

Environment Overview and Scrutiny Committee
10 June 2019

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE held on Monday 10 June 2019 at 7.30 pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE.

PRESENT: Councillors S.Wrenn (Chairman)
P.Smith (Vice-Chairman)

M.Birleson, E.Boulton, J.Broach, M.Cowan, J.Cragg,
T.Jackson-Mynott, C Juggins, F.Marsh and J.Weston

OFFICIALS PRESENT: Corporate Director (Public Protection, Planning and Governance)
(N.Long)
Head of Environment (D.Reyner)
Head of Public Health and Protection (J.Harding)
Senior Performance and Strategy Officer (G.Crawford)
Parking and Cemetery Services Manager (V.Hatfield)
Team Leader (Environmental Health and Licensing) (J.Hollingsworth)
Licensing Team Leader (K.Payne)
Governance Services Officer (H.Johnson)

1. APPOINTMENT OF CHAIRMAN AND VICE-CHAIRMAN

Councillor S.Wrenn was appointed Chairman of the Committee for the municipal year 2019-20 and Councillor P.Smith was appointed Vice-Chairman of the Committee, as previously agreed at Annual Council Meeting on 20 May 2019.

2. SUBSTITUTION OF MEMBERS

Councillor F.Marsh for Councillor P. Zukowskyj.

3. APOLOGY

An apology was received from Councillor P. Zukowskyj.

4. MINUTES

The minutes of the meeting on 12 March 2019 were approved as a correct record and signed by the Chairman.

5. ACTIONS UPDATE

The report of the Corporate Director (Public Protection, Planning and Governance) set out the status of actions from the meeting on 12 March 2019 and previous meetings.

A Member asked that with the action regarding Minute 48 be amended to include KFC, as well as MacDonalds.

RESOLVED:

That the Committee note the status of actions outlined in the report.

6. NOTIFICATION OF URGENT BUSINESS TO BE CONSIDERED UNDER ITEM 23

Councillor M.Cowan enquired as to why the Environment Day event held in Welwyn Garden City on 12 April 2019 was thinly attended and what would be done differently if it was to be run again.

The Chairman agreed for this to be discussed under Item 23 and deemed it as urgent in light of the upcoming debate on climate change at the Extra-Ordinary Meeting of the Council on 19 June 2019.

7. DECLARATIONS OF INTERESTS BY MEMBERS

Councillor M.Cowan declared a non-pecuniary interest in Item 16 by virtue of him being a Member of the Taxi Terms and Conditions Sub-Group in the last municipal year 2018-19.

8. PERFORMANCE INDICATORS QUARTER 4 AND ANNUAL REPORT

The report of the Corporate Director (Resources, Environment and Cultural Services) set out the performance data collected for those services that fell within its remit. It provided Quarter 4 and annual data for 2018-19, along with comparative information.

The presentation also showed the performance indicators that Directors, Heads of Service and Portfolio Holders had agreed for collection and reporting for the new financial year.

Taken together the report and the presentation enabled the Committee to identify which Council services were improving, not improving or remaining the same in their key performance areas. Service team comments were also included to explain the performance shown, along with any further action needed.

The Committee noted that most performance indicators were achieved except for key performance indicator 18, 58, 49 and 50.

Members discussed particular performance indicators of interest which included the following:

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PI 18 – The Percentage of Household waste collect and sent for reuse, recycling and composting.

Members were pleased that the rate had increased and that the target had been increased by 2% although felt it could still be higher. They were also pleased that additional collections would take place such as for food waste, small electrical items and textiles.

Officers clarified that there would be small kerbside caddy for foody collected from September 2020, and that small electrical items and textiles could be placed in a plastic bag next to a residents bin for collection.

PI 43 – The percentage of “Operation Reprise” callers provided with advice.

Members felt that the achievement of 100% was fantastic news.

PI 50 - The percentage of corporate emergency plans/documents that were reviewed and assessed as compliant.

Members enquired as to the 20% of plans that were outstanding and the Head of Public Health and Protection subsequently circulated the information following the meeting.

PI 51 – The average examination pass rates for candidates attending Council run food hygiene courses.

Members enquired as to why the target dropped from 10% last year.

The Head of Public Health and Protection advised the Committee that one of the reasons was that a high proportion of businesses were failing due to English not being their first language and subsequently circulated a more detailed explanation following the meeting.

Members asked the Chairman to ensure that all Committee Members received answers to their questions via email.

PI 7- Process all local licenses (including alcohol, premises, animal establishments) within the stated timescales.

Members were pleased with the 100% attainment for this indicator.

PI 22 – The percentage of reported/justified missed bins per quarter

Members asked whether the Committee could receive a report on the penalties under the new contract. Officers agreed to circulate information following the meeting on items the Council would be penalising for under the new contract. Since the request, the information was subsequently passed to the Streetscene Mobilisation Board for their review as part of the mobilisation of the new contracts.

PI 23 – Completion rate of all tree maintenance work within the planned programme.

Members were pleased with the figures which were at 100% and had exceeded their target, however concern was expressed about the incident where the wrong trees were felled and Officers agreed that the Landscape and Ecology Manager would circulate a response following the meeting. This was subsequently done via email by the Procurement Manager 25 June 2019.

PI 49 – The net number of additional homes provided in the borough

Members were keen to find out the number of official homes provided. The Corporate Director (Planning, Public Protection and Governance) advised the Committee that the Council's Local Plan was being voluntarily scrutinised and once it was adopted the target would be reviewed.

RESOLVED:

- (1) That the Committee noted the performance indicator data collected and reported.
- (2) That the Committee discuss and agree any feedback to be provided to the Council's service teams on the trends shown in these performance indicators.

9. PUBLIC HEALTH AND WELLBEING STRATEGY REVIEW

The report of the Corporate Director (Public Protection, Planning and Governance) provided Members with a brief update on the progress made since the report was presented in November 2018, which started the process to renew the Public Health and Wellbeing Strategy.

The purpose of the Public Health and Wellbeing Strategy was to provide an overarching evidence-based framework for the future planning and delivery of the wider determinants of health throughout the borough.

The Committee praised the report and noted that the Health and Well Being Summit was a success and there were several workshops which identified the priorities going forward into the strategy.

The Committee then asked questions on the report and the following points were raised by Members and clarified by Officers:

- Sheltered accommodation would be included in the strategy, and Whifield Close would be used as a model.
- Could Gosling Sports Centre be used as a hub or Woodhall Community Centre? The first phase was to set up a virtual hub and then to find

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multipurpose physical spaces in Welwyn Garden City or Hatfield, and this would be taken on board. The third phase would look at outlying areas in the borough.

- That it was an overarching strategy and already health and wellbeing implications were included as “implications” on all Officer reports.
- Further recommendations or ideas from Councillors could be discussed with the Officer outside of the meeting.
- That all stakeholders, including Councillors, would be included in the consultation.

Some Members felt that the proposed closure of Gosling Ski Slope and the reduced opening hours of the Gosling sports hall would inevitably impact on the borough’s health and wellbeing.

It was then moved by Councillor M. Cowan and seconded by Councillor T. Jackson-Mynott, that an additional objective be added to the Public Health and Wellbeing Strategy which would be:

“To take all possible action to oppose any reduction in sports and leisure provision, particularly at Gosling, the only significant indoor sport facility in Welwyn Garden City”.

The Corporate Director (Planning, Public Protection and Governance) advised the Committee that there was a Sports Strategy currently being produced in consultation with relevant stakeholders and added that the additional objective could be premature as the outcome of the strategy had yet to be completed.

It was then RESOLVED:

6 Voting For, 3 Against and 2 Abstained.

RESOLVED:

- (1) That the Committee to note the progress to date and approve the determined objectives required to complete the Public Health and Wellbeing Strategy.
- (2) That the Public Health and Wellbeing Strategy have a sixth objective: “To take all possible action to oppose any reduction in sports and leisure provisions, particularly at Gosling and the indoor sports facilities in Welwyn Garden City.”

10. ANIMAL ACTIVITIES LICENSING FEES

The report of the Corporate Director (Public Protection, Planning and Governance) updated Members regarding national changes to animal welfare licensing.

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The Statutory Instrument number 486 / 2018 entitled “The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018” was made on 16 April 2018 and came into force on 1 October 2018, and allows for full cost recovery when licensing certain animal activities.

The intention of the Instrument was to promote the welfare of animals, via a new licensing system, and would apply to persons selling animals as pets, providing for or arranging for the provision of boarding for cats or dogs, day care for dogs, hiring out horses, dog breeding and keeping or training animals for exhibition. The fees would be reviewed on a three year basis to ensure that any profits or deficits are adjusted accordingly.

A short discussion following where the following points were raised by Members and clarified by the Officer:

- The minimum requirement of animal welfare referred to in the report meant the basic legal requirements.
- The frequency of inspection was the same if it was deemed there was low or high risk as per the statutory requirements. However more inspections could be carried out if there was a high risk.

The type of animals covered by the law related to those in care such as boarding but also breeding, pet shops, hiring of horses and exhibiting of animals. The Act did not cover all of those animals protected under the animal welfare act.

RESOLVED:

That Members note the report and recommend that the fees and charges listed in Appendix A were sent to Cabinet for consideration for recommendation to Full Council so that the budget book could be adjusted accordingly.

11. LICENSING POLICY REVIEW

The report of the Corporate Director (Public Protection, Planning and Governance) informed Members that a review of the Council’s licensing policy was necessary under the Licensing Act 2003 which requires the Council to revise and consult upon our policy every five years. This report requests members consider and agree that the draft revised policy (shown in Appendix 1) is released for consultation.

RESOLVED:

- (1) That the Committee note the contents of the report and agree that the revised draft licensing policy (at Appendix 1) reflecting changes affecting the Act and the statutory section 182 guidance, be sent out for consultation.

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- (2) That the Committee agree that the results of the consultation be brought back to the Environment Overview and Scrutiny Committee for discussion and agreement for onward approval by Full Council.

12. CP PLUS PERFORMANCE RESULTS 2018-19

The report of the Corporate Director (Resources, Environment and Cultural Services) updated Members on CP Plus's performance for April 2018 – March 2019, measured against the agreed Key Performance Indicators (KPIs) within the contract.

CP Plus managed the Council's car parks and had successfully achieved all nine KPIs for the 12 month period.

Some Members were disappointed with the conditions of Sainsbury's car park in Welwyn Garden City. Officers agreed they would contact them to advise the issue had been raised by the Committee and this was subsequently done.

RESOLVED:

That the Committee note the contents of the CP Plus Performance Results 2018-19 Report.

13. JOHN O'CONNOR GM ANNUAL PERFORMANCE REPORT

The report of the Corporate Director (Resources, Environment and Cultural Services) provided Members with a record of John O'Connor GM performance for 2018-19. John O'Conner GM provided both the burial excavation and grounds maintenance activities at the Council's cemeteries on behalf of the Council, since June 2015 when the contract was awarded. A breakdown of the burial statistics for the period had been produced.

It was noted that John O'Connor had not met the target for locking the gate. Officers advised the committee that it had only been missed once due to staff sickness, however this mean that they had not met the KPI.

RESOLVED:

That the Committee note the content of the report, as a record of John O'Conner GM performance against the specification in the contract for April 2018 – March 2019.

14. ANNUAL REVIEW OF THE FOOD SAFETY SERVICE DELIVERY PLAN 2018/19

The report of the Corporate Director (Public Protection, Planning and Governance) set out (in appendix A) a review of performance against the food safety service plan of 2018/19.

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It was a requirement of the Food Standards Agency that each local authority draw up, document and implement a food safety service plan then approved by members.

A discussion followed and the following points were raised:

- Some Members were concerned that 182 written warnings had been sent to food establishments and that they ought to be “named and shamed”. Officers confirmed that all ratings were available on the Council website and residents were encouraged to look up the ratings. Officers confirmed that there was no legal requirement for businesses to display a Food Hygiene Rating sticker at their premises.
- Some Members were concerned that staff shortages had been highlighted in the report, and that in the instances of public health, it was paramount that this did not affect the service. The Corporate Director (Public Protection, Planning and Governance) confirmed that recruitment to Environmental Health Officers was difficult and that the matter was for the Corporate Management Team (CMT) to review the results of the Peer Review and carry out their findings. Officers said that Brexit would also have resource implications.

It was then moved by Councillor M.Cowan and seconded by Councillor F.Marsh that

“Members are concerned about the tightness of staffing and the potential risk to the public from not having a full complement of staff in the area and ask Cabinet to review the situation”

It was then put to the vote and

RESOLVED:

6 Voting For, 3 Voting Against and 2 Abstained.

Members then expressed their concern at the number of samples, taken by the Environmental team, that were unsatisfactory. Officers clarified that the samples could have been from surfaces and not just food.

The Chairman asked Officers to give a fuller account of what went into food inspections at the next Committee meeting.

RESOLVED:

That the Committee consider and note the content of the review.

15. REVIEW OF THE HACKNEY CARRIAGE TERMS AND CONDITIONS

The report of the Corporate Director (Public Protection, Planning and Governance) updated Members on the work being carried out in respect of the

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proposed changes to the Terms and Conditions applicable to the Council's licensed Hackney Carriage vehicles.

The Officer highlighted that:

- The draft Taxi Terms and Conditions had gone out to consultation and there had been two public meetings to help inform the new terms and conditions.
- Another working sub-group (made up of some Members of the Committee) would be set up in due course to finalise the Hackney Carriage Terms and Conditions and this was subsequently arranged following the meeting.
- The updated Terms and conditions would be brought back to the next Committee meeting

RESOLVED:

That the Committee note the report and proposals for the next stage in this process.

16. COMMITTEE OVERVIEW WORK PROGRAMME 2019-20

The pro-forma set out the Committee's overview work programme 2019/20 which had been updated since the last meeting to enable forward planning of items to be considered.

RESOLVED:

That the Committee approve the updated Environment Overview and Scrutiny Committee work programme 2019/20.

17. SUCH OTHER BUSINESS AS, IN THE OPINION OF THE CHAIRMAN, IS OF SUFFICIENT URGENCY TO WARRANT IMMEDIATE CONSIDERATION

Councillor M. Cowan was concerned about the low turnout at Environment Day held in Welwyn Garden City on 12 April 2019. He felt it was disappointing for voluntary and statutory groups and was a wasted opportunity. He enquired as to the future for the event to ensure that there was more interest but also more stalls.

The Corporate Director (Public Protection, Planning and Governance) had contacted the Community Partnership Team prior to the meeting and unfortunately those Officers concerned were unable to attend, however a response was given by the Community Partnership Manager.

The Committee noted that the sustainable art and craft stall did well and there was a good response from the public to the Affinity Water stand. The day in question was very windy and a few stalls could not make it at short notice.

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The Committee considered whether the event could be more educational in the future and perhaps run by an environment group such as Friends for the Earth or added to another event.

It was agreed that Members may wish to discuss it as part of the wider debate on climate change at the Extra-Ordinary Council Meeting on 19 June 2019.

Meeting ended at 9.30pm
HJ