

POLICY PANEL

22 September 2021

Attendees: Councillors Cox, Goacher, Hayter, Jowers, Leatherdale, McCarthy, Pearson and Scott-Boutell.

Substitutes: Councillor Hagon for Councillor Chillingworth.

Also Present:

24. Minutes of Previous Meeting

RESOLVED that the minutes of the meetings held on 26 May 2021 and 4 August 2021 be confirmed as correct records.

25. Update on Covid 19 Commemorations

Hayley McGrath, Corporate Governance Manager, introduced her update on options for ideas to commemorate those lost to Covid-19 and remember the work and service given by people across our communities during the pandemic.

Cabinet had agreed to the recommendation to hold a Covid commemoration event, design and circulate a community support pack for Covid commemorations and to commission designs for a commemoration bench and a blossom circle.

The design and location for a blossom circle were being worked upon before they are taken to the relevant Portfolio Holder for approval. This would consist of rings of trees with paths betwixt them. The trees would be fruit-bearing and flowering, including ornamental cherry trees, a 'memory circle' and trees which would ensure blossoming all year round. Subscription options were one possibility for funding these.

Memorial benches could be made available for purchase by councillors (e.g., using locality budgets), individuals or groups. Options for a public competition to design the benches were being considered. Other options, such as the provision of trees of remembrance (oaks, silver birch or wild cherry trees). Work would go forward with the Neighbourhood Team to ensure that all plantings were appropriate.

Ward events were being considered, which could be organised by councillors or local groups. A small working group had been formed, as recommended, to look at planning for a remembrance event. This was being supported by Steve Mannix and the Mercury Theatre. This was likely to be held in March 2022, subject to any restrictions which might be in place at that time. A Panel member recommended that

events should not be made overly formal, in order to make them accessible for as many people as possible.

The Corporate Governance Manager confirmed that the original budget of £10k, from the Budget for 2021-22, would fund the blossom circle separately, and that reasonably sized saplings would be used. Funding for installing blossom circles across different communities had been considered but ruled out as not being possible. It was considered potentially possible that support and funding could be provided for others to install blossom circles in different areas. A Panel member voiced dissatisfaction with this, insisting that communities needed remembrance sites specific and special to them. The Corporate Governance Manager gave assurance that she would pass this view forward to Cabinet. Another panel member reminded members and officers that the Panel had previously recommended that remembrance sites should be found as focal points within each community, rather than as a single site in the centre of Colchester. Further detail was requested on the potential for funding of blossom circles, with the Panel being informed that this funding came from the 2021-22 budget for strategic priorities.

Caution was raised by the Panel at only scheduling a single day for remembrance activities and events. A recommendation was made to have a date for commencing commemorations, with a longer time set out for events and ceremonies to be held.

A Panel member asked for information as to any consultation carried out to try to identify additional funding sources. The Panel were informed that Steve Mannix and the working group were looking at potential funding avenues which could be available. It was intended that most of the cost of remembrance activities and events would be met by donations, sponsors and other external funding. Rory Doyle, Assistant Director (Environment) gave assurance that, whilst planning for the funding for the blossom circle was in its early stages, details would be brought to the Panel as they became clearer. Costs needed to be confirmed and the overall cost would be over £10,000 in order to ensure it was tasteful and of an appropriate scale. Plantings were also a possible option for the Jubilee celebrations.

26. Graffiti Policy Review

Rosa Tanfield, Group Manager – Neighbourhood Services, presented the review and explained that the existing policy on graffiti was in need of review. Officers sought a clear statement as to how the Council tackles graffiti.

The Group Manager was asked whether graffiti on private property next to highways would be removed for free, or a charge imposed for such work. The Group Manager outlined the Council's approach, which was to first ask owners to remove graffiti on their premises and then either work with the owner to remove it, if necessary, or look at enforcement as a last resort. If an owner could not be contacted, then the priority was to remove the offending graffiti. Panel members suggested that the Policy wording should make clear that due discretion would be exercised by officers dealing with such cases and potentially levying a charge on the property owner/owners.

The Group Manager was asked about any problems when attempting to contact the owners of affected properties, and whether the Council could summarily clean graffiti off, where contact could not be made quickly, and then decide whether it was

appropriate to levy a fee for the work. Rory Doyle, Assistant Director – Environment, explained that the Council was required to carry out enforcement in line with national regulations and legislation. Tagging and graffiti deemed to be antisocial in nature would continue to be dealt with as quickly as possible, as would flyposting and stickering of street furniture and infrastructure.

Officers were asked whether the Council still maintained a graffiti/tag database, to identify prolific offenders, and recommended that links to utility companies were cultivated to expedite graffiti removal on sites, infrastructure and street equipment owned by them. The Panel were informed that the database was still in use and was used to identify trends and take action against identifiable individual malefactors.

A Panel member enquired as to whether exemptions would be incorporated into the Policy, such as for graffiti that was deemed to be of artistic merit or of a nature which was appropriate or beneficial for the local community or site. Potential difficulties were discussed, including how to set criteria, how to maintain a standard and balanced approach and how to judge what is and isn't appropriate. It was confirmed that there were places within the Borough where street art was allowed, and assurance that the Council did not want to stifle lawful use of these, or the creativity of people who used such sites. The Group Manager directed attention to the Strategy, where it was detailed how the Council worked with partners to best utilise such areas/sites as well as to reduce antisocial graffiti instances.

A Panel member suggested that an addition could be made to the first sentence of the final paragraph of the Policy's introduction, to then read as 'The defacement caused by graffiti is an act of criminal damage and should not be considered the same as legitimate commissioned pieces of street art and pieces of art considered to be valuable by the local community.'

The Panel asked how large or small was the problem caused by graffiti in the Borough and whether there were any statistics to evidence this, and to show the scale of Council action to tackle graffiti. The Group Manager offered to provide more indicative data to the Panel, if this would be helpful to their consideration of the Strategy. A Panel member commented that, whilst Colchester did not have a bad problem with graffiti, it remained wise to stay ahead of the curve. The difficulties facing officers in judging what was or wasn't of artistic merit were discussed and it was suggested that clear protocols would be needed to guide this.

Officers were asked if the Council's website could include more content to better signpost ways in which residents could report graffiti and tagging. Assurance was given that this was underway, alongside improvements as to how these are reported to Neighbourhood Services, including a new application for people to report and send pictures of graffiti.

RECOMMENDED to CABINET that the refreshed Graffiti Policy be approved, subject to the following additions: -

- (a) That the Policy gives assurance that officer discretion will be shown regarding decisions as to whether to levy charges on owners of private residential

property targeted by graffiti, where the Council undertakes work in default to remove that graffiti;

- (b) That wording is added to the Policy to clarify how and why exceptions might be made for street art which is deemed to be of artistic benefit, or of value to the community within which it is located, and detailing how 'out-of-policy' exceptions might be made;
- (c) That more provision be made for legitimate and legal graffiti/street art to be practiced, such as on designated art/graffiti walls within the Borough;
- (d) That a collaborative approach be emphasised, where the Council works in partnership with independent parties, as well as in consultation with the local ward councillors, to achieve the best approach and actions, area by area.

27. Litter and Dog Bin Policy

Rosa Tanfield, Group Manager – Neighbourhood Services, presented the current draft of this proposed new Policy and directed the Panel's attention to the Terms of Reference for this review that had been circulated as a supplementary document to the agenda. Apologies were made for the formatting issues within the covering report, and assurance given that the text of the Policy itself was clean.

The Policy was proposed to help address issues, including the current lack of an audit programme to monitor usage and placement and the need to reduce the number of bin types in use (which would go from eight designs down to four)

This would be a public policy but would also allow officers to conduct infrastructure audits and improve the efficiency of collections. An example was that emptying requests would be recorded and the data used to drive improvements in collections. This was welcomed by the Panel, with members discussing parts of the Borough where lack of bins was a problem. The need for clarity as to the decision-making process on bin placement was emphasised by members, with statistics and data provided to support decisions made. It was suggested by the Panel that there would be a good opportunity for the statistics and data collected to be brought back to the Panel at some point in the future, along with information on decisions taken based on them.

It was confirmed that the current capital cost of providing litter and dog bins was £1,014,170, with each bin costing over £300, plus staffing and disposal costs.

The Panel asked whether there would be any bin loss through the audit process, or if obsolete bins to be removed would be replaced with newer models. Members stressed that robust evidence would need to be provided should any bins be removed without replacements installed. It was further asked whether there would be any increase in the provision of recycling bins for public use.

A Panel member requested that more anti-littering and anti-fouling signs be put in place, and for the process for the public to request these to be made easier to use.

The Panel considered issues such as the importance of coordinating bin placement with other organisations which provided bins, the challenges faced in preventing and remediating contamination of recycling bins, possible removal of bins which attract fly tipping and ways to provide bins for dog waste which minimise odour and cleanliness problems. It was also asked whether there was the potential for compactor/smart bins to be installed in high density areas and whether bins near schools could have their inserts designed by children at those schools. The Group Manager (Neighbourhood Services) agreed that contamination of recycling facilities was a nation-wide issue and that the key was to educate people in their correct use. The Council worked to use a range of sites for recycling facilities, such as at High Woods Country Park. Smart bins were being looked at and plans were being drawn up to trial them. Some models were solar powered and could notify officers when they neared becoming full. This was expected to be valuable functionality. Bin sizes could be increased where necessary, but it was noted that it was important that this not impede collection efficiency.

The Panel discussed the need for the Bin Policy to be linked to the existing policies on environment and sustainability, such as the recycling and waste reduction strategies. It was suggested that these could be tied together, with key performance indicators [KPIs] to be used to set and monitor targets. The Group Manager (Neighbourhood Services) explained that this Policy was currently a stand-alone policy, with work on a littering policy paused until the County Council had produced their littering strategy, at which point Colchester Borough Council would draft a new littering policy, to sit under the County strategy, which could then be brought to the Policy Panel for consideration. The Environment Bill would mean changes, including a revised waste strategy. Work was engaged upon with Essex County Council to coordinate approaches.

Significant engagement and communications work would be conducted to drive behavioural change, reduce waste and increase recycling. There was no engagement element in the bins policy as this was more of an element for the littering strategy/policy to be produced following the confirmation of the County Council's littering strategy.

It was queried whether this new Policy could help the Council take a more proactive approach to tackling fly tipping and bin cleanliness/maintenance. Enforcement against littering and fly tipping was carried out, but officers stressed the difficulties, especially as officers needed to be on-scene to witness littering. Fly tipped items are checked to attempt the identification of transgressors, and enforcement action is taken where this is possible.

The audit process was explained as a rolling process, with each area assessed once per year. Maintenance issues and cleanliness would be assessed as part of the audit. Dedicated dog bins were being considered for removal and replacement with all-purpose general waste bins. Issues regarding smell would be noted and the potential need for a lidded bin considered. There would be no official 'sign off' on the audit process used, but officers would work with local councillors to provide information on their wards.

Officers were asked whether the County Council charged for bin licenses. Assurance was given by the Group Manager (Neighbourhood Services) that this would be checked and an answer given to members following the meeting.

RECOMMENDED to CABINET that: -

- (a) Cabinet approve the Litter and Dog Bin Policy; -
- (b) Cabinet give approval for the Policy Panel to consider, when possible, the expected draft Essex County Council Litter Strategy and make recommendations to Cabinet as to suggestions that Cabinet might wish to make to the County Council regarding the content of that document.

28. Drone Policy Review

Rosa Tanfield, Group Manager – Neighbourhood Services, explained that the current Policy had been in operation since 2018 and was being updated to reflect further legislative changes. The Panel noted that, to a great extent, drone use was subject to the rules of the Civil Aviation Authority.

RECOMMENDED to CABINET that the Drone Policy be approved.

28. Work Programme 2021-22

Thanks were given by the Panel to Councillors Chris Pearson and Adam Fox for attending the previous Cabinet meeting to speak in favour of the recommendations given at the last Policy Panel meeting. It was suggested by a member that the Panel should consider whether to seek approval to add items to the work programme for its January meeting. Rory Doyle, Assistant Director [Environment], explained that the Jubilee item was likely to be larger than members might expect, but that other items could be suggested.

It was recommended that the River Strategy be kept on the agenda for the meeting in March 2022, to best fit the schedule in place for it to be drafted.

It was noted that the meeting on 24 November 2021 would see the Grounds Maintenance contract business case come to the Policy Panel for scrutiny.

RESOLVED that the Work Programme for 2021-22 be approved as shown, with the addition of updates information on plans for work on memorials and commemoration events relating to the Covid-19 pandemic.