PLACE SCRUTINY COMMITTEE

Thursday 13 June 2019

Present:

Councillor Sills (Chair)
Councillors Buswell, Atkinson, Henson, D, Lyons, Moore, D, Moore, J, Owen, Pattison and Williams

Also present:

Director (DB), Environmental Health and Licensing Manager, Interim Principal Accountant (AR) and Democratic Services Officer (SLS)

In Attendance:

Councillor Harvey	-	Portfolio Holder for Environment & City Management
Councillor Pearson	-	Portfolio Holder for Leisure & Physical Activity
Councillor Sutton	-	Deputy Leader and Portfolio Holder for Climate & Culture

24 MINUTES

The minutes of the meetings of Place Scrutiny Committee held on 15 March and 26 April 2019 were taken as read, approved and signed by the Chair as correct.

25 DECLARATION OF INTERESTS

No declarations of disclosable pecuniary interest were made.

26 QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER 19

In accordance with Standing Order 19, a member of the public submitted a question on the Council's Air Quality Action Plan and a number of local residents submitted questions in relation to the Exeter Skate Park facility (Attached as an appendix to these minutes).

A copy of the questions had been previously circulated to Members, and these, together with the responses from Councillor Sutton, Deputy Leader and Portfolio Holder Climate & Culture and Councillor Harvey, the Portfolio Holder, for Environment and City Management are appended to the minutes.

27 REVIEW OF ENVIRONMENTAL HEALTH AND LICENSING STATUTORY SERVICE PLAN 2019/20

The Environmental Health and Licensing Manager presented a report which sought approval for the adoption of the Environmental Health and Licensing Statutory Service Plan 2019/20, which sets out the Council's regulatory function in respect of food safety, health and other licensing, environmental permitting and other statutory functions over the forthcoming year. He referred to the Statutory Service Plan which incorporated:-

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- the service aims and objectives;
- information about all enforcement and related services provided by the Council's Environmental Health and Licensing Service;
- the Action Plan for 2019/20 detailing the actions and improvements for the service in an effective, risk based, proportionate and consistent way over the following year, and the
- financial arrangement for providing the service.

The Environmental Health and Licensing Manager also listed a number of notable achievements and the challenges his team had faced during 2018/19.

- the delivery of the Environmental Health and Licensing Service at a cost of £3.73 a head of the population.
- despite a difficult year in terms of the operational requirements, the Service had been ranked Number 1 in the Association of Public Service Excellence (APSE) whose aims were to promote excellence in the delivery of frontline services to local communities.
- 544 food businesses were inspected with a target inspection rate of 93% achieved during the year as at 31 March 2019. All premises had now been inspected.
- 428 inspections of Housing in Multiple Occupation (HMO's), were carried out.
- 3,695 requests had been received for investigation of complaints relating to a number of the service areas included food safety, health and safety, air quality and licensing.
- met the growing demands of their obligations to address anti-social behaviour and statutory nuisance.
- 15% of the 115 food samples taken, were found to be in a unsatisfactory to borderline classification.
- 565 delegates had attended education and awareness sessions run by the Service on a range of topics which included food hygiene.

The Chair also wished to highlight a number of areas of note, which included the replacement of air quality monitoring equipment, development of a new Air Quality Action Plan. The Service had undertaken two mystery shopping exercises to continue to drive up standards within the Hackney Carriage and Private Hire taxi trade, as well delivery of Disability and Dementia Awareness training for licenced taxi drivers to better understand the challenges faced by some of their passengers. He congratulated the Environmental Health and Licensing Manager and his team for delivering an array of important front line services despite the challenging financial situation external pressures placed upon them.

In response to Members' questions the Environmental Health and Licensing Manager stated the following:-

- new equipment at the air quality monitoring sites at the RAMM and in Alphington Street had been replaced during the course of last year. Data from the RAMM site was collated for the national monitoring network, overseen by DEFRA and provided high quality, reliable date on nitrogen dioxide, ozone, PM10 and PM2.5. Data on PM10 and PM2.5 was collected at Alphington Street. He would ensure that the location of the NO2 diffusion tubes network was sent to Members.
- the height of the monitoring stations were in line with national guidance. He would speak to the Senior Technical Officer to provide further information to the Member.

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- monitoring of the city's air quality was the subject of a separate report and would be presented to the Place Scrutiny Committee later in the year. Although there was no legal requirement for District Authorities to have fixed air quality monitoring stations, the City Council should be commended for their decision to update the equipment to ensure that monitoring continued.
- there were elements in respect of the Air Quality Action Plan that that the City Council did not have any direct control over as by its very nature, air quality did not have any borders. The City Council had declared an air quality management of the areas of the city with exceedance, but there were a multitude of partners with a wider programme of work taking place. Each of the local authorities and also individuals had a responsibility to enact some behaviour change in their mode of transport and that was something that had to be worked on as a society.
- it was not considered cost effective to provide trained staff for the two private water supplies, but there was trained support from neighbouring authorities with a greater number of such water supplies. A comment that the approach was taken for cost sensitive reasons was noted.

A Member commented on the Council's taxi operations and efforts made by officers to oversee the level of service provided to the public. The positive results of the recent mystery shopping exercise bore out the increasingly positive effect of the quality of the taxi service in the city. He also congratulated the team on the national APSE ranking. The Environmental Health and Licensing Manager stated that this included those authorities which participated and offered information on a whole range of services from all across the country, and Exeter City Council had been ranked number 1 for the lowest per head of population value for money.

The Environmental Health and Licensing Manager provided the following response to Members:-

- penalty enforcement related to offences to property used for multiple occupation. (HMO). There are no current plans to review the Council's enforcement policy to include those car users, found to be idling their vehicles.

- the air quality data for 2018 included in the Plan would be submitted to DEFRA to be audited at the end of June, and the detail which would include any comments would be reported back to Place Scrutiny Committee.

- the low Emissions Strategy was borne out of funding from DEFRA for work undertaken in 2014/15, but unfortunately as time passed the data was becoming outdated, but further reporting on particulate matter would be considered by the Committee when the Air Quality Action Plan was discussed later in the year.

Councillor D Moore suggested a reduction in the exceedance of air quality rather than just recording the data would present an opportunity for a change in the right direction. She proposed the following recommendation, that a reduction in the number of roadside locations that exceeded nitrogen dioxide (NO2) should be a clear objective for review the coming year. Councillor J Moore seconded the proposal. Following a vote on the proposal, the proposal was lost.

Place Scrutiny Committee supported and requested Executive to recommend approval by Council of the Statutory Service Plan 2019/20, and the Environmental Health and Licensing Manager be authorised to change the Statutory Service Plan in the light of centrally issued guidance and/or to meet operational needs.

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Members also wished to congratulate the Environmental Health team in recognition of the team's hard work and achievement and in particular the winning of the APSE award.

28 **BUDGET MONITORING 2018/19 OUTTURN**

The Interim Principal Accountant (AR) presented the report which advised Members of any material differences, by management unit, between the approved budget and the outturn for the financial year up to 31 March 2019 in respect of Place Scrutiny Committee. It was noted that the final outturn had been calculated and the report highlighted the major differences by management unit from the approved annual budget after adjusting for supplementary budgets approved by Members during the year. The total variance for the year was provided and a brief description of the results including a more detailed update on the Environmental Health Service was given. Attention was drawn to the Section 151 comments of the Chief Finance Officer and the significant underspend in the areas of attention of this Committee for 2018/19 that were specific to the year, and as a result a request would be made to Council for supplementary budgets totalling £856,000 to be taken from the underspend and carried forward into the new year 2019/20, leaving the working balance at £4.395 million, £1.708 million more than budgeted for.

An outturn update in respect of the Place Capital Programme was also incorporated into the report and detailed a total spend of £7.785 million in 2018/19 in respect of the Place Scrutiny Committee budgets. It was proposed to carry forward budgets totalling £3.185 million to be spent in future years.

The Interim Principal Accountant responded to a Member's question relating to the fee income of the Planning Service and stated that the carry forward of income requested could resource an increase in the legal staff to expand the service capacity. He also explained that such carry forward requests often arose because the requirement for a local authority to reflect a balanced budget meant that the books were closed at midnight on 31 March and re-opened on 1 April each year, which did not impact most services, but some activities (for instance longer term growth or commercialisation projects) did not neatly start and end on those dates.

Place Scrutiny Committee noted the report.

29 **APPOINTMENT OF LEGACY LEISURE WORKING GROUP**

The following Member appointments were made for the Legacy Leisure Working Group for the forthcoming Civic Year:-

Councillor Pearson
Councillor Buswell
Councillor D Henson
Councillor J Moore
Councillor Pattison

Place Scrutiny Committee noted the appointments for the Legacy Leisure Working Group.

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30 **DCC EXETER HIGHWAYS AND TRAFFIC ORDERS COMMITTEE - 9 APRIL 2019**

To receive the minutes of the Exeter Highways and Traffic Orders meeting held on 9 April 2019.

(The meeting commenced at 5.30 pm and closed at 6.55 pm)

Chair

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