

ENVIRONMENT AND ECONOMY OVERVIEW AND SCRUTINY PANEL

THURSDAY 21 JUNE 2012 AT 10.00 AM

PRESENT: Councillor Layden (Chairman), Councillors Bainbridge, Bowditch, Graham (as substitute for Councillor Betton), Nedved and Scarborough (as substitute for Councillor McDevitt).

ALSO

PRESENT: Councillor Glover – Economy and Enterprise Portfolio Holder
Councillor Mrs Martlew – Environment and Transport Portfolio Holder
Councillor Bloxham – Observer

EEOSP.32/12 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Betton, McDevitt, Watson and Whalen

EEOSP.33/12 DECLARATIONS OF INTEREST

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

EEOSP.34/12 MINUTES OF PREVIOUS MEETING

RESOLVED – 1) That the minutes of the meeting held on 22 February 2012 be agreed as a correct record of the meeting and signed by the Chairman.

2.) That the minutes of the meeting held on 5 April 2012 be noted.

EEOSP.35/12 CALL IN OF DECISIONS

There were no matters that had been the subject of call in.

EEOSP.36/12 CHAIRMAN'S ANNOUNCEMENT

The Chairman advised that it had been agreed to take item A.6 on the agenda (Botchergate Conservation Appraisal and Management Plan) as the first item to facilitate the work of the Economy and Enterprise Portfolio Holder and the Director of Economic Development.

EEOSP.37/12 BOTCHERGATE CONSERVATION APPRAISAL AND MANAGEMENT PLAN

The Overview and Scrutiny Officer (Mrs Edwards) submitted report OS.17/12 that provided Members with the comments from the small Task Group which considered the responses to the consultation of the Botchergate Conservation Appraisal and Management Plan.

Mrs Edwards reminded Members that the initial report and proposals were considered by the Panel at their meeting on 20 October 2011 prior to public consultation. As the report had been discussed in depth at that meeting the Chairman agreed that a small group of Members from the Panel should meet with the Heritage Officer to consider the response to the consultation which was the current role of the Panel. The group, consisting of Councillor Bowditch, Layden and Nedved, met with the Heritage Officer and the Principal Local Plans Officer on 13 June 2012.

At that meeting the Heritage Officer explained to members that, following approval of the draft document by Council on 8 November 2011, a period of public consultation ran from 3 January 2012 to 5 March 2012. That consultation comprised of an exhibition at Carlisle library, and an unstaffed exhibition at the Civic Centre. The draft was also available on the City Council's website along with a comments form which could be downloaded. A design workshop event for local retailers, business representatives, community representations and officers and Members from both City and County Councils was held at Greystone Community Centre on 20 January 2012. As a result of the consultation 43 individual responses were received and there were no objections raised to the proposed modifications to the Conservation Area boundary. Task Group Members were given the opportunity to ask questions to clarify any issues within the report and looked closely at the consultation responses and the response to those.

During the course of the Task Group meeting a number of points were raised and it was recommended that those points were presented to the Executive for their consideration. The points raised included:

- Historical buildings outside of the boundary being taken into consideration
- Concerns about the City Council's capacity to undertake enforcement action on breaches of planning control or the neglect of Listed Buildings
- Members would like to see positive action within the action plan, which would be produced should the document be adopted by the Council, to address the issue of signage and hoardings to the impromptu car park opposite Tait Street junction
- The area could be substantially enhanced with improved streetscape
- Members noted that instances of poor design made the area look inconsistent and shabby and small enhancements would improve the area
- Members agreed that the consultation period was robust and following scrutiny of the responses to the consultation, agreed with the changes included in the revised document to address any views or concerns.

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

The Director of Economic Development (Mrs Meek) assured Members that any development adjacent to the Conservation Area would take into account the principles set out in the Conservation Area Management Plan.

Who would be responsible for the setting of the Conservation Area boundary? Would the boundary be "set in stone" or was there the potential to vary it if an issue was raised?

Mrs Meek explained that the boundary would be recommended by the Executive to Council and once approved would be set in place. However if an issue arose regarding the boundary in the future the matter could be referred to the Executive for consideration.

A number of trees had been removed from the area over the years and they softened the area. The City Council would need to link with the County Council with regard to road improvement issues but the City Council needed to be firm in its support for the area.

Members acknowledged that there was not as much funding available for improvements but suggested that issues such as transport arrangements and other enhancements, such as more trees, could be included in the Local Plan.

There had been improvements in Botchergate but the Task Group did not believe that a lack of funding should put constraints on possible future improvements.

The Economy and Enterprise Portfolio Holder thanked the Task Group for their work which he had found very helpful. The Portfolio Holder stated that the work of the Local Environment team had already started the improvement work by steam cleaning the streets but acknowledged that it would be difficult to maintain due to the nature of Botchergate. The Portfolio Holder believed that the clean up was a good start and that improvements to the street scene and businesses taking responsibility for keeping the area clean was important and advised that the Council were building good relationships with business holders in the area.

The Portfolio Holder continued that there had been a very useful consultation event held in January with partners regarding the proposed changes to the boundary. The Executive wished to see that work taken further and issues such as transport would be discussed with the County Council.

A Member acknowledged the work done by Mr McKnight in the area and stated that it was unfortunate that the work was not taken further.

A Member who was also a member of the Development Control Committee advised that planning permission had been granted for a development approximately 8 years ago but that the development had not been taken up.

The hoarding on the Crown public house and Moods establishment had a detrimental impact on the area.

Once the area was cleaned how would Officers ensure it was maintained?

Mrs Meek advised that that was the purpose of the Management Plan and more power could be given to Officers as the area was a Conservation Area.

Would the standards still be in place in the future?

Mrs Meek explained that the area was a Conservation Area in perpetuity and was set in the Conservation Appraisal Plan.

It would be useful for Panel to have sight of the Action Plan which was due to be developed following approval of the Conservation Area.

It had been stated that the number of enforcement officers was to be reduced to one. Would that leave enough members of staff to take enforcement action?

Mrs Meek advised that there had not been a reduction in the number of Enforcement Officers. However one of the Officers was due to retire and a Lean Systems review would look at the process but no decision had been made.

RESOLVED – 1. That the Task Group Report OS.17/12 be agreed by the Panel.

2. That the comments from the Task Group be referred to the Executive for their consideration.

3. That the Action Plan be brought to Panel for consideration when available.

EEOSP.38/12 OVERVIEW REPORT INCORPORATING THE WORK PROGRAMME AND FORWARD PLAN ITEMS

The Overview and Scrutiny Officer (Mrs Edwards) presented report OS.16/12 which provided an overview of matters related to the Environment and Economy Overview and Scrutiny Panel's work. Details of the latest version of the work programme were also included.

Mrs Edwards reported that:

- The Forward Plan of the Executive covering the period 1 June 2012 to 30 September 2012 had been published on 18 May 2012. There were two items that related to the work of this Panel:

- KD.011/12 – Events Guidance Document
- KD.017/12 – Botchergate Conservation Area Appraisal both of which were considered later in the meeting, and

Since publication of the papers for the meeting a new Forward Plan had been circulated. Two items were within the remit of the Panel:

- KD.020/12 – North West Coast Connections Project – Consultation on Strategic Options – Mrs Edwards advised that the Executive would be looking

at the Council's response to the consultation and therefore there was nothing for the Panel to consider.

- KD.025/12 – Local Environment Enforcement Policy – it was agreed that the document should be made available to the Panel for Scrutiny on 2 August 2012.

The Environment and Transport Portfolio Holder stated that it would be useful for the Panel to consider the matter and forward their comments to the Executive to enable them to have a fuller picture of the views of the Panel. The Portfolio Holder advised that the report on the policy could be included within the report on Clean Up Carlisle which was scheduled to be submitted to the Panel for consideration at their meeting on 2 August 2012.

With regard to KD.020/12 a Member commented that the site at Harker would have a knock on effect to the local residents. Also the additional capacity could make the area more attractive to industry and more housing and could therefore have an impact on residents in the North of the City. The pylons would be the tallest in the City.

Mrs Edwards advised that the document was open to public consultation and Members could respond to the consultation or could discuss the matter with the Portfolio Holder directly.

The meeting was adjourned from 10:30 until 10:45 to allow Members to view the Olympic Torch relay as it passed the Civic Centre.

- Economy and Skills – the Carlisle and Economic Partnership Chair had agreed to work with the Chamber of Commerce and its own core membership to look at the development of an information exchange forum/platform around skills provision and demand. Unfortunately, the recommendations from the Overview and Scrutiny Panel were too late to be considered by the Carlisle Economic Partnership meeting in February as the agenda for that meeting had already been determined and distributed. The Partnership had considered the recommendations at their meeting on 20 June 2012 and Mrs Edwards explained that the outcomes would be fed into the Carlisle Economic Potential report that would be submitted to the Panel later in the year.

- Apprenticeship – Mrs Edwards reminded Members that at the Panel meeting on 22 March 2012 Members requested further information on the Apprenticeship programme. A short briefing note had been circulated to Members that provided an introduction to the programme and highlighted the benefits to the City Council and the local economy, how apprenticeships could be used to grow the workforce, apprenticeship qualifications for existing staff and how apprenticeships would work at the City Council.

- Work Programme – Mrs Edwards presented the current work programme. A short session had been arranged to follow the meeting to provide an opportunity for Members to discuss and develop the work programme for 2012/2013.

RESOLVED – 1) That, subject to the issues raised above, the Overview Report incorporating the Work Programme and Forward Plan items relevant to this Panel be noted.

EEOSP.39/12 EVENTS POLICY

The Environment and Transport Portfolio Holder submitted Report LE.14/12 that proposed a draft guidance document on the City Council's Events Policy.

The Portfolio Holder gave the background to the report and advised that there was a need to update the Council's approach to event management. There was a range of activities, from high profile events to community events, that had direct links to the well-being and cohesion of the local community. The intention was to create clear and consistent guidance relating to events promoted or supported by the Authority and/or permitted on its property.

The report proposed a Guidance Document that had been considered by the Executive at their meeting on 1 June 2012. The document set a vision... "That by 2017 Carlisle City is recognised as a destination that develops and hosts high quality, sustainable events; and cultivates community creativity for maximum economic benefit and social enjoyment".

The draft document had benefitted from advice from Legal Services, input from members of the Events Working Group and comments from a selection of other Officers.

The Portfolio Holder explained that there had been consultation with Carlisle Leisure, Friends of the Parks and Communities Together that had resulted in a comprehensive set of policies that had formed the guidance document.

The Portfolio Holder stated that the Executive wanted to ensure that Carlisle was a good venue for events and that everyone concerned knew what was involved.

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

There seems to be a lot of forms to be completed. Was that viable for smaller events?

The Portfolio Holder explained that the document would not deal with programming events but was concerned with events on Council land. Event organisers were used to completing forms and staff would be on hand to assist if necessary. The Council had to ensure that events ran smoothly and organisations would be obliged to complete the forms to safeguard themselves and the Council. With regard to costs the Executive could look at charges for charities and not for profit organisations.

What were the Executive's future plans with regard to an Events Manager?

The Director of Local Environment (Ms Culleton) advised that the document was concerned with the use of the Council's parks. In the past there had been no

consistent response to queries about arranging events and the document would provide that consistency. While there was no Events Manager at present there were a group of Officers who were familiar with the process and that situation would be monitored over the year. Ms Culleton confirmed that it was necessary to complete the application form to reduce risks to the Council and event holders and provide a more robust approach to events on the Council's assets.

Mr Crossley explained that previously the Director of Community Engagement (Mr Gerrard) was responsible for the running of many of the events. Major events had been arranged since the changes to the staff structure and they had been well received. If more major events were desired the Council would have to give further consideration to the matter.

The forms may be seen to be an obstacle to small charitable organisations. Was there one person who could help them overcome those obstacles?

Ms Culleton explained that the document had been produced to provide a clear policy and that it was, in itself, supportive. Moreover members of staff had been involved in the production of the forms and were therefore able to assist in their completion.

Mr Crossley advised that in the past events had been organised across the Directorates with advice being sought from the Neighbourhoods and Green Spaces team if the event was to be held in a park and from the Communities, Housing and Health team if it was a community event. If the event was to be held in the City Centre responsibility lay with the Economic Development team and staff from tourism. It was not believed that that was the best way forward and Officers would be looking in the future at how best to coordinate events.

Smaller organisations may be put off organising events. Had there been any smaller events in the past that would not be allowed under the proposed guidance?

Ms Culleton explained that the guidance clarified the Council's expectations with regard to events and gave a consistent approach and clear steps to making events happen.

Mr Crossley advised that the document would provide the tools to make the event happen and that it was a good, proactive guide and that the Council did not wish to discourage anyone wishing to hold an event.

The document should be a Plain English, one stop shop document. What was the timescale for notification of events?

Ms Culleton explained that large events had licensing implications therefore legal constraints were in place. However, such organisers were aware of those already. The document would list key contacts that people could call upon for advice.

How would the Council make previous users aware of the changes? Were there any implications for events to be held on freehold properties?

Mr Crossley explained that the document related to events held anywhere in the City and that organisations such as Tullie House and Carlisle Leisure Limited were looking at best practise to determine whether there were any gaps.

Who was in charge of parking at events?

Ms Culleton advised that the parking section dealt with parking at events and that was included in the document. With regard to income lost through events parking, Officers would apply a charge relevant to the amount lost from parking on that day to ensure no loss was incurred to the Council.

The Portfolio Holder stated that it was important that the focus was on the documents which provided a protocol for the Council to enhance the application process. If there were difficulties with the forms then Members needed to be made aware.

Who was responsible for the reparation and restoration of any damage to Council property as a result of an event?

Ms Culleton explained that that was dealt with in the Events Guidance document which had been piloted in Bitts Park in 2011. The pilot tested the use of a charging regime for restoration of land and that had led to the development of the application forms. A bond could be established to provide organisers with the opportunity to put right any damage. If they did not the bond could be used to repair the damage without passing costs to the tax payer.

RESOLVED – 1. That Report LE.14/12 be noted.

2. That the Executive consider the Panel's comments and incorporate any necessary changes to the guidance.

3. That there should be an ongoing assessment of the process to ensure that it is robust and accessible to users.

EEOSP.40/12 WASTE SERVICES ANNUAL REPORT

The Environment and Transport Portfolio Holder submitted report LE.19/12 that provided an annual update on the Council's Waste Services.

The Portfolio Holder explained that waste services was a key service for the City Council and was important to all residents across the District. Work had been ongoing throughout the year to improve productivity of the service, improve services and reduce costs. That work was set against a background of an economic downturn and reduced consumption, which had had the effect of reducing the overall waste arising compared with the previous year and with a corresponding reduction in recycling tonnage. The report outlined the key developments in the service since April 2011.

The Portfolio Holder advised that there had been a reduction in recycling performance compared to the previous year. That had been replicated elsewhere in the District and possibly throughout the country. Reduction in recycling was found in green box recycling of glass, paper and cans and cardboard. That reduction together with an increase in bulky waste collected had seen a fall in recycling. The actual fall in recycling was further impacted as in previous years recycling tonnage from the Salvation Army and collected leaves were included in the figures. If those figures had been included the recycling performance would have been broadly comparable to last year's performance. The reduction in performance meant that the actual tonnage recycled was less than estimated and therefore repayment of the recycling reward grant would be made to the County Council. That repayment had been accrued back into the 2011/12 accounts and would be dealt with through the outturn reporting processes.

The Portfolio Holder reminded Members that as part of the Council's transformation process the refuse collection was reviewed and new refuse rounds rolled out on 1 March 2011. Those rounds were now well established and had had no impact on service delivery to residents while savings had been made.

FOCSA and Waste Recycling Group (WRG) had recently consolidated to form a new company to be called FCC Environment UK Ltd. Work would be carried out in the coming year to assess performance in a mid term review of the contract and any ideas to improve performance would be addressed.

The report advised that the City Council were successful in a bid to fund a replacement vehicle for the plastic and cardboard kerbside recycling collection service. The larger vehicle and a round review had allowed further savings to be made in the current year. New rounds had been implemented and initial teething problems addressed. As a result the crews had been reduced by one with no impact to residents.

With regard to the disposal of garden waste a new disposal framework was in place provided by Cumbria Waste Management. Six members of staff had identified the right to transfer under TUPE regulations to the new contractor.

The Council had an extensive network of Neighbourhood Recycling Centres across urban and rural Carlisle, offering a comprehensive range of recycling facilities. Where kerbside recycling was not convenient, primarily flats, flexible alternatives were offered to customers to enable them to recycle by providing a mini Neighbourhood Recycling centre for the complex.

The Portfolio Holder stated that the City Council was an active member of the Cumbria Strategic Waste Partnership (CSWP) who were assessing opportunities for enhanced partnership working. However, the Portfolio Holder had not attended a meeting of the CSWP the previous day as she had not received any papers for the meeting. The Enhanced Partnership Working (EPW) Project was set up to assess the available options for enhanced partnership working between the members of the CSWP with a view to realising cashable efficiencies, the outcomes of which were potentially significant to the authority. The Council was represented on the EPW Project Board by the Environment Portfolio Holder and on the Project Delivery team

by the Director of Local Environment. Three options for further work had been identified and Carlisle was involved with the assessment and potential implementation of those as reported previously.

In conclusion the Portfolio Holder advised that in addition to the round reviews, further changes had been implemented in Waste Services and there was the potential for further improvements on the delivery of new street cleansing vehicles and machines which were currently on order and due for delivery over the summer.

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

The Director of Local Environment (Ms Culleton) had previously given a presentation on the CSWP. As there were several new Members on the Panel it would be useful to have an update at a future meeting or a workshop.

Some properties in outlying districts were not currently on recycling routes and others were concerned that they would be removed from the routes.

Ms Culleton explained that once a service was provided was difficult to remove but the Council were not in a position at present to provide additional routes.

A sum of money had to be re-paid to the County Council due to the reduction in waste. That had a knock on effect to the community. How much had to be re-paid?

Ms Culleton explained that the Recycle and Reward scheme had been established at the start of the year and Councils were rewarded if targets were met. Unfortunately, the waste target had not been met in the previous year for a number of reasons and therefore the Council had to repay some of the money, the exact sum currently being under discussion. That repayment was not unexpected and in previous years the Council had achieved the targets and had gained. The matter had been considered as part of the 2011/12 outturn financial reports.

Why was fly-tipping not included in the report?

Ms Culleton advised that fly-tipping was not part of the waste performance but was included in the Performance Report to be considered later in the meeting. Ms Culleton explained that fly-tipping was included in a database managed by the Environment Agency and that indicated that the Council's performance had improved over the year. Overt cameras had been placed at some sites that had acted as a deterrent and resulted in a reduction in the amount of fly-tipping. A report was scheduled to be brought to the next meeting of the Panel on enforcement and that would indicate some prosecutions that had been undertaken with relation to fly-tipping.

In some wards there was a garden waste recycling scheme but no general recycling scheme. Was that profitable?

Ms Culleton explained that with regard to composting it was better to reuse waste than to recycle but that if a decision had been made to provide a recycling service residents had to be encouraged to use that service to enable it to be cost effective.

There had recently been an incident where there had been fly-tipping on private land and the landowner had to travel from Penrith to remove the rubbish. That seemed unfair.

Ms Culleton stated that the Council could not clear rubbish from private land.

Some funding had been available from the Parish and County Council from recycling for play areas. It seemed that the Council worked hard to collect the recycling and then someone else took the credit.

Ms Culleton explained that the funding was from the Landfill Tax Credit Scheme where a landfill operator made a donation to an environmental body for communities blighted by landfill sites. The money was intended to compensate the communities for the inconveniences caused by being in close proximity to a landfill site.

RESOLVED – 1) That Report LE.19/12 be noted.

2. That the Panel looked forward to receiving a presentation on CSWP and an update on the current position at the meeting in October.

EEOSP.41/12 PERFORMANCE MONITORING REPORT

The Policy and Performance Officer (Mr Daley) submitted the end of year performance report against the 2011/12 Corporate Plan (PPP.09/12).

He advised that the report was the year end performance report against the 2011/12 Corporate Plan. The contents of the report had been determined by the Senior Management Team at their meeting on 14 May 2012 and the key action ratings assessed by the relevant director.

The financial year's corporate performance had been set against the context of a reduced revenue and capital budget. Reviewing the financial relationships had dominated the Corporate Plan, partly due to the budgetary pressures and increasingly due to the wider public sector reform agenda.

An increasingly sophisticated and targeted approach by the Local Environment Directorate was beginning to make an impact, the application of new technology and the willingness of teams to integrate had been crucial to improving the look and feel of the City Centre. The role of partnerships at a local level had created more opportunities for involvement in decision making, while at a countywide level, partnership work had ensured that services were economic and efficient. The eight Green Flags for the Council's parks and green spaces were proof of that success. Developing new and sustaining partnerships had been a challenge throughout the year and would remain so in 2012/13. The Council's dependency on partnership work to further the key actions had often dictated a pace of change not of the Council's choosing.

Mr Daley explained that the economic development key actions had established a number of important plans and projects which had the potential to provide a crucial steer for activity in 2012/13. The most significant of those was the Local Plan which would provide a basis for taking forward the growth aspirations of the Council. The cultural offer of the city had continued to develop, responding to national opportunities to put Carlisle centre stage. The Council's reputation for customer care had brought new partners into the contact centre, proving that a service could continue to grow in scale and scope despite the financial constraints.

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

Why was there was no target regarding fly-tipping for the current year?

Mr Daley explained that there were 2 forms of indicators and some did not have targets. In the past there were national indicators and they were adopted as the Council's Performance Indicators and had targets attached. Other indicators were not linked to National Indicators and were for Management Information and therefore did not have targets attached but they would continue to be monitored. However, Mr Daley had indicated that with regard to fly-tipping there had been a reduction in the figure from the previous year.

What happens to the abandoned cars once they are removed?

Ms Culleton explained that the Council had an arrangement with the removal company. There was a cost to the Council to remove the car but the Council did not receive any of the scrap value. Mr Daley agreed to look into the matter and provide the Panel with more details.

The number of complaints indicated by PI LE106 had doubled in the past year yet the trend showed "no significant change".

Ms Culleton stated that although the number of complaints had doubled the numbers had only risen from 2 to 5 and that was not considered to be a significant change.

It had been a while since Covalent training had been available to Members and it would be useful.

Mr Daley advised that there was an open invitation to Members and staff on the first Tuesday each month to receive Covalent training. Mr Daley agreed to contact Organisational Development and request that they make Members aware of the training.

There had been a reduction in the number of units let at the Enterprise Centre. Was that due to the economic downturn?

Mr Daley confirmed that was the case and advised that the target would be revised accordingly.

An update on the future development of the Enterprise Centre had been requested but not received.

The Deputy Chief Executive (Mr Crossley) stated that steps had been taken prior to the elections in May in respect of the outcome of the review of staff. Further issues would be discussed at a future Executive meeting and would therefore be included in the Forward Plan and would therefore be available for scrutiny by the Panel at a future meeting.

RESOLVED – 1) That report PPP.09/12 be noted.

(The meeting ended at 11:50am)