

Minutes of the meeting of the Regulatory Committee

Date: Wednesday, 22 February 2017

Time: 19:00

Venue: Committee Room 3, Town Hall, New Broadway, W5 2BY

Attendees:

Councillor Fabio Conti, Councillor Kate Crawford, Councillor Tejinder Dhami, Councillor Kieron Gavan, Councillor Harbhajan Kaur-Dheer, Councillor Anthony Kelly, Councillor Ciaran McCartan

1 Apologies for Absence

Apologies for absence were received from Councillors Sumner and Woodroffe.

2 Urgent Matters

There were none.

3 Declarations of Interest

Councillor K. Crawford declared a personal interest in agenda item 7 – Surveying Services Update – as the report refers to a mandatory disabled facilities grant and Handypersons service. Councillor K. Crawford's son - Councillor D. Crawford - has cerebral palsy and the Handypersons Service had been used at their address.

4 Matters to be Considered in Private

There were none.

5 Minutes - 25 October 2016

Councillor Crawford confirmed that:

(a) no update was available on planning services (item 7b in the minutes refers). An email from Lucy Taylor had been received which proposed to commence reviews of Conservation area appraisals; and

(b) there were still issues with the iDox system. It was agreed that the minutes of the meeting held on 25th October 2016 were a true and correct record.

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6

Envirocrime Enforcement Update

Earl McKenzie, Assistant Director of Street Services, introduced the report and, together with Gillian Marston, Interim Director of Environment, answered questions from Members.

The report focused on the work being undertaken to support changes to street cleansing, which included an introduction of timed collections for refuse, an expansion of street trading services and an update on enforcement activity undertaken within the borough, particularly since the introduction of the borough wide alternate weekly collection service in June 2016.

Officers confirmed that:

- Kingdom Security had undertaken in excess of 6,000 enforcement activities since August 2016;
- 3,500 to 4,000 enforcement notices had been issued for fly-tipping;
- The level of enforcement activity had gradually reduced; and
- People had the opportunity to challenge Penalty Charge Notices (PCNs).

Officers confirmed that the rest of the work undertaken centred around trading in streets, advertising boards (A boards) and timed collections. Officers believed that timed collections would reduce the amount of rubbish bags and vermin in Ealing's streets. Officers referred to the research conducted with other London boroughs who have implemented a similar trial. They confirmed that those boroughs had experienced a significant impact in relation to the cleanliness of their streets.

Members raised concerns with regard to exactly how landlords store their waste prior to presenting them for collection and asked whether the Council varied its approach according to the type of property and the number of inhabitants. Officers clarified that the licensing scheme for Houses in Multiple Occupation (HMOs) allowed the Council to identify the land owner and take appropriate action.

Members asked whether traders (for example those who sell bedding, rugs etc. in the garden of a corner house) required a licence. Officers confirmed that a licence is required and where such activity is taking place without one, should the Council have knowledge of such happenings, then enforcement action should be taken.

Members referred to an alleyway behind a school on Mansell Road in Greenford where people dump various pieces of furniture such as mattresses, despite waste containers which had been provided. Officers confirmed that they had provided additional containers and added cleansing to the area concerned. Officers added that the onus was on the land owner to ensure arrangements to keep the property clean. Officers confirmed that they were working closely with land owners, the ward forum, schools and residents with the intention of having gates installed to prevent occurrences of dumping.

Members referred to the Hounslow scheme, where the Council charges for licences to have A boards and asked whether that effectively meant that businesses could pay to potentially obstruct public walkways and streets. Officers confirmed that the purpose of licensing was to ensure that the highway was accessible for all users so appropriateness of the location, size of A board and where it was positioned were part of the license conditions.

Members asked for more information on Kingdom Security. Officers detailed the following:

- that Kingdom were a first class service;
- that they were transparent with regards to their business model; and
- that for every £80.00 fixed penalty notice, £58.00 would go Kingdom Security, while the remainder would go to the Council;

Regarding the final point above, Members asked how the financial arrangement compared with the Council's own business model – that is, if the Council kept hold of the £80.00 and dealt with their own enforcement. Officers confirmed that they were duty bound to ascertain what the service would be like if provided by the Council.

Members asked whether directions had been given to Kingdom Security on how to deal with street traders and whether officers go and check that directions have been followed. Officers confirmed that that was the case and referred to the considerable enforcement that took place in

Southall Broadway. Officers confirmed details of those enforcements would be sent to Councillor Dhami.

Officers provided details of a new mobile phone application entitled 'Ealing 24/7' which the Council had recently launched. Officers confirmed that the application enables the user to take a photograph of the offence and forward to appropriate team at the Council for action. It was confirmed that the application provides time and location and enables relevant officers to monitor and measure performance. Members asked for assurances that all evidence submitted via the application would be accepted from any source and would be reviewed. Officers confirmed that that was the case.

Members enquired into the legality of cooking food in the streets and whether licences were required. Officers confirmed that there were various restrictions, particularly around public safety, with regards to street cooking. Officers indicated that they believed such traders were now licensed. It was resolved that the Chair would write to Mr Mark Wiltshire asking him to liaise with Councillor Ranjit Dheer on this matter.

Members praised the work undertaken around timed refuse collections and expressed interest in the frequency of such collections and whether the number of collections would increase on main roads and/or busy streets. Officers confirmed that current proposals were to have a collection in the early morning and another in the evening. Officers also gave details of engagement events that would allow these arrangements to be kept under review.

Resolved –

That the Regulatory Committee:

- i) notes the approach to Street Trading licensing and borough wide enforcement activities;
- ii) notes that the Street Services department will be using delegated authority to license A Boards;
- iii) notes the extension of the timed collections scheme and subsequent enforcement; and
- iv) requests that Regulatory Services look into the licensing arrangements for street cooking, taking into account health and safety of members of the public.

7 Surveying Services Update

Sean Cummins, Surveying Service Manager, introduced the report and answered questions from Members on points of detail.

Mr Cummins explained that Surveying Services Team were responsible for carrying out site inspections to ensure minimum standards of health and safety, examining architectural drawings and ensuring conservation of fuel, power and facilities for persons with disabilities were maintained in buildings.

Members referred to the three categories of compliance for new dwellings and asked whether a dwelling could fall into the remit of more than one category. Members also asked where responsibility lay for determining which category was applicable to each dwelling. Mr Cummins confirmed that the categories had been taken from the Mayor of London's London Plan and that, in practice, there were no new dwellings being built under category one. He also confirmed that dwellings built under category three enabled changes to be made quickly. He also confirmed that developers were struggling to meet obligations of the Planning Authority.

Members asked how many Occupational Therapists the team employed and asked for clarification on at what point they get involved. Mr Cummins confirmed that the majority of cases, were referred by Social Services, and they already had an occupational therapy report. He also confirmed that the surveying services team employed two Occupational Therapists and one assistant, and were looking into training surveyors to a basic level rather than involving a third party. Members then enquired whether surveyors and the Handypersons Service would suggest an Occupational Therapist if they thought one was necessary and Mr Cummins confirmed that they would as they have good background knowledge to enable to determine whether such a visit is necessary.

Members asked whether residents could approach the Council directly to ascertain whether they qualify for adaptations to their dwelling. Mr Cummins confirmed that if the Council were approached, they would be referred to Social Services.

Members referred to the schedule of charges and the fact that there wasn't a fixed fee for basement development. Mr Cummins confirmed that the figure for basement charges was absent

as the cost could vary greatly and that the Council could not charge a prohibitive fee.

Members raised concerns in relation to whether there would be any support available to assist the transfer of local authority Local Land Charges service to the Land Registry and the cost of the transition.

Members complimented the hard work that Mr Paul Buchanan, previous manager of repairs and adaptations, had delivered on disability adaptations and congratulated him for the innovation award he had received in July 2016 for 'Most Influential Agency'. The award came from the governing body – Foundations.

Resolved – That the value provided by Surveying Services being part of the Council and recent upcoming changes to legislation be noted.

8 Date of Next Meeting

The Chair of the Committee confirmed that she was minded to cancel the final meeting of the Regulatory Committee due to lack of business. It was resolved that the Chair would ask the Group Whips for their authorisation to cancel the meeting.

9. Vote of Thanks

- i) The Committee recorded its thanks to Councillor Kate Crawford for her work as chair of the Regulatory Committee over the past seven years; and
- ii) The Committee thanked Jimmy Umrigar, Solicitor, for his sterling legal work and advice to the Committee.