

NORTHAMPTON BOROUGH COUNCIL

MINUTES OF SCRUTINY PANEL 3 - KEEP NORTHAMPTON TIDY

Thursday, 15 January 2015

COUNCILLORS PRESENT: Councillor Tony Ansell (Chair); Councillors Mick Ford, Phil Larratt, Dennis Meredith and Winston Strachan

WITNESSES Councillor Tim Hadland, Cabinet Member for Regeneration, Enterprise and Planning, Northampton Borough Council (NBC)
James Willoughby, Principle Enforcement Officer, NBC

OFFICERS Steve Elsey, Head of Communities and Environment
Tracy Tiff, Scrutiny Officer

MEMBERS OF THE PUBLIC Mr Appleyard
One other member of the public observed the meeting

1. APOLOGIES

Apologies for absence were received from Councillor Penny Flavell and Vanessa Kelly, co optee.

2. DEPUTATIONS/PUBLIC ADDRESSES

Mr Appleyard, member of the public, addressed the Scrutiny Panel on the issue of littering. He conveyed his concern about discarded shopping trolleys highlighting that at one point he had observed 24 of these. He referred to a litter review that he had undertaken in 2013; the results of which he had submitted to the Council. Mr Appleyard queried whether CCTV cameras were used regarding individuals dropping litter. He commented about littering from vehicles. He referred to uncollected bottles commenting that he had lined these up on the roadside and they had been collected. He advised the Panel of two groups that he felt were the main culprits of littering and there is a need for them to be educated. Mr Appleyard gave the Scrutiny Panel examples of comments about the town centre from visitors that he had received. Mr Appleyard conveyed his concerns about the number of Fixed Penalty Notices issued. He highlighted the need for cigarette butt bins to be located outside shops, restaurants, pubs and cafes.

Mr Appleyard was thanked for his address.

3. DECLARATIONS OF INTEREST

There were none.

4. MINUTES

The minutes of the meeting held on 26 November 2014 were signed by the Chair as a true and accurate record.

5. WITNESS EVIDENCE.

(A) DETECTIVE CHIEF INSPECTOR, NORTHANTS POLICE

The Scrutiny Panel received a written response to its core questions from Northants Police; noting the salient points.

AGREED: That the written response to the core questions provided by Northants Police informs the evidence base of this Scrutiny review.

(B) SERVICE DIRECTORS - DAVENTRY DISTRICT COUNCIL, SOUTH NORTHANTS COUNCIL AND WELLINGBOROUGH COUNCIL

The Scrutiny Panel noted written responses to its core questions from:

The Environmental Health Manager covering South Northants and Cherwell Councils and the Managing Director, Wellingborough Norse (Wellingborough Council). The key points contained within the written responses were noted.

The Scrutiny Panel noted that the responses referred to problems with chewing gum and discarded cigarette butts. This mirrored previous evidence and highlighting the need for a potential recommendation of the final report around a solution for chewing gum on pavements and the installation of more cigarette butt bins

At this point, a member of the Scrutiny Panel referred to Northampton East commenting that there was a need for solutions for the area to be found, for example, it has a lot of fly-tipping problems.

AGREED: That the written responses to the core questions informs the evidence base of this Scrutiny review.

(C) ASSISTANT DIRECTOR, HIGHWAYS, TRANSPORT AND INFRASTRUCTURE, NCC

The Scrutiny Panel received a briefing note from Highways Transport and Infrastructure, Northamptonshire County Council (NCC) that detailed:

- Highway's contribution to keeping Northampton tidy
- Sign de-cluttering
- Sign cleaning
- Sign replacement
- Joint working to reduce costs
- Enforcement functions

AGREED: That the information provided informs the evidence base of this Scrutiny review.

(D) LONDON MIDLAND

A response to the core questions from London Midland had not been received.

(E) NETWORK RAIL

The Scrutiny Panel noted a written response to its core questions from Network Rail.

The Scrutiny Panel commented on problems with graffiti on various bridges; suggesting that this was probably on private land rather than land owned by Network Rail. There is a need for contact to be made with the land owners regarding the removal of the graffiti.

AGREED: That the information provided informs the evidence base of this Scrutiny review.

(F) CABINET MEMBER FOR REGENERATION, ENTERPRISE AND PLANNING AND THE DIRECTOR OF REGENERATION, ENTERPRISE AND PLANNING, NBC

Councillor Tim Hadland, Cabinet Member for Regeneration, Enterprise and Planning and James Willoughby, Principle Enforcement Officer, Northampton Borough Council (NBC) provided details regarding the Town and Planning Act, in relation to:

- Advertising and whether consent is required for all advertisements
- Exempt advertisements
- Advertisements with deemed consent
- Advertisement requiring consent
- Enforcement of unauthorised advertisements
- Definition of fly-posting
- Legal framework
- Travelling circuses and fairs
- Planning enforcement action taken regarding advertisements
- Plans for sites within the town
- Replacement of street furniture

The Scrutiny Panel asked questions, made comment and heard:

- In response to a query regarding the amount of posters and signs that some event promoters put up; Councillor Hadland confirmed that he would investigate to ascertain whether a limit could be introduced through a local byelaw; however it was highlighted that the implementation of local byelaws can be difficult
- It was suggested that where a contract is required for events to operate, the terms of the contract can be looked at
- The Scrutiny Panel commented that the legislation stipulates that adverts should be removed seven days after an event has taken place but on occasions adverts are still observed after this timescale. Councillor Hadland confirmed that the Council has the power to sanction

- The Scrutiny Panel heard that there the legislation does not specify the number of posters and signs that can be put up but the Council aims to encourage event promoters to be sensible in their advertising. If they do not comply adverts will be removed. Event organisers could be advised of suggested places to put up their posters and signs
- The Scrutiny Panel was advised that the number of fly-posts in the town had reduced over the past two years
- In response to a query regarding road sign trailers, the Scrutiny Panel heard that these are usually on highway verges and Northamptonshire County Council (NCC) can remove them under the Highway Act. If they are on private land it is more tricky to get them removed. The Scrutiny Panel emphasised the need for an agreement with NCC for the removal of road sign trailers
- In response to a question about lighting replacement in Abington Street, Councillor Hadland confirmed that this is work in progress
- Regarding the proposed installation of street lighting the Scrutiny Panel noted that details of the proposals are available on line to enable the public to comment
- The Scrutiny Panel conveyed its concerns regarding an auction that takes place at Brackmills and the number of signs put up advertising the events. James Willoughby confirmed that he could liaise with Fire Safety, Northants Fire and Rescue Service, to ascertain whether it had any concerns regarding the auctions

Councillor Tim Hadland and James Willoughby were thanked for their informative address.

AGREED: That the information provided informs the evidence base of this Scrutiny review.

(G) CABINET MEMBER FOR COMMUNITY ENGAGEMENT

Councillor Brandon Eldred, Cabinet Member for Community Engagement, Northampton Borough Council (NBC) provided a written response regarding how advertising, both for external and Council events, is organised and enforced. The response stated that all advertising for Council run events is undertaken using authorised advertising boards and sites. The Council, itself, has a policy of never flyposting to advertise its own events.

External events (e.g. carnival, Diwali, street fairs and circuses etc.) are instructed by the Council to comply with the authorised advertisement regulations, if the event is on Council land.

AGREED: That the information provided informs the evidence base of this Scrutiny review.

(H) NORTHAMPTON BID

The Scrutiny Panel noted a written response to its core questions from the Northampton BID.

AGREED: That the response to the core questions from Northampton BID informs the evidence base of this Scrutiny review.

(I) PARISH COUNCILS

The Scrutiny Panel noted a written response to its core questions from three Parish Councillors, Duston Parish Council.

AGREED: That the responses to the core questions informs the evidence base of this Scrutiny review.

6. SITE VISITS

The Scrutiny Panel noted a briefing noted detailing the site visits that were undertaken by members of the Scrutiny Panel.

The key findings from the site visits:

Northampton

St Johns station passage was observed as very clean and tidy.

Evidence of street drinkers and rough sleepers was apparent.

Refuse bins outside a restaurant were very tidy, with sacks neatly stacked.

The Scrutiny Panel was pleased to note that investigations are taking place regarding the removal of big waste bins outside commercial properties in the town centre.

The Scrutiny Panel felt that the planting of foliage in brick planters would enhance an area. For example, the tyre planters in Victoria Gardens were admired; giving the area a sense of community pride.

Peterborough

Peterborough has a big night-time economy, of a similar scale to that of Northampton. The city centre was not very clean, with litter and graffiti visible during the site visit.

The Scrutiny Panel observed the problem with pigeons, agreeing that the signage "Please do not feed the pigeons" was very useful.

The toilets were very clean. There is a charge of twenty pence to use the toilets.

Market Harborough

Market Harborough is smaller than Northampton and is a market town. It has a small night-time economy comprising mainly restaurants and eateries.

The town centre was very clean with minimal littering.

Public toilets were of varying standards; one was noted as very clean and well maintained whereas another appeared not to have been cleaned for some hours.

Telephone boxes appear to attract flyposting.

There was clear signage regarding the prohibition of drinking alcohol in public places.

The Scrutiny Panel commented that a potential recommendation of its final report could be around contacting main supermarkets in the town regarding abandoned trolleys suggesting that a pay and return services is introduced to help to alleviate this.

AGREED: That the information provided informs the evidence base of this Scrutiny review.

7. PURPLE FLAG

The Scrutiny Panel received a briefing note regarding the Purple Flag Initiative.

Key findings:

- The Purple Flag Award scheme assesses each areas crime rates, hygiene standards and a range of visitor attractions.
- The reported aim of the initiative is to improve perceptions of places, address imbalances in activities, tackle anti-social behaviour, and encourage a diverse evening offer; providing significant recognition for Councils and partnerships who deliver key services associated with the night-time economy.
- Accreditation of Purple Flag is dependent on 30 key factors and street cleansing is only one small part of this. The cleanliness of the centres would be assessed under the well-being section of the criteria.
- There are costs for towns and cities to apply to be accredited with the Purple Flag. Costs vary dependent upon the population. Costs for Local Authorities with a population of over 200,000 are £3,000 and £1,000 for a 12 months light touch fee to maintain standard.
- Nottingham reports that higher levels of cleanliness have been achieved with 130 new solar powered self-compacting litter bins installed. An iPhone app launched to enable people to report issues of littering and vandalism. A specialist deep cleansing machine, which is jointly funded by Nottingham City Council and the BID, is reported to have a major impact on addressing the issue of chewing gum in particular.

The Scrutiny Panel requested that the criteria for the Purple Flag Initiative be circulated to them. It was suggested that a potential recommendation of the final report could be

around the implementation of a time limited Action Plan working towards the 30 criteria of the Purple Flag initiative so that an application for Purple Flag accreditation could be submitted for Northampton

AGREED: That the information regarding the Purple Flag Initiative informs the evidence base of this Scrutiny review.

8. SHOP FRONT CLEANING ORDERS (COMMUNITY PROTECTION NOTICES)

The Scrutiny Panel received a briefing note detailing Shop Front Cleaning Orders (Community Protection Notices) and Street Litter Control Notices. The key points of the Part 4, Chapter 1, of the Act in relation to littering and cleaning of shop fronts are:

In respect of littering and cleaning of shop fronts, Part 4, Chapter 1 (Community Protection Orders) (CPN) of the above Act states that the community protection notice is intended to deal with unreasonable, ongoing problems or nuisances which negatively affect the community's quality of life by targeting the person responsible (section 43(1)).

The notice can direct any individual over the age of 16, business or organisation responsible to stop causing the problem and it could also require the person responsible to take reasonable steps to ensure that it does not occur again (section 43(3)).

Paragraph 2.5 above provides an example of how Community Protection Orders relate to the cleaning of shops fronts:

“The notice should be issued to someone who can be held responsible for the anti-social behaviour (section 44). For instance, if a small shop were allowing litter to be deposited outside the property and not dealing with the issue, a notice could be issued to the business owner, whereas if a large national supermarket were to cause a similar issue, the company itself or the store manager could be issued with a notice.”

Breach of any requirement in the notice, without reasonable excuse, would be a criminal offence, subject to a fixed penalty notice (which attracts a penalty of £100) (section 52) or prosecution. On summary conviction an individual would be liable to a level 4 fine (currently up to £2,500). An organisation is liable to a fine not exceeding £20,000.

Street Litter Control Notices apply to the following types of business:

- Premises used wholly or partly for the sale of food and drink for consumption either off the premises or on the premises if outside and adjacent to the street.
- Service stations.

- Recreational venues such as cinemas, theatres, sports facilities and pitches.
- Banks and building societies with automated teller machines.
- Betting shops.
- Premises selling lottery tickets.
- Premises 'outside' where goods are displayed for sale on or adjacent to the street.
- Mobile vehicles, stalls and other moveable structures used for commercial or retail activities on a street.

Enforcement officers can help and advise businesses on compliance, but where advice and informal requests to deal with litter problems hasn't worked SLCNs provide an enforcement mechanism which the Local Authority can use. This would place ongoing legal responsibilities onto owners and businesses that are contributing to the problem.

A Street Litter Control Notice is served on the occupier or (if the premises are unoccupied) the owner, so as to place an ongoing obligation on him to comply with the requirement(s) specified for that land.

The Scrutiny Panel welcomed the legislation noting that Shop Front Cleaning Orders (Community Protection Notices) and Street Litter Control Notices had only recently become legislation. Guidance on the legislation is awaited. It was suggested that a recommendation of the final report could be that all members receive details of this important piece of legislation

AGREED: That the information provided informs the evidence base of this Scrutiny review.

The meeting concluded at 7:54 pm

