

COUNCIL – 20 JANUARY 2020

ITEM 10 QUESTIONS ON NOTICE

10.1 Councillor Gerrard – Guidance on Recycling

What guidance is available for local businesses and Town and Parish Councils within Charnwood, who wish to recycle paper, cans and plastic bottles etc?

Do we have any contacts who can assist businesses and Town and Parish Councils, in organising the collection and disposal of recycled material?

Has our Trade Waste Collection system got a recycling element that could be utilised by local businesses and Councils, or alternatively can our waste collection contractors Serco provide guidance?

The Leader or his nominee will respond:

Businesses including town and parish councils have a legal duty to dispose of their waste in a responsible manner. This includes holding a valid notice that details the types of waste, who is collecting the waste and where the waste is being disposed of.

Guidance can be provided for businesses who wish to recycle, however, recycling practices will vary depending on the business, type of waste produced and the service provider.

The Council does provide a recycling service to the Loughborough BID. Businesses within the BID area are entitled to a recycling collection, the cost of which is recovered through their BID levy.

The Council recently started a commercial waste collection service which currently has 90 customers. At the moment, collections are restricted to residual waste (outside of the Loughborough BID area) but the Council are planning to extend this to recycling collections in the near future.

10.2 Councillor Parton – Bin Provision at Houses in Multiple Occupation

What is the current policy for bin provision at HMOs and secondly, how will the Lead Member work with me to improve the situation for tenants and residents alike, as clearly many HMOs are producing far more types of waste than can be accommodated in the provided receptacles?

The Leader or his nominee will respond:

The Council has a Waste Collection Policy which can be found here:
https://www.charnwood.gov.uk/files/documents/waste_collection_policy/Waste%20Collection%20Policy.pdf

The Policy states the following:

“Properties that have multiple occupancy (flats or apartments) will be provided with containers that are suitable to the size of the property and the storage area available. These containers can vary in size but will usually be 1100 litre bins or similar however, individual assessments will be made by the Council.

All multiple occupancy properties shall receive the same alternate weekly collection service as other single occupancy properties in the Borough including recycling services.”

Officers will provide the capacity that is appropriate to the number of residents at the property. Consideration also needs to be given to the arrangements for presenting the bins in deciding the type and number of receptacles provided.

10.3 Councillor Parton – Student Blocks and Council Tax Exemption

Please would the Leader or his nominee clarify on what basis new blocks of student flats in Loughborough are being given a blanket exemption from paying Council Tax?

According to official guidance ‘Halls of residence’ for students are exempt ‘as long as the accommodation is owned or managed by an educational establishment’, or where ‘an educational establishment nominates the majority of student residents’.

The Leader or his nominee will respond:

There are two types of exemption in place and these are outlined below.

Purpose Built Student Accommodation – Class N Exemption

[The legislation defines a Class N exemption as being applicable to a dwelling that is occupied solely by full time students]

Since 2011/2012 the Revenues Section has been awarding a blanket exemption to all-purpose built student accommodation within Charnwood. All of these buildings are based in Loughborough itself and are used by the students at Loughborough University and Loughborough College.

The decision to adopt this approach was based on the following points:

- The Council's Planning department had imposed restrictions on the occupancy of the buildings when granting the initial planning permission so that they can only be occupied by students.*
- Each year the Council Tax team would spend a considerable amount of time and resources (staff time, postage, printing etc) obtaining confirmation from the landlords that the new tenants were indeed full-time students.*
- The revenue generated from the buildings for the empty periods was minimal as the Council offered empty discounts during this period.*
- The average empty period for these properties might be 2 to 6 weeks within each calendar year, with the majority at the time using 'back to back' tenancy agreements - so therefore no empty period was applicable.*
- Information obtained at the time from other Council's with a large population of students, indicated that blanket exemptions were also used by them for purpose-built student accommodation.*

Current process for awarding the Exemption

- At present any new purpose-built accommodation will be made known by the Council Tax department via the Planning and Street Naming and Numbering Departments.*
- Contained within the information will be details of the original planning application.*
- When creating the properties on the system for Council Tax banding, the details of the planning application will be checked. The application must have been made for 'Student Accommodation'.*
- The Class N exemption is then awarded from the date the properties become occupied.*

Property owned or managed by an education establishment – Class M Exemption

[The legislation defines a Class M exemption as being applicable to an occupied dwelling that comprises of a hall of residence provided predominantly for the accommodation of students. The dwelling must be owned or managed by an education establishment/institution]

- Currently there are approx. 50 dwellings that receive the Class M Exemption within Charnwood.*
- Exemptions are awarded for a full 52 weeks.*
- The vast majority of these accounts have been awarded the exemption due to the property being owned by the University; the Council understand that the University no longer manages properties off site of the campus.*

- *Empty charges are not normally applicable due to the high demand of student accommodation. However, the onus is on the owner of the property to let the Council know if it remains empty and therefore is no longer being used as student accommodation.*

Based on previous enquiries a piece of enforcement work is currently being carried out by a Senior Officer with the University, to check on their off-site housing stock for potential eligibility for the Long-Term Premium and standard Empty Charges.

10.4 Councillor Bolton – Anti-Social Behaviour

Anti-social behaviour in my ward leads to the bulk of casework that I'm asked to deal with. Reported behaviour varies from poor car parking to bad language to destruction of assets and badly-behaved dogs - these are just a few examples. There would appear to be similar issues across the Borough. In my view no issue of ASB is minor as such behaviours can have a huge impact on people's lives.

Could the lead member please tell me what the Council is currently doing to identify and manage these behaviours and signpost the steps that we, as councillors, can take when asked by residents to help them?

The Leader or his nominee will respond:

Tackling anti-social behaviour (ASB) and improving the outcomes for victims is a key strategic priority for the both the Council and the Community Safety Partnership. Anti-Social Behaviour is tackled robustly within the Borough. All reported incidents of ASB are reviewed by officers, in order to ensure an appropriate and proportionate response is put in place. Repeat victims, locations and perpetrators are identified and profiled on a monthly basis, in keeping with best practice and referred accordingly to the Charnwood Joint Action Group (JAG).

The JAG is a multiagency meeting that meets on a monthly basis and its remit is to address repeating patterns of both ASB and crime, with a focus being on victim reassurance. Each high-risk case receives detailed discussion and there is a mandatory referral to Victim First. The Council has an ASB case recording database (Sentinel) that is also shared with Leicestershire Police. This shared system allows all officers across the Council to review patterns of recorded ASB and to work jointly, both internally and externally with the Police and other partners to resolve the matter. All officers follow the 'Leicester, Leicestershire & Rutland' incremental approach in managing ASB, thereby ensuring a consistent approach. An incremental approach is taken in order to tackle perpetrators of ASB with outcomes ranging from: verbal / written warnings, Anti-Social Behaviour contracts, possession orders to evict (if tenants) & County Court Civil Injunctions. All of these tactical options have been utilised by the Council within the last 12 months.

The Council encourages residents to report incidents of ASB and the Council's website lists the process for the management of ASB and affords a signpost in respect of how incidents should be reported, details can be found at <https://www.charnwood.gov.uk/pages/asb>

Currently the police beat covering the Shelthorpe area is showing a - 25% reduction (1st April 2019 – 10th January 2020) in recorded ASB.

Officers are happy to work with Councillors if there are specific incidents or concerns within their wards.

10.5 Councillor Hamilton – Bulky Waste

Since the introduction of the Bulky Waste Charge last year I am now receiving complaints from residents in flats that there is an increase in the number of large items being dumped in the communal bin areas that are left uncollected for prolonged periods of time. This is consistent with residents now being less likely to report when they have left such items in order to avoid this new removal charge. What processes have been put in place to ensure such communal areas are regularly inspected such that this new form of fly tipping is promptly dealt with?

The Leader or his nominee will respond:

Fly-tipping in communal bin stores and communal areas has been an issue that pre-dates the introduction of the bulky waste charge. Arrangements are in place for the areas to be inspected frequently and any items removed.

Reported fly-tips are cleared within 1 working day of the investigation being concluded, subject to the fly-tip falling within the Council's legislative area of responsibility. The collection of hazardous materials can take longer as specialist treatment/disposal arrangements have to be made in advance of collection.

The Council operates a hardship scheme for residents who cannot afford the £20 charge.

10.6 Councillor Radford – Planning Consultations

How does the planning department propose in future to publish any future consultations to keep residents of the Borough informed?

The Leader or his nominee will respond:

The rules for consultation on planning matters are set out in the Town and Country Planning Act 1990 and other legislation. The Council's adopted Statement of Community Involvement provides further expression to these rules explaining how and when we will consult residents. Future consultation will therefore follow the formula set in the Statement of Community Involvement.

QUESTIONS ON NOTICE TO COUNCIL – PROCEDURE

- Councillors are required to submit a question on notice in writing by 12noon on the sixth working day prior to Council, the title of the question is published on the Council Agenda.
- Questions and responses will be published at the end of the previous working day (usually the Friday prior to a Council meeting on a Monday) and will be available at the Council meeting for Councillors, the press and the public.
- After the questions and responses are published Councillors may indicate that they wish to ask a supplementary question and/or make a statement by noon on the day of the Council meeting.
- The Mayor will invite those Councillors who have indicated that they wish to do so to ask a supplementary question and/or make a statement.
- The Leader (or relevant Lead Member on behalf of the Leader) or Chair of the Committee is able to respond.
- The total time each person can speak on a single question is time limited.