

SCRUTINY COMMITTEE held at COMMITTEE ROOM - UTTLESFORD DISTRICT COUNCIL, COUNCIL OFFICES, LONDON ROAD, SAFFRON WALDEN, ESSEX CB11 4ER, on TUESDAY, 26 SEPTEMBER 2017 at 7.30 pm

Present: Councillor A Dean (Chairman)
Councillors H Asker, R Chambers, M Felton, G LeCount, M Lemon, B Light, A Mills (In place of G Barker) and E Oliver

Officers in attendance: P Evans (Leisure and Performance Manager), B Ferguson (Democratic Services Officer), R Harborough (Director - Public Services), S Pugh (Interim Head of Legal Services and Interim Monitoring Officer), M Watts (Environmental Health Officer (Protection)) and A Webb (Director - Corporate and Financial Services)

SC11 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors Barker, Davies and Harris.

SC 12 MINUTES OF THE PREVIOUS MEETING 20 JUNE 2017

The minutes of the meeting held on 20 June 2017 were received and signed by the Chairman as a correct record.

SC13 CABINET FORWARD PLAN

Members received the latest version of the Cabinet Forward Plan.

In response to a question from the Chairman, the Director - Public Services said the Planning Advisory Service would be consulted before the Cabinet Local Plan meeting scheduled for the 19 December 2017.

Councillor Light asked if the grant contribution towards Harlow College's training and skills facility at Stansted Airport had been valuated. The Director - Public Services said the grant could be up to £300,000 but negotiations were ongoing with contractors so a definitive value could not be given at this stage.

SC14 SCRUTINY WORK PROGRAMME 2017-18

Members received the Scrutiny Committee's Work Programme for 2017/18.

Councillor Light asked if the Committee could look at the Cabinet system, as proposed in the potential items to add section. The Chairman said Members could request a report exploring alternatives to the Cabinet system and the

structure of governance at other local authorities. Members agreed for a 'scoping' report to be added to the Work Programme.

The Chairman said there was uncertainty regarding the issue of affordable housing provision, particularly with regards to the distinction between 'social' and 'affordable' housing. Councillor Chambers said something needed to be done to inform both Councillors and members of the public as the Local Plan was coming to a critical juncture. The Director - Finance and Corporate Services said he would aim to get a report ready for the next Scrutiny meeting on 21 November 2017.

SC15 **PAVEMENT PARKING**

The Chairman welcomed the Acting Inspector of the Community Policing Team (Uttlesford and Braintree Districts) to the Committee.

The Chairman asked the Acting Inspector what powers the police had if they came across a vehicle obstructing the pavement, specifically if it prevented a wheel-chair user or push chair from getting past. The Acting Inspector said the police did have powers but in the majority of cases it would be the local authority who took enforcement action. He added that pavement parking was resource intensive and a low level issue, and therefore was not a high police priority. In practice, the police would take each case on its own basis and if possible, deal with such issues on an informal level. However, if they came across a significant obstruction, or one that endangered public safety, they would take action and remove the vehicle.

Councillor LeCount asked what the maximum fine for parking on the pavement was and how many people were fined in Essex last year. The Acting Inspector said he did not know the maximum penalty but would find out. He added that in 99% of cases the Police would take a common sense approach and ask drivers to move on before issuing a penalty.

In response to a question from Councillor Felton, the Acting Inspector said Essex Parking Partnership were empowered to take action against pavement parking and could issue penalties without involving the police.

Councillor Chambers said the police needed to be more proactive when dealing with inconsiderate drivers. Whilst he appreciated the lack of resources at the police's disposal, a clamp down would act as a deterrent and drivers would think twice before obstructing the pavement. Councillor LeCount said this was a social issue and a 'Name and Shame' campaign would be a sufficient deterrent for the majority of drivers. The Director – Finance and Corporate Services said the Communities Team was considering an initiative related to pavement parking as part of the wider 'Pride of Place' project. The Chairman requested a progress update from the Communities Team in six months' time.

Councillor Asker said the issue was not simple for many residents, such as in the case of Church Street, Saffron Walden. Residents there parked on the pavement in the evening so road traffic could run freely without obstruction.

The Chairman thanked the Acting Inspector for attending the meeting.

SC16 **AIR QUALITY ACTION PLAN**

The Chairman explained the background to the revised Air Quality Action Plan (AQAP). It had originally been passed in September 2016 but had been referred back to Cabinet with recommendations for improvement by the Scrutiny Committee.

The Environmental Health Manager (Protection) presented the report on the revised AQAP, which he said had taken on the recommendations of the Scrutiny Committee. The revised Plan included a position statement; prioritisation of actions; quantification of cost; and confirmation that the plan met Defra guidelines. Various schemes would be implemented and were incorporated in the Plan, which would be revised on an annual basis to evaluate the success of these measures.

The Chairman thanked the Environmental Health Manager (Protection) and the Specialist Environmental Officer (Protection) for the revised Plan and said all of his initial concerns had been addressed, and more.

Councillor Asker asked why testing had not been carried out on the junction between Bridge Street and Castle Street. The Environmental Health Manager (Protection) said testing had been carried out there but monitoring stations could be redeployed. If Members had particular places in mind that were of concern, they should let him know and testing could be carried out.

In reply to a question from Councillor LeCount, the Environmental Health Manager (Protection) said the AQAP was a statutory duty and would be sent to Essex County Council as the local highways authority. When asked what their response had been to the air quality monitoring data of last year, the Director – Public Services said it was not the data that the highways authority was obliged to respond to, but the AQAP itself.

Councillor Light said she was concerned with the proposals set out in the Plan. Whilst she agreed with the measures proposed, such as incentivising low-level emission vehicles, improvements to public transport and delivery time restrictions on HGVs in the town, she wanted to know how these proposals would be progressed into action. The Environmental Health Manager (Protection) said once the Plan had been approved by Cabinet, the Plan would be adhered to and the policies outlined put into effect. If the Council could not improve air quality in the designated Air Quality Management Areas (AQMA) then Defra would step in and impose more stringent measures.

RESOLVED to recommend to Cabinet that the Air Quality Action Plan be adopted

SC17 **STREET NAME AND NUMBERING POLICY**

Councillor Asker said she was pleased with the revised policy and that it was a good thing if parishes and town councils had a greater say in the street naming process. The Chairman said his only concern was that a street could not be named after a living person. The Interim Head of Legal Services said this was a matter of policy because a number of people who had streets named after them had since fallen from grace. Councillor Felton expressed her thanks for the improvements and said there was an important purpose behind this policy; a resident in Felsted had died when emergency services could not find the unnamed street on which they lived.

RESOLVED to recommend to Cabinet the revised Street Name and Numbering Policy

SC18 **REVIEW OF ENFORCEMENT STRATEGY**

The Interim Head of Legal Services presented the report reviewing the Council's Enforcement Strategy.

Members were asked to comment on the following draft enforcement policies:

- Corporate enforcement
- Planning enforcement
- Fixed penalty enforcement
- Premises licensing
- Council tax, business rates and local council tax support anti-fraud policy

The Interim Head of Legal Services said the policies had been informed by the recommendations of the Enforcement Task Force. Whilst there was sufficient flexibility to prosecute individuals, the policies were aimed at educating, deterring and informing the public with regards to enforcement issues. The policies were going to Cabinet on 18 October and he asked Members to contact him if there were any particular issues that they wished to comment on.

RESOLVED for Members to contact the Interim Head of Legal Services to comment on the draft enforcement policies and on actions taken to meet the Enforcement Task Force's recommendations

SC19 **ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS TO BE URGENT**

The Chairman raised his concern over a lack of response from the Army and the Executive, with regards to his questions relating to the running track at Carver Barracks. He said, as a member of the relevant task group, he had submitted a number of requests for information relating to public usage of the facilities and had received only a limited response. He said he was particularly concerned that questions had been 'filtered through a central point', as highlighted by the minutes from the Cabinet meeting held on 7 September. He said as Chairman of the Scrutiny Committee he was obliged to ask questions and thought it was

worrying that his enquiries had not been acknowledged. He added that he had emailed Councillor Rolfe for an explanation, but had yet to receive a reply.

The meeting ended at 9pm.