

OVERVIEW AND SCRUTINY COMMITTEE

5 MARCH 2015

Present: Councillor K Collett (Chair)
Councillor J Dhindsa (Vice-Chair)
Councillors J Aron, N Bell, K Hastrick, A Joynes, R Martins and
P Taylor

Also present: Councillor Stephen Johnson (Portfolio Holder for Housing
(for minute numbers 55 to 62))

Officers: Head of Community and Customer Services
Partnerships and Performance Section Head
Environmental Health and Licensing Section Head
Senior Environmental Crime Officer
Environmental Crime Officer
Committee and Scrutiny Officer

55 APOLOGIES FOR ABSENCE/COMMITTEE MEMBERSHIP

There was a change of membership for this meeting: Councillor Taylor replaced Councillor Greenslade.

Apologies were received from Councillor Walford.

56 DISCLOSURE OF INTERESTS (IF ANY)

There were no disclosures of interest.

57 MINUTES

The minutes of the meeting held on 22 January 2015 were submitted and signed.

58 CALL-IN

No Executive decisions were called in.

59 REPORT OUTLINING FLY TIPPING TRENDS AND SERVICES PROVISION

The Scrutiny Committee received a report of the Head of Community and Customer Services which provided an overview of the role of the environmental

crime team and the functions they regulated and enforced. It focussed on fly tipping.

The officers provided a presentation on 'Fly Tipping, Trends and Service Provision'. They explained the structure of the team, which was based at Wiggshall Depot. This enabled the Council's officers to work with Veolia on issues as they arose. They were able to refer work to each other and identify hotspots from the information received. They outlined the areas they regulated and provided two examples of casework; one where formal action had been taken and the second where informal action had been carried out. This showed how officers considered each case and took the most appropriate course of action. In addition to fly tipping on public land the Environmental Crime Officer explained how officers dealt with fly tipping on private land, alleyways and service roads. All fly tipping incidents were risk assessed and where hazardous waste may be involved immediate removal would be considered. Whereby the Council was able to recharge the costs to the owner. Officers showed examples of 'before' and 'after' cases where land owners had been helped to protect their land from future problems. This had included moving fencing to the owners boundary or installing fencing where it had previously not existed. The officers concluded by stating that information and education were an important part of their work.

Having considered the statistics at paragraphs 3.25 and 3.32 of the report, Councillor Taylor asked whether there was an incentive to under report fly tipping in order to ensure a good effectiveness grading. He asked how the figures were verified.

The Environmental Health and Licensing Section Head explained that the service had spoken to the Environment Agency and other local authorities to review the incidents that should be reported as fly tipping. Officers had also reviewed related guidance. It had transpired that Watford's officers had been over reporting incidents. She highlighted some of the examples that should not be classed as fly tipping, including road kill and black bags next to residential waste bins. Officers ensured they recorded the same information as other authorities.

Councillor Dhindsa congratulated officers on the way they had handled the second casework example. He commented that in Vicarage Ward he was of the opinion that fly tipping had not decreased. Previously he had been informed that the Council was unable to take any action if waste had been fly tipped in alley ways unless there were environmental issues, such as vermin. He asked that if there were any fly tipping in alleyways who would the Council prosecute.

The Environmental Crime Officer responded that alleyways were very complicated matters. They were often under shared ownership or unregistered. Officers relied on any witnesses who had observed the waste being dumped. If the Council became aware of the person who had dumped the rubbish and the witness was willing to provide a witness statement, then the officers would take necessary action, however clearance of the land would remain with the land owner(s). If it harboured vermin, then the Council would serve a notice and if it

was not complied with then enforcement would take place. However, residents would usually work together to ensure the waste was cleared and alleyways maintained.

Councillor Dhindsa mentioned that Japanese Knotweed had been reported as growing in a location within his ward. Residents had been contacted by another party seeking contributions towards the overall costs of removal. Most of the houses were rented and the tenants were not interested in contributing towards the costs. He asked whether there was any legal action the Council was able to take.

The Environmental Health and Licensing Section Head advised that the removal of Japanese Knotweed was not enforced by the Council. The situation should be referred to the Environment Agency, who would probably not be able to provide any assistance but could carry out enforcement.

Councillor Dhindsa then referred to a new scrap metal business in Vicarage Ward. He asked whether the business had a licence. In addition he enquired whether the Ward Councillors should have been informed about the application.

The Environmental Health and Licensing Section Head advised that the Councillor may be referring to a planning issue. The licence was related to the operation of the premises and not if it was in the appropriate location. She suggested that the Councillor could contact planning to ask whether planning permission had been granted. The Senior Environmental Crime Officer added that the scrap metal licence was in place, the operator was fully compliant.

Councillor Dhindsa referred to the Red Lion Pub in Vicarage Road, which was located opposite Watford Football ground. He said that the hedges were unsightly and overgrown.

The Senior Environmental Crime Officer explained that officers were in contact with the liquidator responsible for the property. Some issues had been resolved, mainly within the premises; he was waiting to hear how the remaining matters would be resolved. If the hedges were overhanging the public footpath this could be referred to the County Council's highways team.

Councillor Taylor asked about partnership working, particularly with the Police. He questioned whether Councillors and residents should contact the Police on 101 about fly tipping or the Council.

The Environmental Crime Officer responded that the Council did work closely with the Police, who often referred cases to the Council. The Council provided them with feedback on cases they had reported. Officers met Police representatives at the Anti-Social Behaviour Action Group and regularly discussed cases.

The Environmental Health and Licensing Section Head suggested that if the issue was anti social behaviour or if the witness could see an offender in the act of committing the offence they should call the Police but for other issues it was

best to contact the Council. She asked Councillors to ensure that they contacted the service via the Customer Service Centre and not directly to the individual officers. If Members emailed officers direct and officers were unavailable due to leave there could be a delay on any action being taken.

The Chair suggested that this information should be conveyed to all Councillors through the Members' Bulletin.

Councillor Taylor asked whether Watford Community Housing Trust worked effectively with the team. The Environmental Health and Licensing Section Head advised that there was a mixed response; the performance varied. The Senior Environmental Crime Officer added that generally there was a good working relationship with Estates Officers and some of them reacted straight away.

In response to a question from Councillor Taylor about response times, particularly at Christmas, the Environmental Health and Licensing Section Head advised that the team consisted of two officers, in addition the Town Hall was closed over the Christmas period. If the waste was located on public land the case was referred to Veolia. She acknowledged that there were occasions when some cases were not responded to within 24 hours. She stated that as long as the matter was logged on to the system the waste would get picked up.

Following a question from Councillor Bell, the Senior Environmental Crime Officer advised the Scrutiny Committee that in the first instance the call should be logged through the Customer Service Centre. Officers would investigate the matter and then refer it on to the Housing Trust.

The Environmental Crime Officer explained that officers met representatives from the various local housing associations at the Anti-Social Behaviour Action Group once a month.

The Chair noted that when officers were having to deal with fly tipped material on private land it took them away from problems on public land. She asked whether there was any action officers could take.

The Environmental Health and Licensing Section Head responded that the issue was enforcement. The Housing Trust did not have the enforcement powers granted to the local authority. There was also the matter of 'chain of evidence'. At one stage officers had had support from street cleaners, who would look through the waste material for evidence. The Council had to prove the liability of the person 'beyond all reasonable doubt'. Issues arose if the waste was not inspected by the Environmental Crime Officers. The service worked with individuals and land owners to stop repeat fly tipping incidents, for example through the introduction of CCTV and signage.

The Chair thanked the officers for their informative presentation.

RESOLVED –

that the report be noted.

WBC HOUSING SERVICES MOVING FORWARD

The Head of Community and Customer Services provided a late report setting out information about the Housing Service and how it was moving forwards. He also provided statistics on various factors covered by the service.

Households in temporary accommodation

The Head of Community and Customer Services informed the Scrutiny Committee that the number of people in temporary accommodation was higher than any other time he could remember. The first chart showed the different types of accommodation the Council used to house those in temporary accommodation. He advised that due to the increase in the number of homeless people presenting themselves to the Council, it was necessary to use a variety of accommodation. He added that those accommodated in bed and breakfast accommodation did not receive breakfast. Due to the increase it had become necessary to place people outside of Watford. These locations were preferably close to a main transport route.

In response to a question from Councillor Bell, the Head of Community and Customer Services responded that the latest information showed approximately 12 households had been placed outside Watford. Locations could include Borehamwood, Luton or Dunstable.

Following a question from Councillor Taylor about increasing the Council's temporary accommodation stock, the Head of Community and Customer Services referred Members to paragraph 3.2 of the report. He explained that work had been commissioned to look at the current arrangements and would make recommendations for future requirements.

Councillor Johnson, Portfolio Holder responsible for Housing, added that he had concerns about the quality of some of the current stock. The Council would need to consider whether to refurbish the stock or source accommodation from elsewhere.

The Head of Community and Customer Services commented that the Council would look at the business cases for different options. If the Council opted to release some of its current accommodation this could release funds to purchase other property.

Councillor Dhindsa noted that in the past few years several hotels had been built in Watford. He asked officers to try to place more people locally rather than outside the area. The relocation away from Watford could impact people's lives, for example travelling to work.

In response the Head of Community and Customer Services stated that the Council had a good relationship with the groups it worked with; the availability of bed and breakfast accommodation was dependent on events within Watford and

the surrounding area, and that the Council always tried to place people in Watford whenever possible.

The Portfolio Holder noted that some people were happy to go further as standards were sometimes better than accommodation they may have already experienced in Watford.

Councillor Bell requested details of the temporary accommodation sites within Watford. The Portfolio Holder advised that these sites were managed by Watford Community Housing Trust on behalf of the Council. It was agreed the list would be provided.

Number of rough sleepers in Watford

The Head of Community and Customer Services informed the Scrutiny Committee that the Council was required once a year to report to the Government the number of rough sleepers in the area. Some of the increase evident in the statistics was due to the way the number of rough sleepers was recorded. The New Hope Trust worked extremely hard in the local area; the organisation tried to help people into a programme. The New Hope Trust would be undertaking some further research into the background of the current rough sleepers. The statistics showed a worsening picture for Watford, but this was reflected across Hertfordshire and the South-East. After the monthly Anti-Social Behaviour Action Group meeting, various organisations would meet and discuss the situation and work out the partners who were able to help the rough sleepers.

Councillor Aron suggested that part of the problem in Watford might be that people were attracted here because of the available resources.

The Portfolio Holder advised that of the current number known in Watford, 19 had strong Watford connections. New Hope Trust were unsure that people were attracted to Watford due to its resources.

The Head of Community and Customer Services added that urban areas tended to have a higher number of rough sleepers than rural areas. It could be due to the fact that there were likely to be more opportunities to find food and warmth.

New build homes in Watford

The Head of Community and Customer Services reported that the Council had a positive approach towards building new homes. It exceeded its target. The Local Plan Part 2 was currently out for consultation. The provision of new affordable housing was covered within the Plan. Chart 3 in the Appendix showed a reduction in the number of affordable homes built during 2013/14. He advised Members that only those developments proposing 10 or more units were required to provide affordable housing. Occasionally developers built the affordable housing within the second phase of developments. He added that affordable rent could be up to 80% of the local market rent. Finally he commented that there were a number of current schemes that would introduce a

significant number of affordable units. These sites included Watford Health Campus.

Councillor Dhindsa said that he was concerned that Watford was becoming a commuting town rather than a community town. The price of accommodation in Watford was quite high. Many of the large businesses, for example Rolls Royce, Benskins, various printers had gone. Many people commuted to London for work.

The Head of Community and Customer Services responded that the Economic Development Manager would be able to speak to the Scrutiny Committee about the balance it was necessary to try to achieve. A balance had to be made to ensure the town remained as a community and it did not become a dormitory town.

Councillor Taylor noted that in the performance report on the agenda, the target had been 71 which had been achieved. He asked whether officers felt this was ambitious enough.

The Head of Community and Customer Services explained that the level was set based on the developments that were being developed in the near future. The sites would usually already have received planning permission.

The Portfolio Holder reminded Members that empty commercial buildings no longer needed to provide affordable housing if they were converted to accommodation.

Councillor Martins stressed that it was important that the Council reviewed its Housing Strategy and worked with planning on increasing the number of affordable housing units being created. He considered the challenge for the Portfolio Holder was to take up this matter and put pressure on the Government.

Number of households accessing private rented sector through the Rent Deposit / HomeLet scheme

The Head of Community and Customer Services advised that there had been a decline in the number of private sector units the Council had been able to access. The service realised that the private sector was key to the future support of the Council's service. The aim was to ensure that the new Section Head had experience of working with the private sector.

The Chair referred to Housing Benefits and how it was paid direct to the tenant and not the landlord. She wondered whether this had an impact on landlords coming forward to participate in HomeLet and other schemes. She asked whether officers felt it was possible to put pressure on the Government regarding the matter of benefit payments to tenants.

The Head of Community and Customer Services suggested that the only way would be to lobby the Government. He explained that it was possible to put a specific request that payment was made direct to the landlord, but this did

require the tenant's permission. He acknowledged this may be one of the reasons landlords were reluctant to come forward, but there were also several other reasons.

The Portfolio Holder added that it was important the Council produced the correct package to encourage landlords, but this needed to be within budget.

The Chair thanked the Head of Community and Customer Services and Portfolio Holder for their report and explanations.

61 **OUTSTANDING ACTIONS AND QUESTIONS**

The Scrutiny Committee received a list of outstanding Actions and Questions. Members noted the updates. The Committee and Scrutiny Officer reported that the items proposed for the 2015/16 work programme would be reported to the Scrutiny Committee at its June meeting.

RESOLVED –

that the update be noted.

62 **UPDATE ON THE COUNCIL'S PERFORMANCE INDICATORS AND MEASURES (IN-HOUSE SERVICES) - QUARTER 3: (OCTOBER - DECEMBER) 2014/15**

The Scrutiny Committee received a report of the Partnerships and Performance Section Head which provided an update on the Council's performance indicators for non-outsourced services at Quarter 3.

The Partnerships and Performance Section Head reported that officers were still unable to provide data on the percentage of complaints resolved at stage one, due to software problems. The average waiting times in the Customer Service Centre for Revenues and Benefits enquiries had been added to the indicators following Members' interest.

Members noted the results for the indicators for housing. Councillor Martins referred to the affordable homes results. He stated that Members on the Development Control Committee had found that developers were asking if they could provide less affordable units than required. The reason they gave was the viability of the scheme. He asked that officers were aware of this when developing planning policies.

The Portfolio Holder advised that Planning officers worked with the Housing Team. He noted that an application was being presented to Development Control Committee on 12 March where the Applicant had requested that they be allowed to provide a lower number of affordable units. He was concerned about the precedent this could create. He reminded Members that if an applicant submitted an application to develop nine residential units they were not required

to provide any affordable units within the scheme. He suggested that the Planning service and Housing Team should discuss the matter and make a joint statement about this matter.

Councillor Bell said that he agreed with the previous comments and suggested that the Council should consider what controls could be brought in.

RESOLVED –

that the Scrutiny Committee's comments on the performance of the Council's performance measures for those areas where the Council directly delivers the service/ area of work at the end of quarter 3 2014/15 be noted.

63 **EXECUTIVE DECISION PROGRESS REPORT**

The Scrutiny Committee received the latest edition of the Executive Decision Progress Report 2014/15.

Following a request from Councillor Joynes, it was agreed that the Scrutiny Committee would be provided with the Wifi connectivity reports which were presented to Cabinet in December 2014 and January 2015.

RESOLVED –

that the report be noted.

64 **HERTFORDSHIRE COUNTY COUNCIL'S HEALTH SCRUTINY COMMITTEE**

The Scrutiny Committee noted that there had been no further Health Scrutiny Committee's since the last update in January.

The agendas, reports and minutes for the Health Scrutiny Committee were available on the County Council's website.

RESOLVED –

that the update be noted.

65 **SCRUTINY PROPOSAL - VOLUNTARY SECTOR COMMISSIONING FRAMEWORK (COMMUNITY CENTRES)**

The Scrutiny Committee received a report of the Committee and Scrutiny Officer setting out details of a proposed scrutiny topic.

The Committee and Scrutiny Officer reported that she had emailed all non-Executive Councillors advising them of the scrutiny suggestion and asking them to contact her if they were interested in participating in the proposed Task Group. The following Councillors, in order of reply, had responded –

- Councillor Karen Collett
- Councillor Binita Mehta
- Councillor Jeanette Aron
- Councillor Rabi Martins
- Councillor Anne Joynes

The Committee and Scrutiny Officer advised that the Corporate, Leisure and Community Section Head had suggested that two meetings would be required, commencing after the May elections but before officers presented a report to Cabinet in June 2015.

Members questioned whether two meetings would be sufficient. They also requested that they were provided with any preparatory information in advance of the first meeting.

The Committee and Scrutiny Officer advised that it may be possible to hold an additional meeting, but the Task group needed to complete its work in a very short time frame as the report was due to be presented to Cabinet in June. She confirmed that she would contact the Corporate, Leisure and Community Section Head and request that Members were provided with the preparatory information as soon as possible.

It was agreed that all Councillors with community centres within their wards would be provided with information about the Task Group.

RESOLVED –

1. that a Task Group be established to review the community centres section of the revised Voluntary and Community Sector Commissioning Framework, based on the proposal submitted by the Corporate, Leisure and Community Section Head.
2. that the Task Group comprises the following Councillors
 - Councillor Karen Collett
 - Councillor Binita Mehta
 - Councillor Jeanette Aron
 - Councillor Rabi Martins
 - Councillor Anne Joynes

BUDGET PANEL

The Scrutiny Committee noted that Budget Panel had met on 24 February 2015. The minutes were available on the Council's website.

RESOLVED –

that the update be noted.

67 **OUTSOURCED SERVICES SCRUTINY PANEL**

Councillor Taylor, Chair of Outsourced Services Scrutiny Panel, informed the Scrutiny Committee that the Panel had met on 12 February and had reviewed the IT contract. Capita presented the new team dedicated to the contract. The Scrutiny Panel had requested that it should be provided with a progress update in March.

RESOLVED –

that the update be noted.

68 **COMMUNITY SAFETY PARTNERSHIP TASK GROUP**

The Community Safety Partnership Task Group had met once since January. The Chair requested that the minutes were circulated to the Scrutiny Committee.

RESOLVED –

that the Task Group's minutes be circulated to Overview and Scrutiny Committee.

69 **PROPERTY TASK GROUP**

Councillor Bell, the Chair of the Property Task Group, informed the Scrutiny Committee that the Task Group had considered the report which would be presented to Cabinet on 9 March. The report proposed the establishment of a Property Investment Board. He hoped that more resources might be made available to build new hostels.

RESOLVED –

that the update be noted.

70 **CONTROLLED PARKING ZONES (CPZ) POLICIES TASK GROUP
UPDATE**

Councillor Collett, the Chair of the new Task Group, informed the Scrutiny Committee that the Task Group's report would be presented to Cabinet on 9 March following its deferral from the previous meeting. She stated that officers had been pleased with the support provided by the Task Group.

RESOLVED –

that the update be noted.

71

DATE OF NEXT MEETING

- Thursday 26 March 2015 (For call-in only)

Chair

The Meeting started at 7.00 pm
and finished at 9.10 pm