

PRESENT

Members of the Committee

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

Others in Attendance

Mary Byrne, Bi-borough Head of Service, Customer & Business Development, Environment, Leisure & Residents' Services
Janette Mullins, Principal Solicitor
Kathy May, Bi-borough Head of Waste Management & Street Enforcement
Amit Mehta, Finance Manager Transport and Technical Services (TTS)
Luke Perkins, Development Management Team Leader
Anne Ramage, Bi-borough Head of Environmental Health (Commercial)
Insp. Mike Rumble, Bi-borough Parks Police
Ian Stephenson, Bi-borough Area Senior Officer Environmental Health
Jerome Treherne, Governance Administrator

A1 APOLOGIES FOR ABSENCE

There were none.

A2 MEMBERS' DECLARATIONS OF INTEREST

There were none.

A3 MINUTES OF THE MEETING HELD ON 19 NOVEMBER 2014

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

A4 MINUTES OF THE SUB-COMMITTEE MEETING HELD ON 18 DECEMBER 2014

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

A5 ANNUAL REVIEW OF FEES AND CHARGES

Mr Mehta introduced the report. The Chairman noted that in some cases, the tables in the appendices needed to make it clearer if fees were daily rates.

The Committee approved the recommendation detailed in paragraph 6.1 of the report.

A6 PLANNING ENFORCEMENT PERFORMANCE MONITORING: OCTOBER - DECEMBER 2014

Mr Perkins highlighted that in a third of all cases investigated there was no breach of planning control and therefore an explanation to residents of which activities amounted to breaches would be necessary. He drew attention to the large reduction in old cases detailed in paragraph 3.10 and the radical increase in the number of enforcement notices served. He said more press releases may follow depending on the outcomes of appeals.

In response to Cllr Rossi, Mr Perkins explained in more detail the reasons for old cases being closed: 20 % of cases had been resolved via informal negotiations; 11% of cases had closed following retrospective granting of planning permission; 10% of cases were 'not expedient' reflecting that officers judged that planning permission would have been granted (if it had been applied for) and in keeping with government advice, no further action should be taken.

Mr Perkins confirmed that a press release on the successful outcome of enforcement actions linked to 186 Holland Park Avenue would follow once the case was concluded. He advised that other untidy sites in Royal Crescent were currently the subject of enforcement action to ensure they were cleaned up.

In response to Cllr Mason, Mr Perkins recognised that notification of planning infringements by residents was useful and unlike some boroughs, all planning enforcement complaints were investigated.

The Chairman praised the work of Mr Perkins and his team, noting that reports on planning enforcement were also regularly included in papers to the Planning Committee and therefore were widely disseminated.

A7 ENVIRONMENTAL HEALTH AND TRADING STANDARDS – PERFORMANCE MONITORING: OCTOBER - DECEMBER 2014

Mrs Ramage reported that the Health and Safety Team had focused on accidents and reactive work in the last quarter due to staff vacancies. In response to Cllr Rossi, Mrs Ramage clarified that the figure of 335 health and safety interventions for quarter 2 reflected that unlike previously, last year all health and safety inspections concerning Carnival related activities had been accurately recorded.

The Food Safety Team had met its target on hygiene inspections and was making every effort to reduce numbers of outstanding new premises still to be inspected.

In response to Cllr Mason, Mrs Ramage confirmed that the annual average number of Noise and Nuisance complaints for some years had been around the 10,000 mark. She suggested that with the introduction of longer operating hours more complaints could result and a greater number of residents would be served. However she warned that the cause for increased complaints was complex and not fully understood at the moment and a full Bi-borough annual set of data was needed to try to establish the reasons. She reported that pro-active work with the planning department on mitigating construction noise from building sites should lead to improvements for residents.

Mrs Ramage reported that the outcome of further investigation into the increase in Private Sector Housing complaints would be reported to the Housing and Property Scrutiny Committee later in the year.

A8 LEGAL PROCEEDINGS AND OTHER ENFORCEMENT ACTION

The report was noted.

A9 NOISE AND NUISANCE SERVICE DELIVERY

Mrs Ramage advised that the reason for the continued increase in demand for this service remained unclear and more investigation into the causes would follow once more recent and detailed data had been collected. She noted that the consultation linked to the introduction of the Construction Noise Code of Practice could raise awareness of noise issues and lead to a further increase.

Mrs Ramage highlighted that unlike many other boroughs, this borough kept cases open for longer providing residents with case reference numbers and recording all contacts relating to the case. This ensured transparent follow up action to resolve issues. She pointed out that measuring satisfaction levels for the service was not simple.

In response to Cllr Rossi, Mr Stephenson explained that two teams covered the Bi-borough area, one the western side; the other the eastern. During the summer and at other peak times such as Halloween, three teams were on hand. Mrs Ramage reassured the Committee that the level of demand for the service was regularly monitored and it was recognised that it had to respond to fluctuations in demand.

A10 CLEANER, GREENER, AND CULTURAL SERVICES AND SAFER NEIGHBOURHOODS - PERFORMANCE MONITORING: OCTOBER - DECEMBER 2014

Waste and Street Scene Enforcement

Ms May reported on the initial positive outcome from Earl's Court Waste Trial but said that assessing if improved behaviour had been brought about would not be simple. She confirmed to Cllr Rossi that all households in the trial area had received Section 46 notices. The Chairman suggested that Earl's Court Ward Councillors and Councillors from wards neighbouring the trial area would all be interested in a report on its outcome.

In response to Cllr Mason's concern over increased dumping in Golborne and Colville Wards, Ms May advised that this trend was nationwide, often with black bags as well as bulkier items being left on the highway. She confirmed that the Earl's Court Waste Trial had not led to reduced picking up of waste in other wards.

In response to Cllr Lindsay, Ms May reported that fewer than ten individuals had been issued with Fixed Penalty Notices (FPNs) last year or prosecuted for dog fouling offences mainly because it proved so difficult to observe the culprits. She said that a previous campaign had raised awareness that not picking up after your own dog was an offence had proved effective and could be repeated. Insp. Rumble advised that three FPNs for dog fouling in Holland Park had been issued this year as well as a

number of warnings. He reported that a new performance indicator for his team of a minimum of 50 anti-dog fouling patrols was likely for 2015/16. These patrols would take place at peak times for dog walking and officers would be in plain clothes. Insp. Rumble advised that parks staff, as part of their job should pick up dog mess. The Chairman pointed out that in certain local authorities, traffic wardens or their equivalent, issued FPNs for dog fouling offences.

Parks Police

Insp. Rumble highlighted that the Bi-borough parks police would be operating from a single location (Stable Yard offices) from the end of February. He noted that CCTV had now been set up in crime hotspot locations which had led to some improved results in arrests and more proactive work. He reported that increased numbers of homeless in parks were in part caused by displacement from City of Westminster. He highlighted that the Metropolitan Police Borough Tasking Team had enabled more enforcement activity in the markets. Insp. Rumble clarified that the 1734 parks patrol visits covered 90 open spaces and parks across both boroughs.

A11 MARKETS AND ISOLATED TRADERS QUARTERLY PERFORMANCE MONITORING: OCTOBER – DECEMBER 2014

The launch to celebrate 150 years of the markets had been attended by 70 people and was considered a success.

The report was noted.

A12 PROPOSALS FOR THE RE-ALLOCATION OF FUNCTIONS CURRENTLY WITHIN THE REMIT OF THE REGULATION AND ENFORCEMENT REVIEW COMMITTEE (AND SUB-COMMITTEE)

The Chairman said that he agreed with the proposals in general and that three objections from the public to a tables and chairs, a special treatment or other licence application should remain sufficient for referral to the Sub-Committee. This was in line with the criterion for planning applications to be determined by Members.

Cllr Husband referred to the vital role of the Sub-Committee in protecting residents who used special treatment premises that provided quasi medical treatments and also possible prostitution that could occur if premises did not maintain proper procedures and standards. He suggested the future mechanism for referral to Sub-Committees needed to reflect the degree of harm and risk to residents. The Chairman recognised that the threat of having to appear at a hearing could lead to improved compliance with conditions.

The Chairman recognised that a slight additional workload was likely to fall on the Licensing Committee Sub-Committees and he would attend the 11 May Administration Committee meeting to feedback the RERC Members' views.

ACTION: The Chairman

The Committee endorsed the proposals for the re-allocation of the RERC's current functions in paper A12 with the comments made by Cllr Husband.

A13 ANY OTHER ORAL OR WRITTEN ITEMS THE CHAIRMAN CONSIDERS URGENT

It was noted that a mechanism for the formal signing of minutes from Sub-Committee meetings would be needed as there were no more scheduled RERC meetings. **ACTION:** Ms Mullins & Mr Treherne

The meeting ended at 8.15pm

Chairman