

MEETING OF THE COMMUNITIES POLICY DEVELOPMENT GROUP

THURSDAY, 7 MARCH 2013 2.30 PM



GROUP MEMBERS PRESENT

Councillor Kelham Cooke
Councillor Nick Craft
Councillor Breda Griffin
Councillor Charmaine Morgan

Councillor John Nicholson (Chairman)
Councillor Jeff Thompson (Vice-
Chairman)
Councillor Raymond Wooten

PORTFOLIO HOLDER

Councillor Teri Bryant (Portfolio: Good Housing for All)
Councillor Mrs Frances Cartwright (Portfolio: Grow the Economy – Economic
Development)

OFFICERS

Head of Environmental Services (Mark Taylor)
Waste and Recycling Service Manager (Pat Swinton)
Development Management Service Manager (Pat Reid)
Community Engagement and Policy Development Officer (Carol Drury)
Principal Democracy Officer (Jo Toomey)
Waste Advisor (Gwen Came)
Admin Assistant – Legal and Democratic Services (Alexandra Jarvis)

59. MEMBERSHIP

The PDG was notified that Councillor Craft would be substituting for Councillor Mrs Taylor for this meeting only.

60. APOLOGIES

An apology for absence was received from Councillor Smith (Green, Healthy and Arts Portfolio Holder).

61. DISCLOSURE OF INTERESTS

No interests were disclosed.

62. ACTION NOTES FROM THE MEETING HELD ON 10 JANUARY 2013

The action notes from the meeting on 10 January 2013 were noted.

63. UPDATES FROM PREVIOUS MEETING

The Good Housing for All Portfolio Holder commented that he appreciated the PDG's input on all elements of the housing programme of work.

The Property Development Manager gave a brief presentation updating the PDG on residents' parking in Stamford. Survey work (which had been funded from the PDG support fund) complemented other consultation mechanisms to identify whether there was sufficient support for residents' parking schemes in Stamford town centre.

Agreed criteria for the creation of a residents' parking scheme contained within the car parking policy stipulated that 50% of residents without off-street parking facilities within a specified zone and willing to pay for a parking. While none of the zones met this threshold one street did, with another five close to it. A meeting with representatives from local residents groups concluded it would be divisive to set up two smaller schemes in the town centre for those streets which met the threshold. Their preference was asking Lincolnshire County Council to formalise the on-street waiver that was introduced before Christmas as a temporary measure. The temporary waivers were due to expire in May 2013 and the season tickets for SKDC lasted six months.

Members reported that changes in parking behaviour had improved access to on-street parking since the introduction of civil parking enforcement. However concern was expressed about the potential impact on people with a disability if there was not going to be a residents' parking scheme.

Requests had been made by two areas in Grantham for residents' parking schemes. Survey work would need to be carried out in each of these areas to establish whether there was sufficient interest to create a scheme/schemes.

64. WASTE AND RECYCLING - MISSED BIN POLICY

Report number WAR2013/001 was presented to the PDG. It proposed a three strikes policy; where a bin was missed and recorded as not presented twice in a rolling six-month period, it would not be collected and the waste team would only return on scheduled collection days. On the first two occasions letters would be sent to residents reminding them how and when to present their bins. New systems within collection vehicles allowed crews to record where bins were not presented. This information was relayed back to the offices almost in

real-time. The policy would apply to any combination of green, silver or black bins.

The aim of the policy was to reduce costs associated with missed-bin collections. Officers advised that of 3.8million collections every year, 2,666 bins were logged as justifiably missed. Separate arrangements were in place for blocks of flats and no changes were proposed to the assisted collection scheme.

The proposed policy was met with broad support from PDG members however they suggested some points needed clarifying. They did not feel that the proposed policy was sufficiently clear in its definition of non-presentation. Members felt that occasions where residents chose not to put out their bin or were on holiday would count towards their three strikes. Officers clarified that the only occasions that would count as 'strikes' were where a bin was not presented and the resident reported that it had been missed.

Amendments to the wording of the draft letters were also proposed. It was suggested that each letter should contain the date and means through which the missed bin was reported. A clarification to the penultimate paragraph of the second letter was also suggested; this should be amended to read "we will not return to collect your waste and we will only return on your next scheduled collection date". The PDG agreed with these suggestions.

Recommendation

That the Council adopts a three strikes' policy, whereby if a bin was missed and recorded as not presented twice (and reported) in a rolling 6-month period, it would not be collected and the waste team would only return on scheduled collection days. Reminders should be sent to residents on the first two occasions regarding how and when to present their bins. These letters should incorporate the suggestions made during the meeting.

65. WASTE AND RECYCLING - NEW CONTRACT AND CONTAMINATION

Officers presented report number WAR2013/002 which informed members of changes to the recycling contract and the impact of contamination. From August 2013 the Council would move from a provider it paid to dispose of recyclable waste to a provider that paid for the recyclables presented. The new contract included a 5% allowance for contamination. The Council would be charged for disposal of any contamination above the 5% threshold.

To mitigate the risk of the level of contamination exceeding the threshold a generic comprehensive education campaign was proposed. Any bin not meeting the required standard should not be collected until all the contamination had been removed.

Councillors asked questions about the new contract. Officers clarified that the Council would only be charged for the disposal of the items that contaminated a load, not the full load.

The Head of Environmental Services who was shared with North Kesteven District Council reported high levels of contamination (approximately 15%) when they switched to the same provider in North Kesteven. The contract included provision for the Council to send representatives to verify the accuracy of the reported levels of contamination. This had been taken up by North Kesteven and reports had proved accurate.

PDG members suggested that as part of the education campaign, the recycling wheel should be re-launched. They also felt that the range of references should be broader and include social media, fridge magnets and stickers for bins in areas where there is high turnover in occupancy. Targeted education would take place in areas from which high levels of contamination was reported. Crews could be asked to carry out cursory inspections of bins and report any contamination they observed. The contractor would also provide round specific information on contamination levels which would facilitate targeted education campaigns.

It was suggested that some contamination could occur when passersby dropped rubbish into bins and that for some households, one bin might not be sufficient. Options would also be built into the policy that would allow flexibility to take account of special circumstances.

PDG members supported the need for an education campaign and were in general support of the proposed policy but they set up a working group to consider the detail of the education campaign.

Recommendation

- 1. The PDG supported the broad principles behind the proposed contamination policy***
- 2. The PDG delegated authority to a working group to consider and make recommendations on the proposed education campaign in respect of contamination.***

15:54-16:02 – the meeting adjourned.

66. PLANNING ENFORCEMENT

The Development Management Service Manager presented report number PLA980 on the draft planning enforcement policy. Previous guidance on planning enforcement had been superseded on the introduction of the National Planning Policy Framework, which encouraged authorities to publish local schemes. An enforcement policy was a useful tool for demonstrating robust decision-making processes during ombudsman complaints, court cases and

appeals. All alleged breaches would be considered in the context of the policy and their harm which would be assessed using the criteria attached at appendix 1 to the report.

Members spoke in support of the document but discussion ensued on anonymous complaints. Anonymity was part of the proposed framework which would assess the priority of alleged breaches and whether they warranted investigation. If a complaint was considered sufficiently serious it would be investigated whether or not the complainant was anonymous. If complaints were anonymous, officers would be unable to follow up with or feedback to the complainant. The Development Management Service Manager assured councillors that if someone reported a breach in planning control (giving their name at the time of reporting) and requested their identity be withheld, this would be respected.

A number of amendments were suggested to the draft policy:

- Clarify the position in respect of anonymity
- Revisions to the scoring framework in the harm assessment (p.17)
 - Stable (amended from 0 points to 1 point), worsening (amended from 1 point to 2 points)
 - Anonymous complaints – amend from 0 points to 1 point
 - Breach of planning condition or Article 4 Direction – should be weighted depending upon severity
 - Complaints in respect of sensitive sites should be weighted to reflect the severity of the breach
- Text in respect of advertisements should be strengthened
- If a breach causes a safety concern it should automatically be treated as a matter of priority

Some concern was expressed about the fee quoted in the report for enforcement against high hedges. Complainants were charged a fee of £360 for the investigation of their complaint: this was based on cost-recovery principles. Councillors felt that in cases found in the favour of the complainant the charge should be levied against the antagonist. This raised concerns about enforcement action having a detrimental effect on wildlife by inadvertently encouraging people to breach the Wildlife and Countryside Act. A further amendment to the draft policy was suggested:

- A phrase should be added to one of the introductory sections: “The Council will work in conjunction with other agencies to use the most effective means of enforcement and in taking action it will not encourage people to breach other legislation either advertently or inadvertently.
- The Wildlife and Countryside Act should be added to the list of national guidelines (p.16)

Recommendation:

1. ***Subject to the amendments suggested during discussion at its meeting on 7 March 2013, the Communities PDG endorses the draft planning enforcement policy***
2. ***In the instance a breach is found in respect of high hedges costs should be borne by the subject of the complaint and not the complainant***

67. WORK PROGRAMME

The work programme was noted. The Community Engagement and Policy Development Officer advised the PDG she would produce a summary of its work including the outcome of action notes and recommendations. This would be made available for the first PDG meeting of the 2013/14 municipal year.

68. CLOSE OF MEETING

The meeting was closed at 16:51.