

## **PRESENT**

### **Members of the Committee**

Councillor Charles Williams (Chairman)  
Councillor Deborah Collinson (Vice-Chairman)  
Councillor David Lindsay  
Councillor Harrison Littler  
Councillor Pat Mason  
Councillor Marie-Therese Rossi

### **Others in Attendance**

Councillor Eve Allison (for discussion of item A5, Notting Hill Carnival 2014)  
Rebecca Brown, Team Manager Pest Control  
Adrian Hodgson, Special Events Officer, Arts and Culture  
Nicholas Kasic, Markets Manager  
Ian McNicol, Interim Head of Culture  
Janette Mullins, Principal Solicitor  
Kathy May, Bi-Borough Head of Waste Management & Street Enforcement  
Luke Perkins, Development Management Team Leader  
Anne Ramage, Bi-Borough Head of Environmental Health (Commercial)  
Valery Simpson, Bi-borough Head of Environmental Health (Licensing and Trading Standards)  
Jerome Treherne, Governance Administrator

### **A1 APOLOGIES FOR ABSENCE**

Apologies had been received from Councillor Husband.

### **A2 MEMBERS' DECLARATIONS OF INTEREST**

There were none.

### **A3 MINUTES OF THE MEETING HELD ON 1 SEPTEMBER 2014**

They were confirmed as a correct record and signed by the Chairman.

MATTERS ARISING: Mrs Ramage advised that a paper on the work of the Noise and Nuisance Team would be submitted to the next meeting.

**ACTION:** Mrs Ramage

### **A4 MINUTES OF THE SUB-COMMITTEE MEETINGS HELD ON 28 AUGUST AND 16 OCTOBER 2014**

They were confirmed as correct records and signed by the Chairman.

### **A5 NOTTING HILL CARNIVAL 2014 – ENVIRONMENTAL IMPACTS, COMMUNITY SAFETY**

At the invitation of the Chairman, Councillor Allison came to the table to participate in the discussion.

Mr McNicol corrected the first sentence of paragraph 12.2 to say that for a number of years the Council had requested police officers should not accompany council enforcement officers in the Carnival Zone. He apologised for this error.

Mr McNicol highlighted the impact of Monday's heavy rain in reducing visitor numbers and that this had also led to higher waste tonnages caused by discarded food. In response to the Chairman, Mr McNicol agreed that the Police's delay in the opening up of Ladbroke Grove had greatly assisted in the clean-up operation. Mr McNicol referred to the wider use of laughing gas (NO) canisters this year which created trip hazards and officers were considering how to minimise this trend.

He welcomed the successful trial of a new Carnival App that provided information on crowd pinch points, locations of street trader stalls, toilets, individual floats and sound systems. For next year it was hoped, the app would include all the contents of the residents' leaflet as well as messages discouraging anti-social behaviour. He said that advertisements on the app would assist the organising body, LNH CET in funding the event in future.

Cllr Mason asked for reassurance over officer input into planning next year's event and in response Mr McNicol reported that as in other years, a debrief attended by relevant Council and Police officers had been held shortly after Carnival. Monthly meetings would be held and from January the Operational Safety Planning Group work started as well as internal council officer meetings. He confirmed that for certain RBKC officers, planning for Carnival, apart from the event itself, formed a significant part of their job throughout the year.

Cllr Rossi considered the number of casualties during the event as too high. The Committee was advised that many injuries were alcohol related and a number of carnival visitors arrived at the event with ailments. The Committee noted that London Ambulance had already been asked to provide more analysis of the blanket casualty figure. **ACTION:** Mr Hodgson

Cllr Littler referred to the return of the Rampage Sound System to Colville Square following successful representations previously to ban it. He asked what criteria were used and the process followed in rejecting sound systems. Mr McNicol advised that regulators discussed each licence application and worked to ensure it complied with agreed requirements. Mr McNicol observed that it was not unusual for operators of floats or static sound systems to comply intermittently with police requests to reduce sound levels during Carnival.

Cllr Littler questioned why the authorities thought the overcrowding and blocking of passage caused by Rampage two years ago would not re-occur. Mr McNicol responded by highlighting the need for more stewards especially at crowd pinch points to replace police officers. He said the stewarding company had not focused enough on all crowd control aspects.

Cllr Allison questioned how this year's Carnival could be described as a successful event when it had resulted in 252 crimes, a figure that would have been higher without wet weather reducing visitor numbers. More

generally, as someone of Caribbean heritage, she believed the event should be scaled down and brought more in line with its Caribbean roots. She was aware of the level of noise and disruption caused to residents in the area and had experienced severe overcrowding in Cambridge Gardens at Carnival in the mid 1990s. She urged the use of a range of different approaches to ensure a reduction in the volume of sound from sound systems in future.

Cllr Mason said that although he shared some of Cllr Allison's concerns over the conduct of the event, he recognised that during the 25 years of his involvement in Carnival as a volunteer, its management had improved immeasurably. Behaviour at Carnival he said was better and the police, by ensuring many of those seeking trouble never entered the area, had made it safer.

The Chairman stated that it had been the Council's policy over many years to improve the management of Carnival and, because it ran on similar lines each year, it had proved possible to make real improvements. He referred to the public meetings held for many years which had encouraged residents to discuss its arrangements. Mr McNicol reported that under the auspices of the Safer Neighbourhood Board similar public meetings had taken place in June and September which had been attended, as in the past, by senior police officers, council officers and those involved with operating sound systems. The Chairman said it was important that these community based meetings were publicised as well as possible.

## **A6 PLANNING ENFORCEMENT PERFORMANCE MONITORING: JULY - SEPTEMBER 2014**

Mr Perkins highlighted that his team was working to new targets. Given the recent introduction of the targets, he said the 16 week target for investigating cases which had been met in 75% of cases, was not a bad result.

He drew attention to his team's preparation for serving notices without the aid of Legal Services unless specialist legal advice was required. This new approach should speed up enforcement as officers who knew most about each case would draft up notices. He advised it was too soon to quantify the precise impact on officer workload but said that other London boroughs operated in this manner. He reported on the significant increase in notices served which he believed would send a tough message to developers that breaches in planning conditions would lead to council enforcement action.

Mr Perkins advised that planning officers had suggested Warwick Road and the Royal Crescent for trialling targeted action on untidy areas, but Member suggestions could assist in identifying future areas.

In response to Councillor Rossi's query, Mr Perkins said it was unclear why there had been only a low number of Member complaints on planning breaches. Councillor Mason noted that Councillor Dent Coad's photographic evidence for the Catalyst prosecution for breaches in CTMP for the Wornington Green Estate had proved vital. Mr Perkins reported on a recent

case where Cranbrooks Basements had been found guilty of displaying advertisements without consent.

Councillor Mason welcomed the renewed focus on enforcement which he believed could reverse the trend in activities taking place without the correct approved planning use class. The Chairman congratulated Mr Perkins and his team for their excellent work with its renewed focus and commitment.

#### **A7 REVISED ENFORCEMENT POLICY FOR THE ENVIRONMENTAL HEALTH SERVICE GROUP**

Ms Simpson summarised the main changes in the policy and Committee supported the revised enforcement policy.

#### **A8 PEST CONTROL ENFORCEMENT WORK**

Ms Brown updated the Committee highlighting the statutory and customer driven nature of this work. She reported on regular pro-active rat blitzes where drain defects were identified and said that Members and residents in reporting rat problems helped in the selection of streets for this work. She referred to the effective partnership work with Amey and with Thames Water which now visited the borough more often to bait for rodents.

Ms Brown drew attention to the increased reluctance of smaller housing associations to take action against public health pests which therefore made enforcement action more necessary. She confirmed which types of pest control treatments remained free to residents on benefit. Mrs Ramage emphasised that although there was a clear charging policy, officers assisted tenants who genuinely needed assistance.

Ms Brown reported on the service's cost neutral approach for the borough and the new ways to generate more income being pursued such as putting up planning notices in the LBHF and dealing with air quality diffusion tubes for both boroughs. Mrs Ramage pointed out that this borough suffered more pest control problems than LBHF as a consequence of its railway lines.

#### **A9 ENVIRONMENTAL HEALTH AND TRADING STANDARDS – PERFORMANCE MONITORING: JULY - SEPTEMBER 2014**

Mrs Ramage advised that this year the increase in quarter two health and safety interventions was the result of the inclusion of Carnival figures. It was noted that table 2.1 of the report should make it clear that the public's safety in licensed weddings referred trip hazards and such like in premises.

Mrs Ramage noted that the outstanding number of category B and C food standards inspections included over 30 new companies registered but not officially open, so inspections had not been possible. She reassured the Committee that officers were knowledgeable about infectious diseases such as ebola and avian flu.

Mrs Ramage was to ask the Head of the Private Sector Housing team to inform the Committee on reasons for the increase in the number of complaints in the last quarter. **ACTION:** Mrs Ramage / Ms A Sidhu

## **A10 LEGAL PROCEEDINGS AND OTHER ENFORCEMENT ACTION**

The report was noted.

## **A11 REVIEW OF WASTE COLLECTION ARRANGEMENTS – TEEP**

The Committee noted the report and the key outcome that separating recyclates was not required.

In response to Cllr Lindsay's query Ms May advised she was not aware that higher standards for recyclates would be expected within the next five years.

Ms May pointed out that the recycling tonnages were no longer increasing which could lead to higher costs if greater tonnages of non recyclates therefore needed to be processed. She advised Cllr Lindsay that most waste came from domestic sources but commercial waste could be collected by non SITA operatives so the actual figure was difficult to quantify.

The Chairman suggested that to identify ways of improving tonnages of recyclates, schemes for small areas of the borough could be trialled. Ms May welcomed this idea and said the Waste Innovation Group would be making some recommendations.

## **A12 CLEANER, GREENER, AND CULTURAL SERVICES AND SAFER NEIGHBOURHOODS - PERFORMANCE MONITORING: JULY - SEPTEMBER 2014**

### **Waste Street Cleansing**

Ms May reported good results in controlling fly tipping. In relation to the reduced number of tables and chairs hearings, she suggested that the increase in inspections in the previous quarters had resulted in fewer licence condition breaches. She agreed to circulate the breakdown of complaint sources (on tables and chairs) to indicate the proportion coming from Members.

**ACTION:** Ms May

### **Parks Police**

The Chairman congratulated Insp Rumble and his team on their star awards. The Chairman noted that Insp Rumble was to clarify if feeding pigeons was a breach of bye-laws.

**ACTION:** Insp. Rumble

## **A13 MARKETS AND ISOLATED TRADERS QUARTERLY PERFORMANCE: MONITORING JULY – SEPTEMBER 2014**

Mr Kasic, in response to Cllr Rossi's query on the high number of vacant second hand and new pitches, Mr Kasic said casual traders were encouraged to become permanent traders and fill vacancies.

Mr Kasic confirmed that the government's legislation designed to deregulate market trading could potentially remove council control over the types of merchandise sold. He said that through the National Association of British Market Authorities, the borough as a member, would lobby to ensure the future regime was workable.

The Committee noted that findings from the Street Performing consultation would be reported back at the next Committee meeting. **ACTION:** Mr Kasic

**A14 ANY OTHER ORAL OR WRITTEN ITEMS THE CHAIRMAN CONSIDERS URGENT**

The Chairman announced that a paper on alternative arrangements for the remit of the Regulation and Enforcement Review Committee would be submitted to the Administration Committee with a view to implementing these changes before the end of May 2015. Likely proposals included the Licensing Committee and Public Realm Scrutiny Committee taking on the RERC's current licensing and review roles respectively. The Chairman suggested that special treatment licence hearings could in future be dealt with by a Licensing sub-committee.

The Chairman said that although attendance by residents at RERC meetings was minimal, reviewing of performance was important to residents. In his opinion it was vital that Member expertise on licensing for example would still be available in the new arrangements.

Cllr Rossi recognised some overlap in the PRSC and RERC remits but felt there could be a danger of overloading PRSC agendas. She suggested one annual meeting a year could be taken up with enforcement reviews.

Cllr Mason highlighted that the Portobello Market Committee (PMC) had been used to working with the RERC Chairman and would want to continue to liaise over market issues with Members. Cllr Lindsay noted that in the first instance, the PMC could always speak to the relevant Director.

Ms Mullins advised that sub-committees of the Licensing Committee could be convened on an ad hoc basis but differences in legislation would mean separate sub-committees and processes would be needed.

Mrs Ramage highlighted the value of bringing together different enforcement departments and powers for licensing, planning and environmental health. This joint working was facilitated under the current RERC arrangements and she hoped this joined up approach was not lost.

Members on the Committee would need to feedback their views on the proposed arrangements once the draft paper for the Administration Committee was ready to be circulated. **ACTION:** All

The meeting ended at 8.40pm

Chairman