councillor Birnie referred the £100k pressure for additional maintenance in relation to the fleet replacement programme and questioned if it was wise to slip the project into next year.

C Thorpe said the refuse vehicles are getting older and have been looking at what vehicles can be disposed of earlier. New vehicles have been ordered but they take 11 months from the point of order to build and get into service so this is why the project has slipped into next year.

Councillor Birnie then referred to paragraph 4.2 and the additional cost of hiring extra vehicles due to social distancing measures. He asked if this was covid related and queried if some costs had been double counted as some seemed to have overlapped.

F Jump confirmed there had been no double counting of costs.

Councillor Riddick asked about the vehicle replacement programme and noted this had been going on for some time. He thought this would mean the maintenance costs should be decreasing, not increasing. He asked if old vehicles are sold to third parties when disposed of.

C Thorpe said 14 vehicles had been delivered last year and next 14 are due for delivery in January next year and should then start to see the maintenance costs decrease. All of the second hand vehicles are sent to auction so there is a small income gained.

Councillor Stevens referred to paragraph 3.4 and the government grant. He asked if this would fully cover all covid related costs to the council.

F Jump said the grant does not cover all income losses from covid but it is covering most of the expenditure related pressures. There is a separate income stream grant from the government but this isn't covering all losses.

Councillor Stevens asked what percentage of the expenditure costs were being covered by the grant.

F Jump said probably a hundred per cent.

Councillor Silwal referred to paragraph 4.1 and the staff pressures and asked why this was.

F Jump said the pressure within the planning department relates to appeals cases where additional resources needed to be brought in.

J Doe clarified that the pressure on staffing costs relate to maternity cover in Development Management. The separate costs relating to appeals are from a legal case lost in Markyate concerning a planning application for a new food store in Hicks Road where costs were awarded against the council. It was a judicial review of a planning decision as opposed to a planning appeal.

C Thorpe introduced the report to members and said this quarter was concentrated on the implications of covid-19 and reacting to new local restrictions but the department have tried to maintain services where possible. The bulky item collection service has been restarted and this was the only service that was stopped in the first national lockdown and 30 members of staff are back to work after shielding at home. DBC have joined other Hertfordshire authorities to have the vehicle banners removed and replaced with 'NHS Play Your Part' banners. He ran through other highlights for the department in this quarter including staff training, trees and woodlands, vehicle MOT backlogs, and the performance targets.

Councillor Ransley was pleased to see that the team would be planting more trees and asked if it would be possible to let ward councillors know if any are being planted in their wards. She said this will give members a chance to tell residents.

C Thorpe said that would be possible.

Action: C Thorpe

Councillor Riddick asked about the waste transfer site and the increase in tonnage.

C Thorpe said this was a historic measure and relates to the storage and bulking of comingled material that is collected in the blue bins. He said this hadn't increased massively but would amend the figures to make them more accurate.

Councillor Riddick asked if the government would be providing financial assistance for the additional costs involved due to covid-19.

C Thorpe said he believed that claims were being submitted for the additional staff and vehicles needed due to social distancing measures.

Councillor Silwal asked if ward councillors could be provided with no littering signs to put up in their wards.

C Thorpe said the new education officer would be looking at this as part of her work.

Councillor Timmis asked if the Moor in Berkhamsted had been restored after being used as the temporary car park.

Councillor Stevens confirmed that the grass had been reseeded and the grass is coming through. There are still fences up and the Moor is unlikely to be back in use until Spring 2021 after the first grass cut of the season.

Councillor Timmis said there were collection targets for recycling and green waste but asked why there wasn't one for the waste in the grey bins.

C Thorpe said there was not a target for residual waste.

Councillor Timmis said it might be interesting to see if that waste decreases as recycling increases.

C Thorpe said this waste has also increased.

Councillor Timmis asked why there were no figures for commercial waste collections.

C Thorpe said that throughout the first lockdown, businesses moved, closed or suspended their collections. Currently at the stage where we are trying to ascertain which businesses are back up and running.

Councillor Beauchamp asked what the criteria is for a justified missed bin collection.

C Thorpe said this is occasions where the bin has been left out and the crew have genuinely missed them.

Councillor Beauchamp said some residents had reported to him that they had reported their bin as missed and left their bins outside and then were not collected still. He asked what the process was

C Thorpe said the crew should be recording which bins are left out or not so when a missed bin is reported, we can check whether they were left out or not. The team do endeavour to collect those bins that haven't been left out.

Councillor Birnie referred to 4.3 and the pressure of £135k relating to the increased costs of disposal of comingled recycling.

C Thorpe said we are collecting more waste as more people are at home so therefore paying more to dispose of. The contractor also charged additional processing fees during this time as they had to increase social distancing measures and recruit additional staff to work weekends to cover the demand.

Councillor Birnie then referred to 4.4 and the pressure of £250k on income from Herts County Council.

C Thorpe said this relates to the Alternative Financial Model that rewards local authorities for diverting waste away from landfill. Dependent on how much residual waste is diverted, if the tonnage goes up, the income is reduced. Obviously, during lockdown, waste has increased as more people are staying at home and household waste recycling centres were shut so the reduction in payment is unfair as it is not the fault of the service. This has been raised at member level.

Councillor Beauchamp asked about the recycling of commercial waste and he said he had a number of food businesses in his ward and asked if they could request additional bins.

C Thorpe said they are currently offering a service of recycling collection to existing customers and they can ask for a larger bin. Currently looking at the pricing mechanism as we need to make sure we are not offering the service at a loss.

Councillor Birnie noted that the reports on commercial waste need to be rescheduled on the work programme

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PLANNING, DEVELOPMENT AND REGENERATION Q2
PERFORMANCE REPORT

Public participation

Jan Rook asked: *Re para 16 of this report, can officers confirm that as a general policy, all Community Infrastructure Levy (CIL) is used for infrastructure directly associated with the development on which it is levied.*

If the answer is that only a proportion is used this way, can officers please confirm regarding LA5 (Cala Homes western Tring) what proportion of the projected CIL is (a) expected to be used for infrastructure directly associated with that development and (b) expected to be used for infrastructure elsewhere in Tring.

J Doe responded and said the CIL on the LA5 development amounts to approximately £3.8million and will be paid in four instalments of £948k spread out over 18 months. In addition to the CIL levied, a number of features have been secured through s.106 agreements including the provision of open space by A41 bypass, an extension to Tring cemetery including a 30 space car park, toilet block, associated landscaping and improvements to bus stops. He explained that CIL is not ring fenced and the council has discretion where to spend it and they will be making decisions on the expenditure of CIL after consulting a number of service providers. CIL receipts amassed across the borough total £8.9 million since 2015 and £7.1 million of this is available to spend as a certain proportion is allocated to town and parish councils and ward councillors in unparished areas. The council will get a clearer picture of the infrastructure requirement across the borough through the infrastructure delivery plan as part of the Local Plan.

Jan Rook asked if the public would be kept informed of a decision date.

J Doe said the decision will be taken by Cabinet, a date cannot be advised currently but advised the public to keep an eye on the website for updates.

J Doe then introduced his performance report. He highlighted that planning fees income is still projecting an under recovery of £200k by the end of the year. This is being kept under review and the gap is beginning to narrow but are cautious with the current national situation. The under recovery rate was 21% in Q1 and that has reduced to 8% in Q2. There are improvements in land charges income but is still under recovery against the targets and this has been influenced by the stamp duty holiday and will need to see what happens after 31 March when it is due to end. The Development Management performance has generally been good this quarter and the amber indicator in the report relates to minor planning application which are small developments of up to 10 homes. It is important to note that case load does remain high and 223 new homes were completed in Q2.

Councillor Timmis asked what the acronyms on page 18 refer to.

J Doe said these refer to codes for the different performance indicators in the appendix.

Councillor Beauchamp asked if there was a deadline to spend any CIL receipts.

J Doe said there was no deadline. The department are conscious that there is a lot of money sitting there available to spend and guidance has been provided to ward members. There are two categories of money, the core fund which makes up 80% and the proportion allocation to ward members or town and parish councils.

Councillor Birnie asked if previous staffing issues had been resolved and if the new planning systems have been implemented successfully.

J Doe said the team have a full complement and new staff have recently been welcomed to the team. There are some issues with maternity cover that we are currently trying to resolve. There are challenges with major developments and if they are adequately resourced but this has been discussed in budget setting meetings. The new system is working well and the team work closely with ICT on any issues that may arise.

141 ENVIRONMENTAL AND COMMUNITY PROTECTION Q2 **PERFORMANCE REPORT**

B Buckley introduced the report to members. The service has been at the forefront of the council's covid response and have been advising and enforcing government guidance with local businesses. The team have been involved with the Track and Trace programme and staff have been contacting the public who have been in contact with a positive case via phone and going to their houses. There has been a need to request additional resources in the team to sustain some services and a contractor is carrying out food hygiene inspections on behalf of the council. Corporate Health & Safety have been advising departments on their risk assessment and how to manage the pandemic within their services.

Councillor Birnie asked if food hygiene inspections had resumed.

B Buckley said they had resumed on 1st September.

Councillor Birnie asked if they were suspended now due to the second national lockdown.

B Buckley said they are continuing with agency staff in businesses that are still operating as takeaways.

Councillor Timmis asked if B Buckley could email the powers that the Animal Welfare and Public Health officer has and asked what RIPA stands for.

Action: B Buckley

It was noted in the meeting chat that RIPA stood for Regulation of Investigatory Powers Act.

Councillor Birnie asked for acronyms to be fully explained in reports.

Councillor Beauchamp thanked the team for their hard work. He asked when the backlog in food hygiene inspections would be cleared.

B Buckley said it was early days at the moment as they only resumed in September. We are hoping to hit 75% by the end of the year but this could change due to further restrictions and the need to pull resources onto preventing the spread of covid.

Councillor Birnie referred to the accident on page 24 and asked what it was.

B Buckley said he would get that information to the councillor after the meeting.

Action: B Buckley

Councillor Birnie asked if the council were paid to carry out the contact tracing.

B Buckley said there are not paid as it is a statutory duty but the government have funded the additional resources needed to have the capacity to carry it out.

Councillor Birnie asked if the food hygiene inspections carried out by contractors were paid per inspection carried out.

B Buckley confirmed they were paid per inspection.

Councillor Birnie gave congratulations on behalf of the committee to Mark Dewey who had recently completed his degree.

142 PSPO UPDATE

B Stevens introduced the report to members and gave a short presentation on the work carried out in relation to the Town Centre and dog control PSPOs.

Councillor Silwal asked if the PSPOs cover more than just the town centre.

Councillor Birnie confirmed it was just the town centre.

B Stevens said there are various PSPOs in place and the main one is in the town centre. There is a PSPO in place for dog control and a PSPO for alcohol and drinking on the streets. The pilot scheme suggested will cover all of these and some littering offences.

Councillor Birnie asked if the cycling PSPO will be extended further than the town centre.

B Stevens said the current PSPOs are in place until July 2022 and the pilot will form part of the review process.

D Rhoden confirmed that a public consultation would be required to extend the coverage of the PSPOs.

Councillor Birnie asked who currently collects fixed penalty notices and if they are then council funds.

B Stevens said he would get back to the councillor after the meeting

Action: B Stevens

Councillor Birnie asked how the council could monitor the amount of money that the contractor was collecting.

B Stevens said the proposal allows for the council to access their systems to monitor performance.

Councillor Beauchamp asked if this pilot would cover parking offences.

Councillor Birnie said the council employs another contractor to carry out that enforcement.

Councillor Beauchamp asked when the team was looking to implement this pilot.

B Stevens said they were hoping for the pilot to start in April 2021 but it will depend on the length of the tender.

Councillor Birnie asked when the related portfolio holder decision would be published.

K Mogan confirmed it was due to be published on 24 November.

Councillor McDowell asked for confirmation that the committee are not being asked to approve a private company and had concerns about approaching young people who are cycling.

Councillor Banks said this pilot is looking to tackle the anti-social behaviour involved in the cycling such as cycling into pedestrians without due care.

Councillor McDowell felt the council should not be outsourcing to a private company to enforce their rules. He believed the council would get a better response if residents can see it coming from DBC directly and not seen as a way of making money. It is important to engage and educate people. He was concerned that the private company may have targets to hit on handing out fines.

Councillor Banks asked members that had any concerns to speak to her as the portfolio holder. She noted Councillor McDowell's concerns but the report contains many comments about how the team have and will be engaging and educating and this is the first priority.

Councillor Birnie commented that the PSPO does seem to have worked well without a huge amount of public resentment. He noted that if contractors are issuing penalties based on incentives, there is a risk of losing control and the approval of residents in the enforcement of PSPOs.

B Buckley confirmed this was just a pilot scheme and it will come back for a review to this committee. There will be strict controls on monitoring the contractor and will be evaluated and reviewed after 12 months.

Councillor Birnie asked if the provision to appeal penalties will be handled by council officers.

B Stevens confirmed that the overriding decision on penalties will lay with the council.

143 DACORUM LOCAL PLAN CONSULTATION ARRANGEMENTS

J Doe gave a brief update to the committee about the plans for the Local Plan consultation. It will be going to Council next week for approval to go out to consultation and officers are currently preparing the arrangements. Since the Cabinet meeting, a further national lockdown has been implemented so had to look again at arrangements. One area concerned was the availabilities of libraries and some have remained open with a click and collect service and so the team will be making a number of copies of the local plan that will be available for loan for anyone who is interested. In addition, members of the public will be able to inspect the plan at The Forum on an appointment only basis due to covid restrictions. There will be full online

coverage of the plan including a virtual exhibition which has been developed with an IT agency.

Councillor Birnie said he had received objections to holding the consultation under lockdown restrictions.

J Doe said they have taken advice from the Monitoring Officer on compliance with the council's published policy on consultations.

Councillor Timmis asked if maps would be provided to members of the public in the consultation.

J Doe said maps of the main settlements will be provided showing general indications of proposed developments. There will also be an easy to read version that this committee requested.

Councillor Birnie asked for the timetable of the consultation.

J Doe said the consultation will begin on 27 November subject to Council approval and will run for eight weeks.

Councillor Birnie asked if public face to face exhibitions could be held after the end of lockdown on 2 December.

J Doe said other arrangements have been put in place and there will be no public face to face exhibitions.

Councillor McDowell sought clarification around the council's own consultation guidelines.

J Doe said every council was required to publish their policy on consultations and this is called the Statement of Community Involvement. When the plan goes to public examination, the key test that the inspector looks at is to see if the council have complied with this.

Councillor McDowell asked why Cabinet have changed the policy to make the consultation fit.

J Doe said the policy was amended to reflect the current covid restrictions. There is no change to the policy, just the implementation of it.

Councillor McDowell said just being compliant with the policy is not enough and it needs to reach everyone it should. He said he would like to see a provision of funds given to ward, town and parish councillors to help publicise.

Councillor Birnie suggested that any members who had concerns with the planned consultation measures raise it at the council meeting. He asked J Doe to send an email round to the committee detailing all consultation measures.

Action: J Doe

Councillor Ransley asked if any amendments had been made to the maps seen by members as she noted that Bulbourne was missing.

J Doe said they hadn't been changed but Bulbourne wouldn't be there as the maps will display where the major allocations will be and nothing major has been planned at Bulbourne but he would take away the point and check.

Councillor Stevens asked if there was a decision on whether hard copies of the plan will be available to purchase and what the cost of this would be.

J Doe said this would be available. The cost is unknown at the moment as waiting for costs from printers.

Councillor Timmis asked if they could see the maps before they are sent out in the consultation as previous versions have been poor quality.

J Doe confirmed he would send them out.

144 WORK PROGRAMME

There was nothing to add. Councillor Birnie encourage members to suggest any reports to him.

The Meeting ended at 8.35 pm