

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the **Environment Overview & Scrutiny Committee**
held in Committee Room 1, Woodgreen, Witney at 2.00 pm on **Thursday 1 February 2018**

PRESENT

Councillors: A H K Postan (Vice-Chairman – in the Chair), R J M Bishop, A S Coles, J C Cooper, P J G Dorward, H B Eaglestone, P Emery, E J Fenton, A D Harvey, Miss G R Hill, H J Howard and Ms E P R Leffman.

Also in attendance:

Mrs C E Reynolds

48 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

Apologies for absence were received from D A Cotterill and Mrs E H N Fenton and the following temporary appointment was reported:-

J C Cooper attended for A M Graham.

49 MINUTES

RESOLVED: That the minutes of the meeting of the Committee held on 7 December 2017 be approved as a correct record and signed by the Chairman.

50 DECLARATIONS OF INTEREST

There were no declarations of interest from Members or Officers in matters to be considered at the meeting.

51 PARTICIPATION OF THE PUBLIC

There were no submissions from members of the public in accordance with the Council's Rules of Procedure.

52 COMMITTEE WORK PROGRAMME 2017/2018

The Committee received the report of the Head of Democratic Services, which gave an update on progress in relation to its Work Programme for 2017/2018.

52.1 Thames Water Flood Prevention and Infrastructure Issues

Mr Harvey made reference to press coverage suggesting that, as a result of the Environment Agency employing aerial drones for surveying work, some of their more recent flood maps were inaccurate as surface water had been incorrectly identified as flooding. As a result, house prices in parts of the Thames Valley were being blighted and insurance premiums increased. He questioned to what extent this was a problem in West Oxfordshire and suggested that the Council should compare the flood plans currently produced by the Environment Agency with those prepared by the Council in 2007 in order to identify any discrepancies.

Mr Postan noted that the Environment Agency was a statutory consultee for planning purposes and that there could be significant ramifications if the information they provided was incorrect.

The Head of Environment and Commercial Services informed Members that the Council advised the Environment Agency of the results of any surveys it undertook but there was often a delay in this information being used to update the flood maps.

Mr Harvey acknowledged that it was difficult to galvanise the Environment Agency into action and Mr Coles expressed concern that both the Environment Agency and Thames Water frequently failed to respond to planning consultations.

Mr Howard stated that internal communication within the Environment Agency was poor with those responsible for responding to planning consultations being unaware of conditions on the ground.

Officers advised that, where appropriate, the Council's own drainage engineers and those at the County Council were consulted on planning applications. The Head of Environment and Commercial Services advised that it would be a time consuming task to compare information held by the Council with the Environment Agency's flood maps to identify any discrepancies. In any event, whilst the flood maps may not have been updated, they formed the basis of the Environment Agency's response. Whilst the Council could ask the Environment Agency how its flood plans were updated, when dealing with planning applications it could do little other than to defer to their response as a statutory technical consultee.

In response to a further question from Mr Harvey the Head of Environment and Commercial Services confirmed that the schedule of maintenance work identified following the flooding in 2007 continued to be carried out. This work took place between September/October and January/February, with priority being given to areas in which there was a flood risk to property.

Mr Harvey made particular reference to the Madley Brook and the culvert adjacent to Woodford Way.

52.2 Implementation of Car Parking Strategy

Mr Cooper enquired as to progress on the implementation of the Council's Car Parking Strategy. In response, the Head of Environment and Commercial Services advised that the survey of on-street parking in Witney was progressing and the results would inform a public consultation process due to commence in a few weeks' time. She also reminded Members that the Cabinet had recently agreed to explore the feasibility of developing a decked car park on the existing Woolgate car park in partnership with USS to meet, in part, the future parking needs for Witney.

In response to a question from Mr Fenton, the Head of Environment and Commercial Services advised that the introduction of parking permits was one possible option that could be considered to address on-street parking. She explained that a permit scheme would not just be for residents but would also be available to businesses with premises in the relevant areas. Mr Fenton also stressed the importance of ensuring that sufficient long term parking was available in the town.

Mr Harvey enquired whether the proposals regarding parking in Corn Street put forward some six years previously had been considered as part of the current review. The Head of Environment and Commercial Services confirmed that these had been taken into account along with emerging issues. All available evidence would be considered together with more up to date information.

52.3 Low Carbon and Environmental Plan

Mr Fenton suggested that, when new signage was erected in the Woolgate car park, it should incorporate a request encouraging drivers to switch off their engines whilst waiting to collect passengers. Mr Coles suggested that this should apply to all Council car parks

and the Head of Environment and Commercial Services undertook to consider the suggestion further.

52.4 Release of Balloons and Sky Lanterns

Members noted that the Cabinet had agreed to introduce a policy not to approve requests to release helium balloons or sky lanterns on land in the ownership of the Council, or under its control, and that Officers had contacted all Town and Parish Councils in the District to advise them of this policy.

Mr Coles enquired whether any feedback had been received from local councils and was advised that none had been forthcoming to date.

It was **AGREED** that the item remain on the Committee Work Programme for the present.

RESOLVED: That progress with regard to the Committee's Work Programme for 2017/2018 be noted.

53 CABINET WORK PROGRAMME

The Committee received and considered the report of the Head of Democratic Services, which gave it the opportunity to comment on the Cabinet Work Programme published on 16 January 2018.

At the request of Members it was **AGREED** that the full Cabinet Work Programme be put before the Committee in future.

RESOLVED: That the Cabinet Work Programme published on 16 January 2018 be noted.

54 ADOPTION OF A REVISED WASTE AND RECYCLING POLICY

The Committee received and considered the report of the Head of Environment and Commercial Services regarding the adoption of an updated Waste and Recycling Policy and charges for certain waste related services.

Ms Leffman noted that there was some confusion as to what could be recycled, particularly in relation to composite packaging containing differing materials and enquired whether residents would be liable to charging if such 'contamination' was found within their recycling. The Head of Environment and Commercial Services advised that genuine errors of this nature would not be penalised but that the persistent inclusion of a high volume of non-recyclable material could result in a charge being levied. The objective was to discourage residents mixing excess residual waste with their recycling. Mr Harvey stressed that it was essential that staff were adequately trained to exercise discretion appropriately.

Mr Harvey noted that it was intended to discontinue the issue of 360 litre bins in the future and questioned whether those already in use would continue to be emptied. The Head of Environment and Commercial Services confirmed that existing users would still have their large bins emptied but that they would be replaced by 240 litre bins when they were no longer serviceable.

Mr Emery expressed concern over the proposal that Section 106 contributions would be required from developers in respect of all residential developments for the delivery and provision of containers.

He indicated that the extent of such contributions was limited and considered that such funding would be more appropriately applied in supporting more significant infrastructure

improvements. Mr Emery suggested that the cost of the delivery and provision of containers should continue to be met through Council Tax.

Mr Coles concurred, indicating that the occupiers of new developments would pay Council Tax in the future; the provision of waste receptacles was a part of the service the Council provided. The Head of Environment and Commercial Services advised that, whilst the Council had a statutory duty to collect refuse as a waste collection authority, that duty did not extend to the provision of receptacles. It had always been open to the Council to charge for this element of the service.

Mr Coles returned to the question of contamination of recycling and the potential for late night revellers to place unsuitable material in bins put out for early collection. The Head of Environment and Commercial Services advised that the Council would exercise a degree of flexibility in levying a charge in such circumstances.

(Mrs Reynolds joined the meeting at this juncture)

Mr Coles also suggested that it would be sensible if the withdrawal of 360 litre waste bins was to coincide with the provision of larger recycling bins. He went on to make reference to the question he had raised under agenda item No. 10 requesting that residents be given the option of paying their £30 annual license fee for the garden waste collection service at the Witney town centre shop.

In response, the Head of Environment and Commercial Services advised that offering the opportunity to pay by cash or cheque at the town centre shop would be a retrograde step as cash payments were not only more costly for the Council to process but could create issues for the customer if there was a problem and a need to trace their payment.

To enable cash payments would create a time consuming and unwieldy system and would mean that the Council would need to charge more for licences. More and more Councils and external companies were ending cash and cheque payments and, when the service was launched, every customer was able to pay online or by card over the phone. Existing customers should find it easier this year as they had already done it once.

Customer services advisors, including those in the Town centre shop, would support and assist customers in making card payments and it was intended to introduce a direct debit payment system later in the year which would be introduced for garden waste payments in 2019.

Following the successful card only roll out in West Oxfordshire in 2017, Cotswold District Council was to follow suit this year by accepting payment by card only. Staff would always work with customers to ensure that they could make a payment and it was considered highly unlikely that any individuals would not have a debit card.

Mr Coles expressed his disappointment with the response, believing that the Council should enable residents to make payment for the collection of garden waste in cash as, given that it took cash payments for other purposes, there was no evidence that doing so would generate additional cost.

Mr Fenton returned to the question of funding the provision and delivery of waste receptacles through Section 106 contributions and concurred with Mr Emery's contention that such cost should be met through Council Tax. He also questioned the cost per unit cited in the report which appeared rather high.

In conclusion, Mr Fenton suggested that it was inappropriate to levy a charge for the collection of recycling from Schedule 1 premises as the Council ought not to adopt any policy that would discourage recycling.

In response to a question from Mr Howard it was confirmed that the proposed charges would be subject to annual review. Mr Howard then proposed that the Cabinet be recommended not to agree that Section 106 contributions be required from the developers in respect of all residential developments for the delivery and provision of containers.

Mr Postan stressed that in such circumstances it would fall to the Council Tax payer rather than the developer to carry the cost and the Head of Environment and Commercial Services advised that no provision had been made in the budget for 2018/2019 to meet the cost of providing containers.

Mr Howard indicated that the provision of containers had always been funded through Council Tax in the past and should continue to be so. He agreed that developer funding could be better applied elsewhere and reminded Members that the Budget had yet to be finalised.

Ms Leffman noted that Section 106 contributions were not required from all developments so some provision would continue to be funded through Council Tax. She considered such an arrangement to be inequitable and believed that the Council should identify alternative funding arrangements.

Mr Harvey indicated that Section 106 contributions were effectively met by the house buyer through an increased purchase price and enquired whether the cost could be applied to all new development through planning conditions. Officers advised that such a condition would be unlikely to be enforceable.

Mr Dorward indicated that developer contributions could not be guaranteed and Mr Eaglestone noted that no such contributions had been secured for the development of some 1,200 properties currently under construction to the west of the town.

Having been seconded by Mr Emery the proposition was put to the vote and was carried.

RESOLVED: That the Cabinet be recommended not to agree that Section 106 contributions be required from the developers in respect of all residential developments for the delivery and provision of containers.

55 WASTE COLLECTION AND RECYCLING CONTRACT UPDATE

The Committee received and considered the report of the Head of Environment and Commercial Services providing an update on performance of the waste collection and recycling contract since the last meeting, copies of which had been circulated.

Members noted that the number of missed collections during the previous week had fallen to 256. This represented an improvement upon the performance achieved under the previous contract and Officers were liaising with Ubico in an effort to secure further improvements and resolve repeat missed collections.

During the first three months of the contract, the volume of recyclable material collected had increased by 9%. This increase reflected the aspirations of the service change to a mixed recycling collection which was the preferred model; identified following public consultation. The Head of Environment and Commercial Services confirmed that recycling rates would continue to be monitored and the results reported to the Committee.

Mrs Reynolds indicated that it was encouraging to be able to report this good news to the Committee and stressed that this was why the Council had decided to move to mixed collections. She expressed her thanks to the Officers and staff involved for their hard work in implementing the new contract.

The Head of Environment and Commercial Services went on to outline the financial impact of the service launch as set out in the report.

Mr Fenton expressed his thanks to Officers and was pleased to note the improvements made in terms of service delivery. He advised that he had not received any further complaints from residents since the beginning of the year. Mr Fenton expressed some concern that the Council no longer collected 'flyaway' plastics and asked if he was correct in the belief that most non-recyclable material entering the recycling stream was sent for energy from waste. The Head of Environment and Commercial Services confirmed that this was the case but emphasised that any material processed in this way gave rise to a cost to the Council. She advised that the more non-recyclable material entering the recycling stream, the greater the cost to the Council. Further, contamination of recyclates by non-recyclable material could result in complete vehicle loads being rejected with significant cost to the Council.

The Head of Environment and Commercial Services confirmed that only a small percentage of material was found to be physically unsuitable for recycling and that more detailed figures could be provided.

Mr Emery was disappointed to note that, instead of the projected savings, a minor overspend was likely to result and indicated that some of the additional costs, such as the need for vehicles to service narrow access properties, should have been identified at an early stage. Whilst he was pleased to see the contract was bedding-in, he considered that the Council should have had better information at an earlier stage.

In response, the Head of Environment and Commercial Services advised that the previous contractor had been using inappropriate vehicles and working practices to service narrow-access properties. This had not become evident until the new contract with Ubico had commenced and could not be allowed to continue.

Mr Postan indicated that there was a risk in relying on information provided by an outgoing contractor and that the Council should have had a method of auditing the information provided.

Members also noted that, whilst there had been some initial unforeseen set-up costs, savings would continue on a year on year basis.

Ms Leffman questioned whether the increase in the variety of material collected under the new contract accounted for the increase in the volume of recyclable material collected and suggested that a comparison between figures for the collection of residual waste should also be carried out.

Mr Cooper expressed his thanks to Officers for their work in establishing the new contract and suggested that the report be made available to all Members.

(Mr Fenton left the meeting at this juncture)

Mr Postan suggested that the Council should take steps to counter the widely held view amongst local residents that the service changes were simply a cost saving measure. It was important to publicise the environmental benefits arising from the new contract. Mr Coles

suggested that information on recycling rates could be displayed on refuse collection vehicles.

The Head of Environment and Commercial Services confirmed that it was intended to publicise the benefits of the new contract in due course and Mrs Reynolds advised that further information would be provided to all Members.

In conclusion, Mrs Reynolds assured Members that efforts were being made to effect further improvements during the final quarter.

RESOLVED: That the information provided be noted.

56 SERVICE PLAN DEVELOPMENT AND EMERGING PERFORMANCE INDICATORS

The Committee received and considered the report of the Head of Environment and Commercial Services providing information on the work underway to produce improved Service and Group Plans and the emerging Performance Indicators for Environmental and Commercial Services, copies of which had been circulated.

The Head of Environment and Commercial Services introduced the report and explained that the emerging indicators had been devised to reflect customers' needs and would be monitored to assess if they did so satisfactorily.

Mr Harvey questioned whether the time proposed to be allocated to parking enforcement was sufficient. In response, the Head of Environment and Commercial Services advised that the current figure, which equated to 20 hours a week across all locations, was to be revised. She noted that the allocation did not include travelling time or time spent in training and indicated that it was more appropriate to set targets based upon time rather than revenue.

Mr Harvey also noted that current recycling rates compared with other authorities and the Head of Environment and Commercial Services confirmed that performance information would be updated on a monthly basis.

Mr Coles noted that the proposed indicators failed to make reference to car-park usage and air quality information. The Head of Environment and Commercial Services advised that, whilst some survey work had been carried out to inform the parking strategy, as the Council did not charge for car parking, it did not have the facility to collect live data. Mrs Reynolds advised that air quality information was collected and available through Environmental and Regulatory Services, not to Environment and Commercial Services, which was the area to which these indicators referred.

Mr Cooper noted that there was signage providing information on the number of available spaces in the Woolgate and Marriotts Walk car parks but the Head of Environment and Commercial Services advised that these were no longer operational.

Mr Howard acknowledged the importance of parking enforcement in the major towns but noted that outlying residential areas were not patrolled. He also stressed the importance of identifying parking 'hotspots'.

Mrs Reynolds indicated that Officers were well aware of parking 'hotspots' and advised that the introduction of revised working practices such as split shifts and out of hours monitoring were being introduced to enable more effective enforcement. She stressed that it was important that this was operated as a 'not for profit' service with enforcement concentrating on safety and effective traffic management rather than revenue.

Mr Howard suggested that greater publicity should be employed to discourage dangerous or inconsiderate parking.

RESOLVED:

- (a) That the new approach to create living service plan documents reflecting the true needs of customers and to better recognise service demands, performance and risks be endorsed; and
- (b) That the emerging Performance Indicators set out in the Appendix to the report be noted and endorsed.

57 MEMBERS' QUESTIONS

Mr Coles indicated that his questions regarding garden waste collection charging and recycling had been addressed during the course of the meeting.

The meeting closed at 3.45pm

CHAIRMAN