

PLACE SCRUTINY COMMITTEE

MINUTES of a meeting of the Place Scrutiny Committee held at Committee Room - County Hall, Lewes on 20 November 2019.

PRESENT Councillors Bob Bowdler (Chair) Councillors Godfrey Daniel (Vice Chair), John Barnes, Martin Clarke, Chris Dowling, Nigel Enever, Darren Grover, Pat Rodohan, Stephen Shing, Andy Smith and Barry Taylor

LEAD MEMBERS Councillors Nick Bennett and Claire Dowling

ALSO PRESENT Becky Shaw, Chief Executive
Kevin Foster, Chief Operating Officer
Rupert Clubb, Director of Communities, Economy and Transport
James Harris, Assistant Director, Economy
Karl Taylor, Assistant Director Operations
Justin Foster, Waste Team Manager
Dale Poore, Contract Manager Highway Infrastructure Services

22 MINUTES OF THE PREVIOUS MEETING

22.1 The Committee RESOLVED to agree the minutes of the meeting held on 18 September 2019 as a correct record.

23 APOLOGIES FOR ABSENCE

23.1 Apologies for absence were received from Councillor Bill Bentley, Lead Member for Communities and Safety.

24 DISCLOSURES OF INTERESTS

24.1 Councillor John Barnes declared a personal, non-prejudicial interest under the Review of Grass Cutting and Roadside Vegetation Management report (item 7) as he is Chair of Etchingam Parish Council. Councillor Andy Smith declared a personal, non-prejudicial interest under item 7 as he is a member of Peacehaven and Telscombe Town Council.

24.2 Councillor Pat Rodohan declared a personal, non-prejudicial interest under the Work Programme (item 9) as he is Chair of the Conservation Areas Board of Eastbourne Borough Council.

25 URGENT ITEMS

25.1 There were none.

26 SCRUTINY REVIEW OF THE EFFECTIVENESS OF SCHOOL TRAVEL PLANS - UPDATE REPORT

26.1 The Assistant Director Economy introduced the report and summarised the progress to date on the implementation of the recommendations of the review. The Active Access for Growth funding mentioned in the recommendations has continued in the last 6 months, and it is likely there will be extra funding in 2020/21 from this fund. The revised planning conditions are being applied to planning applications for schools. There is still some work to do on providing School Travel Plan information and guidance on C-zone, but this will be completed by the end of the calendar year. The Council will publish the Local Cycling & Walking Infrastructure Plan (LCWIP) shortly. The Plan contains measures which are complementary to School Travel Plans and will aid their effectiveness.

26.2 The Committee discussed the report and the progress on the implementation of the recommendations of the review. The Committee commented that in some rural areas, improving the condition of narrow footways would encourage walking. Also, if the Council could make walking routes safer this may save the Council money where it is having to pay for Home to School Transport due to the lack of a safe walking route to school.

26.3 In the case of some rural village schools where the option of walking to school may be limited, School Travel Plans would benefit from the inclusion of car sharing schemes. The Assistant Director Economy responded that School Travel Plans are tailored to the circumstances of each school, so information and guidance on car clubs and car sharing will be provided on C-zone and included in School Travel Plans where appropriate. The Assistant Director Economy confirmed that the work on the information for C-zone will be completed before the next Scrutiny Committee update report.

26.4 The Committee noted that overall it was happy with the progress being made on the implementation of the recommendations from the review. However, it is also important that the review's recommendations are communicated to all affected staff (e.g. Recommendation 5, the inclusion of School Travel Plans in planning conditions for new schools such as the one in Hailsham). The Committee also commented that climate change will focus attention on walking and sustainable transport options included in School Travel Plans.

26.5 Committee RESOLVED to:

- (1) Note the updates in relation to the agreed recommendations identified through the review of the effectiveness of School Travel Plans, as set out in Appendix 2; and
- (2) Note the potential opportunities in relation to school travel regarding future transport infrastructure projects and initiatives note progress and agreed recommendation of the report.

27 REVIEW OF SERVICE CHANGES AT HOUSEHOLD WASTE RECYCLING SITES (HWRS)

27.1 The Waste Team Manager introduced the report and outlined the key points of the report. Around two years ago the Council consulted on service changes to the Household Waste Recycling Site (HWRS) Service to achieve £720,000 of savings. This included the closure of two sites, changes to the opening hours at others, and the introduction of charging for the disposal of some items of non-domestic waste at HWRS sites. The Team have delivered over £600,000 worth of savings, which taken together with the savings made by the reduction in waste volumes taken to HWRS sites, has fully achieved the savings target.

27.2 Work has been completed on the Wadhurst and Forest Row sites which are now closed and the waste licences surrendered. The changes to site opening hours have worked well and

the chargeable waste scheme is operating well and appears to be accepted by residents. The report notes that there is an under recovery from the charging scheme. This will be monitored, and action taken as necessary.

27.3 The review of the HWRS Service also included a review of the Charity Waste Scheme. As part of this work the Waste Team has spoken to all the charities who use the Scheme, most of which are local. Around two thirds of the charities have links to the Council, and some are involved in repurposing household waste (e.g. furniture services). The majority do a lot of good work which benefits residents and supports the Council's objectives. Therefore, it was difficult to find a basis on which to suggest reductions or changes to the Charity Waste Scheme.

27.4 The Waste Team Manager outlined that there had been limited negative feedback from residents and organisations about the changes to the Service. The Waste Team are monitoring the impact of the changes made by East Sussex County Council (ESCC) on Brighton and Hove City Council (BHCC) as well as the changes made by neighbouring authorities such as West Sussex County Council (WSSCC) and Kent County Council. The Team have successfully delivered the changes to the Service which were required in order to make the agreed level of savings.

27.5 The Committee discussed the report and made the following comments and observations about the changes to the HWRS Service.

Fly-Tipping

27.6 The Committee noted that the bar chart in paragraph 2.17 of the report shows that fly-tipping is increasing. The bar chart shows the number of fly-tips, but it is also important to look at the quantity of material that is fly-tipped. The Committee commented that from their experience there appears to have been an increase in fly tipping and asked how much of the chargeable types of waste are ending up as fly-tips as there appears to have been an increase in small quantities of building/DIY waste being fly-tipped. The Committee questioned whether it would it be more cost effective to accept all types of waste as residents still bear the cost of clearing up fly-tipping.

27.7 The Waste Team Manager explained that from an examination of the data, fly-tipping had already started to rise before ESCC introduced charges for non-domestic waste. This is part of a national trend where the number of fly-tipping incidents has been increasing. The Waste Team is working with the District and Borough councils to monitor fly-tipping and the type of waste which is being fly-tipped is predominately household waste (e.g. black bags, mattresses, white goods etc.) and the not the type of waste that the Council is charging for. The Waste Team also has information on the tonnages of fly tips, which is around 517 tonnes a year across the County. This figure has been relatively constant from year to year, and the tonnage is starting to reduce slightly. The Waste Team Manager cautioned that without a deeper understanding of the type and quantity of waste being fly-tipped, it is very easy to arrive at the wrong conclusions.

27.8 The Assistant Director Operations added that when examining this issue, one has to be led by the evidence. The Council does monitor very carefully what is fly-tipped through the Joint Waste Committee. It is either domestic waste (e.g. black bin bags, mattresses, fridges etc.) or bigger loads of commercial building waste. There is no link between increases in the number of fly-tipping incidents and the types of waste being charged for. Most of the larger fly-tips of hard core or construction type materials are coming from commercial operators, and the Council is working with partners to reduce this type of fly-tipping. The Committee commented that commercial fly-tips are a problem and would welcome more work to reduce them.

27.9 The Director of Communities, Economy and Transport added that fly-tipping can attract significant penalties. If people are caught there are consequences. The Council could look at

increasing communications work to highlight the penalties and the requirement to use licensed operators when people dispose of their waste. The Committee noted that the District and Borough councils undertake most of the enforcement work on fly-tipping, but unfortunately prosecutions are rare.

Waste Diversion and Environmental Costs

27.10 The Committee discussed the estimated 6,400 tonnes per year of non-domestic waste which is no longer being taken to ESCC HWRS sites for disposal. The Committee asked whether this displaced waste is being taken to other authorities' sites where they do not charge (e.g. BHCC), or is it being mixed in with domestic black bin waste. The Committee is also concerned that ESCC residents, such as those living in the Forest Row area where the HWRS site was closed, will no longer be able to use other authorities' facilities such as those at East Grinstead as other councils seek to restrict access to their HWRS sites to their own residents (e.g. WSCC).

27.11 The Committee commented that there is an environmental impact of people driving further to dispose of waste because there are fewer HWRS sites, or where people are driving to neighbouring authorities' sites because they do not charge. The Committee questioned whether saving £600,000 is worth the extra environmental costs, and if having local collections may be more environmentally friendly.

27.12 The Waste Team Manager responded that he disagreed that the environmental costs outweigh the savings that have been made through the changes to the Service. The Service changes have achieved the savings as predicted. The Waste Team do carry out an analysis of the amount of waste produced by each household. On average each household produces approximately 1,000 kilogrammes of waste per year. This figure has not changed and therefore the Team do not believe that diverted chargeable non-domestic waste is entering the waste stream. In fact, the Team estimate that the amount of household waste is decreasing by 40-50 kilogrammes per household per year. This is mirrored in BHCC where domestic waste per household has reduced by 3%. In East Sussex the amount domestic waste produced is reducing by 6-7% per household. Some of the decrease is due to changes made to the HWRS service, and some is due to a downturn in the amount of waste residents generate.

Charity Waste Scheme

27.13 The Committee noted that some charities that benefit from the Charity Waste Scheme are public schools whereas state schools do not benefit. One of the Committee members who also sat on the Waste Review Board had hoped that this anomaly would be addressed in the review of the Charity Waste Scheme. The Council does not have a statutory duty to have a Charity Waste Scheme and can set its own policy on which organisations can benefit from such a Scheme. The Committee discussed the extent of the Scheme and whether on the grounds of fairness it would be possible examine the option of either having all schools in or out of the Scheme. Some Committee members commented that it may be difficult to differentiate between those charities that are considered beneficial and those that are not.

27.14 The Waste Team Manager outlined that there are four public schools who use the Scheme and that it would be difficult to single out one type of charity from another in determining who can use the Scheme. The Council does have a separate contract set up to provide a waste disposal service to maintained schools. To include all schools in the Charity Waste Scheme would have a financial impact on the waste contract and school waste is usually treated as commercial waste.

27.15 The Committee discussed whether to call for a review of the Charity Waste Scheme and the inclusion of public schools. The Director of Communities, Economy and Transport responded that undertaking a review would be inviting the Council to differentiate between charities and he did not think that there would be a different outcome to the existing policy approach. There are some charities that are hugely beneficial and whether public schools should be classed as charities is a wider issue outside the control of the Council.

27.16 Councillor Godfrey Daniel proposed a Motion, seconded by Councillor Rodohan, that *“the Committee RESOLVE to note the report and call for a detailed review of the charity waste policy which would include the withdrawal of public schools from Charity Waste Scheme”*. The Motion was put to the vote but was not carried (4 votes for and 7 votes against).

27.17 The Committee RESOLVED to note the report and progress made on the savings following the review of the HWRS Service.

28 REVIEW OF GRASS CUTTING AND ROADSIDE VEGETATION MANAGEMENT SERVICE

28.1 The Contract Manager Highway Infrastructure Services introduced the report. The report provides an update on the Grass Cutting and Roadside Vegetation Management Service following changes made to the Service in May 2018. The change in policy was to reduce the number of urban grass cuts to two cuts per year and has been successful. Under the revised Service, Borough, District, Town and Parish councils are offered several service options to either self-deliver grass cutting; pay for additional cuts; or accept the revised service of two urban grass cuts per year. In 2019 more Parish councils have decided to take up the option of either paying for additional cuts, or self-delivering the grass cutting service with a contribution from ESCC equivalent to the cost of providing two cuts.

28.2 The grass growing season in 2018 was a bit unusual, but 2019 has been a more normal year. There have been fewer customer contacts about grass cutting and there have been fewer issues around safety cuts for visibility splays. Following feedback from last year, the Team have developed more clarity about which areas need cutting and have been able to take a better approach to cutting visibility splays. There have been no significant operational issues such as machinery breakdowns. There has been more interest in Wildlife Verges and people can see the wildlife benefit of cutting verges less. There appears to be growing public support for cutting verges less which benefits wildlife.

28.3 The Committee discussed the report and the changes to the Grass Cutting Service. It noted that the Service changes have been positive in terms of the environmental benefits resulting from cutting verges less. The Committee acknowledged that the timing of cuts could be difficult as wildflower verges should ideally be cut towards the end of July. A feature of having a countywide contract means that verges in some places might be cut slightly too early or too late in the season. However, to have all verges cut at the same time would have an impact on the operational efficiency and cost of the grass cutting contract.

28.4 Some Committee members commented that the revised policy means that Parish and Town Councils can rightly decide what level of service they want. The Contract Manager Highway Infrastructure Service clarified that although some councils are self-delivering the Grass Cutting Service, this does not mean that ESCC has delegated the control of highway verges to them. The Team have worked very closely with Town and Parish Councils and if they self-deliver the grass cutting service, measures are in place to ensure all the relevant procedures are in place. ESCC also has an enforcement team and Highway Stewards who will deal with any issues related to verges such as parking and encroachment.

28.5 The Committee expressed some concerns about the quality of the finish that is being achieved, as the quality of the cut is determined by the machinery used and the length of the grass at the time of cutting. The use of flail mowers rather than cylinder mowers can leave a less than neat finish. The Committee asked if the Team monitor the quality of cuts.

28.6 The Contract Manager Highway Infrastructure Services outlined that the contractor uses rotary mowers which produce an acceptable finish given that highway verges are cut for safety purposes and not for appearance. The contractors carry out their own quality checks but ESCC also undertakes spot checks. The level of complaints regarding quality is fairly low, and the Team do act on reports or complaints from members of the public about the quality of cuts.

28.7 The Committee RESOLVED to note the report updating the Committee on the changes made to the Grass Cutting and Roadside Vegetation Management Service.

29 RECONCILING POLICY, PERFORMANCE AND RESOURCES (RPPR) 2020/21

29.1 The Chief Executive introduced the report, which builds on previous RPPR report received by the Committee. It updates the overall Medium Term Financial Plan (MTFP) with the additional funding announced by central Government for 2020/21, and noted that Cabinet had agreed to plan on the basis the Council will take the option to raise council tax by applying the 2% Adult Social Care (ASC) precept as well as the planned 1.9% increase. The funding announcements will lead to around £6million in one-off funding being available in 2020/21, and the Committee is asked to comment on the use of this funding. The Council does not have to spend all the one-off funding, and there is still an underlying need to make savings in the following financial years. The Council is hoping to get the final details of the local government financial settlement at end of December 2019, but if there is a new Government the Council may not get the settlement details until end of March 2020.

29.2 The options that Officers have developed for the use of the one-off funding are outlined on pages 43-46 of the report. For the services within the remit of the Place Scrutiny Committee the options include a proposal to defer some of the Library Service savings (option S), additional funding for Economic Development (option AB) and additional capital investment for Highway Works Programme Management (option AD). In considering which of these options should be taken forward, the Committee should take into account the principles that apply to the use of the one-off funding outlined in paragraph 5.2 of the Cabinet report. It should be noted that the pressure within Children's Services (CS) for children's social care is reflected in the revised MTFP.

29.3 The Committee acknowledged that in taking a whole Council approach, it is right to prioritise the one-off funding for Children's Services (CS) and Adult Social Care (ASC) where there are pressures on services. However, there is a case for spending some of the funding on services that support the wider community such as those services provided by the Communities, Economy and Transport (CET) department. The spending on ASC and CS services is not as visible, and residents will want to see what services they are getting for the additional Council Tax they will be required to pay.

29.4 The Committee sought clarification on whether the Government is planning to increase funding for road repairs, as the condition of roads in the County is still a concern. The Director of Communities, Economy and Transport outlined that the Council currently receives and bids for roads funding through the Highway Maintenance Challenge Fund and the Pinchpoint Fund. The Department for Transport (DfT) is consulting on a Highways sector deal which is proposing to extend highway maintenance funding to cover a five-year period, rather than the current year by year approach. This is to give more certainty over roads funding and aid investment decision making. It is not clear whether the sector deal will deliver more funding for road repairs, but there may be a one-off pothole fund next year.

29.5 The Chief Executive commented that the evidence shows ESCC road condition is improving by the sustained application of an asset management approach. There is still a large amount of investment needed to get roads up to standard, and this reflects a national issue, where the level of highway authority funding for road repairs needs to be addressed.

29.6 The Committee suggested allocating one-off funding of £75,000 for the installation of dropped kerbs, which would be visible, meet the criteria for one-off spending, and would benefit whole community. The additional funding combined with the existing capital budget of £50,000 per year, would enable the Council to address the back log of requests for dropped kerbs. The Committee also asked if the Council could use Community Infrastructure Levy (CIL) and Section 106 Planning agreement funding for dropped kerbs. The Assistant Director Operations outlined that wherever there is a development the Council will request funding for, or the provision of, dropped kerbs.

29.7 The Committee also suggested that some of the one-off funding could be used to improve the conditions pavements, particularly to reduce falls. Improving the condition of pavements could lead to savings in ASC spending by reducing falls and visits to hospital, especially for the elderly. The Committee considered that the condition of pavements is affecting many people and more spending in this area would be supported by the public. The Director of Communities, Economy and Transport outlined that the Council currently spends around £1.5million per year on maintaining pavements and could do more if the funding is increased.

29.8 The Chief Executive commented that East Sussex is at the leading edge of local authorities where the population is paying a high level of council tax whilst providing services for a relatively small number of people who are in receipt of CS and ASC services. Therefore, the visibility of expenditure is an important issue. The bulk of proposals for one-off funding reflect where there is financial pressure on the Council. If one-off funding for dropped kerbs and additional investment in pavements to prevent falls are areas of spending that the Place Scrutiny want to propose, then Officers can be asked to consider this, and it can be put forward to Cabinet.

29.9 The Committee commented that in considering the previous reports on the agenda, it was evident that the Council has made relatively modest savings in universal services such grass cutting and the HWRS Service which have had an impact on a large number of people. The Committee hopes that if austerity is ended and the Council's long-term funding improves, that the Council will be able to start spending on roads and other issues that have a high impact on residents.

29.10 The committee RESOLVED to:

- 1) request Cabinet to consider additional funding for dropped kerbs and pavements as part of the options for spending the one-off funding; and
- 2) request consideration is given to returning funding to universal services such as roads, waste and grass cutting should austerity measures end, and the Council receives adequate funding through the fairer funding review.

30 WORK PROGRAMME

30.1 The Committee reviewed the work programme to determine which items should be included in the Committee's future work programme.

Road Safety Correspondence Pilot

30.2 The Committee discussed the Road Safety correspondence pilot scheme which involves providing a standardised response to road safety enquiries from members of the public,

Councillors and MP's. Some Committee members outlined that ESCC Councillors should not be treated the same as members of the public and should be able to get a more detailed response. This point of view is supported by a number of Councillors across the Council. At the very least Councillors should have additional access to officers to discuss road safety enquiries.

30.3 The Assistant Director Operations responded that the pilot study is limited to correspondence, and all requests will continue to be assessed by officers in line with current policies. The purpose of the pilot is to trial a new approach to allow officer time to be focussed on other road safety issues and Councillors should provide feedback into the pilot study. The Lead Member for Transport and Environment encouraged Councillors to feed into the pilot study to have their comments heard and noted if they are unhappy with the pilot.

30.4 The Committee discussed whether it would be helpful to have a report on the outcome of the pilot. The Committee agreed to wait until the outcome of the pilot is known but reserved the right to call for a report if the position regarding Councillor's enquiries remains unchanged.

Potential Scrutiny Reviews - Climate Change

30.5 The Committee discussed undertaking a scrutiny review based on the draft terms of reference in appendix 2. The Committee agreed to proceed with a Scrutiny Review of becoming a Carbon Neutral Council. It was agreed that the Scrutiny Review Board will be comprised of Councillors John Barnes, Bob Bowdler, Martin Clarke, Pat Rodohan and Stephen Shing. The Review Board will be chaired by Councillor Martin Clarke.

Other Scrutiny topics

30.6 The Committee discussed the policies and procedures for removal of decorative lampposts and other street furniture of historic value. It was proposed that the Committee should undertake a scrutiny review of this topic.

30.7 The Committee agreed to have a short report at the next Place Scrutiny Committee meeting on the current policies and procedures, including consultation, for the removal or replacement of street furniture historic value, before deciding whether to proceed with a scrutiny review on this subject.

30.8 The Committee RESOLVED to amend the work programme in line with paragraphs 30.5 and 30.7 above.

The meeting ended at 12.05 pm.

Councillor Bob Bowdler (Chair)