

MAIDSTONE BOROUGH COUNCIL

OVERVIEW & SCRUTINY COMMITTEE

MINUTES OF THE MEETING HELD ON TUESDAY 21 NOVEMBER 2023

Attendees:

Committee Members:	Councillors English (Chairman), Mrs Blackmore, Clark, Cleator, Conyard, Eagle, Hastie, Hinder, S Thompson and Webb
Cabinet Members:	Councillors Cooper (Cabinet Member for Planning, Infrastructure and Economic Development) and Garten (Cabinet Member for Environmental Services)

16. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Cannon, Gooch and Round.

17. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no substitute members.

18. URGENT ITEMS

The Chairman stated that there was an urgent update to Item 14 – Committee Work Programme, which had been accepted as it contributed to the item’s consideration.

19. NOTIFICATION OF VISITING MEMBERS

There were no Visiting Members.

20. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

21. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

22. EXEMPT ITEMS

RESOLVED: That all items on the agenda be taken in public as proposed.

23. MINUTES OF THE MEETING HELD ON 19 SEPTEMBER 2023

The Principal Democratic Services Officer confirmed that the ‘Kent Minerals and Waste Plan – MBC response’ decision had not been implemented before the call-in meeting, held in September 2023. The previous request to include the name of the item in paragraph 1, Minute 81 was noted.

It was also requested that the decision's implementation date be included in the minutes, alongside the correction of a spelling error.

RESOLVED: That the Minutes of the meeting held on 19 September 2023 be approved as a correct record and signed, subject to the following changes to Minute 81

1. The correction of a spelling error on page 3, replacing 'exiting' with 'existing';
2. The inclusion of the title of the item and date that the response was sent to Kent County Council in paragraph 1, to read:

'The Principal Democratic Services Officer introduced the report, with the Committee asked to consider the call-in request received against the decision made by the Cabinet Member for Planning, Infrastructure and Economic Development on the '*Kent Minerals and Waste Plan – MBC response*', shown respectively at Appendices 1 and 2 to the report. *The decision had been implemented from the 26 September 2023*'.

24. MINUTES OF THE MEETING HELD ON 17 OCTOBER 2023

RESOLVED: That the Minutes of the meeting held on 17 October 2023 be approved as a correct record and signed.

25. PRESENTATION OF PETITIONS

There were no petitions.

26. QUESTION AND ANSWER SESSION FOR LOCAL RESIDENTS

There were no questions from Local Residents.

27. QUESTIONS FROM MEMBERS TO THE CHAIRMAN

There were no questions from Members.

28. CABINET FORWARD PLAN

The Principal Democratic Services Officer outlined the changes made to the Cabinet Forward Plan following its republication, in case the Committee wished to conduct pre-decision scrutiny on any of the items.

RESOLVED: That the Cabinet Forward Plan be noted.

29. COMMITTEE WORK PROGRAMME

Councillor Clark introduced the scope put forward for the Integrated Transport Strategy (ITS) Review on behalf of the Members that submitted the proposal. The reasons for the proposals included that; developer and other funding contributions had been secured to deliver various schemes within the ITS; many schemes had not been delivered; whilst Kent County Council (KCC) was responsible for the infrastructure delivery, the Council was not taking ownership of traffic mitigation

measures; the ITS was considered by the Inspector alongside the adopted Local Plan, as mitigation measures against the housing proposed.

In response to questions, the Cabinet Member for Planning, Infrastructure and Economic Development advised that the Cabinet would begin reviewing the ITS after the adoption of the ongoing Local Plan Review, which would likely take place in January 2023. The Chief Executive advised that the ITS review would be guided by principles, with the next steps and guiding principles having been outlined in the report concerning the Council's response to KCC's Local Transport Plan Consultation. The review would involve a period of research and development which the Committee could engage with, as opposed to being able to conduct pre-decision scrutiny at that early stage. Reviewing the ITS before the LPRs adoption could negatively impact its adoption.

The Committee expressed support for reviewing the ITS as outlined in the urgent update but felt that the review should take place after the LPR was adopted.

RESOLVED: That a review into the Integrated Transport Strategy be conducted following the adoption of the Local Plan Review.

30. WATER MANAGEMENT CYCLE REVIEW - CABINET RESPONSE (SCRAIP)

The Cabinet Member for Planning, Infrastructure and Economic Development introduced the item, with the Cabinet's response to each individual recommendation included in the SCRAIP. Some of the recommendations were not felt to be feasible following discussions with the Strategic Planning Team.

The Chairman stated that the response provided was an improvement upon the draft Cabinet response published in September 2023. It was noted that some of the actions had been agreed, and some had possible future suggestions included, providing an opportunity for the actions to be revisited in future.

RESOLVED: That the Water Management Cycle Review - Cabinet Response (SCRAIP) be noted.

31. ENVIRONMENTAL AND WASTE CRIME ENFORCEMENT REVIEW

The Chairman welcomed the returning witnesses to the review, which were:

- Councillor Garten, Cabinet Member for Environmental Services
- Jennifer Stevens, Head of Environmental Services and Public Realm
- John Edwards, Public Realm Operations Manager
- Carl McIvor, Waste Crime Manager

The Head of Environmental Services and Public Realm referenced the briefing note provided to the Committee, which had been produced following the discussion had and suggestions made at the previous meeting. Further areas where Member feedback was sought included the Waste Crime Team's (the team's) prioritisation of responsibilities, social media usage, and the use of different approaches to enforcement, such as via pilot schemes.

The Committee supported an increased social media presence to deter fly-tippers and encourage Local Residents to use the appropriate services. In response to questions:

- The Head of Environmental Services and Public Realm stated that the Team often checked an individual's waste carrying licence when they were made aware of collections organised through social media, however it was relatively easy to obtain these licences, even though some individuals did not dispose of the waste properly. The Government was looking to introduce a requirement to evidence competency before a licence was granted to address the issue.

The Team was looking to create a presence on social media, with an appropriate Officer to conduct pre-emptive checks to provide individuals with the right information on waste disposal, before fly-tipping occurred. Intelligence was also shared between the Team and Kent County Council's Trading Standards data analysts, to assist in addressing fly-tipping, and it was noted that the Team had also conducted joint operations with the police in stopping vehicles carrying waste; and

- The Cabinet Member emphasised the importance of intelligence sharing, with Members and Parish Councils advised to pass any information to either himself and/or the Team to address the matter. The importance of publicising successful enforcement action was reiterated.

In relation to pilot schemes:

- Several Members suggested that possible locations should include the High Street and East Wards, given the close proximity of properties within those areas reducing travel distance, the insufficient waste provision at the building adjacent to Albion Place and vandalism experience to locked waste facilities in the area. The Committee was asked to inform the Officers if there were any further suggestions;
- It was suggested that Medway Council should be asked to provide information and figures on its approach in removing the charge for bulky waste collections, to ascertain if there is a reduction in both fly-tipping and enforcement action in response; if so, this could be trialled in an area within Maidstone; and
- The Head of Environmental Services and Public Realm stated that the Team was bidding for external funding, which would be used to suggest joint working with other Local Authorities (LA) bordering Maidstone to address fly-tipping across LA boundaries; fly-tipping hot spots such as Yelstead Lane and the Stockbury Area were given as examples.

Several Members questioned the services provided, and how the Team worked with other Council Teams. In response the Waste Crime Manager stated that the Team were conversing with Housing Management agents to address littering, recycling and waste concerns. Recently, Kent House had been contacted on that basis, with a management company identified and the waste successfully cleared. Education and preventative actions were important, with this initially being provided by the Waste Management Team before matters were passed to the Waste Crime Team for further escalation when required, such as Community Protection Warning (CPW) and Community Protection Notices (CPN); The Head of

Environmental Services and Public Realm stated that moving forward, the work undertaken by both teams could be better publicised, to prevent the messages being lost.

In response to further questions, the Head of Environmental Services and Public Realm stated that:

- Collaborative working also took place with the Revenues and Benefits Service, in that buildings producing waste were checked to see whether Council Tax was being paid on the property and if not, that service was informed;
- The Team were consulted on planning applications of 10 or more properties, with a developers guide in place although this was not adhered to strictly. For example, the Council's standard was for each individual properties to have its own collection bins, however communal areas were difficult to manage given there was no specifically accountable individual. The Committee's previous review on the Waste Strategy had identified further actions to address waste collection concerns, with efforts being made to include further planning conditions relating to waste provision;
- It was not practical to revive the Saturday Freighter Services, as it was costly, did not comply with existing legislation, for example all waste was placed in landfill rather than being separated, and requirements to separate waste were likely to increase in the future;
- The Council was looking to conduct re-use and recycling roadshows with the new waste contract operator (SUEZ) once operational, which could look to collect small electronic items and textiles for those purposes. SUEZ were also working with Demelza House to introduce a re-use site.
- As household waste recycling centres would no longer be able to charge for certain DIY waste, it was expected that KCC would provide a free collections service. An update would be given when available.

In response to questions on addressing fly-tipping in rural areas, the Public Realm Operations Manager acknowledged that it was a problem, with a substantial increase in the income generated by the Council's commercial collection service in the past 18 months in response to clearing fly tipping blocking the highway which is KCC's responsibility to remove and for which MBC contract the work. Mobile CCTV units were in use, with staff undergoing drone training in the next week. To have a greater impact, semi-permanent or permanent CCTV units were needed as fly-tipping occurred regularly, but this would require additional funding. The Cabinet Member stated that where an area was identified as a fly-tipping hotspot, cameras could be deployed, with Members and Parish Councils encouraged to report concerns.

In response to questions on budgetary pressures and the service's continuation:

- The Cabinet Member stated that opposing technologies posed challenges to the service, such as camera thefts. A briefing was suggested for the Committee, to provide further information on the technology and equipment available; this could include a visit to the Depot to view the

technology in use. The Cabinet Member wished for the Team to remain self-sustaining whilst expanding;

- The Head of Environmental Services and Public Realm stated that since the agenda's publication, it had been confirmed that if successful, the external funding bid was for materials and communications only, not staffing. If the bid was unsuccessful, the Team would have to submit a capital funding bid to support technology and equipment provision similarly to the Street Cleaning Team. This would likely be for £40,000, to be spent across three years; £20,000 for year 1, and £10,000 for years two and three. In monitoring the funding's success, reports outlining the funding's use could be presented to the relevant Policy Advisory Committee and Cabinet Member.

Support was expressed for the proposed alternative if required and the Team's current prioritisation of responsibilities. The Committee further requested that a letter be sent by the Cabinet Member and the Committee Chairman to Medway and Kent County Councils, urging them to reconsider their policy of charging non-residents for using their HWRCs and instead propose an alternative practical solution. This was as some residents now had to travel much longer distances than before to properly dispose of their waste.

In preparation for the review's conclusion, the following suggestions were made, that:

- High Street and East Wards be considered for pilot schemes;
- Medway Council be asked to provide information and figures on whether removing the charge for bulky waste collections impacted fly-tipping and enforcement action;
- If required, a capital funding bid be submitted to support the Team in obtaining technology to support the service's reach;
- The process of educating and informing organisation and residents, through to enforcement action, be provided to the Committee outlining which Officers to report the matter to at each stage;
- A briefing to be provided to the Committee on the technology available to the Team; and
- A letter be sent by the Cabinet Member and the Committee Chairman to Medway and Kent County Councils, urging them to re-consider the charging policy for residents of other boroughs in using their HWRCs.

RESOLVED: That the evidence collection stage of the review be concluded.

32. DURATION OF MEETING

6.30 p.m. to 7.51 p.m.