

ENVIRONMENT SCRUTINY COMMITTEE – 29 JUNE 2004

UPDATE AND WORK PROGRAMME 2004

Agenda Item No.

11

RECOMMENDATIONS MADE TO CABINET/EXECUTIVE MEMBER/CHIEF OFFICER AT THE LAST MEETING:

- **REVIEW OF FLOODING – Minute 2 (2)** – The Committee endorsed the recommendations of the Topic Group, subject to the inclusion of the word ‘strongly’ between ‘is’ and ‘encouraged’ in recommendation two.

Response:

In response to the above the word strongly has been inserted between ‘is’ and ‘encouraged’ in recommendation two.

Minute 2 (3) – The Committee suggested that the Director of Environment may wish to review the use of the Council’s planning responsibilities where appropriate to ensure that flooding is taken into consideration in planning decisions.

Response:

In line with the advice set out in PPG25, the County Council consults the Environment Agency on all county matter applications and on most County Council applications. In addition, Policy 42 in the Waste Local Plan and Policy 17(v) in the 2nd Draft Deposit Minerals Local Plan specifically address the risk of flooding

- **RECTORY LANE TOPIC GROUP – Minute 6 (5)** – The Committee endorsed the Topic Group’s recommendations and requested that the Director of Environment should seek ways for learning to be shared between Joint Member Panels.

Response:

The Topic Group’s recommendations are being implemented. The issue of sharing best practice between Joint Member Panels has been considered by the Herts Highways Topic Group and is the subject of a separate report to this meeting.

- **TRAFFIC LIGHT MONITOR – Minute 10** - The Committee noted the report and recommended to the Director of Environment that:
 - (a) as there is no performance indicator for the salting of footways, it may be an appropriate matter for the Joint Member Panels to monitor; and
 - (b) he review the target for accident reduction in BVI 099c as it seems unrealistic.

Response:

BVPI 099c is a component of a broader indicator incorporating various categories of 'road users'. The methodology for determining targets is set nationally. In Hertfordshire overall casualty numbers have reduced although in line with national trends motorcycle casualties have grown. Under BVPI rules it is not possible to devise alternative targets.

- **GM PUBLIC HEARING – Minute 12** - The Committee recommended to the Cabinet that:
 1. It reviews the current policy established through the Rural Estate Task Group in 1999. The Committee expects that the Cabinet may wish to refer this work to the Rural Estates Panel and request that they report back before the 2005 growing season, when GM maize could be available for commercial growth. In particular, the Cabinet may wish to ask the Panel to consider whether or not the Council should alter its tenancy agreements as they come up for renewal to include a clause prohibiting the growth of GM crops. Practical guidance for tenants may need to be developed.
 2. The Committee further recommends that, in the interim, the Cabinet should:
 - (a) maintain the Council's current policy of strongly advising tenants on the Rural Estate not to grow GM crops, and
 - (b) continue the policy of requiring school meals and other catering contractors to provide only foodstuffs which are free of GM organisms.
 3. It should propose that the East of England Regional Assembly adopts a policy of seeking to prevent the growth of GM crops in the region.
 4. It makes an application to the relevant authorities under Article 19.3(c) of Directive 18/2001/EC should an application for marketing consent be sought for any GM crop in future, to exempt the 'geographical area' of Hertfordshire from the area of consent.

Response:

At their meeting on 10 May 2004 the Cabinet welcomed the recommendations of this committee and resolved to:

1. Maintain the current policy of advising tenants on the Rural Estate not to grow GM crops.
2. Ensure that new tenancies include a prohibition against growing GM crops.
3. Continue the policy of requiring school meals and other catering contractors to only provide foodstuffs that are free of GM organisms.
4. Make an application to the relevant authorities under Article 19.3(c) of Directive 2001/18/EC to exempt Hertfordshire from the area of consent should an application for EU marketing consent be sought for any GM crop in the future.
5. Propose that the East of England Regional Assembly adopts a policy of seeking to prevent the growth of GM crops in the region.

UPDATE ON PETITIONS PRESENTED TO THE LAST MEETING:

None

UPDATE ON PREVIOUS SCRUTINY ITEMS

	ITEM	C'TTEE DATE	EFFECTS OF SCRUTINY	STATUS* (see endnote)
1	Planning Obligations	23/01/01	A topic group was established (by Resources Scrutiny Committee) comprising 8 members to scrutinise planning obligations. The first meeting was held on 27 November 2003. The group is scheduled to report back to the Resources Scrutiny Committee in July 2004. The topic group members are B N W Hammond, R S Clements, R N Copping, M Green, S E Jones, D E Lloyd, S J Mills and R J Smith.	Investigation
2	Transport Operations Best Value Review Implementation Monitoring	19/03/02	<p>The Scrutiny Committee considered this issue in response to a request by the Resources, Prosperity & Consultation Select Committee (July 2001).</p> <p>The Committee considered a progress report on the original Best Value Review recommendations, a revised Improvement Plan and the Outcome of the Audit Commission's Best Value Inspection into this service.</p> <p>The Committee welcomed the Inspector's report, accepted its Recommendations for incorporation into the Improvement Plan and noted that it may consider scrutiny at a later date.</p>	Monitoring
3	The Provision of the Highway Grass Cutting Service	21/01/03	The Scrutiny Committee recommendation to adopt the Contractors Frequency Method for cutting County managed verges has been adopted as operational practice commencing April 2003. A further report reviewing the performance achieved with the new method of specification together with an overview of District managed Highway grass performance was considered in March and a progress report was requested for October 2004.	Monitoring

4	Fly Tipping and Dumping in Hertfordshire	18/03/03	The Scrutiny Committee recommended that this issue be taken forward through the Waste Management Panel potentially by setting up a joint working group to include the Police, the Fire Service, the National Farmers Union, District Councils and the Environment Agency. Subsequently, the Herts Rural Forum arranged a regional conference on fly tipping. The conference was held on 23 April 2004 and involved the Police, the Fire Brigade Union, the Environment Agency, and other local authorities. The East of England Rural Forum is now devising a regional action plan.	Work outside Scrutiny
5	Review of North Herts Partnership	18/03/03	<p>The Scrutiny Committee asked for a single report to be brought to a future meeting on the issues that are arising across the panels. NHDC Scrutiny Committee in June established a need for a Topic Group to take forward a structured scrutiny programme. They resolved to invite County Members to engage in the process, the details of which are awaited, although NHDC has recently invited six County Members to a meeting on 21 January 2004.</p> <p>In January 2004 the Committee requested that officers clarify the current position. Officers attended the NHDC scrutiny meeting on 21 January 2004. Members of the Committee explained that they planned to undertake a general overview of the services of North Herts Highways with more focused discussion on a few areas over a series of six meetings. They were not looking for a constituted group with Members of the Environment Scrutiny Committee, but invited input from County Council Members. Officers have agreed to support the scrutiny process and have suggested that their conclusions are fed into the Hertfordshire Highways Topic Group (see item 10).</p>	Investigation
6	Managing S106 Agreements	18/03/03	The Scrutiny Committee on 21 October 2003 agreed that this report should go to the Planning Obligations Topic Group set up by the Resources Scrutiny Committee. The report also went to the Audit Committee on 11 December 2003. A progress report was received by the March Committee and a further report was requested for October 2004.	Investigation Report in Oct 2004

7	Withdrawal of the Traffic Warden Service	18/03/03	<p>A Topic group was set up to discuss with Chief Supt. Burden the timetable for withdrawal and the principle of interim cover post 1 April 2004. The Group met and subsequently, the Assistant Chief Constable formally confirmed that Area Police Commanders had been requested to discuss transitional arrangements with District Councils. County Council officers meanwhile are supporting and facilitating District Councils in their feasibility studies and preparations.</p> <p>At its meeting in January 2004, the Committee agreed that a second meeting be held between the Topic Group and the Chief Constable to discuss enforcement arrangements. It was also noted that the Community Services Scrutiny Committee had an interest in scrutinising this issue and that efforts should be made to co-ordinate the Council's approach.</p> <p>A meeting was held with the Constabulary in March, at which assurances were given about the continuation of gross enforcement. Members were asked to contact their Area Commanders with concerns and to copy in Chief Superintendent Tony Burden. The Topic Group are monitoring the situation.</p>	Monitoring
8	Thameslink 2000	17/0603	<p>Initial meeting held on 2 September 2003. Scope of scrutiny further extended to include current franchise.</p> <p>A brief report that updated Members on progress was submitted to the March meeting. The Committee requested the Topic Group press the appropriate bodies for better progress on the issue of disabled access.</p> <p>Unfortunately it has not been possible to arrange a meeting with the SRA regarding rail utilisation and physical access to services in time to report to the June meeting. Therefore the final report of the topic group will be made in October 2004.</p>	Monitoring

11	Operation Coachman	21/10/03	<p>The Committee agreed that child protection issues should be referred back to the Children, Schools and Families Scrutiny Committee.</p> <p>At its meeting on 21 January, the Children, Schools and Families Scrutiny Committee agreed to scrutinise child protection issues arising from Operation Coachman, in particular enhanced checks on taxi drivers and escorts on County Council contracts. A report will be taken to the June 2004 CSF Scrutiny Committee.</p>	Monitoring
12	Speed Limits on Residential Roads	20/01/04	<p>Following the referral by County Council in November 2003 of a motion by J T Metcalf, the Committee considered a report on 20mph speed limits. The Committee recommended that the Transport Panel carefully review the issue of 20 mph speed limits, including consideration of the criteria for the introduction of 20 mph schemes to be included in the Speed Management Strategy.</p>	Work outside scrutiny
13	Rectory Lane	20/01/04	<p>In October 2003 the Committee was presented with a petition against the re-opening of Rectory Lane, Stevenage. At their meeting in January 2004 the Chairman reported that some Members had been approached by the Rectory Lane Residents Association (RLRA) and the Police with significant concerns about the processes used to reach the recommendation of the Stevenage Highways Joint Member Panel (JMP). A Topic Group was set up to scrutinise the processes used.</p> <p>The Topic Group met and heard the views and comments of the RLRA, the Police, the Chairman and Vice-Chairman of the Joint Member Panel and Herts Highways. It recommended that the JMP were afforded a chance to review its position and made some further recommendations about the general processes and practices used by JMPs. The Committee referred the report to the Herts Highways Topic Group to be incorporated into their work on consistency and best practice.</p>	Work outside scrutiny

14	Oxhey Village Green Zone Phase 2 Traffic Management Scheme	23/03/03	<p>The Committee agreed to scrutinise this subject in order to learn generic lessons from the problems with this scheme. The Committee established a three member short-life Topic Group (1:1:1) to carry out this work which met for the first time on 7 May 2004..</p> <p>Members of the topic group are Mary Bayes (Chairman), Chris White and Sue Jones.</p> <p>On 19 May 2004 the topic group made a site visit to Oxhey Village and heard evidence from Magedie Pretorius and Dave Olley of Herts Highways and Councillor Tony Poole (Watford Borough Council). Another meeting has been arranged for 16 June 2004 to hear from the local members and the group will be making its final report and recommendations to the October 2004 meeting.</p>	Investigation
15	Wind Farms	23/03/03	<p>At their last meeting in March 2004 the Committee agreed that issues surrounding the use of wind farms should be considered. The Structure Plan and Regional Issues Panel have been asked to consider this matter. A report on renewable energy and the policy implications for wind farms will be considered by the next meeting of the Panel. It will be circulated to Members of this Committee prior to the Panel meeting.</p>	Work outside scrutiny

* Status definitions:

- **Investigation** – The scrutiny committee has commissioned work, which could be from a topic group, officers, consultants or other parties which is not yet complete but will report to the main committee in the future.
- **Work outside scrutiny** – an item which has been raised by the scrutiny committee where work is being taken forward through another mechanism in response to the item being raised by scrutiny– a panel, external body or officer mechanism for example.
- **Monitoring** – Items which the scrutiny committee has scrutinised in the past where it has asked for occasional or regular updates. This update could be a planned report, in which case the dates should be given, or monitoring through the update report. Items where there is work outside scrutiny can also be monitoring items.
- **Awaiting Action** – Items the committee wishes to scrutinise or review where the timing is unclear due to awaiting events or the outcome of other investigations. e.g. government guidance

FUTURE WORK PROGRAMME

	ITEM	DATE	SCRUTINY FOCUS
1	Thameslink 2000	Oct 2004	To receive the final report and recommendations of the Thameslink 2000 topic group.
2.	Managing Section 106 Agreements	Oct 2004	To set out further progress to the implementation of recommendations.
3.	EDF Energy	Oct 2004	To update members on progress by EDF Energy to improve the performance of its service in respect of fault repair and new connections.
4.	Provision of the Highways Grass Cutting Service	Oct 2004	To review the success of the arrangements for the highways grass cutting service following a second season of implementation.
5.	The Highways Agency	Oct 2004	To scrutinise the role of the Highways Agency (to include reference to noise levels, street lighting, signage and prioritisation of projects).
6.	Representation to DEFRA on Environmental Impacts of Agricultural Set-aside	After the announcement of the changes to the Common Agricultural Policy.	Requested by Nigel Agar (October 2003).
7.	Recruitment and Retention		The January Committee agreed that it wished to propose this as an item for future scrutiny. The issue was referred to the next agenda planning meeting of the group spokesmen to decide who should scrutinise this issue and how it would progress.

Note: Each meeting will also have Budget Monitor, Traffic Light Monitor (except January) and Scrutiny Update & Work Programme report.