

NEIGHBOURHOOD SERVICES COMMITTEE

MINUTES AND DECISION RECORD

25 July 2018

The meeting commenced at 4.00 pm in the Civic Centre, Hartlepool

Present:

Councillor: Stephen Akers-Belcher (In the Chair)

Councillors: Paul Beck, Tom Cassidy, Marjorie James, Brenda Loynes and Tony Richardson

Also Present: Councillor John Tennant
Fran Johnson, Park Residents' Association

Officers: Denise Ogden, Director of Regeneration and Neighbourhoods
Phil Hepburn, Environmental Enforcement Team Leader
Peter Frost, Highways, Traffic and Transport Team Leader
Steve Hilton, Public Relations Officer
Denise Wimpenny, Principal Democratic Services Officer

12. Chair's Opening Remarks

Prior to the commencement of business, the Chair referred in terms of regret to the recent sad loss of Mark Pinchen, a former employee of the Council. Members stood in silence as a mark of respect.

The Chair also took the opportunity to thank the Director of Regeneration and Neighbourhoods, her team and the trade unions who had supported the family and work colleagues during an extremely difficult time. The Chair requested that the Committee's thoughts be conveyed to the family, friends and workforce.

13. Apologies for Absence

An apology for absence was submitted on behalf of Councillor Sandra Belcher.

14. Declarations of Interest

None

15. Minutes of the meeting held on 13 June 2018

Received

16. Minutes of the meeting of the Emergency Planning Joint Committee held on 27 June 2018

Received

17. Littering from Vehicles – New Powers of Enforcement (*Assistant Director, Environment and Neighbourhood Services*)

Type of decision

Key decision – test (ii) – Forward Plan Reference No RN17/18

Purpose of report

To inform Members of recent changes to legislation announced by the Department for Environment, Food and Rural Affairs which allows local authorities to hold the registered keeper for a vehicle responsible for littering offences committed from it.

Issue(s) for consideration

Prior to presentation of the report, Members were advised that there had been a typographical error in the report that had been circulated to Members and that paragraph 4.4 should read as follows:-

“There is **no** requirement on local authorities to use legislation offered....”

It was reported that litter on the road side caused problems in terms of its detrimental visual appearance and blights on the town, whilst also having a damaging and harmful effect on the natural environment. The Council routinely litter pick roads on a scheduled cleansing programme.

Although some litter was blown and naturally collected in the highway verge there were instances when rubbish was discarded from vehicles. When such an event was witnessed, evidencing who discarded the litter from the vehicle had always proved difficult and prosecutions in this area had therefore been limited.

The Department for Environment, Food and Rural Affairs had recently

consulted with local authorities with regard to legislation available to local authorities having recognised the enforcement issues they faced. The legislation allowed the local authority to issue a postal Penalty Charge Notice to the registered keeper of the vehicle and removed the need for local authorities to identify who precisely threw the litter before action could be taken against them. Whilst there was no requirement on local authorities to use the legislation offered, the measure would allow enforcement action to be taken, details of which were set out in the report.

The Council received approximately 750 roadside litter complaints per year. The current tonnage of waste collected by the Council in responding to this irresponsible activity was approximately 200 tonnes per year equivalent to 200 households tipping out their wheelie bins into the streets every week. The cost of the penalty charge for littering from a vehicle would need to be the same as the amount specified by the authority for Fixed Penalty Notices for leaving litter. In Hartlepool, this charge was currently set at £75, discounted to £50 if paid within 7 days of issue. As of 1 April 2018, local authorities had been able to set fixed penalties for environmental offences within a specified range, details of which were provided. However, it was noted that as from 1 April 2019 the regulations stipulated that the minimal amount of charge should be at least £65 with an early payment discounted amount being a minimal of £50.

Members were requested to set the amount of penalty charge for the littering offence, the options of which were included in the report and to be mindful of the required minimal charge which would come into effect in April 2019.

In response to a request for clarification, the Environmental Enforcement Team Leader outlined the powers available to Members and the type of evidence required to enable enforcement action to be taken.

Whilst Members supported option 4 – a penalty charge of £150 with a 7 day early payment discount of £100, they were keen to receive further information in 6 months time to review the level of enforcement activity and the options available in terms of increasing charges in the future.

A Member highlighted the importance of effectively communicating the charges and suggested this be advertised on bin motors and road sweepers.

Decision

- (i) The Committee agreed that Option 4 – a penalty charge of £150, with a 7 day early payment discount of £100, be adopted to enable enforcement action to be taken in relation to littering from vehicles.
- (ii) That a report be submitted to a future meeting of this Committee to include levels of enforcement activity and the options available in

terms of increasing charges in the future.

18. Local Transport Plan 2017/18 – Out-turn and 2018/19 Programme (*Assistant Director (Environment and Neighbourhood Services)*)

Type of decision

Key decision – tests (i) and (ii) apply – Forward Plan Reference No RN16/18

Purpose of report

To inform the Neighbourhood Services Committee of the progress made under the Local Transport Plan delivery programme during 2017/18, and to identify potential schemes for 2018/19.

Issue(s) for consideration

The report provided background information in relation to the third Local Transport Plan (LTP) 2011-2026, which sets out how a safe and sustainable transport system could be delivered within Hartlepool.

The Local Transport Plan funding had enabled the Council to undertake a significant number of projects to help maintain and improve both the strategic and local road network. Details of the schemes delivered during 2017/18 were detailed in an appendix to the report which also set out the programme for future works in 2018/19. A number of highway maintenance schemes had also been completed during 2017/18 as detailed in Appendix 3 to the report.

For the year 2018/2019 the allocation for highway maintenance from the Local Transport Plan was £1,051,481, and the five year programme had been prepared assuming a similar level being allocated year on year. There was also an allocation of £136,775 from the Government's Pot-hole Fund, giving a total of £1,188,256. This had been approved by the Neighbourhood Services Committee, at the meeting in March, 2018.

Members noted the financial considerations, as set out in the report. The importance of identifying any additional alternative funding sources to alleviate costs to the authority was highlighted.

Decision

- (i) That the works and schemes delivered during 2017/2018 under the Local Transport Plan be noted.

- (ii) That the proposed schemes for 2018/2019 as reported be approved in line with the five year Highway Maintenance Programme (2018/19 to 2022/23), as approved at the Neighbourhood Services Committee meeting on 19 March, 2018
- (iii) It was noted that larger schemes would be subject to an additional report to Committee during the year as appropriate.
- (iv) That officers identify any additional alternative funding sources to alleviate costs to the authority.

19. Park Avenue, Proposed Double Yellow Lines (*Assistant Director, Environment and Neighbourhood Services*)

Type of decision

Non-key

Purpose of report

To report objections to the proposed double yellow lines in Park Avenue (Appendix 1 refers).

Issue(s) for consideration

It was reported that following a request by West Park Residents Association, on behalf of residents, it was proposed to implement double yellow lines on the east side of Park Avenue, north of the zebra crossing and on the north side of the Parade junction, as set out in Appendix 1.

The statutory legal notices had been posted on site and in the local press. No formal consultation had been carried out with residents although discussions had been held with residents who were in favour of the proposals.

One objection had been received from a member of the public who did not live in the direct vicinity of the site. Details of the objector's views were provided which included concerns that the proposed restrictions north of the zebra crossing were not required, would transfer parking to more inappropriate locations and that this was an issue only during events and could be dealt with by placing no parking cones. Members were referred to the officer's response to these concerns, as set out in the report.

The objector did not raise any concerns with the proposed restrictions on The Parade/Park Avenue.

The scheme would be funded from the existing revenue budget and the estimated cost would be approximately £500.00.

A local resident, who was in attendance and invited to address the Committee, spoke against the proposals which included concerns that people would park on both sides of the road encroaching into other housing estates, traffic congestion during special events at the park was currently problematic and double yellow lines would exacerbate the problem, the proposals would create parking difficulties at Knightsbridge Gardens, Cresswell Road, which was very narrow, and St Begas Glade and had not observed any problems for residents accessing driveways.

The Highways, Traffic and Transport Team Leader reiterated the longstanding complaints that had been raised by residents and whilst it was acknowledged there may be differing views, feedback from residents had indicated support for the proposals. Assurances were provided that the road would be monitored to assess whether further restrictions were required. Concerns were also raised in relation to the state of disrepair of the car park and it was suggested that if improvements were made and the bushes were cut back more people were likely to use it which would alleviate congestion on the road side.

A representative of Park Residents' Association, who was also a resident in Cresswell Road, shared with the Committee the experiences of residents who were in favour of the proposals. Residents had reported difficulties leaving their driveways and raised concerns around visibility and safety issues. As a resident of Cresswell Road, the representative indicated her support for the proposals, given the health and safety issues raised whilst noting the potential impact of additional traffic in Cresswell Road. The need to encourage more people to utilise the car park was highlighted. Given the issues raised, the Chair requested that an assessment of the car park be undertaken.

Members considered the representations made and, given the representations made in relation to health and safety, the Committee unanimously supported the proposals to introduce double yellow lines in Park Avenue.

Decision

- (i) That the proposed double yellow lines at Park Avenue be approved.
- (ii) That an assessment of the car park at Ward Jackson Park be undertaken.

20. Any Other Items which the Chairman Considers are Urgent

The Chairman ruled that the following item of business should be considered by the Committee as a matter of urgency in accordance with the provisions of Section 100(B) (4)(b) of the Local Government Act 1972 in order that the matter could be dealt with without delay.

21. Any Other Business – Impact of Chinese Lanterns/Balloon Releases

A member of the public, who was in attendance at the meeting, shared with Members a recent article that had been printed in the local press regarding the detrimental impact of sky lantern releases on animals, particularly horses.

Decision

That the information given be noted.

22. Date and Time of Next Meeting

It was reported that the next meeting would be held on Wednesday 12 September 2018 at 4.00 pm.

H MARTIN

INTERIM CHIEF SOLICITOR

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