

Environment Overview and Scrutiny Committee  
4 July 2016

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE held on Monday, 4th July, 2016 at 7.30 pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE

PRESENT: Councillors S Johnston (Chairman)  
J Cragg (Vice-Chairman)  
  
H Beckett, H Beckett, J Broach, K Holman, H Quenet,  
L Sparks, M Spinks, N Taylor, J Weston, G Clark and  
P Wren

ALSO PRESENT: Councillors Helen Bromley (Executive Member – Environment)  
Malcolm Cowan

CO-OPTED MEMBERS: G Clark (Tenants Panel Representative)  
P Wren (Tenants Panel Representative)

OFFICIALS PRESENT: Director – Finance and Operations (Pam Kettle)  
Head of Environment (Durk Reyner)  
Head of Public Health and Protection (Nick Long)  
Environmental Health Technical Officer (Terry Vincent) (for minutes 1-5)  
Senior Performance and Strategy Officer (Grace Crawford)  
Hackney Carriage Officer (James Vaughan)(for minutes 1-6)  
Parking and Cemetery Services Manager (Vikki Hatfield) (for minutes 1-11)  
Cemetery Services Team Leader (Rachael Walsh)  
Governance Services Officer (Marie Lowe)  
John O'Connor (Matt O'Connor)

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1. APPOINTMENT OF CHAIRMAN AND VICE CHAIRMAN

It was noted that the meeting of the Annual Council Councillors S.Johnson and J.Cragg were appointed as Chairman and Vice-Chairman of the Committee respectively for the 2016/17 Municipal year.

2. MINUTES

The minutes of the meeting of 4 April 2016 were agreed as a correct record and signed by the Chairman.

3. ACTIONS UPDATE

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An updated version of the report of the Director (Governance) had been circulated. The report identified actions agreed at previous meetings of the Committee and their current status.

In response to concerns raised by Members regarding the smells which continued to be omitted from the Energy Centre at the University, the Head of Public Health and Protection advised that the Council continued to work with the Centre and undertook to take this feedback to the Officers working on this and to ensure a site visit was carried out to ascertain the situation. (Action: Head of Public Health and Protection).

RESOLVED:

That the status of actions which were identified at the meeting of the Committee on 4 April 2016 be noted.

4. DECLARATIONS OF INTERESTS BY MEMBERS

Councillor M Cowan and Councillor S Johnston each declared non pecuniary interests in respect of items on the agenda as appropriate by virtue of being a member of Hertfordshire County Council.

5. HERTFORDSHIRE COUNTY COUNCIL AIR QUALITY ALERT SCHEME

The report of the Director (Governance) asked Members to consider whether Welwyn Hatfield Council should join the proposed Hertfordshire air quality alert scheme. Hertfordshire County Council is offering this service for free to members of the Hertfordshire and Bedfordshire air quality group, of which this Council is a member.

Currently members of the public were relied on to visit the group's website of their own accord to find out local pollution levels. This alert scheme would allow the Council to make contact with members of the public through various social media channels so they could be proactively informed of the air quality in their area.

RESOLVED:

- (1) That the report detailing the Hertfordshire air quality alert scheme be noted.
- (2) That a recommendation be made to Cabinet for the Council to join the Hertfordshire County Council's air quality alert scheme.

6. REVISED APPLICATION PACK AND HANDBOOK FOR HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS

The council is responsible for licensing the drivers of hackney carriages (taxis) and private hire vehicles (minicabs) within the borough. As part of this, the

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Council provides information to drivers and potential drivers through a “Driver Handbook and Application Pack”. Members had previously agreed that the “driver handbook” should be updated and a consultation exercise on the revised content had taken place. The report of the Director (Governance) asked Members to consider the results of that consultation process and to refer the revised handbook to Cabinet for consideration and on to Full Council for adoption.

In response to questions from Members, Officers advised that due to legislation only certain sections of the text contained within the handbook could be consulted upon. As much of the wording as possible had been brought up to date however the majority was governed by bylaws and could only be changed a long drawn out process involving the Secretary of State. Nor was the Council did not have the powers to change other processes. It was noted that the term ‘County Police Station’ would be amended to Police Station.

RESOLVED:

- (1) That the results of the consultation process contained in the report be note
- (2) That the results of the consultation exercise (appendices A and B) and the revised Driver Application Pack and Handbook (appendix C) be referred to Cabinet for consideration and then onwards to Full Council for adoption.

7. ENVIRONMENTAL ENFORCEMENT

The report of the Director (Finance & Operations) recommended that the Council’s Environmental Enforcement Strategy, which was first introduced in March 2007, be used to implement the regulations to enable the issuance of “Fixed Penalty Notices” (FPNs) and to pursue misdemeanours in court.

During discussion the following points were raised and addressed:-

- The turnaround time for larger building waste fly tipping incidents was usually longer than five working days due to the complexity of the collection arrangements for example removing asbestos and the need for specialist lifting equipment or disposal arrangements.. The scope for reducing the time taken to remove such loads was limited but continually strived for.
- A balance was aimed for between clearing the site, ideally by the next day and not doing so that it became convenient for fly tippers to use the position as a regular dumping ground. On occasion the materials were left in situ to allow Officers to gather evidence regarding a potential criminal prosecution. In order to gather the evidence Officers would literally rummage through the rubbish left at the site.
- Fly tipping additional service, a new service, would be monitored by the Environment Overview and Scrutiny Committee.

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- The FPN was set at £300 as Officers had considered this amount to be a balance between one that would deter offenders of small scale fly tipping but not so high that people would resist paying the fine and prefer to go to Court.
- The FPN was considered to be a tool to be used so that people recognised it was wrong to fly tip and to take responsibility for their actions and rubbish.
- The cost of clearing a fly tip was covered within the contract with the contractor, Serco. It was more about public perception; the unsightliness and impact of the rubbish on the borough. There were also resources implications as when the contractors were removing a fly tips they may have to divert some resources from their other duties such as litter picking.
- A consistent approach to the application of the FPNs was considered to be a fair and equitable. Guidance on the type of rubbish and quantity would be given once evidence had been collected and comparisons with previous cases made. For example a few refuse sacks would be at one level whilst large scale fly tipping in country lanes may require the need to go to court.
- A clear message needed to be sent to offenders that fly tipping was unacceptable and the Committee would welcome more FPNs being issued and prosecutions being pursued.
- The Environment Overview and Scrutiny Committee congratulated the Environment Team on the successful prosecution of a fly tipper and thanked the Team for their work in tackling fly tipping in the Borough.

RESOLVED:

- (1) That the Environment Overview and Scrutiny Committee recommend to Council the addition of a "FPN" for fly tipping offences to the current offences for which "FPNs" are issued. The "FPN" would be issued after investigation(s) to individual(s) who the investigating officer(s) concluded were not regularly fly tipping offender(s) or were part of criminal activity.
- (2) That the Environment Overview and Scrutiny Committee recommend to Council the level of penalty to be set at £300 or a reduced penalty of £180 if the "FPN" is paid within 10 days.
- (3) That the Environment Overview and Scrutiny Committee recommend to Council "FPN" to be issued by current authorised officers (Community and Environment Officers and Street Wardens).

8. PERFORMANCE INDICATOR REPORT

The report of the Director (Finance and Operations) and accompanying presentation provided the Committee with the performance indicator data collected for those services which fell within its remit. It provided Quarter 4 and Annual data for 2015-16, along with comparative information.

Taken together, the report and presentation enabled the Committee to identify which of the Council's services were improving, not improving or remaining the same in their key

performance areas. Service comments are also included to explain the performance shown, along with any further action needed.

- **Generally**
- The use of numbers was preferred over that of percentages.
- **Performance Indicator 16 – Percentage of household waste collected and sent for reuse, recycling and composting**
- A seasonal adjustment to the quarter 4 target should be made as it was known that the seasonal composting tonnage was consistently lower in the winter quarter.
- **Performance Indicator 17 – Cleaner local streets survey rating based on amount of litter and detritus**
- Noted that this was an old indicator for which the Government set the standards. Photographs were used to assess how much litter was scattered on randomly selected roads.
- **Performance Indicator 18 – Percentage of residents either ‘satisfied’ or ‘very satisfied’ with street cleansing**
- It was noted that 400 different people had been surveyed over 41 consecutive periods using an identical method which gave a consistent indications to the respondents’ satisfaction.
- To a large extent it was the public’s perception which affected whether the target was reached with regards to this particular performance indicator.
- **Performance Indicator 19 – percentage of residents either ‘satisfied’ or ‘very satisfied’ with local recycling and waste collection services.**
- The Council should aim higher than the set target.
- **Performance Indicator 20 – number of ‘missed bins’ per 100,000 collections in the Borough**

Members queried the different figures shown in the bar chart for this Performance Indicator in the report and the bar chart shown at Agenda Item 12 – Performance Indicator Report and Agenda Item 13 - Environment Services 4<sup>th</sup> Quarter and Annual Performance 2015/16 at Figure 4.

The Head of Environment confirmed that the dark blue segment of the second bar chart shown in Item 13 - Environment Services 4<sup>th</sup> Quarter and Annual Performance 2015/16, the Head of Environment confirmed that the figures should read 618 missed bins per 100,000 against a target of 690/100,000.

A Hatfield Member reported that he considered the level of noise emitted from an extended event hosted by the University in Hatfield which had been in close proximity to a residential area. The Head of Public Health and Protection undertook

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to obtain the details from the Councillor and to follow up on the noise emissions and licensing conditions for the event.

RESOLVED:

(1) That the performance indicator data collected and reported be noted.

(2) That the feedback from Members be provided to the service teams on the trends shown in the performance indicators.

9. ENVIRONMENT SERVICES 4TH QUARTER AND ANNUAL PERFORMANCE 2015/16

The report of the Director (Finance and Operations) combined Environment Services information and Serco's customer satisfaction performance for Q4. It also provided an overall annual summary of performance. Some of the survey was below target. However, changes since the survey carried out in Q4 have been introduced, which should be reflected positively in quarter 1, 2016-17 customer satisfaction survey.

RESOLVED:

That the report of the Director (Finance and Operations) combined Environment Services information and Serco's customer satisfaction performance for quarter 4 be noted.

10. STREET WARDEN ANNUAL PERFORMANCE AND SERVICE REVIEW

The report of the Director (Finance and Operations) provided an annual summary of the Street Warden service and associated activities in 2015/16.

Members welcomed the Street Wardens service which provided a reassuring presence, promoted community safety, discouraged anti-social behaviour and improved the street environment. It was noted that since November 2013, the Street Wardens had been responsible for dealing with contained stray dogs.

RESOLVED:

That the Committee acknowledged what a good service the Wardens were providing.

That the annual summary of the Street Warden service and associated activities in 2015/16 be noted.

11. CP PLUS PERFORMANCE RESULTS OCTOBER 2015 - MARCH 2016

The report of the Director (Finance and Operations) detailed the performance of CP Plus for October 2015 – March 2016, against the agreed Key Performance Indicators (KPIs) within the contract.

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RESOLVED:

That the Committee the report which provided a record of the CP Plus results October 2015 – March 2016 against the new contractual key performance indicators be noted.

12. JOHN O'CONNER GM ANNUAL PERFORMANCE REPORT

The report of the Director (Finance and Operations) provided details of John O'Conner GM and Welwyn Hatfield Council's Cemetery Services overall performance from the commencement of the contract period June 2015 – March 2016. A breakdown of the annual burial statistics from April 2015 – March 2016 was also included in the report.

RESOLVED:

That the John O'Conner GM performance for June 2015 – March 2016 and Welwyn Hatfield Council's Cemetery Services overall performance from the commencement of the contract period with regards the cemetery contract be noted.

That the Committee thanked O'Connors for the good service they were providing.

13. CONSIDERATION OF ITEMS FOR SCRUTINY

Councillor H Quenet proposed that the trees in the Borough be scrutinised which would concentrate on those trees near to houses and residential properties to ensure that the trees and their growth were not obstructing everyday life was agreed by the Committee.

A scrutiny Sub-Committee would be appointed to carry out the specific piece of scrutiny work on trees in the Borough as per the Constitution under paragraph 6.3 of the Procedure for the Operation of the Overview and Scrutiny Function and report its findings to the Cabinet.

14. LENGTH OF DRIVER LICENCES

The Chairman accepted this report as an item of urgent business for the reason that there would be no delay in the preparation of the policy document to the full Council.

The report of the Director (Governance) asked the Committee's approval to bring in a policy that decisions relating to the length of a hackney carriage/private hire drivers licence would not ordinarily be taken by individual officers acting under delegated authority.

RESOLVED:

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- (1) That the Committee agree to recommend to Full Council that where an applicant makes a case for a licence to be issued for less than the normal three year period the matter of “appropriateness in the circumstances of the case” should ordinarily be decided by the Hackney Carriage Committee; and
- (2) That Officers prepare a policy document covering potential circumstances where this discretion may be considered appropriate.

Meeting ended at 9.05 pm  
ML