

**At a meeting of the ECONOMIC PROSPERITY SCRUTINY COMMITTEE held in the CIVIC CENTRE, SUNDERLAND on TUESDAY, 6<sup>TH</sup> DECEMBER, 2016 at 5.30 p.m.**

**Present:-**

Councillor David Snowdon in the Chair

Councillors Blackburn, Curran, M. Dixon, E. Gibson, Porthouse and Turner.

Also in attendance:-

Councillor Mordey, Portfolio Holder for City Services

Mr Jim Diamond, Scrutiny Officer

Ms Louise Moody, Strategic Plans and Housing Team Manager, Planning and Property

Ms Victoria Patterson, Customer Relationship Officer, Community Services

Mr Ian Richardson, Assistant Head of Street Scene, Responsive Local Services

Ms Nicky Rowland, Area Manager, Local Services

Mr Vince Taylor, Head of Strategy and Performance

Mrs Christine Tilley, Community Governance Services Team Leader

The Chairman welcomed everyone to the meeting.

**Apologies for Absence**

Apologies for absence were submitted on behalf of Councillors G. Galbraith, Marshall, Taylor and W. Turton.

**Minutes of the Last Ordinary Meeting of the Scrutiny Committee held on 8<sup>th</sup> November 2016**

A copy of the minutes of the last ordinary meeting of the Scrutiny Committee held on 8<sup>th</sup> November, 2016 was submitted.

(For copy report – see original minutes).

1. RESOLVED that the minutes of the last ordinary meeting of the Scrutiny Committee held on 8<sup>th</sup> November, 2016 (copy circulated), be confirmed and signed as a correct record.

**Declarations of Interest (including Whipping Declarations)**

There were no declarations of interest made.

**Variation in the Order of Business**

The Chairman proposed and it was agreed that the order of business be changed so that item 5, Scrutiny Policy Reviews 2015/16; Environmental Enforcement was

considered at this point on the agenda as Councillor Mordey had an important engagement to attend later that evening.

### **Scrutiny Policy Reviews 2015/16: Environmental Enforcement**

The Executive Director of Commercial Development submitted a report (copy circulated)

- seeking feedback from Members of the Economic Prosperity Scrutiny Committee on the proposed changes to the new Environmental Enforcement Policy and working procedures for tackling litter, dog fouling, waste disposal and fly-tipping and other associated offences;
- asking the Committee to consider proposals to introduce a power available within the existing legislation that offers offenders Fixed Penalty Notices as an alternative to prosecutions for some unlawful waste deposit offences; and
- seeking the views of the Committee prior to the submission of a report to Cabinet in relation to the revised Environment Enforcement Policy.

(For copy report – see original minutes).

Councillor Mordey introduced the report by saying that a review of the existing Environmental Enforcement Policy had been taken in response to the high importance attached by most residents to the quality of the local environment and as a result of the increased problems with litter and fly-tipping in order to provide for a more targeted and robust approach towards those who adversely affect the environment.

Councillor Mordey referred Members to the Fixed Penalty Notices available for offences detailed in the draft Environmental Enforcement Policy 2017 and advised that the new powers would provide greater flexibility and allow Council Officers to deal with offences more quickly. Councillor Mordey clarified however that this did not preclude the Local Authority from seeking a prosecution in the Courts if this was considered to be the right course of action to take.

Ms Nicky Rowland, Area Manager, Local Services advised the Committee that the draft Policy had been prepared having regard to the Legislation and Regulatory Reform Act 2006, the Regulators Code and the Government's Enforcement Concordat. She reported that the draft policy set out a range of options available based on proportionality, consistency, transparency and accountability.

In response to Councillor Blackburn, Councillor Mordey advised that Ms Rowland and her Team would gather any evidence and a decision would be taken in conjunction with him as Portfolio Holder as to whether to pass the file to the Council's Legal Services. The decision to prosecute would be taken by Legal Services based on firstly, whether the case passed the evidential test and then if this was the case, the public interest test would then be applied.

In response to Councillor E. Gibson, Councillor Mordey advised that he was looking to have a Team of Officers in place to carry out the enforcement.

Ms Rowland added that the service area was carrying two vacancies at the moment but was looking to bring in more resources.

In response to Councillor M. Dixon, Ms Rowland confirmed that the Enforcement Officers were based in Frontline Services.

Councillor Mordey advised that the Council had looked at Gating Orders to restrict access to areas because of anti-social behaviour a few years ago but they had proved difficult, would be unmanageable on a case by case basis and would cause issues for emergency services needing to access an particular location.

Mr Ian Richardson, Assistant Head of Street Scene, Responsive Local Services added that with the introduction of the Anti-social Behaviour, Crime and Policing Act 2014, Gating Orders had been replaced by Public Spaces Protection Orders which took time and effort and had resource implications.

In response to Councillor M. Dixon who asked whether Councillor Mordey would consider contracting private firms to help with enforcement, Councillor Mordey stated that he was reluctant to go down that route at the moment. He would prefer to keep the function in-house as it would otherwise become process and target focussed and he felt that any education element would be lost.

In response to the Chairman who enquired about the fixed penalty notice charges detailed in the draft policy, Councillor Mordey advised that they had not been set at the highest amount that the Council could have set. Councillor Mordey added that there was a discount for early payment.

In response to Councillor Dixon who enquired whether there would be any publicity around the proposals, Councillor Mordey informed that a press release had been issued last week providing details of the proposed changes to the Environmental Enforcement Policy and notices would be issued when it was submitted to Cabinet for approval. Councillor Mordey also advised that when the Policy was live, a monthly update would be released providing the number of prosecutions undertaken.

Councillor Mordey commented that it was a small number of individuals who were carrying out the fly-tipping etc. and that the Council was 'beefing up' the Policy in order to tackle the issue a lot easier. He added that CCTV was another way of tackling the issue which was being mooted by Members.

In response to the Chairman, Councillor Mordey advised that it was hoped that the new Environmental Enforcement Policy would go live on 1<sup>st</sup> April 2017.

Full consideration having been given to the report and the Chairman having thanked Councillor Mordey and the Officers for their attendances, it was:-

2. RESOLVED that the proposals for a revised Environmental Enforcement Policy, prior to its submission to Cabinet, be supported.

### **Reference from Cabinet – 23 November 2016 – International Advanced Manufacturing Park: Area Action Plan**

The Head of Law and Governance submitted a report (copy circulated), setting out for the advice and consideration of the Committee, a report which was considered by Cabinet on 23 November 2016, seeking approval to make minor modifications to the draft Area Action Plan (AAP), for the International Advanced

Manufacturing Park (IAMP), following the public consultation which was held from 8 August 2016 to 10 October 2016. A schedule of proposed modifications was attached as Appendix A.

(For copy report – see original minutes).

Mr Vince Taylor, Head of Strategy and Performance briefed the Scrutiny Committee on the report advising that modifications were being proposed to the draft AAP for the IAMP following the public consultation over the summer to which a total of 38 responses had been received.

In response to Councillor Blackburn, Ms Louise Moody, Strategic Plans and Housing Team Manager, Planning and Property advised that the modifications were considered and if felt appropriate, they were proposed for incorporation into the document.

In response to the Chairman, Ms Moody confirmed that Nissan had supported the proposals in respect of lorry parking but had wanted the proposals tightening up.

Mr Taylor added that there were issues currently being experienced with regards to lorry parking and efforts were being made to find a resolution to the issues raised. With regards to interest from business to be on the site, Mr Taylor advised that Nissan had begun the process and interest had been received from companies expecting to tender from January to be on there.

In response to Members, Ms Moody advised that Officers were not disappointed at the level of responses received to the consultation as it had been anticipated. Over 14,000 letters and leaflets had been sent out to people in the area. Events had been held at libraries and supermarkets and various other consultation events.

Mr Taylor advised that there had been three consultations on issues regarding the IAMP and there was currently one running on the actual planning application. When it was all added up therefore, it amounted to quite a lot of responses over several opportunities. Mr Taylor added that Officers were meeting regularly with the Company and South Tyneside Council which was going well and the arrangements would be formalised in a Joint Venture agreement subject to Cabinet's approval.

Councillor Blackburn comments that the quality of work carried out by Council Officers did not leave a lot of scope for people to comment on.

In response to the Chairman who enquired as to how far Nexus was on with promoting and facilitating public transport measures on the IAMP, Mr Taylor advised that work was progressing. It was accepted that there would be a greater need for public transport and that capacity would be an issue. Nissan was strongly positive in respect of the IAMP and not just in relation to automotive matters but also in respect of other manufacturing opportunities and the opportunity for diversity. One of the areas Officers were working on was with colleges and the University to ensure people had the requisite skills.

Councillor Porthouse commented that the proposed improvements to the Downhill Lane junction were great news.

Full consideration having been given to the report and the Chairman having thanked the Officers for their attendance, it was:-

3. RESOLVED that the Cabinet be advised that the Committee noted and endorsed the modifications to the draft AAP for the IAMP.

### **Annual Work Programme 2016/17**

The Head of Member Support and Community Partnerships submitted a report (copy circulated), attaching for Members' information, a copy of the current work programme for the Committee's work during the 2016-17 Council Year.

(For copy report – see original minutes).

Mr James Diamond, Scrutiny Officer referred the Committee to the work plan for the year ahead. He confirmed that the January meeting would be held in the Board Room at the Software Centre and would provide an opportunity to have a look around the centre. He advised that Mr John Seager, Chief Executive of Siglion would be in attendance to provide a progress report. A progress report on the City of Culture would also be provided at this meeting.

Mr Diamond referred to the recent redundancy of the Chief Executive of the Business Improvement District (BID), Mr Ken Dunbar and advised that a progress report on the BID was scheduled for the meeting on 7<sup>th</sup> March.

Full consideration having been given to the report, it was:-

4. RESOLVED that the information contained in the work programme and detailed above be received and noted.

### **Notice of Key Decisions**

A report providing an opportunity to consider the items on the Executive's Notice of Key Decisions for the 28 day period from 15<sup>th</sup> November 2016 (copy circulated), was submitted.

(For copy report – see original minutes).

5. RESOLVED that the Notice of Key Decisions be received and noted.

The Chairman then closed the meeting having wished Members and Officers the compliments of the Season.

(Signed) D. SNOWDON,  
Chairman.