

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the **Environment Overview & Scrutiny Committee**
held in Committee Room 1, Woodgreen, Witney, Oxon
at 2.00pm on **Thursday 11 April 2019**

PRESENT:

Councillors: David Harvey (Chairman); Alaa Al-Yousuf (Vice-Chairman); Laetisia Carter, Richard Bishop, Andrew Coles, Pete Dorward, Harry Eaglestone, Hilary Fenton, Ted Fenton, Andy Graham, Alex Postan and Carl Rylett.

55 MINUTES

RESOLVED: That the minutes of the meeting of the Committee held on 7 February 2019 be approved as a correct record and signed by the Chairman.

Councillor Rylett asked if there had been an update on the Air Quality Management issue discussed at the last meeting. Claire Locke advised that she would raise the issue with Environmental Regulatory Services and request that they either provide a presentation to the next meeting or email an update to members of the Committee.

The Chairman advised that within the District there were two areas in the Air Quality Management Zone; Bridge Street in Witney and Horsefair in Chipping Norton. Once the data had been collected, it was passed to Oxfordshire County Council to consider any relevant mitigation measures. It was agreed that a representative from the County Council could be invited to attend the next meeting and explain their processes.

Councillor Coles stated that these areas needed an Action Plan and Bridge Street in Witney did not have one.

The Chairman reminded Members that following the inquiry into the Cogges Link Road, compulsory purchase order, it had been proposed that the Shores Green junction or a second river crossing could alleviate the problems but he felt this was unlikely.

Councillor Coles reiterated that this issue had been raised seven years ago and Bridge Street still did not have an Action plan.

Councillor Graham reflected on the Action Plan put in place in Chipping Norton which had not alleviated the problem. In order to be effective, any plan had to be robust and it was not only asthma sufferers experiencing problems from the high levels of pollutants but those without breathing conditions too. He felt that the plan needed to be reviewed and residents of Chipping Norton were of a similar view.

Claire Locke confirmed that she would raise the matter with Environmental and Regulatory Services and ask them to prepare an update report for the next meeting, and an invitation would also be extended to the County Council.

56 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

Apologies for absence were received from Councillors McBride and Hill and the following resignation and temporary appointment was reported:-

Councillor Andy Graham for Councillor Liz Leffman.

57 DECLARATIONS OF INTEREST

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

58 PARTICIPATION OF THE PUBLIC

No submissions were received from the public in accordance with the Council's Rules of Procedure.

59 COMMITTEE WORK PROGRAMME 2018/2019

The Committee received and considered the report of the Head of Democratic Services which gave an update on progress in relation to its Work Programme for 2018/2019.

59.1 Thames Water Flood Prevention and Infrastructure Issues

Councillor Postan asked when works were due to commence on the bridge at Witney and whether this would result in any road closures. The Chairman advised that works had been scheduled for May this year and the officer involved, Lawrence King, would be asked to supply and circulate the relevant information to Members.

Councillor Graham raised the issue of inadequate infrastructure at Finstock and advised that residents were experiencing sewerage on the streets because the drainage system could not cope. He felt that this was not only an environmental but a health issue – the pump was out of date, the system was blocking and could not cope with the volume of users. He advised that Thames Water had still failed to address the problem and the reality of the residents taking Legal Action was very likely.

Councillor Bishop advised that Stonesfield was experiencing the same issues with sewerage and he reminded Members that Thames Water had been made aware of the problems at the Water Day in October 2018.

Councillor Postan indicated that Brize Norton and Minster Lovell were also experiencing problems and advised that a meeting was due to be held with the local MP, a representative of the Council and Thames Water the following day. He suggested that fellow councillors contact him afterwards for an update.

It was agreed that Thames Water needed to be made aware of the level of feeling from the Committee and should be reminded of their comments made at the Water Day to resolve these issues.

Councillor Hillary Fenton supported the other comments made and advised that residents of Standlake were equally affected.

Claire Locke suggested that the Council should contact Thames Water directly to remind them that these issues and concerns had been raised before and ask them what progress had been made.

The Chairman felt that part of the problem was that the improvements to infrastructure were being focused on London and not West Oxfordshire.

Councillor Graham urged members to force Thames Water into a position and insist they provide a more definitive answer.

59.2 Implementation of Car Parking Strategy

Following a request from Councillor Dorward, Claire Locke updated Members on the latest position. She advised that there were currently two key work streams. The first was the on street car parking provision at Woodstock – groups within the town had been asked to assist in identifying the issues and a public questionnaire had been drafted, was being consulted on and would be finalised in due course. The consultation would commence shortly and officers could then focus on working up a solution.

The second work stream was the feasibility study at the Woolgate car park in Witney. Work so far had included a design work up, access details, the impact on highways and ecology. A report would be brought back to the committee and if the scheme was felt to be viable, it would then be subject to planning permissions.

As it was his last meeting, Councillor Dorward raised concerns about the ongoing problem of illegal parking which plagued Corn Street. Not only did people park on the pavements, they drove down them and parked side by side.

The Chairman advised that he sent photographs to the enforcement team on a weekly basis and appropriate action was taken when possible.

Councillor Dorward explained that there was a takeaway food outlet located on the junction opposite where he lived. Individuals continued to park on the pavement, on a blind junction and there seemed to be no, or little, enforcement or policing of the problem after working hours.

Claire Locke advised that officers did undertake targeted enforcement patrols, at evenings and weekends and patrols did attend the site in question.

In response, Councillor Dorward suggested that maybe more staff were needed to increase the enforcement presence and proposed that the County Council could save money by not painting double yellow lines as they were not effective in stopping parking.

Councillor Eaglestone raised a concern that work to increase the capacity of the Woolgate car park had not progressed and noted that it was becoming increasingly difficult to park in Witney.

In response, Claire Locke assured Members that a report would be forthcoming shortly and reminded them that this was a comprehensive piece of work. Not only did the statutory processes take time but construction could also be lengthy.

Councillor Coles was disappointed that the issues relating to Corn Street had not been discussed in conjunction with the recent budget setting process because additional funding for resources could have been requested then. It was not acceptable to undertake occasional enforcement because the parking situation was dangerous. It was not only customers of takeaways but the staff and delivery drivers too. Having regard to the difficulties experienced in parking in Witney, Councillor Coles considered that it was essential that the Woodford Way car park be retained.

Councillor Graham advised that he had been approached by a number residents entitled to blue badges who were concerned that the allocation of disabled access spaces was inadequate at Woolgate, being only 4.5% of the overall space allocation. He did not feel that this was a fair representation of users and requested the rationale behind the calculations and whether the users of the car park had been consulted prior to construction.

Claire Locke advised that there were 780 spaces in Woolgate car park, 34 of which were disabled access spaces and 12 were for parent & child parking. However, she was unable to comment on the design or the consultation history but stated that the location and suitability of disabled access spaces would be looked at in the new car park.

Councillor Ted Fenton accepted that it was not possible to undertake parking enforcement or police the problem 24 hours a day. He advised that parking outside the Co-Op store at Bampton was dangerous because people disregarded the yellow lines. He asked if the

public were to take photographs of the offenders, would any action be taken by the enforcement team or could CCTV images be used.

Claire Locke explained that the law did not allow enforcement action to be taken by the authority unless the offence had been witnessed, in person, by an authorised officer. However, it was useful for officers to be aware of the problems so that they could target those areas. In addition, the same law applied to CCTV images so these could not be used either. The Police may be able to take action but they operated under different powers to the local authority.

Councillor Ted Fenton was assured that if a vehicle had obvious contact details advertised on the outside, these would be used to follow up any offence.

Councillor Carter enquired whether there was a specific parking strategy for Chipping Norton whose population was due to double in the future. At present many business owners did not feel that the 30 minute time restriction was long enough and was affecting their business and many individuals felt that there was a disproportionate number of parking tickets being issued in Chipping Norton. In response, Claire Locke explained that the 2016 Parking Strategy was available on line which had been borne out of consultation with the towns. Officers were aware of the issues in the town but were mindful that users often had conflicting priorities – such as business owners, tourists, and residents all wanting different things. With reference to the parking ticket numbers, data could be run to establish if there were any discrepancies but recent figures had shown that it looked as expected. She clarified that there was no specific plan for Chipping Norton other than that detailed in the strategy.

Councillor Postan reminded Members of the importance of the Electric Vehicle Charging Points which would be discussed later in the meeting. Councillor Bishop felt it was important to involve the County Council in the process as the owners of the contract for street lighting. A number of lighting stands must incorporate electrical charging points and he felt that West Oxfordshire was lagging behind on this issue.

Claire Locke advised that any on street charging points would be a County Council issue and the District Council was looking to install charging points across its car parks, council offices and the waste depot. It was anticipated that once installed at the waste depot, the Council would be able to look into the opportunity of changing its vehicle fleet to an electric one.

59.3 Low Carbon and Environmental Plan - Biodiversity

Members were advised that this item would come back to Overview and Scrutiny prior to its submission at Cabinet.

59.4 Fly-tipping at Bring Sites

Members were advised that this item had been completed.

59.5 Oxfordshire Energy Strategy

Members were advised that this item had been deferred until July / August 2019.

59.6 Single Use Plastics

A further report on the progress being made would be brought to the Committee after the election in May 2019.

59.7 Waste Collection Data

During the discussion relating to Single Use Plastics (Minute Number 61), Councillor Harvey noted that one of the items on the action plan related to tonnage data for plastics and other waste streams. He requested that this be provided to the next meeting and added to the work programme as a rolling item to each meeting.

RESOLVED: That progress on the Committee's Work Programme for 2018/2019 be noted.

60 CABINET WORK PROGRAMME

The Committee received and considered the report of the Head of Democratic Services, which gave Members the opportunity to comment on the Cabinet Work Programme published on 15 January 2019.

60.1 OVO Energy Women's Cycling Tour in Oxfordshire

Councillor Postan commended the sport and requested that, following a meeting of the Single Use Plastics Working Party, a request be made that the plastic bottles being used by cyclists should be counted out and counted in.

Claire Locke advised that whilst it was not possible to make this a condition of the report, the Committee could ask Cabinet to include an expectation that event organisers, in receiving Council funding, should not use single use plastics, such as drinks bottles. This was seconded by Councillor Graham.

60.2 Electric Vehicle Charging Points

Claire Locke provided an update to Members and explained the background of the working group, what the Council wanted and the mix of products available on the market. The Group had agreed to procure the feasibility work into three lots. The first was a purchase agreement in which the Council would have total control of the type of device bought, the location in which it was put and the fee structure being set, however, this would have the highest, initial cost implication to the authority. Lot 2 incorporated sharing the costs with a supplier, resulting in split control over the location of devices and fee structure implemented – this option would see the Council get more for their money.

Lot 3 would result in no control for the Council because the suppliers would control the installation, location of devices and would receive any income generated. Although this would be at minimal cost to the Council, the supplier would dictate where the charging points were installed and most suppliers were indicating sites such as petrol filling stations as their preference.

Once the procurement process had been carried out across the three lots, Members would decide which lot to proceed with.

Claire Locke explained that this entailed a very complex legal process and officers were keen not to put smaller suppliers off with the extent of the documents. Officers were hoping to finalise the documents next week. It had been agreed that once the framework was in place, a mini-tender process could be carried out in future to appoint a supplier and the contract would last four years. It was felt that four years was sufficient due to the potential changes in technology that could occur in that time.

Councillor Ted Fenton queried the comment that suppliers were mainly focusing on installation at petrol stations as he did not think that charge times were quick enough. Claire Locke advised on rapid charge times and because most petrol stations also included

a Costa Coffee outlet, or similar, suppliers felt this would be a big enough draw. This is what suppliers were advising officers.

Councillor Postan advised that he had been on the Working Group and they had researched companies, gathered information and set the guidelines. However, this was four years ago and he felt that the Council was being inefficient about this. He requested a formal schedule of the meetings that had taken place and timescales for implementation of the project, along with costs to date. He hoped this would assist in avoiding pitfalls in the future and help push the project to a formal Cabinet date. This was supported by Councillor Graham.

Claire Locke agreed that a breakdown of the meetings associated with the Working Group could be provided but was mindful that minutes of some of the more informal meetings may not exist.

60.3 Single Use Plastics

This was on the Committee's agenda to be discussed as a standalone item.

60.4 Low Carbon and Environmental Plan

It was noted that this item would be submitted to the Environment Overview & Scrutiny Committee in June 2019.

RESOLVED: That the Cabinet Work Programme published on 15 January 2019 be noted.

61 SINGLE USE PLASTICS WORKING PARTY

The Group Manager, Council Advisory Services provided a verbal update on the progress of the Working Group so far and referred Members to the Action Plan detailed at Item 7 on the report.

The Working Group had first met a month ago and again just prior to the Environment Overview and Scrutiny meeting. The Group had invited staff members to join the group and two officers from the Planning Services had attended with more officers due to attend later meetings.

The Action Plan was a work in progress and any proposals would need to go back to Council, via the Environmental Overview and Scrutiny Committee first. It was noted that the Council did not have resources specifically as yet and any recommendations would be put against actions to include funding requests.

One of the key actions was to increase communication and ideas included '12 Top Tips' on the website. In addition, one of the schools in the District was doing excellent work and it was hoped the Council could link-in with them.

Councillor Ted Fenton asked if it had been considered to incentivise businesses to recycle, specifically in Bampton by not charging them to take the refuse away and discouraging them from throwing it away in one go and suggested a bottle recycling scheme. He realised there could be a cost to the Council but it was important to move quickly and get the businesses on board.

In response, Claire Locke advised that waste did cost more to dispose of as refuse but this would be very expensive for the Council because they would have to underwrite the commercial element. With regard to the bottle deposit scheme, this was being consulted on within the Waste and Resources Strategy.

Councillor Graham was pleased that the working party was taking a leadership role but questioned what the ultimate goal was. Was it to eliminate Single Use Plastics?

Claire Locke confirmed that the goal was to eliminate single use plastics, ideally by stopping them being there in the first place, then re-using, then recycling. The challenge was how the Council measured how much single use plastic was in use.

Councillor Al-Yousuf thanked Claire Locke and the working group for setting this project going. He was pleased that they had produced a provisional action plan but reminded Members that whilst the focus here was on single use plastics, the spectrum of other plastic products was huge. The group were ensuring they were in line with the UN Environment Agency, EU Legislation and the Environment Agency legislation as well as gathering practical experience from other Councils.

Councillor Good advised that he had attended the group's meeting that morning and as portfolio holder he was on board and fully supportive to champion the issue. He hoped the message could be passed on through the Council, down to schools and Parish Councils. He advised that the next step was to firm up the points being raised, bring them into the work programme, expand the discussions and build on the recommendations to Cabinet and Council.

The Chairman thanked Councillor Al-Yousuf for submitting the motion to Council to begin with and all those that had joined the group. He hoped that it may be possible to put pressure on the local MP to award grant funding from Central Government to assist with the project.

Councillor Postan commended the members of staff that had joined the group and was pleased that other local authorities and District Council's knowledge and experience was being utilised.

Councillor Harvey highlighted the last point on the Action Plan which referred to recycling rates and advised that this data would be submitted to future meetings.

Councillor Carter was mindful that there was likely to be a cost implication for not using SUP's and queried what other Council's had experienced around the country.

Claire Locke advised that this had been highlighted as a potential barrier at Forest of Dean District Council and the group was mindful that sourcing alternative materials was key. It was planned to feed back the experiences of Forest of Dean and Coleford Councils into the group.

Councillor Graham applauded the cross party approach to this issue which affect the District as a whole and was pleased that the group was utilising the skills available from both officers and elected members.

RESOLVED: That the report be noted.

62 APPROVAL OF TREE MANAGEMENT POLICY

The Committee received and considered the report of the Group Manager, Council Customer Services relating to the Policy for the Management of Trees Owned by the Council and requested that the Committee make recommendations to Cabinet as appropriate.

Sophia Price, Heritage and Design Manager introduced the report and provided some background as to the purpose of her team and their location.

Councillor Fenton queried the wording in section 4.12 of the report referring to the felling of trees due to the obstruction of CCTV cameras. In response, Ms Price advised that she had never known a tree need to be felled for this reason but if the Police could evidence that the only location for a camera to cover a potential, isolated trouble spot meant pruning or felling the tree, then this would need to be complied with.

Councillor Dorward stated that this was a fairly weighty document but noted that there was no reference to the use of nets on trees. Ms Price advised that these were not used by the Council to carry out works to trees and were more often used by developers to stop birds nesting before the breeding season.

Councillor Eaglestone clarified that any communications to Ward Members would be received via G-mail. In addition, Ms Price advised that replanting would always be attempted but resources were not endless. With regards to Councillor Eaglestone's query relating to Eddington Square, he was advised of the officer to contact covering the West Oxfordshire area.

Councillor Coles stated that he was disappointed that the commissioning process had not started until November which had resulted in an overlap into the nesting season. He felt that officers could have been more pro-active and would have avoided missing a couple of months. He also queried why there was no mention of a net gain in bio-diversity in the policy and advised that he had a number of tweaks that he would like incorporated.

Ms Price explained that the officer involved had only been in post a short time and the nesting season was getting longer due to climate change. As an ecologist she agreed with Councillor Coles's comments about net-gain and assured him that officers would always plant to maximise effects.

Councillor Coles felt it was important that officers listened to communities, some of which had trees in their localities that were hundreds of years old. It was important that their concerns were listened to and they felt included in the process.

(Councillor Ted Fenton left the meeting at this juncture)

Councillor Coles requested that an additional Key Principle be added to section 2 of the policy stating that a commitment would be made to ensure that all non-critical work would be carried out outside of the nesting season.

In response, Ms Price felt that this area of work would be covered in legislation and advised against the additional wording.

Councillor Coles queried the wording of section 4.17 of the policy which related to replacement tree planting. Ms Price advised that this referred to the instance when a tree had been felled, a replacement tree had been planted and had subsequently failed. She agreed to review the wording.

Claire Locke suggested that Councillor Coles send his amended wording through to officers and these could in turn be passed onto Cabinet to consider at their meeting, along with the necessary responses from officers.

Councillor Coles suggested that an additional priority should be added to Section 5 – Tree Estate Prioritisation, which related to ancient and veteran trees because they had a higher level of status due to their heritage.

He also felt that paragraph 6.1 could be expanded to reflect a commitment to conserve, enhance and support pollinators.

Councillor Postan reminded Members that from the air, the landscape was defined by its hedgerows and requested that the definition used in the policy be extended to include reference to the ancient hedgerows.

Ms Price assured him that any hedgerows owned by the Council would be protected but this policy related solely to works to Council owned trees.

Councillor Al-Yousuf thanked Ms Price for her presentation and for answering Members questions. He was reassured that the policy was not an operational manual for the team but a statement of intent and was a concise and well considered statement of principles.

Ms Price reminded the Committee that all of the officers were qualified in their field of work, professional and experienced. In addition, the policy was a set of principles to be guided by when using their professional judgement.

It was noted that Councillor Coles would pass his comments through to officers to add their responses to, prior to submission to Cabinet.

RESOLVED: That the report be noted.

63 MEMBERS' QUESTIONS

There were no questions from Members relating to the work of the Committee.

The meeting closed at 3.34 pm

Chairman