

ENVIRONMENT SCRUTINY PANEL

25 January 2006

Attendance:

Councillors:

Pearson (Chairman) (P)

Busher (P)
de Peyer (P)
Higgins (P)
Jackson (P)
Mather (P)

Pearce (P)
Spender (P)
Sutton (P)
Verney (P)
Wright (P)

Others in attendance who addressed the meeting:

Councillor Beveridge (Portfolio Holder for Planning)
Councillor Wagner (Portfolio Holder for Environmental Health)

Others in attendance who did not address the meeting:

Councillors Beckett and Davies

1. **PUBLIC PARTICIPATION**

Councillor Jackson expressed her concern with regard to the cost of the Draft Biodiversity Action Plan document which had been recently published as a high quality consultation booklet. In response, Councillor Beveridge explained that the booklet had been written by the Hampshire Wildlife Trust and not the City Council.

2. **MINUTES**

RESOLVED:

That the minutes of the previous meeting of the Panel, held on 29 November 2005, be approved and adopted.

3. **ENVIRONMENTAL HEALTH PORTFOLIO HOLDER'S REPORT – THIRD QUARTER PERFORMANCE MONITORING**

(Report EN13 refers)

The Panel questioned the delay to the Air Quality Action Plan. Councillor Wagner explained that although some data had been lost, DEFRA had accepted the Air Quality Action Plan submitted by the Council, but had requested a further evaluation and prioritisation of the Plan. It was this work, conducted by DEFRA's consultants, which had caused the delay, although it was noted that their report was expected by the end of January 2006. Councillor Wagner added that the Council might seek compensation from the consultants for this delay.

During its consideration of the above Report, Members also asked questions on the impact of the Clean Neighbourhoods and Environment Act 2005, food inspections, the cost of waste collection, management overheads, and dog fouling penalties.

In response to questions, the Director of Communities explained that, despite making the payment of Environmental Health services available electronically, there had been limited take-up of this by customers.

The Panel also noted that, as part of the Animal Welfare Bill, the duties of the Dog Control Team would extend beyond the performance monitoring information set out in the Report. The Panel therefore requested that this should be included in future reports.

Following debate, the Director agreed to circulate to Members further information regarding LPI EH 05 (page 12 of the Report refers) on the different types of pollution to which the Council had responded.

At the conclusion of debate, Councillor Wagner reported that (with reference to Appendix 6) a number of Parish Councils had indicated a willingness to submit Town and Parish Emergency Plans.

RESOLVED:

That the Report be noted.

4. **PLANNING PORTFOLIO HOLDER'S REPORT – THIRD QUARTER PERFORMANCE MONITORING**
(Report EN11 refers)

Appendix 7 of the above item had not been notified for inclusion on the agenda within the statutory deadline. The Chairman agreed to accept the item onto the agenda, as a matter requiring urgent consideration, so as to consider all the areas within the Portfolio Holder's responsibility.

During his introduction of the Report, Councillor Beveridge explained some of the initiatives within the Planning Improvement Plan set out at Appendix 7. This included the creation of a team within Development Control that would concentrate on improving the speed of determinations on major planning applications.

The Panel also noted that the increases to the establishment recommended by the Planning Improvement Plan were unlikely to be implemented in full, because of budget constraints. With regard to 1.13 of the Planning Improvement Plan, the Director of Development agreed that the intention to narrow the focus of neighbour notifications would be widely publicised, including notification to Parish Councils.

As Chairman of the Planning Development Control Committee, Councillor Busher reported that the first meeting of a Viewing Sub-Committee which had delegated authority to determine the application had taken place. She would be discussing whether there were any possible improvements that could be made with the Portfolio Holder.

At the conclusion of debate, the Panel congratulated the Portfolio Holder and officers for their work on drafting and implementing to date, the Planning Improvement Plan.

Councillor Beveridge also highlighted to the Panel the excellent work that had been undertaken by the Conservation Team, who had achieved a 100% success rate on planning appeals over the last three years. However, the Panel noted that part of the budget overspend was due to costs of planning appeals. Councillor Beveridge confirmed that a future meeting of Cabinet would consider a report on this issue, but that at present, because of the difficulty of predicting the costs involved, appeals were funded from the General Fund Reserves.

Members discussed the IT problems faced by the Department (with regard to the CAPS system and the internet) and the Director confirmed that these had been identified and that officers were working with the suppliers to bring the matter to a satisfactory conclusion.

The Panel noted that, due to an IT fault, computer generated data was not available on the performance of the Planning Enforcement Team within the Report. However, Councillor Beveridge updated the Panel that, during the period January – December 2005, the Team had received 580 new complaints, had closed 587 complaints (which included a backlog) and that at the end of the period, there were 326 live cases.

The Panel went on to consider the funding of the Enforcement Team and noted that, whilst it was not possible to recover all of this through fines, the recent establishment increase had been funded by the Planning Delivery Grant. The Director added that in future, the Planning Delivery Grant might not be sufficient to sustain these additional Enforcement posts. Following debate, the Panel agreed to highlight this potential problem to Cabinet as a concern, especially in light of the Team's continuing workload and increased public expectation they were likely to face.

The Panel also considered the information contained within the Annual Housing Monitoring Report; agreed that the calculation of management overheads should be clearer within the quarterly monitoring Report; and mooted the potential for working with other local authorities in providing services such as Building Control and Planning Enforcement.

Whilst discussing the delays of Local Design and Village Design Statements, the Director stated that Parish Councils would shortly be sent a letter with the Proposed Modifications of the Local Plan, which would highlight how the changes to Policy H.3 could affect the Design Statements.

RESOLVED:

1. That the Report be noted.
2. That Cabinet's attention be drawn to the Panel's concern regarding the long-term funding of the Planning Enforcement Team.

5. **WASTE RECYCLING – RESULTS OF THE TRIAL AND FUTURE PROPOSALS**
(Report CAB1197 refers)

The Chairman explained that the Panel had been asked to consider whether the pilot waste recycling scheme had been properly evaluated and had demonstrated a significant improvement in recycling rates, without major adverse effects on the community. The other recommendations and the exempt appendix of the Report would be considered by Cabinet at its meeting on 7 February 2006.

In response to questions, the Director of Communities explained that the questionnaire had been drafted in consultation with the Council's Research Officer and that it was possible to analyse a cross tabulation of the results. The Panel noted that at 35%, the response rate was high for this type of survey and because of this the results, which indicted a high level of satisfaction, were robust.

During debate, some Members expressed concerns that the roll-out of the trial across the District might not be so well received in areas of terraced houses or houses of multi-occupation; in large households and in households with a differing demographic to that which was dominant in the trial area. In response to this and other concerns about flies and odour in the bins, it was explained that as part of the scheme's wider introduction, representatives of the Council would visit residents that required assistance to better recycle their waste. During this discussion, it was suggested that the financial benefits of recycling to the Council and ultimately the Council Taxpayer should be highlighted.

At the conclusion of debate, the majority of the Panel agreed with the recommendation as set out. In accordance with Council Procedure Rule 32.2 Councillor Mather requested that her abstention from the vote be recorded.

RESOLVED:

That it be agreed that the results from the pilot waste recycling scheme operated within Round 8 had been properly evaluated and had demonstrated that the methodology has resulted in significantly improved recycling levels without major adverse effects upon the community.

6. OPEN SPACE FUND
(Report EN14 refers)

The Chairman circulated to the Panel a revised version of the above Report, updated from the last meeting of the Informal Scrutiny Group dealing with this matter.

Members discussed what was, at this stage, the largely unknown effects of a proposed Planning Gain Tax on the collection and distribution of future Open Space contributions. However, the Panel agreed that if the new tax was introduced, the audit proposed in the Report could be extremely important as evidence for possible future bids for funding from this source.

In response to questions, the Director of Development clarified that Parish Councils were being asked to re-appraise their Open Space Schemes with a view to include only those schemes that could realistically be implemented within a reasonable period of time. This did not exclude the possibility that funding could be made available to Parish Councils for new Schemes that were not anticipated within the original plan.

RESOLVED:

That it be recommended to Cabinet:

1. That an audit as described in 'Assessing Needs and Opportunities: A companion guide to PPG17' be commenced in 2006/07 with funding from the Planning Delivery Grant. This would establish best value by assessing accessibility, quality, multi-functionality, primary purpose and quantity of recreation and sports facilities within the District.

2. That a parish by parish reappraisal of schemes planned within the framework of the Open Space Funding system be undertaken in 2006/07 to confirm that they can be implemented in a reasonable period of time.

3. That when preparing the new Local Development Framework, planning policies for open space, sport and recreation be framed so that planning obligations can properly be sought towards any requirements identified within the audit which fall within PPG 17 'Planning for Open Space, Sport and Recreation' and its companion guide.

4. That the policy of clustering be promoted with Parish Councils to ensure the best use of funds

5. That the attention of Cabinet and Parish Councils be drawn to the impact on the Open Space Funding system, and other planning obligations, which would arise from the Government's proposed 'Planning Gain Supplement'.

6. That the Open Space Strategy document be amended to ensure that it is consistent with all recent Government guidance and the Local Plan Review.

7. That officers ensure that the internal processes relating to Section 106 agreements/undertakings, open space fund receipts and allocations to projects are 'fit for purpose'.

8. That information about the Open Space Funding system is improved through the use of the Council's public access web-site.

7. **SCRUTINY WORK PROGRAMME**
(Report PS216 refers)

RESOLVED;

That the Scrutiny Work Programme, as set out on the reverse of the agenda, be noted.

The meeting commenced at 6.30pm and concluded at 10.25pm.

Chairman