

## **ENVIRONMENT AND ECONOMY OVERVIEW AND SCRUTINY PANEL**

**THURSDAY 28 JULY 2016 AT 10.00AM**

**PRESENT:** Councillor Nedved (Chairman), Councillors Betton, Bowditch, Christian, Mrs Coleman, Dodd, McDonald and Mitchelson

**ALSO PRESENT** Councillor Glover (Leader)(until 12 noon)  
Councillor Dr Tickner (Deputy Leader, and Finance, Governance and Resources Portfolio Holder) (until 12 noon)  
Councillor Mrs Bradley (Economy, Enterprise and Housing Portfolio Holder)  
Councillor Southward (Environment and Transport Portfolio Holder)

Councillors Allison, Burns, Mrs McKerrell, Mrs Parsons, Paton and Mrs Warwick (Observers) (until 12 noon)  
Councillor Mallinson (J) (Observer)

Mr J Ratcliffe (Eden Catchment Director – Environment Agency)  
Mr A Brown (Flood and Coastal Risk Manager, Cumbria and Lancashire Area – Environment Agency)  
Ms A Jones (Assistant Director of Economy and Environment - Cumbria County Council)

**OFFICERS:** Deputy Chief Executive  
Director of Economic Development  
Neighbourhood Services and Enforcement Manager  
Programme Lead (Rethinking Waste Project)  
Overview and Scrutiny Officer

### **EEOSP.39/16 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **EEOSP.40/16 DECLARATIONS OF INTEREST**

There were no declarations of interest affecting the business to be transacted at the meeting.

### **EEOSP.41/16 PUBLIC AND PRESS**

RESOLVED – That the Agenda be agreed as circulated.

### **EEOSP.42/16 MINUTES OF PREVIOUS MEETINGS**

Referring to Minute EEOSP.36/16 (December 2015 Flood Update Report), a Member referenced the fact that his comments had not been recorded verbatim within the Minutes.

The Deputy Chief Executive responded to the issues raised by the Member. In so doing, he undertook to provide an update (via a briefing note) on the work being undertaken / options under consideration to rectify damage to riverbanks.

Following discussion, it was:

RESOLVED – (1) That the minutes of the meeting of the Environment and Economy Overview and Scrutiny Panel held on 14 April 2016 be agreed as a correct record of the meeting and signed by the Chairman.

(2) That the minutes of the meeting held on 30 June 2016 be noted.

(3) That the Deputy Chief Executive arrange to provide the update alluded to above.

#### **EEOSP.43/16 CALL-IN OF DECISIONS**

There were no items which had been the subject of call-in.

#### **EEOSP.44/16 OVERVIEW REPORT AND WORK PROGRAMME**

The Overview and Scrutiny Officer presented report OS.15/16 providing an overview of matters relating to the work of the Environment and Economy Overview and Scrutiny Panel.

The Overview and Scrutiny Officer reported that the most recent Notice of Executive Key Decisions, copies of which had been circulated to all Members, had been published on 1 July 2016. The undernoted items fell within the remit of the Panel:

##### **KD.13/16 Adoption of Carlisle Local Plan 2015-2030**

The Director of Economic Development was scheduled to submit a report to the Executive on 1 August 2016. The Inspector's Report had been delayed, as a result of which the matter was deferred.

##### **KD.14/16 Parish Charter – Planning Working Agreement**

The Executive would, on 1 August 2016, be asked to approve the Planning Working Agreement as part of Carlisle City Council's Parish Charter.

##### **KD.15/16 North West Coast Connections Project S42 Consultation Response**

The Executive would be asked to respond to the S42 Consultation on the North West Coast Connections Project. That decision would be taken on 24 October 2016.

She added that, following consideration of the Local Enforcement Plan on 4 July 2016 (EX.56/16), the Executive had referred the matter to the Panel for consideration today.

Members did not raise any questions or comments on the items contained within the Notice of Executive Key Decisions.

The Overview and Scrutiny Officer drew attention to the Panel's current work programme attached as Appendix 1 to the report. Members were asked to note and/or amend the programme.

The following items were scheduled for the next meeting on 15 September 2016, and Members were asked to give particular consideration to the framework for that meeting:

- Performance Monitoring Report
- Local Plan / Local Development Scheme
- Business Plan development for Carlisle Parks

The Chairman indicated that updates on Talkin Tarn and also a Flood Report (Deputy Chief Executive) would be forthcoming.

RESOLVED – (1) That the Overview Report (OS.15/16) incorporating the Work Programme and Notice of Executive Key Decision items relevant to this Panel be noted.

(2) That the items identified above be scheduled within the Panel's Work Programme.

## **EEOSP.45/16      FLOOD REPORTS**

The Chairman introduced this item of business, extending a very warm welcome to Mr Jim Ratcliffe (Eden Catchment Director – Environment Agency); Mr Andy Brown (Flood and Coastal Risk Manager, Cumbria and Lancashire Area – Environment Agency); and Ms Angela Jones (Assistant Director of Economy and Environment – Cumbria County Council).

The following documentation was submitted:

- Overview report entitled “Reducing flood risk from source to sea”
- Cumbria Flood Action Plan
- Carlisle Community Action Table
- Flood Investigation Reports for Carlisle and District (Carlisle; Low Crosby; and Warwick Bridge) produced by the Environment Agency as a key Risk Management Authority under Section 19 of the Flood and Water Management Act 2010 in partnership with Cumbria County Council as Lead Local Flood Authority

Mr Brown thanked the Panel for the opportunity to come along and explain the work proposed over the short, medium and longer term. He considered that to be most important.

Mr Brown gave a presentation updating the Panel on the Cumbria Floods Partnership (CFP). He summarised in some detail the roles and responsibilities of the various bodies with regard to flooding; the scale and extent of the December 2015 flooding event which represented a huge challenge; and the work undertaken / ongoing in preparation for winter 2016, including the status of the various projects in the Carlisle area.

Mr Ratcliffe continued the presentation, highlighting the overview report (Reducing flood risk from source to sea), and outlining details of the integrated catchment plan for Cumbria; examples of the 102 actions being worked on; post plan publication actions; longer term investment; and CFP actions relevant to Carlisle and Parishes.

Speaking in response to a point raised earlier in the meeting, Mr Brown commented upon the importance of everyone working together to ensure effective delivery of the 'Winter Plan'. To that end the Environment Agency was working closely with the City Council's Director of Economic Development and colleagues at the County Council.

Mr Ratcliffe added that sections of the Eden were located within the three worst affected catchments (Cumbria Flood Action Plan referred).

The following observations and questions were raised in discussion:

- *The Cumbria Flood Action Plan included various actions the timescales for completion being in the medium-term / long-term. Completion thereof was of critical importance to residents and businesses alike. What would be put in place should another severe flooding event occur this winter?*

Mr Brown advised that the aim was that, as a minimum, all damaged flood defences / affected in the December 2015 floods should be returned to their original state by winter 2016. He referenced a number of items in the listing provided as part of the presentation and within the Winter Plan which should give people confidence that good planning was being done in advance of the winter.

Mr Brown recognised that people wished to see solutions in place prior to the winter, but was not in a position to provide that guarantee. The process was extremely complicated and he wished to ensure that the available funding (£25m) was spent in the most effective manner.

The Director of Economic Development added that work on development of the Winter Plan (which included the Environment Agency, the County Council and the City Council) was well advanced. It was hoped that the Winter Plan would be complete by the end of August 2016.

- *A Member sought clarification as to the money currently available (£25m) and whether that would be sufficient to prevent flooding if spent in the most effective manner.*

Mr Brown stated that the £25m referred to was the starting point. More information was required e.g. the Environment Agency had entered into key discussions with Network Rail on how they could work together to enhance resilience of their structures and how they could better pass water through those structures. His instinct was that additional funding would be required.

- *Did the reference to clearing rivers of gravel and debris include all water courses and would that continue upstream?*

*Would the findings from the inspection work to the river network be communicated to Parish Councils and local people so that they understood the position?*

In response, Mr Brown explained that the Environment Agency's focus would be on locations of greatest significance to those people at risk of flooding. Otherwise it was a matter for landowners. On the latter issue, he emphasised that a key priority within the Flood Action Plan was around clarity on the actions taken and reasons therefor.

Mr Ratcliffe added that the request was common amongst communities who wished to understand the decision making process.

- *The Carlisle Flood Investigation Report – Flooding History recorded that the flood event in January 2005 had an estimated Annual Exceedence Probability (AEP) of 0.59% (1 in 170) of flooding occurring in any one year. The matter was very complicated and also emotive.*

*Bearing in mind that two flooding events had occurred in 10 years and the changing climate, was the Environment Agency confident in the probability set out in the table on page 6 of the investigation report.*

Whist not technically qualified, Mr Ratcliffe recognised the emotive nature of the language used. The Environment Agency was acutely aware and was looking to describe flood risk in a way which was more meaningful to people on the ground.

Mr Ratcliffe further explained that models and forecasts were being reviewed in conjunction with the Meteorological Agency. Mr Brown added that the modelling was stress tested to determine whether it was fit for purpose. The Environment Agency had confidence that the modelling was strong in terms of the area most at risk. In future they would think more broadly.

- *How important was up-stream water management in terms of safeguarding the City and communities from future flooding; and were clear actions / timescales in place?*

Mr Ratcliffe outlined the integrated approach being undertaken with regard to upstream water management which was an emerging and growing science. A number of projects / trials were ongoing with some promising results. Although in the early stages, the outcomes thereof should provide a strong evidence base by which to attract future funding.

Mr Ratcliffe commented upon the need to work with landowners / buyers to address their concerns, including loss of value. He also summarised the general feedback received from the National Farmers' Union who provided a service to the community.

- *What lessons had been learnt in the 10 year period from the 2005 floods which could be applied moving forward; and what measures were being put in place to ensure that information was disseminated to affected people?*

Mr Brown replied that substantial flood defences had been built in Carlisle in the aftermath of the 2005 floods. Clearly no defence would always work in exceptional circumstances. In terms of a 'Plan B' consideration was being given to actions to minimise damage should a significant flooding event reoccur.

The Director of Economic Development stressed that community engagement was key. Officers were looking at an Action Plan and working with communities. More work would be done to bring together community areas within Carlisle.

Mr Ratcliffe added that Mr Brown, himself and others were making a very conscious and concerted effort to engage. Community Flood Groups within the Carlisle area performed a very useful service and were pivotal in terms of informing and sharing information. He hoped to tap into that resource to a greater extent.

*Who would take ownership of the process referred to?*

Ms Jones outlined the partnership approach, which included a Team from the Environment Agency and a Team covering the North. The County Council was helping to engage smaller community groups to work under the umbrella group.

- *The list of projects being undertaken in preparation for winter 2016 included the Botcherby Bridge and the River Petteril. Was the Environment Agency in discussion with the City Council on those matters?*

Mr Brown confirmed that the Making Space for Water Groups worked together to discuss issues in order that all worked in harmony and it was as financially efficient as possible. That mechanism was therefore in place.

- *How were the preparations feeding into the National Resilience Review?*

Mr Brown advised that the Review was a context setting piece at a national level and he summarised the parameters going forward. The Review would be a catalyst for greater investment and stronger protection measures. The City's needs would be protected by everyone coming together to make a strong unified case. The Environment Agency would do what it could and had a good track record in the County in terms of securing funding when needed.

- *What would a survey cost and why were third parties being brought in at tax payers' expense when the Environment Agency was doing a good job?*

*The Member wished to see greater consultation. A number of homes had been flooded as a result of the river following its course and he sought an assurance that the river banks from Melbourne Park to Botcherby Bridge, the Swifts and the Eden would be looked at. Footpaths had been damaged in those areas and he wished to see greater commitment to footpath maintenance. Drainage problems had arisen due to builders depositing rubbish into the drains. Raw sewerage was also an issue.*

*The Member contended that planning applications / developments may also contribute to rising water levels; and questioned whether Officers were encouraging planning applications on flood zones. He added that the City Council was responsible for dredging rivers and was not doing enough to meet its responsibilities.*

*The Member further questioned whether consideration had been given to the flood defences in the lower part of Melbourne Park*

In response, the Deputy Chief Executive emphasised that the City Council had and would take action to meet its responsibilities as regards those riverbanks in City Council ownership. The exercise was complex and costs would be between £7,000 and £10,000 for completion. Although consents were in place, costings were awaited and those would be circulated when available.

He undertook to investigate in more detail the issue regarding responsibilities for maintenance from Melbourne Park to the River Eden.

The Director of Economic Development advised that the City Council was not in a position to prevent the submission of planning applications, and had a statutory duty to deal with those submitted. Officers worked very closely with the Environment Agency (statutory consultee) regarding the imposition of conditions to prevent flooding. She stressed that Officers talked to developers to raise issues around flooding in order that they were fully aware of the necessary mitigation measures.

- *Potentially another flooding disaster may occur in December 2016. By what means could the confidence of residents and businesses be restored in the interim period?*

Mr Brown acknowledged the challenges around building confidence. It was important to focus on what needed to be done, do that correctly and as expeditiously as possible, and take steps to ensure that everyone understood the actions being undertaken and why and how they could inform decision making.

Speaking from his own experience, Mr Ratcliffe believed that it was important to raise awareness and keep people updated.

- *The purpose of the Carlisle community action table was to highlight the flood management currently in place and the specific actions that were happening or proposed within the Cumbria flood action plan for that community. The table made reference (under the resilience theme) to a local levy. A Member sought clarification on that aspect.*

Mr Brown explained that it related to an established funding mechanism already in place whereby the County Council paid into a flood levy pot. The funding was pulled together on an annual basis for use in funding actions which otherwise would not be taken or to build stronger business cases.

*The Member added that the local community may have believed that they would be subject to a flood levy, and cautioned on the need for care to be taken regarding the wording of such matters within the action table.*

- *A Member reiterated his concerns, set out above, regarding the Botcherbybridge and riverbanks and requested that they be taken away and investigated.*

In response, Mr Ratcliffe indicated that the next step was a scheme appraisal whereby Officers would look at the work undertaken, gain an understanding of how the scheme operated and performed in relation to the floods. Melbourne Park would be incorporated. In terms of the Botcherbybridge, repairs were taking place and some gravel would be removed. It was, however, important to exercise caution to avoid a scenario whereby foundations were undermined.

The Chairman sought and received confirmation that Mr Brown and Mr Ratcliffe would attend a future meeting to update the Panel on progress made.

Ms Jones then gave a presentation on the Section 19 Flood Reports. In so doing, she provided a detailed overview of the statutory duties under the Flood and Water Management Act 2010; the Risk Management Authorities and their respective roles; the current structure of the Lead Local Flood Authority (which would change); and local governance arrangements. Ms Jones further summarised aspects including the authority's responsibility for providing advice to 9 local planning authorities in Cumbria; the local Flood Risk Management Strategy (which would be reviewed); Cumbria LFRMS Action Plan; Making Space for Water Groups – ownership of localised flooding issues; developing community resilience; the December 2015 floods; Flood Forums and reports; December 2015 investigations; funding arrangements and work being undertaken moving forward.

The following observations and questions were raised in discussion:

- *The presentation was very good and strategic in its outlook. However, in excess of 1,000 people had yet to return to their properties post the December 2015 floods. To what extent did the County Council, as Lead Local Flood Authority (LLFA), understand what communities were going through?*

In response, Ms Jones summarised the roles / responsibilities and actions undertaken by the various authorities and organisations in the immediate aftermath of the December 2015 floods through to the recovery phase. She could not praise highly enough the valuable work undertaken by Churches Together, the Rotary Club, the Red Cross and others in helping those in need. A great deal of intelligence was gleaned from that work.

Ms Jones understood that residents and businesses alike had gone through a very traumatic time and that there remained a long way to go. The LLFA was constantly asking questions to ascertain what was required in order to direct resources. She concluded that they had a good understanding around the needs of the community.

- *Did the planning undertaken by the Community Flood Action Groups include arrangements whereby people who wished to volunteer their services to assist in the aftermath of an emergency could do so effectively?*

Ms Jones replied that importantly a good flood action group included volunteers i.e. people not affected by the flooding event. The LLFA was endeavouring to get better at assisting those groups to attract and recruit volunteers.

Mr Jones added that, following the acute phase, a de-brief was always undertaken to identify what went well and those aspects which could be improved upon. Analysis of that process had produced 80 recommendations. There was a need to consider the creation of a better mechanism whereby people could offer their help.

- *A Member referred to the submission of applications for planning permission and flooding related issues around future development. Local people were aware of flooding problems in their areas which was of huge concern, and quite often submitted photographic evidence (as part of the consultation process). Would there be a change in the approach to flooding so that greater emphasis was placed on the need to protect; and was there a better way to respond to consultation?*

Ms Jones acknowledged that Cumbria County Council did make technical responses to consultation and that there was no mechanism by which people could challenge that. Lessons could be learned.

Although she did not anticipate a fundamental change, there was an issue around wider engagement with local people and the provision of detailed explanations. Care would, however, require to be taken not to fetter the planning process.

- *The Rt Hon Rory Stewart MP OBE was, until recently, Minister for Flooding and had chaired the Cumbria Floods Partnership. In his Foreword to the overview report Mr Stewart commented on the provision of affordable flood insurance for households across Cumbria through FloodRe, but there was no mention of a similar scheme for affected businesses. Had contact been made with the new Minister?*

Ms Jones indicated that the County Council had not yet met with all of the new Ministers, but was trying to get those visits arranged.



Mr Brown stated that Mr Stewart would attend the forthcoming meeting of the Cumbria Floods Partnership. The Rt Hon Andrea Leadsom MP had taken over the role at DEFRA and Mr Brown was confident that he would meet with the Minister soon. Mr Brown added that he and others were working with the British Insurance Brokers Association on the development of a new scheme for business flood insurance.

- *What action could Members take if approached by landlords / businesses who were unable to obtain insurance, and how could that information be fed into the development process?*

Mr Brown replied that there were specialist insurance brokers who specialised in providing insurance that others could not provide.

- *The general public were not necessarily aware of the repair / recovery work being undertaken by the Environment Agency, focussing instead on what they could see e.g. Stony Holme golf course was not yet open. What liaison was taking place with agencies such as GLL as part of the recovery process?*

The Deputy Chief Executive confirmed that Officers within the Sports Development Team were in contact on a daily basis, and GLL had been helpful and responsive. Stony Holme golf course had been open to the public and club members for several months now, with porta cabins providing temporary ancillary facilities. A further update report would be submitted to the Community Overview and Scrutiny Panel in due course. The Sheepmount was also open as an athletics facility, although not to the general public as yet.

The Deputy Chief Executive undertook to discuss the issue of the Stony Holme club house separately with the Member concerned.

- *Reiterating once again the points raised earlier in the meeting with regard to footpaths and bridges, a Member asked whether plans and costings had come forward.*

*He also questioned what was being done to financially support residents in need who were still suffering.*

Ms Jones advised that the flooding damage across the County, National Parks and in Carlisle was significant (estimated costs being in excess of £10m). She also commented upon the funding bid submitted / gap in funding, together with the work being undertaken to assess damage in readiness in the event that additional funding became available. Ms Jones undertook to update the Member on those aspects outwith the meeting.

The Director of Economic Development added that the City Council was administering the scheme providing flood grants (£500) and flood resilience grants (£5,000 per household). A further £2,000 top up grant could also be applied for from the Cumbria Flood Recovery Fund, the closing date for grant applications being the end of December 2016.

- *Flood victims appreciated people visiting them to offer assistance. Were records kept of instances where the owner/occupier of the property was not in so that a return visit could be undertaken?*

Ms Jones replied that the Red Cross kept a comprehensive register of displaced people, including details of where they were now staying, whether they were vulnerable and had needs. Reaching certain people remained a challenge and it was important that the Red Cross continued with that valuable work.

Speaking at the invitation of the Chairman, the Deputy Leader, and Finance, Governance and Resources Portfolio Holder questioned when the Making Space for Water Group had last met.

Ms Jones advised that the Group met on a quarterly basis, with meetings being arranged to align with meetings of the Strategic Partnership as far as possible.

A Member (observer) said that clearly reinstatement of homes damaged as a result of the floods must be the priority. However, the loss of land, access to land and income was very important to farmers. He questioned how strongly that aspect featured as a priority.

Mr Brown pointed out that the integrated approach to flood and land management identified within the Cumbria Flood Action Plan included the launch of a number of community-led pilot projects (including Stockdalewath) by summer of 2016. Central Government funding was clearly prioritised. Having said that, however, the Government was committed to looking at farmer support payments and how programmes may be modified.

The Member added that he had, some time ago, surveyed the river Caldew and had taken photographs / identified critical points.

Mr Brown replied that photographic evidence was valuable and the Agency welcomed the submission of all information that people could provide.

The Chairman thanked Mr Brown, Mr Ratcliffe and Ms Jones for their attendance at the meeting, and for what were extremely informative and interesting presentations.

[copies of the above mentioned presentations had been circulated to Members and would also be made available on the Committee Management Information System following the meeting]

RESOLVED –(1) That the Environment and Economy Overview and Scrutiny Panel welcomed the most informative and interesting presentations provided by representatives of the Environment Agency and Cumbria County Council.

(2) That an invitation be extended to the parties to attend the 1 December 2016 meeting to update the Panel on progress.

(3) That the Panel looked forward to the submission of a report on the Winter Plan and an update on the work of community flood groups at their next meeting in September 2016.

The meeting adjourned at 12 noon and reconvened at 12.05 pm

## EEOSP.46/16      RETHINKING WASTE PROJECT UPDATE

The Neighbourhood Services and Enforcement Manager submitted report LE.14/16 concerning the Rethinking Waste Project.

By way of background, the report recorded that the Executive had, on 29 June 2015, considered a range of options for the future shape of the Council's refuse and recycling collection service. The Executive agreed to support the recommendation (option one), subject to the development of a full business case which would see the fortnightly collection of refuse in a 240 litre wheeled bin for the majority of households; garden waste in a 240 litre wheeled bin for the majority of households (where appropriate); and recycling (card, paper, glass, plastic and cans) using a 'modern Resource Recovery Vehicle'

The report further provided an update for Scrutiny on progress with the Rethinking Waste Project as undernoted; and highlighted the key developments as Officers worked to improve the authority's refuse and recycling service for the benefit of residents:

- an update on progress against the original aims of the project
- confirmation of the key dates (project plan)
- an outline of the authority's commitment to communication and what the project plan would mean for residents
- identification of developments and preferred vehicle options
- information on the likely financial impact of the changes

The Neighbourhood Services and Enforcement Manager then gave a presentation providing greater detail on each of the above aspects.

In considering the report Members raised the following comments and questions:

- *Would the new proposals provide capacity to take on additional recycling – factoring in new housing developments?*

The Neighbourhood Services and Enforcement Manager confirmed that a key aspect of the Rethinking Waste project was around levelling the offer to all.

- *Little information had as yet been provided on the financial case. Would the allocation in the Council's Medium Term Financial Plan require significant alteration as a result of the decisions regarding replacement vehicles and that a Transfer Station should not be built?*

The Neighbourhood Services and Enforcement Manager referred further to progress on the project aims, commenting that liaison had taken place with colleagues in Financial Services and the project remained affordable and deliverable.

- *A Member sought assurances regarding staffing levels. He also alluded to damage to grass verges / kerbs caused by refuse vehicles.*

In response, the Neighbourhood Services and Enforcement Manager explained the situation as regards staffing. He added that the collection vehicles carried on board cameras. On occasions when complaints were received footage was examined from which it was determined that damage was not always caused by the refuse vehicles.

- *A series of reports had been produced over the past year on the Rethinking Waste Project, options under consideration including the testing of modern recycling Resource Recovery Vehicles (RRVs) which offered the ability to compartmentalise a wider range of materials in one pass than the current collection vehicles. EU Directives and recycling targets were also an important consideration. Explain the rationale behind the decision to move away from the use of RRVs.*

The Neighbourhood Services and Enforcement Manager explained that many local authorities undertook full co-mingling of materials and could justify that decision. Details of the pros and cons of each option for future recycling collection vehicles in Carlisle from April 2017 were set out at Appendix 2 to his report.

- *What were the current recycling targets; how were targets determined; and would closer working relations with Cumbria County Council improve performance and the achievement of recycling targets?*

In response, the Neighbourhood Services and Enforcement Manager advised that national targets were in place (50% by 2020) with the City Council's performance running between 43% - 46%. In his view, if the collection process was simplified and clearly communicated to residents, and the service extended (where possible) to those not currently receiving it, recycling performance figures would increase.

The City Council did work the County Council via the Cumbria Strategic Waste Partnership, in addition to which a waste management programme was in place.

- *What were the Terms of Reference of the Rethinking Waste Cross Party Working Group and could this Panel have sight thereof?*

The Neighbourhood Services and Enforcement Manager replied that the Rethinking Waste Cross Party Working Group had been convened with the single purpose of considering the proposals put forward.

The Deputy Chief Executive clarified, for the benefit of Members, the differing roles of Cross Party Working Groups as opposed to Task and Finish Groups. Effective communication with all stakeholders was key to the successful implementation of the project and to securing public commitment to recycling. The views of the Cross Party Working Group and Scrutiny would form part of that communication plan.

- *Notes were, on occasion, placed on bins to alert residents to problems with the separation of waste. Could those notes include a request to recycle?*

The Neighbourhood Services and Enforcement Manager commented upon the importance of striking the correct balance. It was not possible to force people to recycle. However, if an issue was evident on a continuous basis, that should be logged in the system.

The Programme Lead (Rethinking Waste Project) added that an education and enforcement initiative had been undertaken last year encouraging the correct use of gull sacks.

- *A Member was unsure as to how the amount of litter left behind following refuse collections and the impact thereof on the street scene would improve under the Rethinking Waste Project.*

The Neighbourhood Services and Enforcement Manager reiterated that a single set of service standards would be adopted. Staff would be trained accordingly and the position monitored. The problem was more difficult to resolve on occasions where recycling was scattered due to inclement weather conditions.

- *Re-education on the revised proposals was important. When would that take place?*

The Neighbourhood Services and Enforcement Manager reported that a future edition of the Residents' Magazine would include a feature on recycling.

The Chairman thanked the Neighbourhood Services and Enforcement Manager for his very comprehensive and informative presentation.

RESOLVED – That the Environment and Economy Overview and Scrutiny Panel received Report LE.14/16, together with the presentation provided by the Neighbourhood Services and Enforcement Manager, and noted progress made regarding the Rethinking Waste Project.

## **EEOSP.47/16      LOCAL ENFORCEMENT PLAN**

During consideration of this item of business, Councillors Christian, Bowditch and Nedved declared an interest in accordance with the Council's Code of Conduct. The interest related to the fact that Councillor Christian was a Member and Councillors Bowditch and Nedved were substitute Members of the Development Control Committee.

Councillor Christian took part in discussion on the matter.

The Director of Economic Development submitted report ED.28/16 setting out an updated Local Enforcement Plan as required by the National Planning Policy Framework.

Speaking by way of background, the Director explained that Report ED.07/16 was prepared to inform the Development Control Committee of the Council's statutory duty to have in place a Local Enforcement Plan and provide them with an opportunity to input early into the revised document.

The Development Control Committee had considered the matter on 12 February 2016 (Minute DC.26/16) and resolved that the document be referred to the Council's Executive to undertake consultation.

The Executive had, on 4 July 2016, resolved to refer the Local Enforcement Plan to the Environment and Economy Overview and Scrutiny Panel as part of the consultation process. Members of Development Control Committee had requested a workshop during the progression of the plan prior to its approval. A copy of Minute EX.56/16 was also appended.

The following observations and questions were raised by Members during their scrutiny of the report:

- *The Enforcement Plan revolved around the phrase ‘unacceptably affects public amenity’ yet that was not clearly defined. Could that wording be clarified?*

The Director of Economic Development explained that the phrase was a planning term understood within the profession. She undertook to give consideration to the inclusion of wording to define that aspect in more detail within the Appendix to the report.

- *Section 1.3 of the Local Enforcement Plan related to the resolution of breaches of planning control by negotiation. Although the Planning Authority may be satisfied, very often the public remain unsatisfied as they did not understand what had taken place in negotiation. Could action be taken to address the matter, perhaps via communication with neighbours involved?*

In response, the Director of Economic Development drew Members’ attention to Section 10 which set out details of the Council’s commitment to keeping people informed. The Director also had meetings with those involved to explain in more detail the decision making regarding specific planning applications.

- *A Member expressed a wish for better communication with third parties and sought clarification on the enforcement process.*

The Director of Economic Development reiterated that the protocol included details of how people would be kept informed. She added that the Enforcement Officer was retiring, but the post would be filled as soon as possible.

- *Members of the Development Control Committee had requested that arrangements be made for a workshop session. Could that be opened up to other Members of the Council?*

In response, the Director of Economic Development indicated that she was very happy to accommodate the Member’s request since it was important that the wider membership of the Council understood the matter.

RESOLVED – (1) That the Environment and Economy Overview and Scrutiny Panel had given consideration to the proposed Local Enforcement Plan appended to Report ED.28/16.

(2) That the Panel’s observations set out above be conveyed to the Executive.

(3) That Panel Members wished to be afforded the opportunity to attend the workshop session alluded to above.

(The meeting ended at 1.00pm)