

ENVIRONMENT SELECT COMMITTEE

Minutes of the meeting of the Environment Select Committee held on 7 July 2011 commencing at 7.00 pm

Present: Cllr. I Bosley (Chairman)
Cllr. J Grint (Vice-Chairman)

Cllr. L Ayres, Cllr. K S Bayley, Cllr M Butler, Cllr. Ms I Chetram,
Cllr. P Cooke, Cllr. C Dibsall, Cllr. J Edwards-Winser, Cllr. A Eyre,
Cllr. J London, Cllr. K Maskell, Cllr. Mrs E Purves, Cllr. G Ryan and
Cllr. T Searles

Apologies for absence: Cllr. L Abraham, Cllr. Mrs J Sargeant and
Cllr. J Scholey

Cllr. Mrs B Ayres, Cllr. Mrs A Hunter and Cllr. Miss L Stack were also
present

1. MINUTES OF THE MEETING OF THE COMMITTEE HELD ON 12 APRIL

Resolved: That the minutes of the meeting of the Environment Select Committee held on 12 April 2011 be approved and signed by the Chairman as a correct record.

2. DECLARATIONS OF INTEREST

There were no declarations of interest on any matter discussed at the meeting.

3. COMMITTEE'S TERM OF REFERENCE - FOR INFORMATION

The Committee noted it's Terms of Reference as set out in Part 5 of the Council's Constitution.

4. FORMAL RESPONSE OR CONSULTATION REQUESTS FROM THE PERFORMANCE AND GOVERNANCE COMMITTEE

The Chairman noted that this was a standing item on all agendas for the Committee. However, there were no responses to consider at this meeting.

5. FORMAL RESPONSE FROM THE CABINET FOLLOWING MATTERS REFERRED BY THE COMMITTEE

There were no matters reported.

6. ACTIONS FROM PREVIOUS MEETING

There were no actions from the previous meeting.

7. OVERVIEW AND SCRUTINY TRAINING

The Head of Legal and Democratic Services explained that a formal Scrutiny training session had taken place on 1 June 2011 and had been very well received by Members. Members then watched a DVD which outlined the general process and key aims of Scrutiny.

The Head of Housing and Communications informed Members that in 2008 the Services Select Committee had undertaken an in-depth scrutiny exercise which had focused on Empty Homes. Democratic Services had created a Guide to In-depth Scrutiny which was distributed to Members. It was explained that a sub-group had been formed to consider the issues. Housing Officers had provided the sub-group with case studies to consider and relevant information which included funding and information about landlords. The sub-group had decided to set up a Panel of experts, which had included the Manager of the Kent County Council's "No Use Empty Scheme", the Director of West Kent Housing Association and the Chair of the Landlords' Association as well as other relevant Officers and interested parties. The sub-group had devised questions to ask the Panel and had carried out a question and answer session at a meeting of the Committee.

The Head of Housing and Communications informed Members that, at the time, there had been 600 empty properties in the District with ten properties per year being brought back into use. She noted that the question and answer session had generated a good discussion of the issues and led to an Action Plan being produced at the meeting. An Empty Homes Officer had been created within the Housing team and an amount of funding had been secured. A new target had been set to bring 20 properties per year back into use and the Head of Housing and Communications felt that Members had successfully supported Officers in achieving this target.

The Head of Legal and Democratic Services drew Members' attention to Part 5 of the Council's Constitution which outlined the Overview and Scrutiny Function of the Council and included the Committee's Terms of Reference. She noted paragraph 5.10, the Councillor Call for Action, which explained how Councillors could add items to committee agendas. She also noted that the new Localism Bill would allow the Council's to decide whether to return to the old Committee System which gave decision making powers to each Committee rather than the Cabinet. However, this could not take place until 2015. Through the Localism Bill Members might also be asked by the County Council to sit on Police and Health Boards.

When considering items for scrutiny, the Head of Legal and Democratic Services noted that it was important that the Committee kept strictly within its terms of reference and that Members were realistic and only take forward a few in-depth scrutiny exercises per year where there was a high chance of achieving a successful outcome.

Members were then split into three groups to complete a scrutiny exercise. They were given a case study relating to Redditch Borough Council and the promotion of the town and Council and were asked to consider how they would scrutinise this issue. Following the exercise they reported their ideas

back to the Committee. The Head of Legal and Democratic Services commended Members for their full and detailed answers and advised that, should they wish to view further case studies, they were available on the Centre for Public Scrutiny website.

The Chairman noted the Councillor Call for Action and felt it was important for Members to keep this in mind.

8. **CHARGING REGIME FOR THE PROVISION OF ON-STREET DISABLED PARKING PLACES**

The Parking and Amenity Manager explained that following a policy review by Kent County Council (KCC), Kent district and borough council's were asked to decide whether a charge should be made for providing on-street disabled parking bays. He noted that legal advice to KCC was that charging for the processing of applications was illegal in relation to the Disability Discrimination Act but that a charge could be made for the provision of a disabled parking bay. The current procedure when an application was received was to provide an interim parking bay which was advisory only as it did not include a sign and did not have a Traffic Regulation Order, and was, therefore, unenforceable. Should problems occur with non blue badge holders parking in these bays and a request be received for the bay to be made enforceable, then a formal process would be undertaken to make a Traffic Regulation Order. Members were asked to consider whether a charge should be made for the formal process. KCC had suggested that any charge should not exceed £250 per application. The Parking and Amenity Manager noted that applicants for this type of parking bay would usually have no parking provision outside their homes and would be in receipt of disability allowances. He also noted that five council's in Kent had decided not to charge, one to charge £50, two to charge the full amount of £250 and two were still undecided.

In response to some queries, the Parking and Amenity Manager confirmed that there were usually no more than 15-20 applications for on-street disabled parking bays per year, with no requests for formal enforceable bays having been received in the past two years. It was also clarified that provision of disabled bays in car parks and town and village centres was separate from the application process for on-street disabled parking bays provided for residents in residential areas.

Members discussed this issue in detail. They were concerned that a charge could be seen as discriminating against disabled persons and that it might lead applicants to believe the bay was for their sole use, which would not be the case. It was moved, seconded and unanimously agreed:

Resolved: That, subject to this matter being reviewed in 12 months time, it be recommended to Cabinet that the implementation of interim and enforceable on-street disabled parking places be at no cost to applicants and that they be funded from the on-street parking account.

9. **FUTURE BUSINESS, THE WORK PLAN 2010/1 AND THE FORWARD PLAN**

The Committee discussed the contents of the Work Plan and the following comments were made:

- A briefing on the Local Development Framework and the implications of the Localism Bill with regard to Planning issues would be considered at the next meeting of the Committee.
- The Head of Environmental and Operational Services advised that he had been unable to confirm attendance of a Kent Highways (KHS) Officer to discuss winter maintenance issues. He would try to get someone to attend the September meeting of the Committee but noted that KHS was currently undergoing a reorganisation.
- The Annual Review of Parking Charges would be reported to a future meeting.
- As in previous years, the Bus and Rail companies would be invited to attend future meetings of the Committee.
- Budget proposals would be reported to the January 2012 meeting.
- Aviation issues would be considered once the consultation papers had been received from Gatwick. Cllr Ryan was requested to collate responses from the lobby groups and forward them to the Head of Environmental and Operational Services for consideration with this item.
- Some Members were concerned regarding street furniture. It was noted that the Sevenoaks Joint Transportation Group was due to discuss this matter at its meeting on 15 June 2011. However, this issue would be included in the Committee's Work Plan for January/March 2012.

The Vice-Chairman requested that where possible, relevant Portfolio Holders attend meetings of the Committee to answer policy questions.

THE MEETING WAS CONCLUDED AT 8.36 pm

Chairman