

Action Notes

Environment Overview and Scrutiny Committee

Tuesday, 30 November 2021, 10:00

Council Chamber, South Kesteven House, St. Peter's Hill, Grantham. NG31 6PZ



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Committee Members:

Councillor Nikki Manterfield (Chairman)
Councillor Gloria Johnson (Vice-Chairman)

Councillor Phil Dilks
Councillor Dean Ward
Councillor Hannah Westropp
Councillor Amanda Wheeler

Cabinet Members in attendance:

Councillor Robert Reid (Cabinet Member for Housing and Property)
Councillor Adam Stokes (Cabinet Member for Finance and Waste Services, Deputy Leader of the Council)

Officers

Gary Smith (Director for Commercial and Operations)
Anne-Marie Coulthard (Assistant Director for Operations and Public Protection)
Debbie Roberts (Interim Organisational and Development and Change Manager)
Ben Russell (Performance Lead)
Serena Brown (Sustainability and Climate Change Officer)
Amy Pryde (Democratic Services Officer)

27. Comments from Members of the public

Speaker

Chris Boswell

Chris Boswell made the following statement:

“Good Morning. Thank you very much for letting me speak. I appreciate Anne-Marie Coulthard for bringing this to the Committee’s attention. I have had lengthy discussions with Members from the Licensing Committee and the Committee Members themselves in reference to the changes of the taxi licensing that was introduced last year.”

My main concern over the policy is the level required for the new test and the pass rate for applicants to be able to apply. Currently in Grantham, over the bigger companies (CB Taxis, Autocabs, Amber Cabs, Premier Cabs and Grantham Taxis) there are 100 drivers, 56% of those are English, the other 44% are non-English. You have now introduced a test that would eradicate probably 90% of that 44% because they wouldn't be able to meet the required standard, that is now introduced. The first English test is discriminatory, the new policy outlined the initial impact assessment flagged this policy change as being high under racial discrimination and it's now acting as a blockade for anyone wanting to pursue this as a career. It is proved to be highly accurate in the early implementation, candidates who have a good level of spoken English but are not native English-speaking have passed the DBS check, the knowledge test, safeguarding training – they have all passed all training required.

Currently, since the test has been introduced, only 20% pass rate has been succeeded. New analysis stating now that this application of the policy statement will be carried out in equitable manner with all applications considered on their individual merits on a case-by-case basis, that is in Appendix 3 that you were given from Licensing. This is not true, because it's a pass or fail, there is no personal merit. You either pass the test or they fail the test where that's it and they have to pay again to do the test, which they are likely going to fail again. It is not something you can learn because it's on how you speak to a computer and the computer then decides whether or not you're speaking well enough English to do this. People from Eastern European backgrounds or European backgrounds in general, get their words mixed up as to how we speak.

Words translated from English into another language as we all know when we have studied French or Spanish; the sentence may go forwards as normal but then when you translate it into the other language, the words can be jumbled up so when they're translating it, that's coming across and this is what the versant test picks up on, whether or not they get the sentence in the correct order, they get in the incorrect order, it's an automatic fail because it's a system that is trained to listen for the correct sentences. I do agree that a good understanding of English is required due to knowing where to go and safeguarding. The level doesn't need to be where it's at. I have drivers that work for me, that cannot pass this test, they already work and they are scoring 35/40. I can converse with them perfectly fine, but they wouldn't be able to be a taxi driver now. This needs to be looked at, to lower this level so that people can become a taxi driver, the trade is hurting already because of covid, a lot of Eastern Europeans have come back to their home countries and now the ones that we do have living here that want to work, we can't recruit because they can't pass this test."

28. Apologies for absence

Apologies for absence had been received from Councillor Ashley Baxter and Councillor Linda Wootten.

Councillor Amanda Wheeler had been appointed as Substitute for Councillor Ashley Baxter.

29. Disclosure of Interests

There were none.

30. Action Notes from the meeting held on 28 September 2021

Members **AGREED** the Action Notes of the meeting held on 28 September 2021, as a correct record.

31. Updates from the previous meeting

There were no updates from the previous meeting, held on 28 September 2021.

32. Review of the Hackney Carriage and Private Hire Policy (English language skills test)

The Assistant Director for Operations and Public Protection presented the report on behalf of Councillor Linda Wootten (Cabinet Member for Corporate Governance and Licensing). The report outlined the existing policy, which had been adopted on 12 January 2021 being effective from 1 April 2021. The review had been undertaken to consider feedback and the current pass rate of the English Language test. The review also proposed a minor amendment to the paragraphs in the policy relating to the certificate of good conduct.

The Chairman declared her membership of the Licensing Committee.

Members questioned the pass mark of the English Language test and whether this pass mark was low enough to ensure enough people pass it. It was highlighted that maintaining the standards was important, however a 'balance' needed to be agreed.

One Member emphasised that 90% of taxi drivers with English as an additional language would fail the test, meaning it could be not 'fit for purpose'. It was noted that other authorities had dropped the pass mark as low as 46 out of 80.

The Assistant Director for Operations and Public Protection confirmed that out of five tests that were taken, four had failed and one had passed. The average score was 46.

One Member highlighted that taxi drivers should have a good level of English in case of an accident or the need to call emergency services.

Members noted their uncomfortableness on the nature of the test being on being on a computer and queried the quality of the test and if Members of the Licensing Committee had sat the test themselves.

The Chairman highlighted that the Committee had no further comments to make on the minor amendment in the Code of Conduct, in relation to the certificate for good conduct.

RECOMMENDATION:

It was proposed, seconded, and AGREED to recommend to Cabinet that the pass mark for the English Language Test be dropped to 47 for a trial period of six months.

33. Review of the Street Trading Policy

The Assistant Director for Operations and Public Protection presented the report that related to the Council's existing Street Trading Policy. The Policy provided the framework upon which the Licensing Authority delivered its functions in relation to Street Trading activities. A review had been undertaken to ensure the policy reflected current guidance and continued to be fit for purpose, while promoting improvements. The changes to the policy seek to make it more robust in terms of the application process and requirements.

A query was raised as to why the policy hadn't been updated for 10 years.

The Assistant Director for Operations and Public Protection confirmed that the policy was a local choice and not a statutory policy which meant that no timescale was required by law, however, given the time elapsed the review is now needed.

AGREED:

- 1. That the draft South Kesteven District Council Street Trading Policy was agreed as suitable for public consultation.**

34. Street Collection and House to House Collection Policy

The Assistant Director for Operations and Public Protection presented the report which outlined a draft new policy applicable to both Street and House to House collections. The Council currently followed the applicable legislation and issued permits for both street collections and house to house collections within the District.

The Chairman sought clarification on the refusal of permits and the reasons for refusal. It was confirmed that there were instances that could be used for refusal. The policy sought to make it clear what those instances were.

One Member queried why the policy had only been created now and the day-to-day effect it would potentially have.

The Assistant Director for Operations and Public Protection clarified that the Council did not need to have a policy and that the Council followed legislation and regulations. She highlighted that the policy would assist with interpretation and made clear the circumstances where any discretion may be applied or any conditions.

One Member highlighted house to house collections in relation to the collection of cash or goods. It was recognised that we now lived in a 'cashless society' and that most people did not carry cash.

It was confirmed that the legislation used was from 1939 and had not been changed to reflect this.

AGREED:

That the draft South Kesteven District Council Street Collection and House to House Collection Policy was agreed as suitable for public consultation.

35. Flooding Update

The Cabinet Member for Housing and Property declared that he was the Vice-Chairman of the Flood and Water Scrutiny Committee at Lincolnshire County Council. He presented the report that outlined:

- Lincolnshire County Council were the lead local flood authority and had a responsibility for investigating flood incidents and enforcing circumstances.
- In emergency situations, South Kesteven District Council coordinated with Lincolnshire County Council and emergency planning teams to provide a proportionate response to flooding events.
- The Council held a supply of approximately 300 sandbags for emergency use to support requests for emergency services.
- Currently, LCC had up to £5000 per property in direct monies by way of grant for homeowners that were at risk of flooding.
- There was no statutory duty on the Council to provide sandbags.
- Parish and Town Councils had been offered a supply of 100 sandbags and sand to deploy in their communities.
- Separate arrangements were in place to support housing tenants under the Council's landlord function, a further 200 sandbags were held for this purpose.

Concern was raised about the perishing of sandbags and how often new bags were offered by the Council. Also, what the Council did for Parish Councils that had not accepted the offer of sandbags and needed to access them.

The Cabinet Member for Housing and Property confirmed that the Council provided a ton of sand and sandbags separately. It was recommended that Parish Council's did not store the sand in bags as they could be subject to rot. He clarified that if Parish Council's had not up taken this offer, Lincolnshire County Council monitored a flood line, which any resident could call.

One Member raised the possibility of providing a guidance leaflet to go with the sand and sandbags and suggested the inclusion on the leaflet of how to lay sandbags. It was emphasised that the correct type of sand had to be used in order to be effective.

The Chairman raised a query in regard to the working relationship of partnerships, nationally and locally.

The Cabinet Member for Housing and Property noted that previously the response hadn't been good enough, however, Lincolnshire County Council and South Kesteven District Council had been working well together.

A query was raised in regard to flooding support and whether this was for all properties in the District or just Council houses.

The Cabinet Member for Housing and Property confirmed the segregation due to the HRA having a budget for Council functions, however, arrangements were in place for all properties.

AGREED:

1. To note the contents of the report.

36. Corporate Plan Performance Q2 Update and Review Outcomes

The Performance Lead presented the report which provided the Committee with a mid-year performance report for 2021/22. The report was previously presented to the Committee on 8 June 2021 and outlined the performance against the Corporate Plan for that financial year and the Council's performance management method and commitment to review the Actions and Key Performance Indicators on an annual basis. October 2021 was the first anniversary of the Corporate Plan; therefore, a review had been undertaken and brought before the Committee.

Clarification was sought around the proposed changes to the reporting and why the commercial numbers had been removed from the report.

The Cabinet Member for Housing and Property declared that he was now the current Chairman of Environment SK Ltd. He confirmed that he had sought legal advice and that he did not have a conflict of interest. The Cabinet Member stated that he intended to see that information in relation to Environment SK Ltd was conducted in a timely, open and transparent fashion

The Director for Commercial and Operations highlighted the actions around financial sustainability. Environment SK Ltd aimed to deliver the Council's grounds maintenance service to provide flexibility and to work in close partnership with the Council. The grounds maintenance service had focused on offering a good quality service and which was value for money, rather than driving profits. He highlighted that the Companies Committee oversaw the shareholder function for Environment SK Ltd and that the background information provided was based on service delivery.

Comments were made in relation to the increase in recycling, minimising fly-tipping in those areas of the District that were some distance from a recycling centre and the expansion of charging points for electric vehicles around the District.

The Director for Commercial and Operations confirmed that the mobile household waste recycling centre service in Stamford funded by Lincolnshire County Council and delivered by South Kesteven District Council had been under review by the

County Council and would not be returning. It was highlighted that domestic recycling collections and bulky waste collections were available to residents around the District.

The Director for Commercial and Operations confirmed that there were no current plans for any new installations of electric vehicle charging points, however this topic would be kept under close review. It was highlighted that the vehicle charging points that had been installed in the Council's four towns had very low usage and the measures suggested in the Key Performance Indicators would evidence if there was sufficient demand to bring forward future projects. Further installations would be expected in the next few years, subject to government funding.

One Member highlighted other ways to recycle in parishes that did not have a recycling centre nearby e.g private recyclers and skip hire.

AGREED:

- 1. To note the contents of the 2021/22 mid-year performance report.**
- 2. To support amending the Corporate Plan Actions and Key Performance Indicators in line with the outcomes of the review.**

37. Verbal Update on Tree Planting

The Director for Commercial and Operations provided the Committee with a Verbal Update on Tree Planting which highlighted that at the previous meeting, the Committee allocated the Climate Change Reserve Funding of up to £20,000 for Tree Planting. Following this meeting, the officers committed to conduct consultation with South Kesteven Ward Councillors and copy in Parish/Town Councils. This process was delayed due to the pre-election period; however, it had been launched on the 1 November 2021 for just over 2 weeks. Following consultation, the Council received positive feedback and queries regarding types of trees, impacts on pets and animals and the formation of trees in certain locations. It was highlighted that two proposed areas had been modified. The Tree Planting had now started, and the relevant Ward Councillors had been notified and invited to attend.

The Director for Commercial and Operations reminded the Committee that in terms of the four areas for Tree Planting, it would be in each of the four towns (Gonerby Hill Foot in Grantham, Fox Glove Drive in Stamford, Rochester Crescent in Bourne and Tattershall Drive in the Deepings).

A query was raised regarding the budget only being able to provide trees in three of the four proposed areas originally.

The Director for Commercial and Operations confirmed that the proposals had been adjusted slightly to enable all four proposed sites to go ahead within the budget.

38. Verbal Update on Climate Change

The Sustainability and Climate Change Officer provided the committee with a verbal update on Climate Change. It was highlighted that the Climate Action Group meeting

that functioned as a Member/officer group had taken place on 19 November 2021. At the meeting, it was agreed to update the terms of reference to confirm that the group was now permanent and would meet twice a year to consider the Council's approach to its operational carbon footprint. It also focussed on the engagement throughout the wider district around climate change and meaningful impact on South Kesteven District Council.

It was noted that greater promotion of the Climate Matters statement would take place as part of the Council's wider climate change engagement work.

39. Water refill stations

The Cabinet Member for Housing and Property presented the report which outlined the potential benefits publicly accessible drinking fountains could offer, including reduced waste from reused bottles. Consideration for any new facilities should be given to the financial and maintenance implications.

One Member raised the following points:

- 7.7 billion plastic bottles are bought across the UK every year, estimating 150 for each person in the UK.
- It takes 3 times the amount of water in a water bottle to make the bottle itself, it takes ¼ of the bottle in oil to fill, transport, cool and dispose of each bottle.
- A single-use plastic bottle takes 400 years to break down.
- 91% of plastic water bottles globally are not recycled.
- It is estimated that by 2050, the oceans will contain more plastic than fish.
- Towns and cities over the world have banned plastic water bottles.
- Refill website – programme started in Bristol and shows where you can refill a water bottle.

Another Member raised a concern of how the water fountains would be made in order to prevent any potential vandalism.

The Cabinet Member for Housing and Property confirmed that consultation would need to take place with Town Council's in order to establish the most sensible locations for the water stations.

A concern was raised that installing the water fountains in each of the four town centres may not have the desired effect. It was highlighted that promotion and uptake of the refill scheme amongst local businesses and town centre users would be beneficial.

One Member had undertaken research into how the water stations could be made. It was noted that some other Council's had used a company (MIW) to provide them with 'vandal-proof' water fountains. Estimated maintenance costs were also discussed with an annual cost of £250 a year.

ACTION:

- 1. For the relevant Member to forward the letter sent to Stamford Town Council with regard to water refill stations onto South Kesteven District Council for other Members to circulate.**
- 2. For the Director for Commercial and Operations to return to the Committee at the meeting on 8 March 2022 with costings.**

AGREED:

It was proposed, seconded and **AGREED** that the Council considered developing a proposal for a public drinking fountain in the town centres of each of the four towns in the District, subject to budget considerations and to embark on a publicity campaign to support the Refill agenda.

40. Green Flag Status at Council Parks including Jubilee Park, Deeping St James

The Cabinet Member for Housing and Property presented the report that outlined Corporate Plan key actions and targets in relation to Green Flag Status. Positive progress had been made which included Queen Elizabeth park achieving Green Flag Status for the first time in 2021. Wyndham park had also secured Green Flag Status for the tenth year.

It was highlighted that further progress had been made since the report was published and the designation of an area should not be a major hurdle to apply for Green Flag Status.

One Member noted that the number of Green Flag Status parks in South Kesteven had doubled in the past year. A concern was raised over the low increase of Green Flag Status parks in South Kesteven from 1 to 2, in contrast, Nottingham City Council had 68 Green Flag Status parks. It was noted that South Kesteven District Council could be more ambitious regarding the amount of Green Flag Status awards.

The Green Flag Status eligibility was clarified; that any green space that was freely accessible to the public and had a site-specific management plan. It was highlighted that Jubilee Park in Deepings St James would be eligible for this award.

The Director for Commercial and Operations reiterated that the timing of the request for the report meant that the report timescales were very tight and around in a few days in order to meet deadlines of approvals and publication. He highlighted that in terms of the financial elements, that Grantham had a special expense area and was a different budgetary component due to Grantham not having a Town Council meaning different arrangements for the Grantham parks.

It was highlighted that there were different responsibilities, ownerships and management arrangements in each of the four towns, meaning some of the areas were not within South Kesteven District Council's management or ownership and were the responsibility of the Town Council in these areas.

A Member queried as to whether there had been a list of a broader plan for other potential areas that could be eligible for a Green Flag Award.

The Director for Commercial and Operations confirmed that there had been no direct shortlist. The emphasis had been on the 3 areas linked to where funding was applied.

ACTION:

For the Committee to receive an update at the 8 March 2022 meeting.

AGREED:

For the Council to investigate the feasibility to have more Green Flag Status parks in South Kesteven and to communicate with the relevant Parish Council's.

41. Work Programme 2021 - 2022

ACTION:

Members requested that the following items be added to the Work Programme for the next meeting on 8 March 2022:

- **Update on Water Refill Stations**
- **Update on Green Flag Status at Council Parks**
- **Progress Update on the Depot Project**
- **Verbal Climate Change Update**

42. Any other business which the Chairman, by reason of special circumstances, decides is urgent

Members discussed and agreed that a pre-meeting was not necessary going forward for this Committee.

There was no other business.

43. Close of meeting

The Chairman closed the meeting at 12:04