

ENVIRONMENT SCRUTINY COMMITTEE

28 June 2016
5.30 - 7.20 pm

Present: Councillors Perry (Chair), Gawthrop (Vice-Chair), Bick, Gehring, Ratcliffe, Sargeant

Executive Councillor for Environment and Waste: Peter Roberts

Executive Councillor for Planning Policy and Transport: Kevin Blencowe

Officers:

Interim Strategic Director: Simon Payne

Principal Conservation and Design Officer: Christian Brady

Accountant (Services): Chris Humphries

Asset Manager, Streets and Open Spaces: Alistair Wilson

Team Manager, Environmental Services: Jo Dicks

Operations Manager – Community Engagement and Enforcement:
Wendy Young

Committee Manager: Toni Birkin

FOR THE INFORMATION OF THE COUNCIL

16/10/Env Apologies

No apologies were received.

16/11/Env Declarations of Interest

No interests were declared.

16/12/Env Minutes

The minutes of the meetings of the 15 March 2016 and 26 May 2016 were agreed and signed as a correct record.

16/13/Env Public Questions

There were no public questions.

16/14/Env 2015/16 Revenue and Capital Outturn, Carry Forwards and Significant Variances - Planning Policy and Transport Portfolio

Matter for Decision

The Officer's report presented a summary of the 2015/16 outturn position (actual income and expenditure) for services within the Planning Policy and Transport portfolio, compared to the final budget for the year. The position for revenue and capital was reported and variances from budgets highlighted, together with explanations. Requests to carry forward funding arising from certain budget underspends into 2016/17 and future years where relevant were identified.

Decision of Executive Councillor for Planning Policy and Transport

Resolved to request that the Executive Councillor for Finance and Resources, at the Strategy and Resources Scrutiny Committee on 4 July 2016, approves the following:

- i. Carry forward requests totalling £44.55k revenue funding from 2015/16 to 2016/17, as detailed in Appendix C of the Officer's report.
- ii. Carry forward requests of £5,377k capital resources from 2015/16 to 2016/17 to fund rephased net capital spending, as detailed in Appendix D of the Officer's report.

Reason for the Decision

As set out in the Officer's report.

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

The Committee received a report from the Principal Accountant (Services).

The Committee questioned the underspends noted in the report.

The Interim Strategic Director said the following in response to Members' questions:

- i. The Considerate Contractor scheme had attracted higher membership than anticipated with participants paying to be part of the scheme.
- ii. Taxi card take up rates were experiencing a year on year reduction in demand with users suggesting that they did not offer a high enough saving.

The Interim Strategic Director undertook to meet with Councillor Gehring outside the meeting to address his concerns that flood mitigation projects were being delayed causing concern to residents.

The Executive Councillor for Planning Policy and Transport, Councillor Blencowe stated that parking charges were part of a wider congestion strategy. However, these resulted in a significant variance. Further dialogue with the County Council was needed.

The Committee resolved by 4 votes to 0 to endorse the recommendation.

The Executive Councillor approved the recommendation.

Conflicts of Interest Declared by the Executive Councillor (and any Dispensations Granted)

No conflicts of interest were declared by the Executive Councillor.

16/15/Env Barrow Road - Request for Conservation Area Designation

Matter for Decision

Following resident's promotion of a conservation area at Barrow Road, the preparation of an appraisal (largely carried out by residents) and formal public consultation on a draft appraisal document during March 2016, the consultation response – overwhelmingly in support of a conservation area - is summarised in this report and the Executive Councillor recommended to designate a conservation area.

Decision of Executive Councillor for Planning Policy and Transport

- i. Approved the Barrow Road Conservation Area Appraisal document.
- ii. Authorised designation of a conservation area at Barrow Road delineated as set out in the Appraisal and Appendix 3 of the Officer's report.

Reason for the Decision

As set out in the Officer's report.

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

The Committee received a report from the Principal Conservation and Design Officer.

The Committee welcomed the report.

The Committee unanimously resolved to endorse the recommendations.

The Executive Councillor approved the recommendation.

Conflicts of Interest Declared by the Executive Councillor (and any Dispensations Granted)

No conflicts of interest were declared by the Executive Councillor.

16/16/Env 2015/16 Revenue and Capital Outturn, Carry Forwards and Significant Variances - Environment & Waste Portfolio**Matter for Decision**

The Officer's report presented a summary of the 2015/16 outturn position (actual income and expenditure) for services within the Environment and Waste portfolio, compared to the final budget for the year. The position for revenue and capital was reported and variances from budgets were highlighted, together with explanations. Requests to carry forward funding arising from certain budget underspends into 2016/17 were identified.

Decision of Executive Councillor for Environment and Waste.

Resolved to request that the Executive Councillor for Finance and Resources, at the Strategy and Resources Scrutiny Committee on 4 July 2016, approves the following:

- i. Carry forward requests of £418k capital resources from 2015/16 to 2016/17 to fund rephased net capital spending, as detailed in Appendix D of the Officer's report.

Reason for the Decision

As set out in the Officer's report.

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

The Committee received a report from the Principal Accountant (Services).

The Interim Strategic Director stated the following in response to Members' questions:

- i. The variance in the Food and Occupational Safety spend was explained as a short term issue relating to two vacant posts.
- ii. It was expected that the Shared Waste Service would result in long term savings. However, initial set up costs and delays in the project delivery had resulted in an overspen.
- iii. Street cleaning savings had been the result of increased efficiency.

The Committee resolved by 5 votes to 1 to endorse the recommendation.

The Executive Councillor approved the recommendation.

Conflicts of Interest Declared by the Executive Councillor (and any Dispensations Granted)

No conflicts of interest were declared by the Executive Councillor.

16/17/Env Shared Waste Service

Matter for Decision

The Single Shared Waste Service (SSWS) between Cambridge City Council and South Cambridgeshire DC (SCDC) was designed to facilitate financial savings, greater innovation, increased recycling performance and lower landfill. The report outlined performance and policy measures that would be taken in the current year to contribute to delivering on those objectives.

A further report would be brought for Members' decision in January 2017 relating to the commissioning of a harmonised vehicle fleet operating for both councils.

Decision of Executive Councillor for Environment and Waste

- i. Approved aggregation of recycling and waste performance with South Cambridgeshire DC for official reporting to the Government's national Waste Data Flow system.
- ii. Authorised improvements in the Council's policies to make recycling even easier for residents, and discourage landfill waste, as follows: -

- A. Permit residents to put out reasonable amounts of recyclates for collection next to the recycling bin if it is already full, and put in place arrangements and communicate with residents to allow implementation from 3 October 2016.
- B. Explore opportunities within existing budgets to assist residents in reducing landfill waste, and increasing recycling, particularly packaging, food/organics, textiles and real Christmas trees.
- C. Households of at least six people, or at least two children of nappy age, may qualify on application (and subject to ongoing qualification) for an additional residual waste bin of 140 litre capacity with a red lid. Existing 240 litre additional residual waste bins with red lids will be surveyed to establish continuing qualification and, if approved, be replaced with 140 litre bins in due course.
- D. Remove administration charges for additional residual waste bins on the basis that only households that qualify may receive an additional bin (at no charge).
- E. Remove the charges to residents for the replacement of damaged residual waste bins (black bins) thus ensuring there are no charges for damaged bins for recycling, green waste or residual services.
- F. Remove the need for residents to secure Police Incident Numbers (PINs) in relation to stolen bins, and remove the charges to residents for stolen residual waste bins (black bins).

Reason for the Decision

As set out in the Officer's report.

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

The Committee received a report from the Head of Waste Resources which was presented by the Interim Strategic Director.

The Committee made the following comments in response to the report:

- i. Suggested that merging the performance figures for recycling could mask poor performance of some areas.

- ii. Welcomed the direction of travel but expressed concerns that detailed city data would be missing.
- iii. Suggested that targeted approaches to recycling needed detailed data to produce results.
- iv. Expressed concerns about side waste in narrow city streets.
- v. Suggested that there was not enough information on how the side waste collection service worked in South Cambs.
- vi. Suggested that residents would need to be educated regarding the correct use of the side waste service.
- vii. Requested into detailed data collection rates so that the service could be data driven. The Interim Strategic Director undertook to look into this outside the meeting.

The Executive Councillor for Environment and Waste stated the following in response to Members' questions:

- i. The phase of route optimisation would produce savings.
- ii. Suggested that other factors impacted on differences in recycling rates between Cambridge and South Cambs residents. For example: South Cambs gardens were likely to be bigger resulting in higher rates of green waste. However, in environmental terms it was better if green waste was composed by householders themselves.

Councillor Bick suggested that additional wording be added to recommendation 2.2 A. regarding reviewing the side waste arrangements in a year's time.

The Executive Councillor stated that an additional recommendation was not advisable at this stage as this was a cross authority decision. Additional recommendations would cause delays. He further suggested that this could be delivered without it being part of the recommendations. However, he suggested that a two year timeframe would be more appropriate.

The Committee resolved by 4 votes to 0 to endorse the recommendation.

The Executive Councillor approved the recommendations.

Conflicts of Interest Declared by the Executive Councillor (and any Dispensations Granted)

No conflicts of interest were declared by the Executive Councillor.

16/18/Env Ombudsman Complaint: Licensing of a Riverside Mooring**Matter for Decision**

To note that the Local Government Ombudsman had upheld a complaint relating to the provision of temporary accommodation. The LGO found that the Council was not at fault in refusing to grant Mr Y a second sole residential license permitting him to use its riverside moorings after he separated from his partner. It was at fault through delay in considering his representations about the matter. But, he was able to continue living on the river during this period. So, he did not suffer significant injustice.

Decision of Executive Councillor for Environment and Waste

- i. Endorsed the actions taken by officers in response to the finding of the Local Government Ombudsman.

Reason for the Decision

As set out in the Officer's report.

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

The Committee received a report from the Asset Manager, Streets and Open Spaces.

The Asset Manager, Streets and Open Spaces stated the following in response to Members' questions:

- i. The incident investigated was infrequent. However, the relevant policy needed additional information for clarity.
- ii. A review of the moorings policy would be brought to committee later in the year.

The Committee unanimously resolved to endorse the recommendations.

The Executive Councillor approved the recommendation.

Conflicts of Interest Declared by the Executive Councillor (and any Dispensations Granted)

No conflicts of interest were declared by the Executive Councillor.

16/19/Env Use of Fixed Penalty Notices for Small-Scale Flytipping

Matter for Decision

To inform the Executive Councillor and Scrutiny Committee Members of the new powers for small scale fly tipping that had come into force under The Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016 (the Regulations), which amended section 33 of the Environmental Protection Act 1990.

To seek delegated authority to the Head of Environmental Services to introduce the new fixed penalties and to authorise the appropriate officers to issue fixed penalty notices (FPNs), under section 33ZA of the Environmental Protection Act 1990 (EPA), to persons whom the officer has reason to believe have committed a small scale fly tipping offence.

To seek authority to use the legal maximum FPN level of £400 for all small scale fly tipping offences and to give a discount of £240 (i.e. discounted fine value of £160) for early payment provided payment was made within 10 days of the date the FPN was issued.

Decision of Executive Councillor for Environment and Waste

- i. Delegated authority to the Head of Environmental Services to introduce the new fixed penalties for the enforcement of small scale fly tipping offences and to authorise appropriate officers to issue these FPNs in accordance with section 33ZA of the Environmental Protection Act 1990.
- ii. Approved the adoption of the legal maximum FPN level of £400 for all small scale fly tipping offences and to give discount for early payment of £240 (i.e. discounted fine value of £160) provided payment was made within 10 days of the date the FPN was issued.

Reason for the Decision

As set out in the Officer's report.

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

The Committee received a report from the Operations Manager – Community Engagement and Enforcement.

The Committee made the following comments in response to the report:

- i. Sought clarification regarding the use of the new powers to address domestic bins left on communal land.
- ii. Questioned how much discretion officers had when applying the new powers.

The Committee unanimously resolved to endorse the recommendations.

The Executive Councillor approved the recommendation.

Conflicts of Interest Declared by the Executive Councillor (and any Dispensations Granted)

No conflicts of interest were declared by the Executive Councillor.

16/20/Env Encouraging the Shift to Low Emission Taxis

Matter for Decision

There is a need to reduce polluting emissions to improve poor air quality in city locations dominated by emissions from buses, taxis and service vehicles. This must be achieved whilst maintaining sufficient levels of access and capacity for travel in the City, for the vehicles using those areas.

This can only be achieved by intervening to ensure uptake of low emission technologies within those vehicle fleets. Evidence to support intervention was brought before Environment Scrutiny Committee for consideration in March 2015 alongside a set of headline proposals for a more detailed Air Quality Action Plan.

The report sought to take forward one element of that plan relating to taxis. This followed a period of consultation, detailed planning and bid preparation for Central Government funds through the Office for Low Emission Vehicles (OLEV) to support these interventions.

Decision of Executive Councillor for Environment and Waste

- i. Approved consultation with the trade and stakeholders on changes to taxi licensing policy to incentivise uptake of low emission taxis.
- ii. Approved, in principle, revenue support to offset the reduction in income associated with the waiving of taxi licence fees for low emission taxis.

Reason for the Decision

As set out in the Officer's report.

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

The Committee received a report from the Team Manager, Environmental Services.

The Committee made the following comments in response to the report:

- i. Raised concerns that the government grant might not be delivered.
- ii. Suggested drivers might choose to register in South Cambs to avoid Cambridge standards.

The Team Manager, Environmental Services stated the following in response to Members' questions:

- i. The Cambridge application had won the first round of the bid process and had a strong case to offer at the next stage.
- ii. If the funding failed to materialise a smaller project could still be delivered.
- iii. Bid funding cannot be used to subsidise Licence Fees.
- iv. It was hoped that in the longer term Taxi Licensing policies across Cambridge and South Cambs could be harmonised. However, restriction could be considered if this failed.

The Committee unanimously resolved to endorse the recommendations.

The Executive Councillor approved the recommendation.

Conflicts of Interest Declared by the Executive Councillor (and any Dispensations Granted)

No conflicts of interest were declared by the Executive Councillor.

The meeting ended at 7.20 pm

CHAIR

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