

MINUTES

Dacorum Borough Council

Strategic Planning and Environment Wednesday 1ST November

Councillors: Cllr Pringle
Cllr Patterson
Cllr Santamaria
Cllr Gale
Cllr Anderson
Cllr Guest
Cllr A Williams
Cllr Timmis
Cllr Deacon
Cllr Capozzi
Cllr C Hobson (Chair)

Also in attendance:

Cllr Wilkie
Cllr England
Cllr Tindall
Cllr Bromham was present via MS Teams

Officers: (6)

James Doe – Strategic Director - Place
Philip Stanley – Head of Development Management
Emma Walker – Head of Environmental and Community Protection
Stefania Horne – Strategic Director Neighbourhood Operations
John Mooteealoo – Head of Environmental Services
Clare Dempsey – Financial Planning and Analysis Manager

The meeting began at 19:30

1 MINUTES AND ACTIONS

Cllr Gale referred to page 7 of the previous minutes and JDoe's response to Cllr Deacon. Cllr Gale clarified that JDoe was referring to open spaces in the local plan and that the network of open spaces lies behind the ethos of Hemel Garden Communities and that they are rolling out the tradition in the development area. Cllr Gale stated that whilst he did not expect minutes to be a verbatim record, he would like this particular comment to be put on the record as he found the comment to be of great comfort. LFowell asked Cllr Gale to email the requested wording.

ACTION: To email wording to be included on page 7 of the previous minutes regarding JDoe's response to Cllr Deacon. (Cllr Gale)

The minutes of the previous meeting were approved as an accurate record.

Cllr Timmis referred to the action regarding trees and the response from IRoss stating that any trees that pose an immediate danger will be dealt with appropriately, which Cllr Timmis suggested was not clear. Cllr Timmis also noted the comment that trees under Dacorum's management and tree emergencies should be called through to the Council, stating that this is no longer clear which trees are under whose responsibility. Cllr Timmis asked if there could be a commitment from Herts County Council ("HCC") that trees be dealt with as efficiently as being done locally.

SHorne confirmed that clarification on responsibility would be circulated to councillors. SHorne advised that the arrangement of the management of trees in Dacorum has changed with trees on highways now managed by HCC and other trees managed by Dacorum. Regarding communication, SHorne confirmed that regular meetings are held with HCC, and she confirmed that there is a priority list for at-risk trees to be inspected.

Cllr Timmis suggested that it is currently not clear who to call when a tree comes down. SHorne advised that Customer Services have been provided with contact details to help any residents who call with issues so they can be redirected to the right department. SHorne confirmed that the process is being monitored.

Cllr Pringle reiterated the concerns around communication and she noted that a particular tree of concern has now been felled. Cllr Pringle advised that she has been trying to have this tree addressed for a number of years and she asked for a way for residents to report issues as well as reassurance that the report is being taken seriously to avoid residents continually reporting the same tree.

The Chair suggested that questions on trees should go direct to SHorne and confirmed that SHorne would provide further clarity on reporting as well as progress being made.

SHorne confirmed that tree prioritisation is being reviewed along with the work programme to make it more effective.

Cllr Pringle commented that it would be helpful to be able to look up tree reports and for it to have a prioritisation rating, as well as the opportunity to add more information.

ACTION: To provide exact definition of highways trees to councillors. (SHorne)

Cllr Patterson requested that updates be put alongside all actions.

2 APOLOGIES FOR ABSENCE

Apologies were received from Cllrs Riddick, Wyatt-Lowe and SHobson with Cllrs Williams, Guest and Capozzi attending as their substitutes.

It was noted that no apologies were received from Cllrs Mitchell and Birnie

3 DECLARATIONS OF INTEREST

None

4 PUBLIC PARTICIPATION

The Chair noted that Cllr Bromham, portfolio holder for Neighbourhoods, was dialing in to the meeting remotely.

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

None

6 Q2 QUARTERLY BUDGET MONITORING REPORT

It was noted that the Q2 financial position is forecasting a surplus of £535,000 for the general fund, a reduction of £231,000 from Q1. Strategic planning services is reporting a pressure of £984,000 for Q2, a reduction of £55,000 from Q1. For Neighbourhood Operations, there has been an additional £109,000 pressure on interim management costs since Q1 and £150,000 on tree works, which were

offset by increased income from garden waste of £58,000 and recycling income of £134,000. Place has movements of interim management costs of £254,000 and a reduction in pressure on planning and income and land charges of £125,000.

A question was raised in reference to the comment that some of the works on trees that was the responsibility of HCC remains unfinished, which adds a pressure to the Council, and the councillor asked if HCC are now responsible for these trees.

SHorne explained that HCC are responsible and that Dacorum are finishing some work, which puts additional pressure on the budget.

A councillor noted the reference to 'the next play area' on page 18 of the report and it was asked where this will be. It was noted that around 8 play areas in the borough have been identified for improvements and refurbishments and that the comment therefore refers to the next play area on this list.

ACTION: To confirm the next play area identified for improvement or refurbishment as referred to on page 18 of the report.

Cllr Guest referred to paragraph 4.1 in the report regarding neighbourhood operations and the funding from HCC and the alternative model with the final payment having been received. Cllr Guest asked what has been put in place to mitigate this for the next financial year.

It was stated that part of the mitigation has been phasing out funding from the budgets over recent years and was not included in this year's budget.

Cllr Capozzi referred to table 2 on page 16 of the report regarding the general fund position for Strategic Planning and Environment. Cllr Capozzi asked, if they continue on the current trajectory, whether they will end up around £1m overspend on the allocated budget and noted that the report does not include any information on how this may be brought back in.

It was confirmed that this is being reviewed with all heads of service and budget holders for any mitigating actions, though there is currently no mitigation in place. The Chair requested that some additional commentary be added to the report from heads of services.

ACTION: To add additional commentary regarding potential overspend of around £1m.

A councillor asked how much of the overspend is related to inflation and whether pressures on the budget are purely related to this.

It was noted that planning income was a considerable pressure this year and that cost of living has impacted the number of applications being received. Waste services has been another cost pressure and there has been a large project to transform this service. It was stated that whilst some pressures are due to changes in services and operations, others have been impacted by inflation.

7 Q2 Q2 NEIGHBOURHOOD SERVICES

SHorne took the report as read and highlighted the improvements made to a number of indicators compared to last year, including on fly-tipping removal and missed bin collections. SHorne also noted the amount of partnership work with schools and third sector organisations. It was also noted that the Regulatory Services team are now back on target following Covid for inspections and continue to perform well for investigations into fly-tipping and waste crime.

Cllr Guest referred to paragraph 2.4 of the report regarding the percentage of fly-tips collected within a set timescale of 7 days. Cllr Guest noted that she was contacted by a constituent this year to state that they had reported a fly-tip in Chaulden Lane two months ago and it is still there. Cllr Guest suggested that the 7-day target needs to be worked on. Cllr Guest next looked to paragraph 2.5 of the report on graffiti removal and asked if obscene or racist graffiti remains a priority.

SHorne stated that obscene or racist graffiti should still be a priority for removal and has a removal timescale of 24 hours. SHorne noted that a reference number is provided for all reports and that if a reference number is provided then any issues can be investigated.

Cllr Guest commented on partnership working under paragraph 3.4 of the report and the work with Butterfly Conservation. Cllr Guest asked if further work is being done with Butterfly Conservation on the chalk bank in Spring Fields. It was noted that work is ongoing with Butterfly Conservation on a number of spaces and that this can be checked.

The Chair noted that SHorne was not in post when the issue at Chaulden Lane was first reported and Cllr Guest confirmed that she would email SHorne separately to provide an update.

ACTION: To confirm with Committee if the Council is working with Butterfly Conservation on the chalk bank at Spring Fields.

ACTION: To provide an update on fly-tipping issue at Chaulden Lane to SHorne. (Cllr Guest)

Cllr Gale commented on page 22 of the report and noted the 12.1% percent increase in household recycling from the preceding year and the decrease in the reports of missed bins, and the councillor queried how this was achieved.

SHorne advised that the focus has been on how the waste service can perform more efficiently through systems and processes, so they should see continuous improvement. JMooteealoo added that there has been an upgrade in the Bartec system that is used for waste services. On garden waste, the wet summer has resulted in increased garden growth and other partners have seen a similar increase in garden waste.

Cllr Bromham noted the continuous progress made due to the optimisation of waste collection and the introduction of the Bartec system, which provides faster feedback on any issues. Cllr Bromham advised that the intention is to continue to improve systems.

Cllr Santamaria referred to the work to improve the River Gade and asked if a report or update could be provided from the Environment Agency on their proposal.

SHorne noted that the Environment Agency is currently looking at business planning and that once an update has been received, an update can be provided to the Committee, though the plan will not proceed until the budget has been approved. The Chair recommended that it be added to the work programme to invite a member from the Environment Agency to provide an update.

ACTION: To provide update from Environment Agency regarding proposal on River Gade. (SHorne)

ACTION: To add inviting a member from the Environment Agency to a future meeting to provide an update on River Gade. (LFowell)

Cllr Timmis commented on fly-tipping and asked if the 486 incidents is an increase or decrease. Cllr Timmis then looked to item 3.6 in the report and noted the comment that fines are increasing up to £50,000 and suggested that this would be more of a deterrent than current fines being applied. Cllr Timmis stated that she hoped CCTV could be used more in future to help catch fly-tippers.

EWalker advised that fines are issued by courts and that the Council does not have direct control over this. There are sentencing guidelines in place and the fly-tipping partnership group have been lobbying government to get these changed, though this has been unsuccessful to date. EWalker explained that there is now a new government Anti-Social Behaviour plan that has looked at fly-tipping FPNs and has increased the maximum that councils are now allowed to charge. EWalker noted that current fines for fly-tipping are £400 and that there is the option to increase this.

On the number of fly-tipping incidents, EWalker confirmed that this would be confirmed on whether it is an increase or decrease.

Regarding the use of CCTV, EWalker noted that this has been particularly successful in Watling ward, though one of the covert cameras was stolen in the last quarter. EWalker confirmed that more cameras have been purchased and that court permission has to be sought before they are installed, though they have always been granted permission. EWalker advised that they have been successful in their use of cameras with a number of prosecutions made and it was noted that Dacorum take more enforcement against fly-tippers than most other authorities within Hertfordshire. EWalker acknowledged that it is not possible to prosecute all fly-tippers and that cameras have limitations, particularly when fly-tipping is done by foot as it is more difficult to identify people.

ACTION: To confirm if the number of fly-tipping incidents have increased or decreased. (EWalker)

Cllr Timmis commented on the River Gade, River Bulbourne and River Ver, all of which have chalk streams, and asked if pressure would be put on the Environment Agency to look at these streams. Cllr Timmis noted that there have been reports regarding the River Ver that Thames Water have been allowing sewage overspill. The Chair suggested that this be raised when then Environment Agency attends a future meeting.

Cllr Timmis asked if it would be possible to extend the time that green bins are collected given how popular the service has been. JMooteealoo confirmed that he would look at the costs of extending the service.

ACTION: To provide update on cost impact of extending green bin collection service. (JMooteealoo)

Cllr England noted that there is an environmental campaign that states leaves are not litter and should not be cleared away. Cllr Timmis suggested that this be discussed further outside of the meeting.

A comment was raised on enforcement and it was noted that Dacorum has issued almost a quarter of all recording local authority FPNs in Hertfordshire. It was asked if more FPNs are issued due to there being more fly-tipping incidents in Dacorum. EWalker confirmed that this is due to the team being more successful at identifying culprits compared to other authorities due to investing in CCTV cameras.

The Chair noted that small groups of councillors are invited to shadow investigative work regarding fly-tipping.

Cllr Pringle asked if compensation applications and confiscation of vehicles has been explored. EWalker confirmed that vehicles have been confiscated in the past and that compensation costs for legal and clearing expenses are claimed for all cases. EWalker noted that this is reinvested back into CCTV, though a number of cameras have been stolen over recent years.

Cllr Williams noted that he has reported around 10 fly-tipping incidents this month and, with the exception of the 2 reported yesterday, all were cleared within 7 days. Cllr Williams thanked the team for their efficiency.

Cllr Williams referred back to recycling rates and remarked on the figure of 45% quoted for last year, noting that they have been consistently above 50% in recent years. Cllr Williams asked if councillors could be sent the quarterly figures for the last 3 years as a comparison.

ACTION: To provide quarterly figures for recycling rates over the past 3 years.

8 Q2 PLANNING, DEVELOPMENT AND REGENERATION PERFORMANCE REPORT

PStanley provided the update, noting the generally positive performance for planning applications and completing applications in time. The service has faced pressures in terms of vacancies and two new planning officers have been recruited with a lead planning officer starting in January. The reported KPI remains a poor figure with a further reduction down to 49%, though the additional enforcement officer only started at the beginning of October and a second agency enforcement officer will be starting in the coming weeks. In October, 66 cases were closed, compared to an average of around 30 in the previous 3 months. It was noted that cases that were previously in abeyance will now be looked at, which will effect the first site visit time and it is therefore anticipated that the first site visit time will increase in Q4. The live case load figure has now reduced down to 400 and the team continue to focus on the service of notices and a further 7 notices were served in the quarter with 12 ongoing enforcement appeals.

Cllr Guest referred to paragraph 1.7 on enforcement site visits and noted the focus on the most harmful breaches. Cllr Guest asked if the same will be said to the Development and Management Committee. PStanley advised that the report to the Development and Management Committee focuses on enforcement cases where formal action has been taken and doesn't provide an overarching figure of cases. Cases causing most harm will be reported and the next enforcement update will be given in January.

Cllr Guest next looked to paragraph 1.11 on retail properties, noting that no data is available for the period due to the reliance on external parties. Cllr Guest asked if figures are available for properties owned by the Council. JDoe advised that there has been an issue with some footfall counters and this is why there is no information available and that the Council doesn't do footfall counts for the local centres. The Council has data on occupancy and he would look into the issue on footfall counters.

Cllr Guest referred to the number of vacant retail properties and asked if this figure is available. JDoe confirmed that they will have direct information on any vacancies in district centres around Hemel Hempstead and that this information can be obtained.

ACTION: To provide update on issues with footfall counters. (JDoe)

ACTION: To provide update on number of vacant retail properties. (JDoe)

Cllr Walker commented that it would be helpful to list the expected rent of vacant properties. JDoe advised that whilst the issue of vacancy and activity is a matter for the Committee, the income is a matter for the Finance and Resources Committee.

Cllr Timmis referred to planning enforcement and noted the recruitment of further planning enforcement resource. Cllr Timmis asked how long the new roles are recruited for and whether they would be long-term roles. PStanley explained that the received reserves funding for the roles has provided 16 months' worth of agency resource and that they have currently been appointed on a 6-month basis, with the intention that the highest performing recruit will then be extended to 10 months.

Cllr Timmis suggested that funding for a permanent position is required. The Chair commented that there should be a strong steer from the Committee on having this role included in the budget and that this should be a priority.

PStanley advised that the intention is for the existing team to be able to handle a sustainable caseload and that they need to assess if a team of 3 can deal with 300 cases. PStanley advised that they currently require the additional resources to get the team to this sustainable point.

Cllr Timmis noted the number of cases closed and asked if these cases were enforced or have been dropped. PStanley explained that closed cases mean the file is no longer open and that this can be due to there being no planning breach, that a breach was regularised, that an enforcement notice was complied with or that there was a breach and no action was taken due to the minor size or scale of the breach.

9 WORK PROGRAMME

The Chair noted the Work Programme and confirmed that they would add a visit from the Environment Agency, as discussed.

It was asked what is hoped from Affinity Water on 10 January. The Chair confirmed that they will be asked about sewage into rivers and also dealing with sewage company works of planning. It was noted that Thames Water deliver sewage and it was agreed that Thames Water would also be invited.

ACTION: To invite Thames Water to meeting on 10 January.

Cllr Timmis commented on Luton Airport, noting that the first planning application that went to the Secretary of State has been allowed, meaning that Luton Airport can now expand to 19m passengers per year. This was granted on the basis of the economy and jobs that it will bring to Luton. Cllr Timmis stated that the application with the Secretary of State is for a much larger expansion and includes a second terminal and 32m passengers by 2034. Cllr Timmis noted that a number of councils have met regarding the 32m and that a written objection has been submitted to date. JDoe advised that Dacorum officers are attending the sessions and supporting the advocacy that has been put forward on behalf of the local authority objectors.

JDoe provided a further update on Luton Airport, noting that the first appeal was a longstanding issue regarding a varying condition of the original expansion. JDoe referred to the Council's ongoing input, noting that the examining authority continues to ask attendees of the examination various questions and these are being responded to. The next phases of the examination will move to traffic control support issues, environmental matters and green control growth, and a verbal update will be provided at each Committee meeting.

10 AOB

JDoe provided an update on the local plan, noting that the consultation commenced at midday on 30 October and is available online with support packs being sent out to parish councils. JDoe advised that members should have been provided with a communications pack for their own social media accounts to help encourage engagement. JDoe advised that 43 responses have been received so far and further updates will be provided to the Committee.

Cllr Santamaria asked what a good number of responses to the local plan would look like. JDoe advised that this is difficult to respond to as a high number of responses can indicate good reach or that residents are against the plan. JDoe noted that several thousand responses were received in 2020 and that it is hoped they can improve on this.

Cllr Guest remarked on any other business being included as an agenda item and if a member of the public could complain about not being notified of an item being discussed. The Chair suggested that the local plan be included as a standing AOB item. It was confirmed that this would be checked with MBrookes and an update would be provided.

ACTION: To check if AOB item should be included on the agenda. (LFowell)