

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE OVERVIEW BOARD

TUESDAY, 3RD FEBRUARY 2009 AT 6.00 P.M.

PRESENT: Councillors P. M. McDonald (Chairman), L. J. Turner (Vice-Chairman), A. N. Blagg, Mrs. M. Bunker, Miss D. H. Campbell JP, S. R. Colella and Dr. G. H. Lord

Invitees: Councillors E. J. Murray, D. L. Pardoe, S. P. Shannon, C. B. Taylor and P. J. Whittaker

Observers: Councillor S. R. Peters

Officers: Mr. T. Beirne, Mr. P. Street, Mr. M. Bell, Mrs. C. Felton, Ms. J. Pitman, Mrs. S. Sellers, Mr. R. Goundry, Ms. R. McAndrews and Ms. D. McCarthy

18/08 **APOLOGIES FOR ABSENCE**

No apologies for absence were received.

19/08 **DECLARATIONS OF INTEREST**

No declarations of interest or whipping arrangements were received.

20/08 **MINUTES OF THE JOINT MEETING**

The minutes of the last joint meeting of the Overview Board and Scrutiny Board held on 6th January 2009 were received.

RESOLVED that the minutes be noted.

21/08 **MINUTES**

The minutes of the meeting of the Overview Board held on 6th January 2009 were received.

RESOLVED that the minutes be approved as a correct record.

22/08 **ANTI-SOCIAL BEHAVIOUR AND ALCOHOL FREE ZONES REPORT**

Councillor C. B. Taylor, Task Group Chairman, presented the Anti-Social Behaviour and Alcohol Free Zones Report to the Board and also briefly outlined the background to the establishment of the Task Group.

There were a number of questions regarding the Task Group's findings and recommendations. In particular, there was some discussion on alcohol free zones (legally referred to as Designated Public Place Orders (DPPOs)) in terms of its definition and Police enforcement of such areas.

RESOLVED that the Anti-Social Behaviour and Alcohol Free Zones Report be approved.

RECOMMENDED that the Cabinet be requested to approve the Anti-Social Behaviour and Alcohol Free Zones Report, including the recommendations contained within it.

23/08 **CCTV**

CCTV Code of Practice

The Chairman introduced Ms. R. McAndrews, CCTV and Lifeline Manager, to the meeting. It was explained that Ms. McAndrews had compiled the draft CCTV Code of Practice and the views of the Board were requested to assist officers in making certain the CCTV Code of Practice was robust.

The Board sought clarification on a number of issues relating to the draft Code of Practice and the operation of CCTV in general which officers were able to answer. There was discussion on many aspects of the Code of Practice, including the use of the CCTV footage and associated legal implications. Following this discussion, a suggestion was made relating to the possibility of the Council charging insurance companies which requested footage for their own purposes.

CCTV Funding

Members were reminded that at the Joint Overview Board and Scrutiny Board Meeting held on 2nd December 2008, it was recommended, and subsequently approved by the Cabinet on 7th January 2009, that West Mercia Police be requested to consider making a financial contribution towards the replacement of CCTV equipment. As requested at the last Overview Board Meeting, the Executive Director – Services provided an update stating that a letter had been sent to the Police and a response was awaited.

RESOLVED:

- (a) that the CCTV Code of Practice be approved; and
- (b) that, at the next meeting of the Board, the Executive Director – Services be requested to provide another update relating to the possibility of receiving funding from West Mercia Police for CCTV equipment.

RECOMMENDED:

- (a) that the Cabinet be requested to adopt the CCTV Code of Practice; and
- (b) that the Cabinet request officers to investigate the possibility of this Council charging insurance companies which request CCTV footage to be provided for insurance claim purposes.

24/08 **DRAFT JOINT MUNICIPAL WASTE MANAGEMENT STRATEGY**

As requested at the last Overview Board Meeting, the Head of Street Scene and Community, Mr. Bell, presented a report on the draft revision of the Joint Municipal Waste Management Strategy. It was explained that the Joint Municipal Waste Management Strategy for Herefordshire and Worcestershire had been developed by the Joint Waste Resource Management Forum and had been adopted by all County and District Councils within the two counties in 2004. It was explained that the updated version took on board the revised national position. Members asked a number of questions and there was discussion on various aspects of the strategy and the impact for the District.

Mr. Bell confirmed that it was his understanding that although planning permission had been granted for autoclave plants at Hartlebury and Madley, it had not proved possible to conclude a satisfactory contractual arrangement to construct them. However, Councillor Dr. Lord believed that the use of autoclave plants remained an option which was still being investigated.

The Board was reassured that the MRF (Material Reclamation Facility also known as 'Enviro Sort') was on schedule to be completed later in 2009. It was anticipated that the co-mingled collections in Bromsgrove could commence in November 2009 although it was understood that a co-mingled collection service was more likely to be fully implemented across the District from April 2010. It was expected that the new facility would be able to process additional types of recyclables, therefore allowing the District Council to collect more types of materials for recycling to help increase recycling rates further.

There was a brief discussion relating to food waste disposers (also known as macerators) and the potential issues they cause for water companies. Mr. Bell stated that there had been debates relating to the use of food waste disposers as there were many variables. It was explained that the numbers of properties using the food waste disposers were relatively few and therefore impact on water companies was small at the present time. However, research was continuing and further advice had been sought from water companies as part of the consultation process.

It was reported that all local authorities were gathering baseline data for the national indicator (NI) 193 relating to municipal waste landfilled and when this data had been collected, action plans would be produced to assess the environmental benefits of the different disposal options. It was confirmed that there was no additional household waste sites planned for Worcestershire.

With reference to the disposal target (target 6 in the strategy), Mr. Bell explained that there were a number of ways in which landfill waste would be reduced including education programmes relating to reducing the volume of waste created, together with recycling and reusing as much waste as possible.

It was pointed out that there was a legal requirement to produce and refresh the Joint Municipal Waste Management Strategy to ensure a consistent and robust approach was taken by all local authorities across the two counties which could be used for any public enquiry.

RESOLVED:

- (a) that, subject to modifications made following public consultation, the Joint Municipal Waste Management Strategy be approved; and
- (b) that the Head of Street Scene and Community be requested to confirm whether or not autoclave plants remained an option which was still being investigated.

RECOMMENDED that, subject to modifications made following public consultation, the Cabinet (in April 2009) be requested to approve and adopt the revised Joint Municipal Waste Management Strategy.

25/08 **AIR QUALITY REVIEW**

The Board together with Members of the Air Quality Task Group considered the review report. Members took each recommendation in turn and discussed the progress which had been made since the recommendations had been approved approximately 12 months ago.

Disappointment was expressed over the lack of progress with implementing some of the recommendations, particularly those where the District Council was waiting for responses from other agencies. However, the Executive Director – Partnerships and Projects informed Members that he would be arranging a high level technical meeting to be held inviting all key interested parties, including representatives from the Worcestershire County Council, Highways Agency, Primary Care Trust and West Mercia Police. It was hoped that by bringing all agencies together air quality issues could be addressed, in particular recommendations 1, 4, 10(b) and 12.

The Chairman had a particular concern regarding the first recommendation which related to the District Council giving consideration to applying to the County Council for certain roads being made low emission zone roads. It was reported by the Chairman that the officer from County Council's Highways who had attended Task Group Meetings had stated that this was an option and therefore it was questioned why this had not moved forward.

It was reported that a number of recommendations had been implemented (for example, recommendations 2, 10(a), 11, 13, 14, 16 and 17) and there were other recommendations where work was ongoing, for example recommendations 7 and 8 which related to the town centre redevelopment.

In relation to recommendation 10(a), it was stated that a letter had been sent that day to 34 households within the Air Quality Management Area (AQMA) directing them to the website for further information.

With regard to recommendation 17, although a newsletter had been sent to all taxi drivers and operators last year requesting them not to leave their engines running whilst waiting for the next fare at the taxi rank, there was some concern that this request was possibly being ignored. Furthermore, it was believed some bus drivers also left engines running and it was suggested that they too should be requested to alter their behaviour. It was suggested that

the Scrutiny Board could look at this issue, specifically relating to monitoring the situation via CCTV.

With reference to the final recommendation on home working, it was explained that although a formal policy had not yet been adopted corporately, Heads of Service could allow ad hoc home working when appropriate. Links to asset management were explained. It was stated that long term home working had additional financial implications, however, if there was a move to purpose-built premises, financial savings could potentially be made if, where appropriate, certain staff or departments worked from home on a permanent basis. In the meantime, infrequent home working was the only viable option.

RESOLVED:

- (a) that the review report be noted;
- (b) that the Executive Director – Partnerships and Projects be requested to provide Members with a progress update in relation to the first recommendation specifically;
- (c) that, with the aim of helping to reduce air pollution, the Scrutiny Board be requested to consider looking at the possibility of monitoring and enforcing against taxi and bus drivers who leave vehicle engines running in between fares and shifts;
- (d) that the Executive Director – Services be requested to provide Members with information regarding the Council's carbon footprint, specifically in relation to staff that who were allowed to work from home early February 2009 when there had been heavy snow fall; and
- (e) that future updates relating to approved recommendations from the Air Quality investigation be included in the quarterly recommendation tracker.

26/08 **JOINT COUNTYWIDE SCRUTINY REPORT ON FLOODING - IMPLICATIONS**

Consideration was given to the report on the implications for this Council to the recommendations made by the Joint Countywide Flooding Task Group.

RESOLVED that the report be noted.

RECOMMENDED:

- (a) that the Cabinet be requested to approve the recommendations contained within the Joint Countywide Scrutiny Report on Flooding; and
- (b) that the Cabinet request the officers who form the current watercourses officer group to review its terms of reference and composition in order to address the implications for the District of any Cabinet approved recommendations contained within the Joint Countywide Scrutiny Flooding Report.

27/08 **OVERVIEW RECOMMENDATION TRACKER**

Members of the Board considered the items contained within the Overview Recommendation Tracker.

RESOLVED that the Overview Recommendation Tracker be noted.

28/08 **PROPOSALS FOR FUTURE INVESTIGATIONS**

The Board considered the three scrutiny proposals which had been included on the work programme.

With regard to 'Sponsorship Funding' it was reiterated that the existing policy was still in its infancy and input from the Board in reviewing the policy would be helpful.

There was a lengthy discussion in relation to the topic 'Takeaways' as some Members believed it was an area worth pursuing whilst other Members disagreed.

Some Members believed there were too many takeaway outlets in certain locations across the District and the number of takeaways needed to be controlled in order to protect the character of a particular area. Other concerns mentioned relating to this topic were crime and health issues.

However, the Board was informed that there was a difficulty in comparing against other authorities which had local policies relating to takeaways as it was understood that such policies had been adopted under the old planning system rather than under the new Local Development Framework. Taking into account the advice from the Head of Planning and Environment Services that national policy guidance and market forces also needed to be considered, there were questions as to what could be achieved if the primary aim of Overview Members was to control the number of takeaways within a particular area.

To assist the Board into coming to a decision, it was suggested that Members could request further information from the Planning Department to enable the Board to discuss which areas around hot food takeaways could potentially be investigated further so to ensure Members achieved viable outcomes.

Within the same report, it was also proposed that the topic 'Older People' should be examined and it was suggested that a Task Group should be established to undertake the investigation.

RESOLVED:

- (a) that 'Sponsorship Funding' be investigated by the Board to assist officers in ensuring the existing policy was fit for purpose; and
- (b) that a Task Group be established to investigate the topic of 'Older People'.

29/08 **FORWARD PLAN OF KEY DECISIONS**

Forward Plan – February to May 2009

Consideration was given to the Forward Plan which included key and non-key decisions due to be taken by the Cabinet over the forthcoming months.

Further information was requested on item 4 (Housing Strategy 2006-2011 Mid Term Review), item 12 (Preferred Planning Guidance (PPG)17 - Outturn), item 13 (Sports Hub Provision) item 28 (West Midlands Biodiversity Pledge and Revised Biodiversity Action Plan) and item 35 (Place Survey Results).

With regards to item 19 (Customer First and Access Strategy) it was explained that the access strategy related to issues for vulnerable and minority groups accessing Council services and facilities.

It was believed that within the Medium Term Financial Plan, fixed penalty notices (FPN) had not been considered as a high priority and as a result it was thought the necessary funding for implementation had not been approved. Therefore, the report referred to as item 32 on the Forward Plan would no longer be required.

In relation to item 35 (Place Survey), it was explained that the Assistant Chief Executive was waiting for the Place Survey results. However, this information could be made available to the Overview Board when it was received. It was stated that the Worcestershire Partnership Board might also have some information that could be useful to the Overview Board.

Supplementary list of Forward Plan items – 2009/10

Members considered the list of anticipated reports for the rest of 2009/10 which had been split into service areas.

RESOLVED

- (a) that further information be provided to the Overview Board relating to the following:
 - Item 4 (Housing Strategy 2006-2011 Mid Term Review)
 - Item 12 (Preferred Planning Guidance (PPG)17 - Outturn)
 - Item 13 (Sports Hub Provision)
 - Item 28 (West Midlands Biodiversity Pledge and Revised Biodiversity Action Plan)
- (b) that the reason for the delay in relation to item 19 (Customer First and Access Strategy) be provided to Members of the Overview Board;
- (c) that confirmation be given as to whether or not funding was approved for the implementation of Fixed Penalty Notices (item 32);
- (d) that further information relating to item 35 (Place Survey) be requested from the Assistant Chief Executive, as soon as the results were available; and
- (e) that all other items on the Forward Plan be noted.

30/08 **WORK PROGRAMME**

The Board considered all the items included within its Work Programme.

Overview Board
3rd February 2009

RESOLVED that the Overview Board's Work Programme be noted and updated as necessary.

The meeting closed at 8.20 p.m.

Chairman