

Present: Councillor Judith Skinner (Chairman), Councillor Tracey Abbott (Vice-Chairman), Councillors Richard Austin BEM, George Cornah, Anton Dani, Deborah Evans, Paul Goodale, Neill Hastie, Peter Watson and Judith Welbourn

Portfolio Holders: Councillor Paul Skinner and Councillor Yvonne Stevens.

Councillor Anne Dorrian Chairman of Climate Changer Member Working Group.

Officers: Chief Executive, Head of Environmental Operations, Head of Place and Space, Environmental Health Officer, Transformation & Governance Manager, Democratic Services Officer

Observing: Councillor Stephen Woodliffe and the Head of Regulatory Services

36 APOLOGIES

Apologies for absence were tabled by Councillor Peter Bedford with Councillor Richard Austin BEM substituting.

37 MINUTES OF MEETING 5TH NOVEMBER 2019

With the agreement of the committee, the Chairman signed the minutes of the last committee meeting held on the 5 November 2019.

38 MINUTES OF THE CALL-IN MEETING 14 NOVEMBER 2019

With the agreement of the committee, the Chairman signed the minutes of the Call-In meeting held on the 14 November 2019.

39 DECLARATION OF INTERESTS

Councillor Neill Hastie declared a conflict of interest in agenda item no. 3 in his role as a market trader.

40 PUBLIC QUESTIONS

No public questions were tabled.

41 CLIMATE CHANGE

Councillor Anne Dorrian, the Chairman of the Member Working Group tabled the final report of the review, seeking committee's agreement to refer the recommendations on to Full Council. Recognising that the committee had been well represented by its own members on the working group, Councillor Dorrian further tabled her thanks to the 8 members of staff who had been co-opted to the group along with the two members of the public, with Mrs Victoria Haw's exceptional knowledge of Climate change having proved invaluable throughout the review.

Councillor Dorrian further tabled her gratitude to the Chief Executive for all of his work in supporting the review along with the Portfolio Holder Councillor Paul Skinner for his knowledge of the industry.

Councillor Dorrian explained the 9 recommendations proposed by the working group as being ambitious, pragmatic and deliverable.

Committee acknowledged the positive outcomes of the review and the time line in which it had been completed. No committee questions were tabled.

RECOMMENDATION:

That the Environment and Performance Committee, having considered the draft report, agree referral of the recommendations contained therein to Full Council at the next scheduled meeting on the 20th January 2020.

The recommendation was carried unanimously.

42 AIR QUALITY POLICY

Presenting the report the Principal Environmental Health Officer supported by the Portfolio Holder advised that Boston had declared two Air Quality Management Areas due to air quality failing to meet nitrogen dioxide health based air quality standards.

Having declared an Air Quality Management Area (AQMA) the Council had a statutory obligation to produce an Air Quality Action Plan (AQAP) and the draft plan proposed expanded on the previous plan published in 2006 which was then updated in 2010.

The actions within the plan were not all within the power of the Council alone with a number of actions relying on engaging with partners, in particular Lincolnshire County Council Highways, Public Health and the local community. The Council has been working with LCC and Public Health, both of whom were members of the officer steering group developing the AQAP. Full consultation was required with a wide range of organisations and the wider community under schedule 11 of the Environment Act 1995 and the report tabled simply sought committees' agreement to move forward with the consultation process.

Generally members fully agreed the need for the AQAP but concerns and comments in respect of air quality within the town were noted as follows:

The distributor road was referenced as high in the plan but members were wary of its actual implementation with delays and expectations over a number of years being fruitless to date. Concerns were voiced in respect of planning matters both in respect of increased vehicles alongside flooding issues with new builds being subject to significant high floor levels. Members voiced strong concerns on the number of new housing developments across the borough which resulted in increases in the number of car movements through the town. A lack of public transport and dangers of cycling due to the volume of vehicles on the roads had led to school children being taken to school. Members noted the ease that vehicles travelled through the town when the schools were closed and the roads were not congested which supported the increases in traffic due to the need to transport students to schools by car. A further suggestion noted using subways or bridges at the two AQMA's which were used in other areas

Further suggestions in respect of reducing congestion included liaising with the local bus operators to change the existing bus routes both within the town and out into the rural areas, whilst also requesting operators change to electric buses with notable agreement by members that the fumes from the current buses were extremely damaging. A member suggested car free days in the town centre with Bank Street being closed on market days which would provide a traffic free zone area in the middle of the town. Consultation should also be undertaken with British Rail in respect of the re-timing of large freight train traffic which always resulted in blocking rail crossings for approximately 12/15 minutes during its shunting into the freight yards. The impact of this resulted in significant numbers of cars queueing at various crossings with engines running, impacting on the surrounding air quality.

Comments noted concern that by closing Bank Street it would simply disperse the traffic back onto John Adams Way. Until such time that Boston had a Distributor Road nothing would change and the Plan was highly dependent on the provision of the distributor road: there was a serious geographical problem in that the town had one road through it and the back-up road was unable to cope when John Adams Way was closed. There was too much traffic with vehicle numbers continuing to increase due to the high number of new homes being built. Re-opening of the turn right onto John Adams Way from South End would ease congestion at the Haven Bridge (AQMA 2001). Referencing the two (AQMA sites) a member suggested using either subways or footbridges to allow improved traffic flows and take pedestrians away from the high level pollution. Further comment noted changes in lifestyle including laziness by parents and time pressures had led to parents driving their children to school instead of walking them. This point was countermanded by another member who disagreed it was working parents who dropped their children off on their own way to work and it proved very stressful to parents in both dropping off their children and then collecting them.

Responding to the suggestions and comments made the Principal Environmental Health Officer advised that spatial planning was taken into account with new developments and whilst all development could not be prevented that measures to reduce their impacts such as travel plans, electronic hook-up points and cycle routes were commonly imposed through the planning process to try to mitigate some of the impacts. He agreed that traffic free zones did work particularly in city environments, however he advised that Boston did not lend itself to this due to the lack of routes across the town and choice of alternative transport option being limited. Our AQMA's also lay on the principle routes across the town.

The Principal Environmental Health Officer advised the right turn from South End to John Adams way had only been closed after extensive study and trial by LCC. The reason it had been done was to allow traffic phasing to be altered at this junction to allow better flow cross Haven Bridge/John Adams way.

Members' were advised that Lincolnshire County Council Highways were currently reviewing Bank Street and its potential daytime closure and he stressed that this was not being looked into in isolation, as other roads across the town were also being reviewed with a view to aid traffic flows overall.

Referencing table 3.1 of the report a member questioned the increase in emissions at that site and asked if the area identified as adjacent to 18 Queen Street, was the roundabout across from McDonalds and if so, were they responsible for the increased traffic and could they be held accountable.

The Principal Environmental Health Officer stated it was difficult to attribute such volumes of traffic as there were other businesses on the same site and advised that nitrogen dioxide levels were equally high at other locations along this road and beyond. Whilst there had been a small increase at this location there is some natural variance on monitored levels year on year as a result of other factors particularly atmospheric ones ie rainfall, wind direction and atmospheric pressure.

RECOMMENDED:

That the Environment and Performance Committee agree consultation on the draft Air Quality Action Plan in accordance with the consultation plan in Appendix B of the report

43 MARKETS REVIEW - UPDATE ON RECOMMENDATIONS

It is recorded that having declared himself conflicted on this item, Councillor Neill Hastie took no part in any of the deliberation except to offer technically correct information at one point.

The Head of Place and Space presented the report providing a brief update on the recommendations from the Task and Finish Group review.

The Policy had been adopted by Cabinet subject to two amendments to the report tabled: firstly an amendment to point 17.1 of the policy with the deletion of the proposed sentence which read “but shall determine the application having due regard to the currently adopted tenant mix, and secondly the deletion of paragraph 9.5 relating to traders not smoking.

The provision of a Welcome Archway. This was now being progressed following it being held in abeyance due to the focus being on Mayflower 400 celebrations. The Public Realm Group was now scoping future prospective projects with the concept of the archway having been submitted to the group at its meeting in December 2019.

Zoning of the Market Place had been considered but was being held as a longer-term opportunity as many established traders had noted their preference from having their own stall in the same location as customers could easily find them.

The cultural offer had been agreed by Cabinet to support the markets and town centre services through BTAC and other partners, with the offer having been delivered via a number of events including the 1940’s campaign; the Hansa event and various special markets.

Stalls for students had been agreed by Cabinet with a teenage market having been confirmed for July 4th 2020 supported by a partnership with Bishop Grosseteste University and funded through the BTAC events programme.

New larger scale signage had been agreed by Cabinet but this work was ongoing as finances still needed to be secured to undertake the work. The markets however have been rebranded with a new logo developed to help them stand out and provide a sense of their heritage and range of products in marketing media

The final recommendation had been agreed by Cabinet who also recognised the contribution made by the four schools both in the initial consultation process and in the quality of their own individual final reporting back to the committee.

Committee comments / questioning and suggestions followed which included:

Referencing the various types of markets members asked if the Continental Market would return which had historically been held in Wide Bargate and proved to be very popular. Noting the Farmers Market a further query asked why it had not been incorporated to within the main Wednesday market instead of being a stand-alone market: the same question was tabled for the Craft Markets in respect of it standing alone on a Thursday. There was praise for the introduction of the Teenage Market which members noted they felt should be promoted with the schools well in advance of the event to allow the students plenty of time to arrange and book their stalls.

Suggestions for improving the existing offer included providing incentives such as one free Saturday trading per month giving all traders the opportunity to stand all day without having to pay rent and also advertising the offer to encourage new traders: opening the markets up to families to sell things they did not need to use the empty stalls and also to address issues in respect of homelessness with people living in doorways in the town centre which put shoppers off using the market place. The Council need to be far more pro-active and flexible in its promotion and use of the market place: it was too rigid in its stance and needed to change its' approach considerably in considering suggestions and options for increasing trade.

Voicing concerns at the lack of toilets available for market traders within the vicinity of the market place a member questioned if it would be possible to re-open / rent the Assembly rooms toilets on market days for traders and if failing that then have Portaloo's installed for the traders to use.

Addressing the support of coach companies in bringing tourists into the markets members asked what was being done to increase the day trips, particularly over the summer months. It was noted that most drivers / coach operators need an enticement to come, such as free refreshments. Members asked if there was personal contact with the coach companies and not just advertising on relevant web sites / in editorials.

Councillor Neill Hastie addressed the meeting at this point in the proceedings to advise that there had been an increase in Traders on Bargate Green.

The Head of Place and Space addressed each area of concern as follows:

The Continental Market ceased being due to it not being viable and the organisation responsible for scheduling the events, cancelled them. New organisations had approached the Council to schedule similar events but there were logistics problems in accommodating them and the Council was looking to provide opportunities where feasible. The Farmers Market equally failed to make money although they have since been invited to join the Craft market on a Thursday and the Craft Market preferred to stand on a Thursday as they did not want to stand on the Wednesday market.

Referencing the suggestions of 'free standing' / reductions in rates and opening up to 'car boots' the Head of Place and Space reminded members that the Council had to work in line with the current Markets Policy: incentives had been trialled previously with reductions in rent and reviewing of options was ongoing, however Boston held an actual Market and it was not a car boot nor used for such, subject to a change in Policy. The situation in respect of homelessness people was continually monitored by partner organisations and unless any actual crime was committed there was nothing that could be done to remove the culprits. More and more empty shops had taken to boarding their doorways in full to deter rough sleepers.

The toilets at the Assembly Rooms were no longer owned by the Council: they were in a state of disrepair and estimates to refurbish them would be very high. The stall holders had additional free access to toilets at Boston Stump and at Oldrids and visitors also had access to toilets at the bus station when they arrived into the town.

The Council actively advertised in publications and on websites regularly used by the Coach companies and a member stated that the café on site at the bus station did provide clean toilets for the drivers along with a free drink and a snack. Direct contact had not been undertaken in recent years and was subject to resources and time, but last year there were increasing coaches to the town, all of which were met and welcomed by a volunteer giving information and handing out leaflets.

The suggestion in respect of Portaloo's for market traders and of direct calling of Coach Operators would be noted and taken forward resources permitting.

Committee noted the report.

44 REVIEW OF PUBLIC SPACE PROTECTION ORDER

The Head of Environmental Operations presented the report supported by the Portfolio Holder and advised members that the Public Space Protection Order had originally been implemented in February 2017 to address issues of anti-social behaviour caused by irresponsible dog owners. Since implementation of that order there had been a 70% reduction in complaints of such anti-social behaviour.

The order lapsed at 3 years and following on from consultations with residents, visitors, veterinary surgeries, dog owners and dog related charities there had been overwhelming support for the three year extension of the order. Clear outcomes from the consultation had noted 75% of those who responded felt Boston still had a problem with dog fouling; 96% agreed it should still be an offence if walkers/owners did not carry a bag at all times to clear up; 99.5% agreed it should still be an offence to refuse to put dangerous dogs on a lead when requested to do so and 93% agreed it should still be an offence to allow dogs into an enclosed play area.

Members were advised that in the event that committee do not agree the extension then the Council would have no statutory power to address any anti-social dog related issues, except for dog fouling.

Committee comment / observation followed which included:

There was agreement that tremendous progress had been made in respect of dog fouling and that this was reflected in the public amenity around the town. Questioning the level of fixed penalty notices, members were advised it was £100.00 which was a statutory charge and the Council was not at liberty to change it.

In response to a question in respect of exemptions, the Head of Environmental Operations confirmed that statutory exemptions were in place in certain circumstances, for example for those with visual impairment or have mobility issues which prevented them from removing dog fouling.

RECOMMENDED:

That the Environment and Performance committee having considered the report, recommends to Cabinet that a three year extension to the dog controls be agreed.

45 WORK PROGRAMME INCLUDING QUARTER 2 PERFORMANCE MONITORING AND INTERNAL AUDIT SCRUTINY REPORT

Introducing the work programme the Chairman initially provided committee with an update on the Regulating and Safeguarding Task and Finish Group advising that the initial meeting had taken place to allow scoping to take place: the first meeting proper was being held on the 21st January at which a number of support services would be giving evidence including the Street Pastors; Boston Stump and the Centenary Methodist Church and neighbourhood action groups. Consultation in respect of other work-streams were also underway and further meetings would be scheduled with a wide range of partners.

The Head of Environmental Operations addressed the work programme updating committee on three issues:

1. Committee were reminded that the next meeting scheduled for the 3 March 2020 would be held at Boston Guildhall.
2. The quarter 2 Performance information was within the report for reference
3. The final appendix was the Internal Audit Report on Scrutiny which had concluded that Boston had been awarded a High Assurance rating which is the highest possible under the internal audit regime. Three recommendations had been identified but only two applied to this committee: review of the annual report and that the Council provide a schedule of all policies with a review date to assist in the forward planning Scrutiny agendas.

Addressing the Quarter 2 Performance information the Head of Environmental Operations welcomed the Transformation & Governance Manager and invited questions and suggestions for future Scrutiny.

Member comments and suggestions followed which included:

Concern was raised in respect of a request for attendance by the Environment Agency to a member briefing to discuss issues in respect of flooding / planning conditions and what would happen once the barrier was installed. Committee were advised that a date for the meeting would be agreed pending confirmation by the Environment Agency.

Noting variants in car parking income with some significant increases at certain sites, members agreed it would be good to have more information to understand the reasons for the variances. Transformation and Governance Manager confirmed that the information in Q2 was in isolation and that supporting information could be analysed and presented to Members. It was agreed that an Inquiry Evening be scheduled to allow members to receive the supporting information and deliberate the findings.

Member comments on car parking included that it was similar to a tax on the residents and should be free to encourage people into the town: people no longer shopped in Boston and drove to other towns where parking was free and that the 2 hours parking was restrictive in people spending a full day due to the need to get back to the car before the ticket elapsed. It was pointed out that there was an app which allowed you to top up your parking free from your phone so you did not need to return to your vehicle and also the cost of fuel to travel to other towns was probably more than the cost of parking in Boston.

A further suggestion noted that sign posting to car parking in the town should be improved, for example the car park at Maud Street was not advertised to road users entering the town from either Sibsey Road or Skegness Road and was usually empty. The site should be signposted with directions coming down Spilsby Road at a charge of £2 per day. It would gain a reputation as being good value for money and would be a good trial test for all-day parking.

Incidents of fly tipping of black bags had increased significantly and was a cause for concern to Members. The Transformation and Governance Manager confirmed that information was available to underpin the data and committee agreed that an Inquiry Evening on the subject would be very beneficial.

A member questioned the difference between gross and nett income rates relating to business rates as he had concerns at the income appeared to already be adrift by £6k in Q1 and £6k in Q2. The Transformation and Governance Manager confirmed she would seek clarification and notify members following the meeting.

Questioning the decrease across all CCTV provision members were advised that crime was decreasing across the Borough and the figures were representative. The Council was responsible for producing evidence packages when requested by the Police, but improved CCTV clarity had reduced the need for so many packages. The number of anti-social behaviour orders had decreased and the number of Civil Injunctions secured had risen.

A member questioned criminal activity within the Fenside Ward stating it was due to the Council taking away the CCTV cameras: confirmation was provided that the CCTV cameras that had been in operation within the Fenside ward had been the property of Mayflower / LHP and it had been their decision to stop using the cameras and had nothing whatsoever to do with the Council.

To Do:

1. The Transformation and Business Manager to provide clarification of the Gross and Nett rates under the business rates in Q2
2. The clerk to schedule two Inquiry Evenings: one for Car Parking and one for Fly Tipping.

The Meeting Closed at 9.10 pm