

9 NOVEMBER 2017

NEW FOREST DISTRICT COUNCIL

ENVIRONMENT OVERVIEW AND SCRUTINY PANEL

Minutes of a meeting of the Environment Overview and Scrutiny Panel held in Committee Room 1, Appletree Court, Lyndhurst on Thursday, 9 November 2017

* Cllr W S Rippon-Swaine (Chairman)
Cllr Ms L C Ford (Vice-Chairman)

Councillors:

* P J Armstrong
* G R Blunden
* Mrs F Carpenter
* A T Glass

Councillors:

Mrs R Matcham
* J M Olliff-Cooper
D M S Poole
* Mrs B J Thorne

*Present

In attendance:

Councillors:

G C Beck
Mrs S M Bennison

Councillors:

E J Heron (Planning and
Transportation Portfolio Holder)
Mrs A J Hoare

Officers Attending:

Miss J Debnam, D Groom, D Hurd, S Jones, R Lane, Miss G O'Rourke, S Phillips, C Read and M Williams

Apologies:

Apologies for absence were received from Cllrs Ford, Matcham and Poole.

12 MINUTES

RESOLVED:

That the minutes of the meeting held 14 September 2017 and of the Special Joint Meeting with the Planning Development Control Committee held on 6 September 2017 be signed by the Chairman as correct records.

13 DECLARATIONS OF INTEREST

None were made by any member in connection with an agenda item.

14 PUBLIC PARTICIPATION

No issues were raised in the public participation period.

15 PUBLIC CONVENIENCES

Cllr Beck, Chairman of the Public Conveniences Task and Finish Group, presented the Group's conclusions following a review of the various council-run public conveniences, particularly to establish priorities for investment over the next 3 years. The Task and Finish Group had visited the sites where there were identified issues.

Cllr Beck was pleased to report that the refurbishments and replacements carried out recently had been successful and were well received by the local community. The conveniences at Barton Court Avenue, New Milton and Bath Road, Lymington had both been refurbished and converted to the modular system. The conveniences at New Milton Recreation Ground had been replaced with an attractive block, using the modular system, and including a new clock tower. The Task and Finish Group recommended the following priorities for the next 3 years:

1. Lymington Quay – replacement, on the current site, but to include showers for the use of people whose boats were berthed at the Quay. The Harbour Master was very keen to see the conveniences renovated and upgraded; and had committed to contribute up to £75,000 towards the cost of the showers. There was room for this enhancement on site. Although Lymington and Pennington Town Council had suggested that replacement of the conveniences should form part of their larger scheme for the redevelopment of the Quay, which was under consideration, the replacement of the conveniences was urgent and arrangements needed to be finalised by the end of the current financial year. The Quay was a tourist hub and the image that the conveniences generated was very important.
2. Sea Road, Milford on Sea – renovate existing building using the modular system. The building had an increasing number of issues, including poor access arrangements, that would be resolved by the renovation. The Parish Council had requested that the building should be replaced with a new one associated with their community centre, but the Task and Finish Group did not favour this option.
3. Barton Beach, Barton on Sea – replace current portacabin style building on a like-for-like basis. Replacement was necessary every 10 years or so, because of the effects of the climate on the sea front. The conveniences were well used and appreciated over the summer months. There were a number of factors that prevented the construction of a permanent building on this site.
4. Car Park, Bransgore – refurbish existing building into the modular system. The building had an increasing number of issues, including poor access arrangements, that would be resolved by the renovation. The Parish Council had expressed concern that provision was being reduced, but it was proposed to re-use and renovate the existing building.

The Task and Finish Group had also considered the future of 2 other blocks of conveniences:

1. New Street, Lymington, adjacent to the St Barbe's Museum. This block of conveniences was subject to disproportionate levels of vandalism, with the associated cost. The town had 3 other blocks of conveniences, including one on the other side of the High Street, behind M & S. It was adjacent to the St Barbe's museum, and many coffee shops and hotels in the area now had

conveniences. The promotion of a community toilet scheme could therefore be considered, allowing the closure of this block. Some members of the Panel were concerned that the level of usage on Saturdays, market day, would make the closure of this set of conveniences undesirable, particularly in view of the large number of older people who visited the market.

2. Eling Recreation Ground, Totton – these conveniences served the Recreation Ground which was operated by Totton and Eling Town Council. There was no logic in this Council continuing to run these conveniences, which were currently in a poor condition. They were however the subject of a 100 year lease from 1994. Consideration should therefore be given to surrendering the lease and returning the conveniences to the Town Council who would be able to operate them more effectively as part of the recreation ground.

Having debated the Task and Finish Group's findings, the Panel

RESOLVED:

That the Portfolio Holder be advised that:

- (i) The priorities for the replacement and refurbishment of public conveniences in the District over the next 3 years should be:
 1. Replacement of the block on Lymington Quay, in conjunction with the Harbour Master;
 2. Refurbishing the conveniences at Sea Road, Milford on Sea using the modular design;
 3. Replacement of the conveniences at Barton Beach, Barton on Sea on a like for like basis;
 4. Refurbishment of the conveniences in the car park, Bransgore using the modular design.
- (ii) That the possibility of closing the conveniences in New Street, Lymington should be explored; and
- (iii) That the possibility of returning the conveniences at Eling Recreation Ground to Totton and Eling Town Council should be explored.

16 PORTFOLIO HOLDERS' REPORTS

The Portfolio Holder was pleased to report that there was good progress in the preparation of the Local Plan, as explained in more detail in the briefing e-mail that had been sent to all Members of the Council.

17 ENFORCEMENT ACTIVITY (STREET SCENE)

The Panel was advised that there had been a review of enforcement activity so that a wider pool of officers was now able to take enforcement action over a number of areas of operation. In the past separate teams had provided cover for important functions for office hours only. Enforcement activity relating to abandoned dogs, fly-tipping/environmental crime; abandoned vehicles and car parking was now covered 24 hours a day for 7 days a week.

With respect to the dog warden service, the new arrangement had achieved savings on vet fees by providing weekend 'dog' cover by trained staff from within the team. Greater use was also being made of additional powers for education and enforcement, in particular using dog behaviour contracts/dog 'ASBO's'.

Environmental crimes such as fly tipping continued to be a problem across the District. In response there were now increased levels of education and enforcement in all areas, with trained staff already out on patrol being able to respond. It was hoped that this district-wide presence would improve urban and rural environments. The District Council was only responsible for clearing fly tipping on its own land and highway land. Other than that, the landowner was responsible. The Council did however work closely with the Forestry Commission on this issue. In addition, the Council had a role to play in the investigation of fly tips and had successfully undertaken prosecutions.

The system also allowed the more efficient identification and removal of abandoned vehicles.

The monitoring of the Council's car parks also continued to ensure that the current high level of compliance with charges was maintained.

The enforcement officers were also engaged in working with other agencies where there was a common interest. Two recent examples were Operation Robin in partnership with the DVLA and Police in which 27 untaxed vehicles on the streets of New Milton, Ringwood and Fordingbridge had been clamped and dealt with. In addition there had been 'Ring of Steel' in which vehicles had been stopped and searched in a multi-agency operation, with the Police and Environment Agency, targeting trade vehicles, in the Council's case looking for those operating without a waste carrier's licence.

Through changes to the management structure of the service a saving of £35,000 had been achieved for the current financial year.

18 CORPORATE TREE STRATEGY AND TREE RISK MANAGEMENT STRATEGY

The Panel reviewed the effectiveness of the Corporate Tree Strategy and Tree Risk Management Strategy which had been introduced in 2014. The strategies had prioritised the inspection of the Council's own tree stock on a risk assessment basis, focussing resources where they were most needed. The implementation of the strategies had been hampered in part by the long-term sickness of one officer, but a new appointment had recently been made to that post.

Members welcomed the improved efficiency of working, under these strategies, including with those town and parish councils that had service level agreements with this Council. The Council's senior officers were no longer being called in to respond to incidents, as there was clear guidance in the strategies; and the Council was in a much better position to defend claims, only having paid out for one insurance claim since 2014.

The quality of the work undertaken by the contractor was monitored jointly with officers of Test Valley Borough Council, which was the Council's local authority partner to achieve scale of operations. There was an established audit process, including the audit, on site, of a selected piece of work, without pre-warning. All aspects of the way in which the on-site work was being carried out were looked at. A complicated site was always chosen, and the results were shared between the

local authorities. Any identified issues were discussed with the contractor's head office. In addition, the Council's tree officers undertook general inspections of the quality of the work at about 10% of sites, looking at compliance with the agreed work specification, such as percentages of reduction and the angle of cuts.

The timber from works carried out to trees on Council land was processed by the contractor into wood pellets for biomass boilers. The income that the contractor received was used to offset the cost of the works to this Council. Benchmarking had established that this Council benefitted from the cheapest rates locally.

The current contract had been awarded, through a tender process, for a 5 year term, with the option to extend by 2 years.

In answer to questions members were advised that so far Ash die back had not had a big impact in the District and only 3 trees had been felled so far for suspected Ash die back disease. It appeared that, nationally, the disease was spreading less quickly than originally anticipated, although the reason for that was unclear.

It was noted that the new strategy included planting 2 trees for any tree that had to be removed. So far, between 120 and 150 trees had been planted as part of this replacement programme.

It was noted that a register of veteran trees was being maintained. It was agreed that a list of veteran trees in the District would be sent to members of the Panel.

19 LOCAL PLAN UPDATE

The Panel was updated on progress in producing the local plan documents ready for publication. Three areas of essential research were currently underway relating to strategic flood risk assessment; air quality; and water quality. Good progress was being made, with this Council working closely with the Environment Agency, Natural England and other organisations as necessary. This included work on a number of cross boundary issues that needed to be taken into account in the developing Plan.

There had been a number of informal, sector based, meetings with members in order to seek their views and work was continuing on this. Members were reminded of the importance of attending the scheduled informal meeting on Wednesday 6 December, which would be the final get together for members to discuss the developing proposals prior to their submission to the Cabinet.

It was anticipated that the Local Plan would be considered by the Cabinet and the Council towards the end of March leading to publication shortly afterwards. Members were reminded that it was important that they should raise any questions or concerns with the officers at this stage, so that their views could be taken into account.

The calculation of the housing requirements included in the plan was based on the currently applicable methodology. The Government was undertaking a consultation on a standardised national methodology for establishing housing need. The consultation responses being submitted to Government raised concerns about the validity of the statistical model under consideration, and no changes to the current methodology had, as yet been announced. At the moment it was expected that the next stage in that process would start in Spring 2018.

20 PLANNING FEES AND CHARGES

The Panel was advised of the conclusions of the Planning Fees Task and Finish Group, which had been evaluating whether the current fees for non-statutory services were correct, and also whether there was scope for the introduction of additional charges to raise income. In addition, the Group had reviewed the information currently provided on the Council's web page with respect to the pre-application enquiry process.

The Panel noted that, apart from inflationary increases on an intermittent basis, there had been no proper review of the various pre-application fees since they had been introduced in 2012. The original intention had been that this service should be offered on a cost recovery basis, but at the outset there had not been any data available on how long it took to process each type of application and provide the necessary advice.

In addition, it had been decided that certain categories of application would be charged at a subsidised rate because of concerns that important advice, for example about planning works to a listed building, would no longer be sought.

Experience over the last 7 years had established that the service was very well received by the users and that the charges did not appear to have discouraged enquiries for substantive advice. The charges had stopped the large number of casual enquiries over minor matters that the enquirer could easily have answered for themselves. The principle of charging for pre-application advice was now well established across many planning authorities.

The Task and Finish Group had also concluded that there was no benefit to be gained from subsidising certain application types, and that full cost recovery should be sought on those as well. The proposed scale of fees, to achieve full cost recovery, was attached as Appendix 1 to the report. Members considered that the proposed rates still represented good value for money and were significantly cheaper than commercial rates for equivalent advice.

The Panel noted that the Task and Finish Group had recommended improvements should be made to the web pages on pre-application advice in order to provide better clarity.

RESOLVED:

- (a) That the Planning and Transportation Portfolio Holder and Planning Development Control Committee be advised that this Panel supports the recommendations of the Planning Fees Task and Finish Group with respect to pre-application advice and that the revised and additional charges set out in Appendix 1 to report Item 9 should be introduced; and
- (b) That the web pages on pre-application advice be reviewed and enhanced in accordance with the Task and Finish Group's recommendations.

21 ENVIRONMENTAL AND REGULATION SERVICE

The Panel was advised of the new structure of the Environmental and Regulation Service. In addition to an office manager, there were 4 operational teams, Environmental Protection; Corporate Health and Safety; Food Safety; and Licensing, each headed by a Manager. There had been no reduction in the number of frontline staff, but middle management posts had been removed leading to significant savings. The new structure was also aligned towards meeting corporate priorities, with a more efficient service, with an improved profile.

All the posts had now been filled, with the recent recruitment of an Environmental Health Officer to replace one that had been promoted. The Licensing Enforcement Officer would be retiring shortly and would need to be replaced.

Members welcomed the changes and thanked all the staff for the flexible approach that they had taken, allowing the introduction of the new working arrangements.

22 WORK PROGRAMME**RESOLVED:**

- (a) That the work programme attached as Appendix 1 to these minutes be approved to guide the Panel's activities over the coming months.
- (b) That the membership of the Coastal Funding Task and Finish Group be refreshed to seek more active member involvement.

CHAIRMAN

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WORK PROGRAMME

ITEM	OBJECTIVE	METHOD	LEAD OFFICER
11 JANUARY 2018			
Project Integra Annual Update on Performance	To review performance	Presentation by Project Integra	Colin Read
Textile and WEEE Banks	Review of the potential operation of textile and Waste Electrical and Electronic Equipment collection points and the Council's recycling Bring Sites	Task and Finish Group	Colin Read
Coastal Funding	To evaluate the Government's new funding system for coast protection works and to look at options. Interim report	Task and Finish Group	Steve Cook.
Contaminated Land Strategy	To consider the Council's Strategy	Officer report	Jo McClay/Rachel Higinis

ITEMS THAT HAVE NOT YET BEEN TIMETABLED.

ITEM	OBJECTIVE	METHOD	LEAD OFFICER
Kerbside Glass Collection	To evaluate the text messaging alerts and promotion	Task and Finish Group	Colin Read

Council's waste Management Strategy	To review	Task and Finish Group	Colin Read
Fuel/Emission Efficient Vehicles	To review options for the Council's Fleet		Colin Read
Nuisance	To review the Council's policy on investigation and enforcement	Joint task and Finish group with the Community Panel	