

Present: Councillor Judith Skinner (Chairman), Councillor Tracey Abbott (Vice-Chairman), Councillors Alison Austin, Peter Bedford, Shaun Blackman, George Cornah, Deborah Evans, Neill Hastie and Judith Welbourn

In attendance: Councillor Paul Skinner, Portfolio Holder – Regulatory, Councillor Yvonne Stevens, Portfolio Holder – Environmental Services, and Councillors Anne Dorrian, Brian Rush and Stephen Woodliffe

Officers –

Chief Executive, Deputy Chief Executive (Monitoring Officer), Head of Environmental Operations, Head of Regulatory Services, Anti-Social Behaviour Officer, CCTV Manager and Senior Democratic Services Officer

Guest: Inspector Mel Peach, Lincolnshire Police

6 MINUTES

The minutes of the Committee's last meeting, held on 18th June 2019, were agreed as a correct record and signed by the Chairman.

7 APOLOGIES

There were apologies for absence from Councillor Paul Goodale.

8 DECLARATION OF INTERESTS

No declarations of interests were made.

9 PUBLIC QUESTIONS

No public questions had been submitted.

10 CLIMATE CHANGE

The Committee considered a report by the Chief Executive, the purpose of which was to progress a Council resolution to consider environmental and other implications associated with climate change and report back with an action plan within the requested timeframe.

The Council agenda at the 15 July meeting included two "climate" motions and these motions were attached as Appendix 1 for information. As a result, Members voted on a procedural motion to seek the Committee's consideration and detailed reporting for referral back to Full Council.

It was suggested that the Committee convened a Working Group to progress this activity, to be drawn from all non-executive Members of the Council. The Leader of the Council had asked that Councillor Anne Dorrian be invited to chair the group as the seconder of the procedural motion at Council.

It was further suggested that the Working Group should:

- Establish its own agenda, timetable and meeting frequency.
- Provide a brief update to the Committee at its meetings on 24 September and 5 November 2019 with final recommendations being submitted to its meeting on 7 January 2020, to achieve the requirements resolved by the motion to present a final report to Full Council on 20 January 2020.
- Determine who to call to provide information, support and assistance to complete the task.

The Chief Executive confirmed that the group's membership was expected to consist of non-executive Members, though the group itself might decide it would benefit from gaining the views of Portfolio Holders. The group would set its own timetable, but copies of a list of dates on which there were no Council meetings were circulated for assistance.

RESOLVED:

- 1. That a Climate Change Working Group be convened drawn from the wider Council membership with support from external parties as appropriate, with Councillor Anne Dorrian to chair the group.**
- 2. The Working Group shall consider all aspects and issues referred to in both "Motions on Notice" included on the Council agenda of 15 July 2019.**

11 WORK PROGRAMME

It was noted that the reports from the Climate Change Working Group would be added to the agendas for the Committee's next three meetings and that the Planning Process Inquiry Session would take place on 7th August.

A Member requested that the charges for replacement wheelie bins be put on the agenda for the Committee's meeting on 24th September.

The Head of Environmental Operations explained that whilst these charges were not new, their implementation had been inconsistently applied. Replacement bin charges had been part of financial reports since 2013 and had been scrutinised by Scrutiny Members and Full Council as part of the annual budget setting process. Operational Waste and Recycling Procedures had been subject to a specific Inquiry Session to which all Members had been invited, which was attended by 11 Members. Replacement bin charges and the procedure for their implementation together with a whole raft of operational arrangements had been discussed at the inquiry session. No significant disagreement to the replacement bin charges had been voiced; therefore, officers had consistently applied the charges with effect from 1st April 2019, in accordance with Council policy.

Since that time, only 1 out of 52 formal complaints received since 1st April 2019 had been in relation to these charges and it had not been upheld. The Head of Environmental Operations queried whether putting it on the agenda would be an appropriate use of the Committee's time. The charges were purely to cover costs, i.e. the cost of the bin and a small charge for delivery. This was budgeted to provide between £10-11,000 in income; should the charge be changed or withdrawn that amount would have to be identified from another source.

The Portfolio Holder for Environmental Services added that the information was available on the Council's website and suggested that it would not be a good use of the Committee's time to consider the matter again.

Some Members explained that they had received queries from members of the public who had not known about the charges and they themselves had not been aware of the charges either. It was queried whether the outcome of the Inquiry Session had been made public and suggested it would be best to consider the matter during the budget setting process. However, others felt it should be discussed at the next meeting, as they were receiving queries from members of the public now. It was asserted that the charges had been for brown bins, not green, and that this charge had been introduced suddenly and without consultation or advising Members. This assertion was refuted by the Head of Environmental Operations who repeated that the replacement bin charges had been consulted upon as part of the budget setting process for the last six years, since 2013.

The Head of Environmental Operations recognised it was the Committee's role to challenge decisions, but agreed that the best time to reconsider this matter would be during the budget setting process because the charges had been approved by Full Council for the current year and it would not be appropriate for officers not to implement that decision. The Head of Environmental Operations explained that he would be happy to support Members to provide appropriate information to answer residents' queries in the meantime.

However, there was still a view amongst Members that the matter should be discussed as soon as possible.

RESOLVED: That the charges for replacement wheeled bins be added to the agenda for the next meeting of the Committee, to be held on 24th September 2019.

12 CCTV POLICY REVIEW AND ANNUAL PERFORMANCE UPDATE

The Committee considered the CCTV Annual Update and CCTV Policy Update.

CCTV Annual Update

The Council's public realm CCTV system consisted of digital high-definition CCTV cameras, CCTV control room equipment that covered Boston town centre, Kirton, as well as other areas including Boston College, Pilgrim Hospital, Redstone Industrial Estate and Pescod Square.

The CCTV report, attached at Appendix A, provided a range of performance data from 1 April 2018 to 31 March 2019. The Council also monitored cameras on behalf of North Kesteven, South Holland and East Lindsey District Councils, but detailed incident data for these areas was not included in the report.

During the above time period there had been:

- Recorded 17,292 daily log entries.
- Completed 3185 incident records.
- Boston Borough Council received 505 Out of Hours service calls. CCTV operators received 1540 calls for East Lindsey District Council and Boston Borough Council combined.
- CCTV Operators directly contributed to 260 arrests for the Boston Borough Council area, and 466 arrests for the total CCTV area.
- CCTV Operators produced 208 pieces of evidence from the Boston Borough Council area for Lincolnshire Police / Court use. Operators produced 428 pieces of evidence in total.

The report included a breakdown of incident categories of crime and anti-social behaviour, with crime data for context.

CCTV Policy Update

Version 1.0 of the Council's CCTV Policy became effective in December 2015. In accordance with its own requirements, it had been reviewed by the Head of Regulatory Services with members of the Management Group and required Cabinet approval. Although only very minor changes were being recommended, it was appropriate for the Policy to be fully scrutinised and was therefore presented to the Committee at Appendix B.

The Policy covered the scope and operation of the "public realm" CCTV systems the Council owned or managed under various agreements with neighbouring authorities and other organisations. It also covered the scope and operation of the CCTV systems in operation within a number of the Council's operational buildings and the system installed on its fleet. The Committee was invited to scrutinise the document and make any recommendations considered appropriate, referring them with the draft to Cabinet for approval.

Members commended the service. In response to questions, they were informed that the service monitored 197 cameras, 68 of which were in Boston. There was always a percentage that were not working, because of the number of cameras and the complexity of the system. The maintenance contractor made weekly checks and any problems were usually rectified within two weeks.

Some of the out-of-hours calls made to the CCTV operatives were not emergencies, but they were still logged. They were not increasing staffing numbers, but were adjusting staffing in order to cope with calls, which were higher towards the end of the day and at weekends. This was a partnership arrangement, a shared service.

The Portfolio Holder for Regulatory Services added that, in terms of maintenance, the service had been able to move to an open architecture system with high-performance

cameras obtained for the cost of low-performance cameras or even more cost-effective cameras. It was an excellent service, the operators worked under stressful conditions requiring extra health and safety back-up and it was commended by the Police. Evidence packages were requested by the Police in line with what they had seen happening.

RESOLVED:

- 1. That the information presented within the CCTV Report 2018/19, attached as Appendix A, be noted.**
- 2. That the CCTV Policy set out at Appendix B be recommended to Cabinet for adoption.**

**13 CRIME & DISORDER ANNUAL REVIEW/ASB/PSPO (ALCOHOL)
STATISTICS 2018/19**

The Anti-Social Behaviour Officer presented a report containing statistics relating to crime and disorder relating to anti-social behaviour and the Public Space Protection Order (PSPO) for the period 1st April 2018 to 31st March 2019.

The Council's Community Safety Team used National Legislation and County-Wide Policies and Procedures when dealing with anti-social behaviour (ASB). The team worked alongside numerous partner agencies, particularly the Neighbourhood Policing Team based at Boston Police Station.

The Council's two ASB Officers widely utilised the powers contained within the Anti-Social Behaviour, Crime & Policing Act 2014, guided by the Safer Lincolnshire Partnership Strategy's 'Intervention and Incremental Approach Policy and Procedure 2015' when dealing with ASB and other non-criminal offences. The approach normally had 4 stages. Statistics throughout the report had been provided against each stage for ASB enforcement and PSPO enforcement. ASB enforcement statistics were set out in Appendix 1 in comparison with those for the previous year and were summarised in the report.

The PSPO for alcohol incremental approach also had four stages. PSPO enforcement statistics for the year in comparison with the previous year were set out in Appendix 2 and were summarised in the report. Of particular note in respect of PSPO enforcement was that only 20 PSPO Warning Letters were served as a consequence of the 141 Advice Letters. Whilst Warning Letters could be served post March 2019 for repeat offences, the significant majority of those subject to warnings heeded them accordingly.

The Community Safety Team had spoken with the outgoing and recent incoming Neighbourhood Police Team Inspectors regarding the lack of referrals in quarter 4, as set out in Appendix 3.

Whilst the statistics set out within Appendices 1 and 2 provided Members with volume metrics, what they did not demonstrate was the breadth of issues and the variable time that cases could take to bring to satisfactory conclusions.

Members were invited to review, comment, and challenge the information presented within the report and its appendices and make any recommendations to Cabinet it considered appropriate.

Members were also invited to accept an offer from Inspector 123 Fran Harrod to shadow the Police on patrol to see what Policing in the town centre looked like.

In response to Members' questions, it was explained that the Police took details of a person stopped when drinking in the PSPO area and the incidents were logged. The incident logs did include calls to the 101 service if Police were needed to attend an incident. Only 17 calls had been made to the 101 service in relation to street drinking; therefore, the figures had gone down because of the number reported and the Police had not seen as many incidents.

A Member queried the accuracy of the logged 101 calls, asserting that calls did not always result in incidents being classed as such by the service and so were not recorded.

The Portfolio Holder for Regulatory Services advised Members that the PSPO was not an alcohol ban and urged the Committee to consider establishing a Task and Finish Group, but to widen it to look at Boston's night-time economy and its effects, including alcohol-related behaviour on the street. Relevant organisations could be contacted, such as Addaction, P3 and other homelessness organisations. Such a group had been formed three years previously by the County Council and Members had accompanied Street Pastors. In this way, Members could examine any disparity between people's perception and actual incidents, and look at enforcement options. The Police had to prioritise their workload and could not deal with every reported incident.

It was then proposed and seconded that a Task and Finish Group be set up, not only to look at the night-time economy, but up until 8 am, for all of the PSPO area and the rest of the borough.

RESOLVED: That a Task and Finish Group be established to examine the night-time economy of the Public Space Protection Order (PSPO) area and of the whole borough, classing 'night-time' until 8 am.

14 BOSTON ALTERNATIVE ENERGY FACILITY CONSULTATION SUBMISSION

The Deputy Chief Executive introduced a report on the proposed Boston Alternative Energy Facility (BAEF) to be located at the Riverside Industrial Estate, adjacent to the tidal River Witham (known as the Haven) and down river from the Port of Boston.

The Council was a consultee in the planning process to determine if the BAEF was approved. As a National Significant Infrastructure Project, the application would be determined by the Secretary of State following a planning Inquiry led by a Planning Inspector.

The proposal was a state of the art power-generation plant which developers presented as leading the way in land-based renewable power across the UK. The project would generate 102MW of renewable energy, of which 80MW would be exported to the National Grid and the residue would be used by the facility. Electricity would be generated in a secure, clean and affordable way.

The project created the potential for significant economic development opportunities linked to the supply chain to support the plant and potential end users of the by-products. In addition, the proposals created opportunities for the Borough Council to work with the County Council through the Strategic Waste Partnership to consider alternative ways to manage waste.

The project was at a stage where the Environmental Statement (ES) had been prepared which provided a summary of the project, the site selection process and key preliminary findings of the Environmental Impact Assessment (EIA).

The report set out details of the operation of the proposed BAEF under the following headings:

- Project Need
- Site Selection
- Proposed construction and use of the facility
- The Wharf
- The DF storage and preparation
- The gasification plant
- The light aggregate plant
- The CO₂ recovery plant

There were several strands within the Borough Council that had professional comments to be submitted as part of the consultation process which were set out in Appendix 1, together with supplementary questions that had arisen through the process. The list of questions was not exhaustive and it was likely that more would emerge over the remaining period of time left within the consultation period.

The previous consultation exercise had generated positive feedback from the agents acting on behalf of the applicant, many of the points raised were acknowledged and incorporated, such as the Visitor Centre that was suggested to mirror that which the Environment Agency had provided for the barrier project.

The Phase 3 consultation exercise enabled the Council as a consultee to make further comment and seek clarity on outstanding issues to continue to influence any final proposal in a positive way for the benefit of the residents of the Borough as a whole. The proposed consultation response on behalf of the Council was set out in Appendix 1 of the report.

The Deputy Chief Executive referred to the rapid pace of the consultation and highlighted the request within the draft response for an extension of time to the deadline of 6th August due to the size and scale of the proposed development to ensure time was allowed to properly consider Joint Statements of Common Ground in readiness for any Inquiry.

Also, local residents were not clear of the Council's role as a consultee in the process and had forwarded concerns to the Portfolio Holder for Environmental Services and other Councillors. The Council could not comment on these, but it was proposed to capture these concerns in the Council's response in order to pass them to the developing agent to be incorporated into the consultation. In this way, the Council could demonstrate that those concerns had been properly conveyed, but not passing comment on validity of concerns.

Cabinet had endorsed the proposed consultation response at its meeting on 17th July 2019, and noted the project had many positive benefits for Boston. However, the economic gains had to be balanced with the impact on the community, both residents and businesses, wildlife and the River Haven ecology and any potential harm mitigated through the planning process. Cabinet had responsibility for the final submission and the matter would normally have been considered by the Committee prior to consideration by Cabinet. However, due to the timing of the consultation period, this had not been possible; therefore, Cabinet had granted delegated authority to the Deputy Chief Executive in consultation with the Leader and relevant portfolio holders, to finalise the Council's submission taking into account the Committee's comments and the outcomes of relevant meetings with partner organisations. The Committee's previous input had been tremendous, demonstrating the value of scrutiny in action, indeed a letter from the agent advised many of the points raised by the Committee had been incorporated into the consultation. Any further observations and questions were welcomed.

A Member spoke on behalf of local residents, explaining that whilst the majority were satisfied with the proposal; the consultation team had engaged well with the public and had gone into fine detail and answered their questions, with any outstanding issues raised in the draft consultation response. However, it would be totally unacceptable if additional waste was brought into the site by road; a promise had been made that this would not happen. It was accepted that waste already came to the Boston Waste Transfer Station by road and the County Council could set up a baling process to deal with that on-site, but it would not be acceptable to bring in further waste from south of the county because of the impact on residents of additional refuse lorry movements and reference to this should be removed from the draft response. It had to be made totally clear that the route of construction vehicles to the site entrance should not be via the A52 because they could then go via minor roads; they needed to be diverted along the main roads, i.e. the A17 and A16.

The Member also noted that reference to waste metals being recycled off-site meant not on the BAEF site, not off the Industrial Estate; there were facilities on Marsh Lane that would do this.

In response, the Deputy Chief Executive fully recognised the traffic movements on Marsh Lane and the impact on residents. The extension to the consultation deadline was being requested because the Council had not yet seen details of the proposed traffic movements and the impact could be significant during construction, which could take up to four years. A traffic management study was needed to understand the impact of traffic movements both during and after construction. There needed to be an indication of where the haulage road would be if deemed a requirement to mitigate impact of development, which would have to be constructed before site construction.

There would be discussions on the merit of the construction of a haulage road that could be of a standard to be adopted. Furthermore, there was potential for a number of by-products, but no supply chain infrastructure existed currently and this also needed to be explored. The Council was working closely with County Council colleagues on the waste strategy; they had to consider county-wide waste and minimise traffic movements throughout the county.

The Deputy Chief Executive then suggested that, instead of deleting reference to waste from other parts of the county, they could revise the part of the consultation response regarding mitigation of the impact of construction. It could be stated that, if provision was made for an alternative road to off-set the impact of traffic movements during and after construction, it would then be acceptable for waste to be brought to the site from the wider county area. This would be on the basis of mitigating harm through the planning process if the new road network was accepted.

The Member was satisfied with this. Members remarked on the thoroughness of BAEF's consultation and the lengths they went to engage with people, including the local fishermen, and even visiting one couple at home, and producing documents in Braille to assist with the consultation.

The Deputy Chief Executive added that if Members had any further comments from members of the public they could submit them to her up until 2nd August.

RESOLVED:

- 1. That the paragraph relating to mitigation of the impact of construction be amended to state that the bringing in of waste from the wider area of the county would be acceptable only if provision is made to provide an alternative road to off-set the impact of traffic movements during and after construction; and**
- 2. Authority be delegated to the Deputy Chief Executive, in consultation with the Leader and Portfolio Holders for Economic Development and Environment, to finalise the consultation submission with this amendment.**

The Meeting Closed at 7.50 pm