

## MINUTES

### STRATEGIC PLANNING & ENVIRONMENT OVERVIEW & SCRUTINY

14 MARCH 2017

<b>Councillors:</b>	G Adshead Anderson (Chairman) Fisher Hicks Howard	Matthews Riddick C Wyatt-Lowe (Vice-Chairman)
<b>Officers:</b>	David Austin James Doe  Katie Mogan David Skinner Craig Thorpe Emma Walker	Assistant Director - Neighbourhood Delivery Assistant Director - Planning, Development and Regeneration Member Support Officer Assistant Director - Finance & Resources Group Manager - Environmental Services Food Safety and Health and Safety Team Leader

#### Also Attendance:

Councillor Janice Marshall  
Councillor Graham Sutton

The meeting began at 7.30 pm

#### **41**            **MINUTES**

The minutes of the Strategic Planning and Environment Overview and Scrutiny Committee meeting held on 31 January and 7 February 2017 were confirmed by the members present and signed by the Chairman.

#### **42**            **APOLOGIES FOR ABSENCE**

Apologies were received from Councillors E Collins, S Hearn and Ransley.

#### **43**            **DECLARATIONS OF INTEREST**

There were no declarations of interest.

#### **44**            **PUBLIC PARTICIPATION**

There was no public participation.

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

None.

**46**                    **BUDGET MONITORING QUARTER 3 2016/17**

D Skinner introduced the report to members and said it was an improving picture from Q2 with a current underspend of £250,000. In this quarter, the vacancy provision has improved and there have been some minor additional government grants of £45,000. There are still some pressures within the service and they are the same pressures that have been seen across the year in employees, waste services and building control. There has been an improvement in transport with an underspend in the fuel budget. Overall, this quarter is broadly consistent with Q2.

Councillor C Wyatt-Lowe referred to paragraph 3.4 which mentioned an underachievement of income in the commercial waste sector. Was there a particular sector of businesses that were lost?

C Thorpe said the council had lost a few commercial customers but this was due to businesses closing or moving out of the borough and not due to a lack of service.

Councillor C Wyatt-Lowe asked if it was a particular sector of businesses.

C Thorpe said it was across the range – from businesses to restaurants. Some have changed the size of their containers which also decreases the income.

Councillor Matthews referred to paragraph 3.1 and the pressures in building control. He asked if there was any progress in filling the vacant posts.

J Doe said there was significant progress being made. There have been three trainee appointments who have been gradually introduced into the service. The agency staff costs won't fully disappear until permanent staff are appointed in the more senior roles. We are also looking at the pay scales.

Councillor C Wyatt-Lowe referred back to paragraph 3.4 and the £190,000 underachievement in income. She said the report mentioned that this could be due to the uncertainty in the housing market after the EU referendum. Councillor C Wyatt-Lowe said she did not feel this was the case in Dacorum and could the officers expand on this?

D Skinner said there was an initial slow down and we might see a slight spike in 2017/18 after the market recovers. It was a lull rather than a stop. The uncertainty has meant businesses have had to take pause.

J Doe echoed the comments made by D Skinner. Some major applications have come in recently like the Maylands Gateway Site which has produced £90,000 in fee income. There has been a mixed reaction from house builders – some have put plans on hold and some have continued as normal.

Councillor Riddick asked if the 20% increase from the Housing and Planning Act had been factored in.

J Doe said it hadn't at the moment. The Director of Finance has just written to the government accepting the 20% increase.

Councillor C Wyatt-Lowe asked for more detail on the £45,000 grants.

D Skinner said the grants were given for several different things. When the government changes policies, the grants are given. They are minor when looked at individually but they are quite a good sum when put together.

Councillor C Wyatt-Lowe said there was a focus on the Water Gardens at the end of the report. She asked for clarification about the overspend.

D Skinner said there is an overspend in the capital for the Water Gardens and in the profiling of the scheme. There is some slippage into next year. There is likely be an overspend at the end of the project but there is no definite figure but it should be in the region of £200,000 and the project will need to be re-profiled the project realigning with the revised delivery schedule.

Councillor C Wyatt-Lowe asked if any of it could be recouped.

J Doe said they are awaiting the final count from the contractor. There were issues in the flower garden as new top soil was laid but the flowers failed. A specialist was brought in to remediate the issue at an extra cost but this will be charged back to the contractor.

Councillor C Wyatt-Lowe asked if the electricity problems had been solved.

J Doe said they had been largely resolved.

Councillor Hicks asked why there are extra professional fees if the project had been delayed.

J Doe said there were two aspects. As mentioned earlier, a specialist was brought in for the flower garden and secondly, there was additional work needed on the footpath on Waterhouse Street which was a necessary add on. We have had a legitimate claim from the contractor for extension of time.

Councillor C Wyatt-Lowe referred to Appendix C and the first line of the table that refers to the Civic Centre major repairs. Will this be carried over?

D Skinner said it would be kept and aggregated into other reserves, most likely civic buildings. This has been realigned in the 2017/18 budget.

Councillor C Wyatt-Lowe asked what return was given on the Invest to Save reserve.

D Skinner said he didn't have the figure to hand but would find the information and get back to the committee.

Councillor Anderson asked if the numbers would change significantly after the inclusion of quarter 4.

D Skinner said he didn't anticipate a huge change.

Councillor Anderson asked if there was such a significant underspend, are members able to request improvements to their ward?

D Skinner said it was possible that this could happen but ensuring delivery by the end of the year would be unlikely. If an underspend is achieved, then we can allocate into corporate reserves so it is possible to draw down in the future and this could be looked at as part of budget setting.

Councillor C Wyatt-Lowe asked how many playgrounds were left to be refurbished.

C Thorpe said he would cover playgrounds in his presentation later on.

Councillor C Wyatt-Lowe asked if the Group Manager for Regulatory Services post had been filled yet.

D Austin said there is no replacement yet.

### **Outcome**

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

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

J Doe introduced the report to members and highlighted the main points. It had been a good quarter for performance, especially in regards to planning applications. There have been some delays in the validation of planning applications and this was due to some IT issues that the department experienced. One point for the committee to note on the open risk register – paragraph 16 has been revised as the income streams have fallen below what was expected. Also, the New Local Plan will begin soon which is a long legal process subject to delays if new legislation is brought in and it is subject to a public consultation in 2018.

Councillor Riddick referred to the drop in planning applications. There are 69 applications less than Q2 so does the increase in size and scale of applications reflect the fees.

J Doe said yes. The major applications take up a lot of officers time whereas an officer can be dealing with 30/40 smaller applications at one time.

Councillor Matthews referred to the performance indicators and asked how Dacorum's refusal rate compares to the national average.

J Doe said that it is not one that the government monitors. J Doe said in his experience, councils accept 80-90% of applications. Dacorum provides pre-application advice and do encourage applicants to take this advice. A fee is levied on this service so it does generate income.

Councillor Hicks asked if a decrease in the rate of planning applications allowed officers to catch up.

J Doe said it can do. It gives officers more time to continue with improvement projects. However, he stressed the increase in major applications and said these were very time consuming.

Councillor Anderson noted the council had met the annual target of 430 new homes.

J Doe said these new homes are evenly spread but there is slightly more in Hemel Hempstead as it is bigger than the surrounding areas. Last year, the council built 650 new homes.

Councillor Matthews said a senior member of the planning team was going on maternity leave. Will there be a replacement?

J Doe said they had appointed somebody on a temporary contract for 18 months. They will start on 27<sup>th</sup> March and has previously worked with Central Bedfordshire and Milton Keynes councils.

Councillor Riddick said the enforcement team were operating with just one staff member. Has this improved?

J Doe said the enforcement team are back at full strength and there was a slight slippage on the performance targets.

### **Outcome**

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

## **48 REGULATORY SERVICES Q3 PERFORMANCE REPORT**

E Walker introduced the report to members. She said there had been a slight slippage this quarter on hygiene inspections but this was due to staff levels and the time of year. Two trainee Environmental Health officers have been recruited in

January 2017 which has reduced the vacancy rate in the department. The Primary Authority Partnerships have been dissolved and are now with Luton Borough Council.

48 people were trained in fire safety awareness and 75% of pest control contracts have been renewed.

Councillor Riddick referred to 3.2 in the report. Did the investigation into legionnaires reveal anything?

E Walker said it was brought to the council's attention because the person infected had spent a lot of leisure time in water in the borough. It was unclear where it was contracted but part of the council's role is to look at all the possibilities to ensure it is not spread further.

Councillor Riddick asked what type of business was closed down for poor food hygiene and can they be named.

E Walker said it was a takeaway business and was not happy to release the name as it was a voluntary closure.

Councillor Riddick referred to 4.5 and the waste fixed penalty notices. Is this returning significant income?

D Austin said this was new legislation and can be used in small fly tipping offences and it is more pragmatic to issue a fine. Serious and serial fly tippers will still proceed to court. There are no fines to report in quarter 3 but in the quarter 4 update, there will be news on a successful prosecution on a serial fly tipper.

Councillor Riddick referred to 5.4 and said he had noticed vans pulling up and letting several dogs run loose on Boxmoor Trust land and there is public access here. This brings the issue of dog fouling. Is there anything the council can do?

D Austin said he would take the comments on board. We do have a dog warden and a good relationship with the Boxmoor Trust.

Councillor Anderson asked for an update on the Hand Arm Vibration prosecution.

D Austin said the case is ongoing. We are now compliant but this prosecution relates to historical cases.

Councillor Riddick asked if there was progress with recruiting and retaining employees.

E Walker said they had recruited two new trainees and we are growing our own talent. There are also a couple of posts being advertised now.

Councillor Riddick said the problem with trainees is they take a while to train and a more experienced officer has to help them. It is a difficult balancing act.

D Austin said it was part of a solution for the medium term. We are trying to emphasise what a great place Dacorum is work with the new building and flexible working.

Councillor Riddick asked if there was a way of retaining the staff once they'd completed their training.

D Austin said they are tied for a fixed term after completing their training. If they leave before this period ends, they are required to pay back the cost of the training on a sliding scale.

Councillor Hicks said it's great to recruit trainees but it seems a very reactive process. It should be more proactive and recruit these trainees before it reaches a critical point.

D Austin said hindsight was a wonderful thing. The staff that left gave the appropriate notice period and we have tried to recruit staff but no one was suitable.

Councillor Hicks referred to cold stores and their increased hygiene.

E Walker said it is a more complex process and places with large volumes of food passing through are at a higher risk so they must adhere to stricter hygiene rules.

Councillor Anderson said in 2000, the planning department was almost on its knees being so short staffed so school leavers were taken on and some of these still work at the council. Trainees have worked in the past.

Councillor C Wyatt-Lowe mentioned the problem of chewing gum on the pavements. Does this pose a health risk?

E Walker said in terms of health and safety, the risk is fairly low as it is on the floor and most diseases are spread through the air or through faecal matter.

Councillor C Wyatt-Lowe asked if the pavements are cleaned with a disinfectant or antiseptic.

C Thorpe said they were cleaned with water and mechanical brushes.

Councillor Riddick said it was very difficult to remove chewing gum.

C Thorpe said it was extremely difficult. There are specialist contractors that can freeze the chewing gum to remove it but this is very expensive.

Councillor C Wyatt-Lowe asked if there was a by law that covered spitting and chewing gum.

D Austin said there is a Public Space Protection Order that covers the Old Town, the pedestrianised Town Centre and Water Gardens. This will give officers appropriate powers to tackle this sort of behaviour. However, it will be resource intensive to catch perpetrators.

Councillor G Sutton said spitting was one of his bug bears but unfortunately, people see it as acceptable as it is shown on the TV during sports matches. He said the council should take a lead on this and write to sports clubs to ask them to stop it.

Councillor C Wyatt-Lowe asked if the Public Space Protection Order specifically mentions spitting.

D Austin said it includes it and all behaviour that causes distress to others.

Councillor C Wyatt-Lowe said it is the role of councillors to set the tone for the town and should run a public campaign to change the culture. Councils have successfully tackled dog fouling in this way.

Councillor Fisher asked what was involved in the fire safety training.

E Walker said all fire wardens undertook the training which was led by a corporate health and safety officer. They were trained to use fire extinguishers and learnt appropriate fire behaviours.

Councillor Hicks referred back to chewing gum and asked if the focus could be borough wide and not just focus on the Town Centre.

D Austin said there seemed to be some confusion over legislation. The behaviours experienced in the Town Centre brought about the Public Space Protection Order. He said that the council could look into developing a chewing gum campaign across the borough.

### **Outcome**

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

## **49 ENVIRONMENTAL SERVICES Q3 PERFORMANCE REPORT**

C Thorpe introduced the report to members – he said most of the department's performance will be included in the presentation after this. In waste services, village collections have commenced in Flamsted and Markyate and vacancies have been filled. The refuse calendars went out before Christmas and the Christmas period was smooth and was not affected by adverse weather. There were site tours to the recycling facility in Crayford and the Anaerobic Digestion Plant in Chertsey. In terms of sickness, there is now only one long term sick record in Clean, Safe and Green and one in Waste Services. There has been a decrease in long term sick. Return to work interviews are being complied with. There is a seven day target to conduct these interviews and in this quarter, the average was 3.1 days.

Councillor C Wyatt-Lowe thanked C Thorpe for his interesting report. She said she had met one of the new waste operatives and he seemed really happy to have a job.



Councillor C Wyatt-Lowe said a resident had asked why the wild flowers get so high on the roundabout on the Link Road by Aycliffe Drive. They felt it was a risk to pedestrians as they couldn't be seen.

C Thorpe said the idea was that if motorists could not see the access, then they would slow down. It is essentially a traffic calming measure.

Councillor Hicks asked why, if the performance target was reached, the arrow was red.

C Thorpe said it was unfair but it just shows the trend is down on the period before.

Councillor Riddick gave his personal thanks to C Thorpe for responding so promptly to a resident's concerns regarding fly tipping. He also congratulated the officer on the improving sickness. Councillor Riddick asked if the roundabouts are sponsored to keep costs down.

C Thorpe said a number of roundabouts were sponsored – on the Link Road and in Kings Langley.

Councillor Riddick asked if this was a difficult market to expand.

C Thorpe said that it has actually increased this year. The roundabouts attract more revenue because it has done so well in the past.

### **Outcome**

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

## **50                    ENVIRONMENTAL SERVICE REVIEW UPDATE**

C Thorpe gave a presentation showing members the performance and achievements of the department over the last year. The main points of the presentation were:

- Over 1,200 more tonnes of co-mingled recycling has been collected in the first three quarters of this year.
- There has been a continued increase in food waste collections. In late February 2016 food waste stickers were introduced across the borough on all household refuse bins. This caused a surge in caddy requests and an increase in food waste tonnage, collections have increased by 100 tonne week and has been maintained.
- Over 400 tonne more garden waste has been collected this year than last mainly due to Quarter 2.
- The Additional Garden Waste Subscription Service allows householders to opt-in to having any additional green-lidded bins emptied if they subscribe to the service. Residents still have one green-lidded bin emptied fortnightly

during the garden waste collection season, this service is simply an optional extra for those who generate a higher volume of garden waste. The service was launched mid-season at the beginning of June, an additional bin costs £25 and for 2016 the subscription fee to have each additional bin emptied was £35; rising to £50 for 2017 onwards. By the end of the garden waste collection season over 100 additional bins were sold and in total there were 407 subscriptions. This year, subscriptions and additional bins have been on sale since February and we have sold 75 extra bins and 439 subscriptions, however the garden waste collection round has only just begun again at the beginning of March and so it is expected that this figure will continue to rise. Combining 2016 and 2017 (as they both have fallen into the same financial year due to the 2016 mid-season launch and 2017 pre-sale), we have generated over £40,000.

- On average there has been a drop of nearly 5% in the household residual waste.
- Contamination: The yearly average is 2.7% for 2015/16 and 2.9% for 2016/17.

With a contamination rate averaging below 3% Dacorum is consistently top ranking for the best quality material being sent to Viridor out of 29 other companies that deliver there.

- In terms of overall performance, the national league table for borough's recycling rates shows us that for 2014/2015 we were 139/352 with a recycling rate of 46.3%. We are now at 86/352 for 2015/2016 with an overall rate of 49.1%.
- In March and September the Waste Electrical Recycling Collection for schools in Hertfordshire took place again thanks to Hertfordshire Waste Partnership and their partner European Recycling Platform.
- To celebrate International Compost Awareness Week, Cupid Green Depot held its fifth annual Free Compost Giveaway in May. The event was scheduled to last for three hours but had to close its doors early as 10 tonnes of compost, around 500 bags, was given away to residents in just one hour.
- Christmas tree recycling event – recycled over 3000 Christmas trees.
- The Clean for the Queen campaign ran from mid-February to the end of April 2016 with the main designated clean-up weekend as 4-6 March. The Council promoted the campaign, loaned litter picking equipment to groups, collected litter bags after events and collated final figures
- Replanting on various roundabouts across Dacorum.
- Various playgrounds have been tendered out for refurbishment.
- Clean, Safe and Green's annual operation to clear litter from a 26-mile stretch of the A41 was completed in February. The area cleared stretched from the M25 junction to the boundary with Buckinghamshire. Work started by clearing rubbish from the central reservation by partnering with HCCs contractor Ringway in order to share the cost of traffic management. A two week operation was then carried out to clear the slip roads, junctions and grass

verges followed after. Approximately 10 tonnes of litter and bulky rubbish including car body parts and road kill was collected.

Councillor Anderson said he was concerned about staff clearing fly tipping when the waste could potentially be toxic.

C Thorpe said if there is any concern over the contents of the waste, specialist contractors are brought in. Also, council staff do not collect asbestos.

Councillor Matthews asked what the level of prosecution was for fly tipping.

D Austin said there had been no prosecutions in the first three quarters of this year. There are hotspots for fly tipping around the borough and preventative work is being done.

Councillor Matthews referred to the compost give away event – does the council provide residents with their own composters or compost accelerators?

C Thorpe said composters are sold at a reduced rate and adverts are placed in the Dacorum Digest.

Councillor Riddick congratulated officers on the excellent work with recycling and the great relationships between schools and supermarkets. There is a recycling centre at Sainsbury's in Apsley which is often in a bad state. Does the council have any involvement with this?

C Thorpe said he believed the council collected the waste twice a week. There are issues surrounding commercial waste being dumped like local pubs leaving their glass bottles. The problem is worse during the Christmas period. *(After the meeting, it was confirmed that the council no longer provide an emptying service at this site at the request of the store)*

Councillor C Wyatt-Lowe said this was also a problem at Tesco in Jarman Park. There is a space at the end of the banks that has just turned into a dump for household rubbish. It gives people the impression that the Council are failing in their duties but these sites are on private land.

Councillor Howard said on a positive note, the borough is looking much nicer and it is a joy to enter at the Maylands Gateway with the new bedding plants on the roundabout.

Councillor Anderson said he understood that the Head of Trees and Woodlands is to retire – will there be a replacement?

C Thorpe said he was due to retire in June and there are plans to find a replacement.

Councillor Anderson appealed to Hertfordshire County Council members to support the council's in its A41 litter clearance.

Councillor Riddick hoped there was some coordination between picking litter and cutting the grass or cutting the grass before picking the litter would mean the litter being shredded.

C Thorpe said it takes twice as long to pick the litter in long grass. There were a few weeks where the department could pick litter when Hertfordshire County Council did some lighting work on the central reservation.

Councillor Hicks asked why pubs are disposing of their glass in public recycle bins.

C Thorpe said the council do not provide a commercial glass collection. As glass is the heaviest commodity, they are charged more for collection.

### **Outcome**

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

The Meeting ended at 9.10 pm