

**ENVIRONMENT AND ECONOMY OVERVIEW AND SCRUTINY PANEL**

**WEDNESDAY 22 FEBRUARY 2012 AT 10.00 AM**

**PRESENT:** Councillor Mrs Rutherford (Chairman), Councillors Bowditch, Craig, Mrs Farmer, McDevitt, Morton, Mrs Robson (until 12:00) and Mrs Vasey.

**ALSO**

**PRESENT:** Councillor Bloxham – Environment and Housing Portfolio Holder

**EEOSP.11/12 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**EEOSP.12/12 DECLARATIONS OF INTEREST**

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

**EEOSP.13/12 MINUTES OF PREVIOUS MEETING**

RESOLVED – 1) That the minutes of the meeting held on 19 January 2012 be noted.

**EEOSP.14/12 CALL IN OF DECISIONS**

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

**EEOSP.15/12 – OVERVIEW REPORT INCORPORATING THE WORK PROGRAMME AND FORWARD PLAN ITEMS**

The Overview and Scrutiny Officer (Mrs Edwards) presented report OS.08/12 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 February 2012 to 31 May 2012 had been published on 18 January 2012. Mrs Edwards advised that there had been one item which related to this Panel, KD.032/11 – Cumbria Strategic Waste Partnership's Enhanced Partnership Working Project – Conclusions of Stage 2. A short workshop for Panel Members had been held on the subject on 19 January 2012 and the Panel had contributed to the report that was scheduled to be presented

to the Executive on 13 February 2012. However consideration of the item was deferred to a future meeting. The Environment and Housing Portfolio Holder explained that the matter had been deferred to allow further discussion to take place. It was hoped that the matter would be considered by the Executive at their meeting on 12 March 2012.

The Forward Plan covering the period 1 March 2012 to 30 June 2012 had been published after the papers had been circulated. There were two items that related to the work of the Panel:

- KD.002/12 – Old Town Hall – a decision would be taken by the Executive at their meeting on 12 March 2012 with regard to the approval of the progression of the enhanced “Schedule 2” repairs and restoration scheme. The Deputy Chief Executive (Mr Crossley) explained that the report to the Executive was to ensure that funding that was subject to time restrictions would not be lost. The works would be undertaken in two stages – ensuring the structure and fabric of the building were sound and secondly further work in line with the tourism review regarding the internal layout. That information would be submitted to the Panel at a future meeting.

In response to a Member’s query re timescales Mr Crossley advised that the work was behind schedule due to the discussions that had been held with city centre retailers and tourism development in respect of the Business Improvement District.

- KD.003/12 – Enterprise Centre – the Executive would consider the preferred option of use for the centre at their meeting on 10 April 2012. The Forward Plan detailed that the report would now be made available for consideration by the Panel at their meeting on 21 June 2012 before returning to the Executive on 2 July 2012 for their decision. Mrs Edwards informed the Panel that a report providing an update of the implementation of the recommendations of the Enterprise Centre Task Group was requested to be available to the Panel at their meeting on 5 April 2012. It was suggested that the report could include details of the report to the Executive. The Deputy Chief Executive (Mr Crossley) agreed that that was a sensible suggestion and would discuss the matter with the Economic Development Portfolio Holder.

It was noted that at the last meeting of the Panel the Economic Development Portfolio Holder had provided a verbal response to the recommendations of the Enterprise Centre Task and Finish Group and had agreed to circulate a written response. That response had not yet been received and the Panel requested that that be provided as soon as possible.

- Members had been asked to consider issues that they would wish to see discussed in the Scrutiny Annual Report. Members were invited to give any further views to Mrs Edwards at the end of the meeting and advised that a draft of the annual report would be submitted to the Panel’s final meeting of the civic year on Thursday 5 April 2012.

- Mrs Edwards advised that, following the Skills Workshop, Kate Holt from the Richard Rose Academy had invited members of the Panel to the academy for a presentation on the changes to post 16 education. It was expected that the presentation would be held in early March and would give the opportunity for Members to speak to pupils and employers.

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

*It would be useful if the invitation was extended to all Members of the Council.*

The Chairman explained that that would be a matter for Ms Holt as it was intended to be a follow-up session to the workshop. The workshop had been opened up to members of the Community Overview and Scrutiny Panel and therefore they would be invited.

In considering the Work Programme Members raised the following issues for inclusion:

*There was a lot scheduled for the meeting in April and it may be necessary for business to continue into the afternoon.*

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.

2. That the Economic Development Portfolio Holder be asked to provide a written response to the recommendations of the Enterprise Centre Task and Finish Group.

## **EEOSP.16/12 – NEIGHBOURHOOD WORKING**

The Director of Local Environment (Ms Culleton) submitted Reports CD.13/12 and LE.06/12 which included the latest version of the work programme based on the recommendations set out by the Neighbourhood Working Task and Finish Group.

Ms Culleton explained that she and the Director of Community Engagement (Mr Gerrard) had worked jointly on the work programme.

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

*Members expected that the report would be more like an action plan and include recommendations and new initiatives with dates for completion and who would be responsible for them. There were no examples of initiatives.*

Mrs Culleton explained that action plans had been developed and could be brought back at a future meeting. She advised that joint working with Riverside had not been in place prior to the Task and Finish Groups recommendations but regular meetings were now held and joint ward walks undertaken. Joint meetings with Riverside looked at community issues and had a more concrete impact on the local environment. Multi-agency task and finish groups met on a fortnightly basis and were attended by officers from the City Council. Ms Culleton advised that as a result

of those groups the CDRP group had provided CCTV cameras at the Tesco site and as a result incidents of fly-tipping had reduced massively.

*A Member queried whether there was any Ward Member involvement in any of the groups listed in the report.*

Ms Culleton explained that the work programme had been produced based on the recommendations from the Task and Finish Group. Under the umbrella of the LSP high level meetings of partners were held and they highlighted where partnership working was most effectively. The partnership working allowed a framework to enable action to be undertaken. Difference could be seen. Specific projects such as the CDRP's Operation Roman Candle around 5 November took place with each of the partners playing a role.

Each of the recommendations had an action plan and officers were working with Riverside and multi-agency groups.

The Deputy Chief Executive (Mr Crossley) stated that it was important to get the balance right in developing a large action plan and presenting information to Members. He agreed that it would be better if the work of Councillors was included and he added that he would take Members' comments on board. He confirmed that a lot of activity from the groups did reach the people at ground level.

*Would a different format be presented at the meeting in June?*

Ms Culleton agreed to discuss the matter with Mr Gerrard as much of the work programme related to work within the Community Engagement directorate.

Ms Culleton advised Members that an order had been placed for a back office database that would enable information to be captured in a simpler way. That information could then be accessed as far as Ward level which would enable services to be directed to the most needed areas. The database would be rolled out within the directorates with waste services being first which would focus on fly tipping and missed refuse collections.

Ms Culleton explained that the database would integrate with the CRM system and enable services to be delivered in a more organised manner. Training on the CRM system was being provided to Members in the near future. The system would allow Members to log complaints in the customer contact centre. At present when Members made a complaint direct to officers there was no record of the complaint. The new system would provide a better indication of issues, demand and responses.

*A Member queried why, when he requested a litter bin to be placed within his ward he was advised that another bin would have to be removed.*

Ms Culleton explained that there was an initial cost for the new bin as well as an ongoing cost to empty the bin and resources were finite. However, Ms Culleton agreed that it would be useful to carry out a review of litter bins and pedestrian routes.

The Environment and Housing Portfolio Holder stated that a review of all litter bins should be undertaken as new pedestrian routes were developed. If no new bin is provided there could be a potential litter problem that would have to be dealt with. The Portfolio Holder hoped that Ms Culleton would look at the matter and determine whether resources could be apportioned appropriately. Some litter bins, for example in lay-bys, were filled quicker than others; therefore there needed to be a review to determine whether such bins needed to be replaced with bigger bins or emptied more frequently.

*A Member agreed that there was an issue about the provision of new bins and that when Members gave the explanation to residents it sounded bureaucratic.*

*Members believed that the general public also had a responsibility to dispose of litter appropriately.*

*A Member queried whether the proposal to train 24 Local Environment Officers to issue fixed penalty notices was still on track and whether it would lead to a higher level of enforcement.*

Ms Culleton advised that the training would take place on 24 and 25 March.

The Environment and Housing Portfolio Holder added that a robust education programme was also required alongside enforcement. It was disappointing that two recent prosecutions had resulted in minimal reprimand.

*A Member believed that education was the way forward as officers would be unaware of refuse thrown into hedges etc. A better reporting system would improve that knowledge as people would be able to make a complaint that would be dealt with promptly.*

*Enforcement was needed alongside education. The Member had put up notices in back lanes in his ward informing residents of the potential fine for littering. That had led to a reduction of the amount of refuse left in the lanes. Other methods of cleaning up had also been carried out but it was obvious that enforcement worked as people remembered if a person was taken to court and fined.*

*Some people refused to pay fines and they were often indicated in the press.*

*A Member stated that someone must witness offences taking place on a regular basis and they should be encouraged to contact the City Council and report when and where the incidents were happening. Officers would then be able to visit the area and hopefully witness the offences taking place.*

*The Chairman asked Mr Whittle from CN Group whether it would be possible for an article to be written in the press highlighting the issues and in particular the dangers of diseases caused by dog fouling to young children. An article could also be printed in the Carlisle Focus magazine.*

Ms Culleton stated that there needed to be a three strand approach involving isolation including better clean up measures, education and enforcement. She

added that it was difficult for officers to know which areas to patrol but there would be front line officers trained to issue fixed penalty notices once they had received training. With regard to witness information, Ms Culleton advised that a witness would be required to sign a form stating when and where they witnessed the offence.

*A Member stated that members of the public should be encouraged to notify their ward councillor who would treat the matter in confidence and pass the information to the officer.*

The Environment and Housing Portfolio Holder added that, with regard to gum, there were several bins in the city centre but people continued to throw it onto the ground. New machinery had been purchased that would be more efficient at cleaning the pavement without damaging the surface. He reminded Members that the Environment Act also dealt with dog fouling.

*A Member suggested that if people were advised of the cost of cleaning refuse and gum etc, and remind them that it was money that could be spent on improving services, that may deter people from committing those offences.*

The Chairman advised that a report on dog fouling was on the agenda for the meeting in April.

*A Member believed that the "Community First" programme to be rolled out in the St Aidans ward would be a bureaucratic nightmare and while he was pleased money was being put into the ward it was only a small amount.*

The Environment and Housing Portfolio Holder advised that it was a County Council initiative involving the Carlisle Local Committee.

RESOLVED – 1. That the Neighbourhood Working work programme be noted.

2. That officers would work with the Scrutiny Chairs with regard to the format of future reports.

## **EEOSP.17/12 TRANSFORMATION PROGRAMME OF THE CITY COUNCIL**

The Director of Local Environment (Ms Culleton) submitted report LE.05/12 that provided an update on the latest staff consultation on proposals that would deliver Phase 2 of the local environment transformation. The report also contained a consultation timetable and brief outline of the approach being used.

Following the Lean Systems Review in Neighbourhood and Green Spaces further proposals were made to the programme that had been reported to the Panel in October 2011. The Lean Systems Review considered a number of areas of work. Ms Culleton stated that Local Environment needed to refocus on priorities to minimise the impact of reducing resources on front line services that the public valued. Workshop and public views valued street cleanliness, a reduction in anti-social behaviour such as dog fouling, fly-tipping and littering. The development of a

new team to address environmental crime and co-ordinate other enforcement and education activities would be key in meeting those priorities.

Ms Culleton advised that it was proposed to move towards area based working for streetscene and grounds maintenance work and strong community engagement would be key to that work.

The restructure proposals had formed the basis of formal consultation with staff, Unions, elected Members and key stakeholders prior to final approval by the Senior Management Team in February 2012. It was anticipated that the new structures would be in place in 2012/13.

The report outlined the implications to staff and efficiencies including those in the Highways Team and the Neighbourhood and Green Spaces Team. It was proposed to move the CCTV team to sit within the new Enforcement and Education team and the street cleansing team either to remain within Neighbourhoods and Green Spaces or to move to sit within Waste Services. The work of the Green Spaces team was outlined and the proposed structure explained.

The overall aim of the transformation would be to retain front-line operational jobs, improve planning and programmes of work and reduce additional time and resources spent on reactive work to ensure that Carlisle's public realm became a safer, cleaner and more welcoming environment for citizens and visitors. Additional work had been carried out during the consultation period to identify proposals for more efficient use of resources at Talkin Tarn that could bring the proposed Site Management teams and Talkin Tarn team together to work more closely with greater flexibility.

Ms Culleton explained that an Enforcement and Education team was proposed that would have a wider remit than the Clean Neighbourhoods and Environment team to enable stronger and more co-ordinated enforcement action, bringing together the enforcement activities across the service. That would be combined with education activities to improve participation in the legitimate waste and recycling services and a reduction in littering and dog fouling. It was proposed that the team would sit either within the Environmental Health team or within the Neighbourhoods and Green Spaces team.

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

*Were the issues in the report seeking a response from the consultees or the Panel?*

Ms Culleton advised that the transformation programme had been considered by Panel on 4 November 2011 and consultation had been undertaken between that date and the end of January 2012.

Ms Culleton explained the actions and reasons behind the themes of the transformation programme. All of the issues had been discussed with staff and key stakeholders and the recommendations from the Task and Finish Group had been embedded within the programme.

The consultation had now closed and a full report would be available for the Panel at their next meeting.

*A Member queried whether the officers from the Green Spaces team would be undertaking work in St James Park, Denton Home which was run by Carlisle Leisure Limited.*

*The parks and cemeteries had gained awards. Would there be a better service or a reduction in services or officer hours as a result of the transformation proposals? And would St James Park be included in the planned work?*

Ms Culleton explained that the savings would be made around supervision and planned work. There would be better management and accountability but the Council was facing challenging times and savings had to be made.

The Environment and Housing Portfolio Holder explained that a report had been produced by Mr Gerrard and the Communities, Housing and Health Manager (Mrs Miller) on Carlisle Leisure Limited's contractual arrangement with regard to St James Park. The Portfolio Holder further advised that the enforcement officers would also be responsible for the enforcement of dog fouling. Ms Culleton agreed to speak with Carlisle Leisure Limited with regard to some of their officers also receiving training in issuing fixed penalty notices.

Ms Culleton circulated one page from the structure chart that had been omitted when the papers were circulated. She explained how the apprenticeships within the City Council would work and that they were fixed term posts. The apprenticeships would provide the opportunity for young people to receive training and a range of experiences within the directorate. With respect to qualifications Ms Culleton stated that she was not sure exactly which qualifications the young people were working towards but added that the apprenticeships were delivered in partnership with Carlisle College.

*A Member believed that the posts should be more permanent as it did not give a good impression when young people were moved on at the end of their apprenticeship.*

Ms Culleton explained that once the young person had completed their qualifications they could apply for any vacancies. The apprenticeship would also have opportunities within the private sector and other bodies. A log book of the work undertaken during the apprenticeship would be made available to future employers.

The Environment and Housing Portfolio Holder confirmed that the City Council was working with the college to determine which qualifications would be better suited to apprenticeships with the City Council.

*A Member was concerned that the number of posts indicated on the structure chart did not match those in the report.*

Ms Culleton explained that the report indicated changes in the posts while the structure chart was the position following transformation. She assured Members that the figures had been approved by audit.

In response to a question from a Member Ms Culleton confirmed that staff had been consulted on the options within the report and all comments from staff had been consolidated. The programme had been amended to incorporate some of the issues raised by staff.

*Following the restructure would there be sufficient staff to cover when colleagues were on leave or on sick leave?*

Ms Culleton explained that the reason the new structure was improved was to enable staff to deal with a range of tasks within their department to enable cover at such times.

*How would the budget amendments feed into the transformation programme?*

The Environment and Housing Portfolio Holder advised that the new budget proposals had been produced to encompass what all parties had requested and there would be greater flexibility.

In response to a query from a Member Ms Culleton advised that the CCTV supervisor would be in charge of four members of staff.

RESOLVED – 1) That Report LE.05/12 be noted.

## **EEOSP.18/12 SEAGULLS**

The Environmental Health Manager (Mr Burns) submitted report LE.02/12 that updated on the activity regarding seagull control since the issue was considered at their meeting in February 2011.

Mr Burns reminded Members of the background to the report and advised that there had been 15 complaints recorded between 1 April 2011 and 30 November 2011, which was low in comparison to other nuisance and pest control complaints made to the Environmental Health group. There had been a small increase in the number of complaints which could be due to the better recording of complaints.

In line with the Panel's recommendations press releases were issued in February and August 2011 discouraging people from feeding seagulls and encouraging businesses to proof their buildings against nesting gulls. There had been a feature in the Carlisle Focus magazine that had covered dog fouling and seagulls. Mr Burns advised of activities undertaken by Officers working with businesses regarding netting and Trinity school regarding littering in the City Centre. The Clean Neighbourhood and Enforcement Officers had carried out litter enforcement and educational visits around the city centre food businesses in December 2011 and would repeat the visits during the spring and summer months.

In conclusion Mr Burns advised that the Environmental Health group would not recommend a change in Council policy in respect to seagull control at the current time. It was still considered that restricting the food available in the Town Centre and encouraging local businesses to proof their building was the most appropriate method of controlling the seagull population.

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

*Had any of the suggested measures to City Centre buildings been undertaken?*

Mr Burns advised pest controllers employed by one of the owners of a building at Willowholme had contacted him to discuss the matter. It was hoped that measures would be in place by April when the nesting season started.

*Gulls were regularly seen outside fast food outlets and had been seen damaging roof tiles on buildings.*

*The report stated that there had been 15 complaints logged but many people complained in the City Centre but never made an official complaint. The seats in the City Centre were often dirty from the gulls and people had to clean them before they could sit down.*

Mr Burns advised that there was legislation about what could be done to control seagulls. One method was to destroy the eggs but that was expensive due to the equipment required to reach the nests and would have to be repeated for several years before it was successful. He advised that officers would continue to monitor the issues, in particular the food issue and deal with that. He believed that whilst it was not a big issue at present the Council had to ensure that it did not escalate.

*There were new ways of dealing with waste that meant that there were no longer huge waste sites to attract the gulls.*

The Environment and Housing Portfolio Holder advised that now that the Hespian Wood waste plant was in operation there was virtually nothing going to landfill. The end product from Hespian Wood would not attract gulls.

RESOLVED – 1) That the Panel agreed that the existing Council policy for seagull control which was to employ proactive city centre control measures continued as outlined within report LE.02/12

## **EEOSP.19/12 CORPORATE PLAN: 3<sup>RD</sup> QUARTER PERFORMANCE REPORT**

The Policy and Performance Officer (Mr Oliver) submitted the third quarter performance report (PPP.03/12) against the 2011/12 Corporate Plan. He summarised the progress made in the delivery of each of the Corporate Plan Key Actions as detailed in Section 3 to the report, together with the further detail provided in Section 4 thereof.

Mr Oliver advised that the content of the report had been determined by the Senior Management Team on 24 January 2012 and the Key Action Red, Amber, Green (RAG) ratings were assessed by the relevant Director. He added that the RAG rating and associated progress columns referred to work that was being carried out during 2011/12. It may be that the Key Action would be carried forward into 2012/13 but the rating was based on this year's activity.

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

In response to a query from a Member Mr Oliver confirmed that it would be possible to include the sub-actions in the report to enable Members to answer questions posed by residents.

The Director of Local Environment (Ms Culleton) advised that the work of the Panel had contributed to the delivery of the actions regarding the restructure of the service in relation to area based working and work with other partners. Over the next 12 months the service would be re-designed and she would look at identifying new measures to record.

*The report indicated that there were 224 incidents of fly-tipping last year. That was a high figure.*

The Environment and Housing Portfolio Holder pointed out that that was comparable data from 2010/11 and that the figure for the current year (2011/12) was 144 which was a big reduction. Ms Culleton advised that compared to national figures Carlisle was considered a "cold spot" for fly-tipping.

*What action could be taken to clean up contaminated land and what powers did the Council have in that regard?*

The Environment and Housing Portfolio Holder advised that action was usually triggered when a development was proposed or a situation arose whereby the matter needed to be dealt with. The reason would determine what type of action needed to be taken, either disposal of the contamination or capping. The method of dealing with the contamination could also be determined by the hydrology in the area. He added that the Environment Agency would also be involved if the contamination leached into the river.

Ms Culleton advised that she would bring further information about how the Council dealt with contaminated land to a future meeting.

*What was the current situation with regard to the Enterprise Centre?*

The Chairman reminded Members that the recommendations from the Task and Finish Group had been considered by the Executive, feedback from which was provided at the last meeting. Some maintenance action was in place but any further actions had been deferred until the findings from the Enterprise Centre Project Board were considered by the Executive. A report would then be submitted to the Panel for consideration.

RESOLVED – That Report PPP.03/12 be noted.

(The meeting ended at 12:15pm)