

## **West Area Committee – 28 November 2007**

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Minutes of the meeting of the **West Area Committee** held on **28 November 2007** when there were present:-

Chairman: Cllr J M Pullen  
Vice-Chairman: Cllr S P Smith

Cllr Mrs P Aves  
Cllr C I Black  
Cllr Mrs J Dillnutt  
Cllr A J Humphries  
Cllr C J Lumley

Cllr D Merrick  
Cllr Mrs J A Mockford  
Cllr R A Oatham  
Cllr Mrs M J Webster  
Cllr P F A Webster

### **ALSO PRESENT**

Cllr A Matthews	- Rawreth Parish Council
Cllr Miss P Weaver	- Rayleigh Town Council
R Baxter	- Essex Police

### **OFFICERS PRESENT**

S Fowler	- Head of Information and Customer Services
S Scrutton	- Head of Planning and Transportation
R Evans	- Head of Environmental Services
S Blake	- Environmental Protection Manager
M Power	- Committee Administrator
S Worthington	- Committee Administrator

## **407 AREA COMMITTEE – INITIAL BUSINESS**

### **Apologies for Absence**

Apologies for absence were received from Councillors J E Grey, T Livings and Mrs J R Lumley.

### **Minutes**

The Minutes of the meeting held on 16 October 2007 were approved as a correct record and signed by the Chairman, subject to the following amendments:-

Delete Cllr Mrs J Dillnutt from the declarations of interest on page 1 and the deletion of the duplicate references to apologies for absence.

At this point the Committee adjourned the formal meeting to move into the Community Forum to hear contributions from members of the public.

## **408 COMMUNITY FORUM**

Requests for information had been received in advance of the meeting and a document summarising these, together with officer responses, was circulated

to all those present. A list of these, together with further questions received, is appended.

### 409 SPOTLIGHT ISSUES

#### (1) Update on Crime and Disorder in Rawreth and Rayleigh

Acting Inspector Baxter provided a verbal update on reported crime statistics for the West Area.

It was noted that the Police were close to meeting their current crime reduction target of 5%, compared to last year's rates, and were exceeding their target of a 5% reduction on last year, with respect to anti-social behaviour, with a 7-8% reduction.

There had been a spate of burglaries at Rawreth Industrial Estate recently. The Police had responded to this by putting in extra staff during the hours of midnight to 4am to patrol the area. This had led to 2 arrests and a reduction in crime.

There had been reports of youth nuisance at St Nicholas School in Rawreth. Police Community Support Officers (PCSOs) had visited the school and given advice on crime prevention. PCSOs were also patrolling building sites in the vicinity of Rawreth Industrial Estate in response to reports of youth nuisance.

It was noted that the Police were continuing to provide additional policing in Rayleigh on Friday and Saturday evenings.

In response to a concern raised about speeding in Trinity Road, Rayleigh, Inspector Baxter advised that a road would need to be identified as a KSI (killed or seriously injured) site before it became a priority with respect to introducing speed control measures. It was, however, stressed that the PCSOs were all trained to use hand-held radar guns and he would raise this issue with PC Graham Nuth, the Neighbourhood Specialist Officer (NSO) for Rayleigh.

Responding to concern expressed about youngsters drinking Asda-branded alcohol outside St Nicholas School in a poorly lit area, it was agreed that the Police would liaise with the County Council with respect to the street lighting outside the school and with County Trading Standards with respect to under-age drinking.

Acting Insp. Baxter noted a Member request that speed checks should also be done late at night.

In response to questions, Acting Insp. Baxter provided the following information:-

- The Police had to prioritise areas with respect to speeding as there were insufficient officers to enforce speeding limits around the District.
- It was important that residents informed the Police of any problem areas so that these could be targeted by officers with radar guns.
- It was possible for the Police to log calls made by residents relating to speeding.

### **(2) Introducing Measures to Deal with Irresponsible Dog Ownership**

The District Council's Head of Environmental Services gave a presentation to the meeting on the possibility of introducing measures to deal with irresponsible dog ownership. It was noted that the presentation formed part of the first phase of the public consultation process in this area.

The presentation included:-

- The need for the public's view on dog control.
- Consultation, aims and goals.
- Monitoring and enforcement.

It was noted that a report with recommendations would be submitted to the Council's Executive Board in January 2008.

One Member observed that, although residents often complained about dog fouling, complaints were never made about dogs roaming free.

Concern was expressed at the possibility that irresponsible dog ownership could lead to measures being introduced that would penalise genuinely caring and responsible dog owners. Some of the consultation questions had been phrased in such a way that some residents had assumed that dogs would be banned from many areas.

Members expressed concern that the questionnaire may have been sent out to residents without full Council agreement. It seemed apparent that residents did not consider that additional controls were needed with respect to control of dogs, rather that more work was needed in order to address the problem of dog fouling. Members expressed some concern that the questionnaire had been sent out under officers' delegated powers. It was suggested that there might be merit in the Review Committee conducting a review of issues relating to responsible dog ownership.

The Executive Board Member with responsibility for Leisure, Tourism and Heritage stressed to residents that the Council had a robust animal welfare charter and was committed to protecting animals within the District. In addition, the Council was seeking to extend the Cherry Orchard Jubilee Country Park, which would offer a larger area for dog owners to walk their dogs. The Council would not take any decisions with respect to dog control without taking into consideration the views of residents.

Responding to questions, the Head of Environmental Services advised that:-

- The byelaws relating to dog fouling had lapsed; the measures in place were adoptive provisions under the Dog Fouling of Land Act 1996. The Government has, however, stated that although these measures can continue, no new controls or amendments can be introduced and the penalties cannot be increased.
- The Clean Neighbourhoods and Environment Act 2005 would provide a series of measures to cover dog fouling, dog bans and a variety of other restrictions, which can all be directly adopted. It was therefore important for the Council to consult with residents in order to adopt measures that will respond to the community's needs.
- In April 2008 the Police will lose all responsibility with respect to stray dogs; the Local Authority will then have sole responsibility for dealing with stray dogs. An update will be provided to the next meeting on the number of stray dogs collected within the District to date during 2007.
- The Council employed contract monitoring officers to oversee the quality of contractors' work. Officers would raise the issue of rubbish not being cleared from bushes adjacent to Sweyne Park with the contractors and determine whether or not this was on Council-owned land.
- Information relating to the Council's stray dog contractor and guidance on old and existing legislation with respect to the control of dogs could be obtained from the Head of Environmental Services on request.
- The Council was seeking a balanced approach for the control of dogs, with continued education and the promotion of responsible dog ownership. Enforcement would be used as a last resort to deal with irresponsible dog owners.

The Head of Environmental Services provided residents in attendance with his email address so that residents could contact him outside the meeting with any further enquiries.

At this point the Committee re-convened into formal session.

### **410 WEST AREA UPDATE**

The Committee received the West Area update.

In response to a Member enquiry relating to attendance at Area Committee meetings by representatives from County Highways, officers advised that County Highways had given a commitment to sending representatives to as many Area Committees as possible, but this would depend on resources available.

#### **02/07 - Rayleigh West Sewage Works (238/07)**

In response to concerns expressed relating to weekend working at the sewage works, which had resulted in human faeces being spread on the road at Watery Lane/Beeches Road, officers advised that the Environmental Health department had conducted many visits to the site and the general area as a result of complaints received. Anglian Water had been storing sewage cake on site and many of the problems reported by residents were associated with disturbance of this material. Unfortunately, farmers in the vicinity had at the same time been depositing similar types of fertilizer onto their land, which made it difficult to accurately assess whether odours were associated with the sewage works or the farmland. However, Anglian Water had confirmed in writing that it would be diverting its storage of sewage cake from the Rayleigh sewage works to another location in Tilbury by the end of December 2007.

Responding to a supplementary concern relating to the large number of lorry movements to and from the site, officers confirmed that the Highways Agency are monitoring the use of the local roads by heavy goods vehicles. The Environmental Health officers will forward any complaints relating to this matter to County Highways as soon as they are received. Officers advised, in response to an enquiry relating to the possibility of consultants monitoring Rayleigh sewage works, that the odours were believed to be caused by the current practice of storing and treating sewage cake on site. The importation of cake from the Rochford, Jaywick and Clacton works will cease at the end of December and farmers' muck spreading should also cease for this year; which should result in a big improvement. However, officers will monitor the situation closely and if it is perceived that a problem still persists a similar odour monitoring exercise as that exercised at the Stambridge sewage works will be considered.

#### **27/07 – Victoria Avenue: Re-Surfacing (340/07)**

The result of a road inspection was not yet known; an update would be provided to the next meeting by County Highways.

### **29/07 – Priory Chase (340/07)**

It was noted that the lights on the turning circle were still not switched on.

### **38/07 – Extension to Double Yellow Lines in Picton Gardens/Picton Close, Rayleigh (340/07)**

An update would be provided to the next meeting by County Highways.

### **39/07 – Junctions with The Chase and Grove Road with Eastwood Road, Rayleigh (Minute 340/07)**

An update would be provided to the next meeting by County Highways.

### **41/07 – Graffiti and Damage to Children's Play Areas (339/07)**

Offensive graffiti is removed as soon as practicable and usually within 48 hours. Non-offensive graffiti on street furniture is removed on a rolling programme during two days of each month. Non-offensive graffiti on play equipment is removed as resources allow, but only when the complete repainting of the equipment can be justified; this could be a period of up to three years. It was noted that staff should ensure that residents were clearly informed of exact timescales for the removal of different kinds of graffiti.

### **44/07 – Flooding in Rawreth (339/07)**

An assurance from the Environment Agency would be sought that ditches within the District would be maintained to prevent build up of silt.

### **45/07 – Speeding and Traffic-Related Problems in Rawreth Lane (339/07)**

It had been reported to the Executive Board Member with responsibility for Leisure, Tourism and Heritage that the Police had no record of any road accidents involving children in Rawreth Lane.

The meeting closed at 9.15 pm.

Chairman .....

Date .....

If you would like these minutes in large print, braille or another language please contact 01702 546366.

### Appendix

#### Question

H Bloomfield, Rawreth Parish Council

Is there any possibility of altering the Parish Boundary for Rawreth so that it includes St Nicholas School?

#### Response

Under the former Local Government and Rating Act 1997, this request would in the past have required the District Council to undertake a consultation and review process and then make recommendations to the Secretary of State at the Department of Communities and Local Government.

However, the new Local Government and Public Involvement in Health Act 2007 includes provision that this type of decision is devolved to the District Council. When the relevant section of the Act comes into force any Parish/Town Council will be able to petition the District Council for a review of their boundary. It is not yet known when this section of the Act will come into force. Details of the form and nature of the petition, the consultees, and stages of the review are also unknown at this time.

It is therefore suggested to the Rawreth Parish Council that they wait for the new legislative details to emerge and then determine their course of action.

D Smith, Rayleigh

In the Rayleigh and Eastwood Times dated 13 November 2007, the Lib Dem Councillor for the Sweyne Park Ward indicated in her article that the Conservative Council are discussing the building of 500 homes on the playing fields around the Grange Community Centre.

There are no plans to close the Grange Community Centre. A considerable number of suggestions have been put forward for the locations of new housing in the district, but the Council has made no decisions on its preferred options. A new version of the Rochford Core Strategy development plan document is being prepared and will be subject to public consultation in May/June 2008.

1. Are there plans for this to happen?
2. Are the Council planning on the closure of the Grange Community Centre?

### Question

N Trippier, Rayleigh

How many residences are currently:

- a) long term unoccupied
- b) classified as second homes?

L Hopkins, Rawreth

The new 3/3a bus service which runs from Chelmsford through Rawreth Lane To Rayleigh and onwards to Southend is already under threat. The operators say they cannot guarantee to continue after February 2008 due to either lack of payment of funding or a clear indication from RDC that they will actually get funding through 008. If they don't get funding they will not continue. In the light of the resolution passed by RDC on 28 October 2004 that "This Council presses for improved bus services along Rawreth Lane in view of the expected house building, leisure centre, new school building, new medical facilities and new shops."

Q: What action is being taken by RDC to provide this service and will continued funding be made available to the operator?

### Response

- a) 568 properties vacant.
- b) 33 properties.

Rochford District Council is not directly responsible for providing this or any other bus services in the district, though the Council does have involvement in grant funding community travel services and also funds a taxi voucher scheme. Essex County Council provides some funding to support social bus services, where a commercial service may not be viable.

That having been said, all commercial bus operators now receive a payment from the local authorities towards the cost of funding local travel concessions. At the moment, anyone over the age of 60 can apply for a bus pass to allow free local travel on buses. From 1 April 2008, that concession will be extended to allow national travel. The concessionary fares are funded by a grant from central government, and in Essex there is a management company responsible for administering the scheme and ensuring that bus operators receive the appropriate payments for the number of people that travel with passes. Therefore, Regal in deciding whether to set-up a service will have considered the likely income from fares, with part of that income relating to the number of people over 60 travelling on a concessionary bus pass.

A key issue in determining whether Regal was able to start the service along Rawreth Lane related to the timing of the payment of the concessionary fares by the management company that administers the scheme in Essex. It is understood that an agreement has been reached for those payments to be made sooner than would usually be the case, and this has ensured the start of the service on 3 December.



### Question

L Hopkins, Rawreth

The unauthorised traveller's site A1245. I am fully aware of the situation regarding the review of the East of England Plan re Gypsy & Traveller sites and also that RDC sent out questionnaires regarding the Human Rights of the people on this site. As no-one from this site actually replied to the questionnaire, one must assume that they are not bothered about this issue and, by their recent action, they are now "putting two fingers up" at RDC and anyone in authority.

Another enormous "permanent" mobile home has arrived on site and is now fully occupied - placed on a previously empty plot.

Q: Does this not give Council further solid reasons to actually take action to prosecute these people?

P James, Hawkwell

Why has it been felt by RDC to introduce legislation to restrict dogs in certain areas when most of the complaints relate to dog excreta (owner's responsibility) and we have legislation in place to deal with this in local bye laws?

Why does RDC not have a dog warden when by law they should?

### Response

Inevitably though, the long-term operation of the new service will be dependent on the number of users, regardless of whether they are bus pass holders - this is a commercial service and in order for it to become an established route, a certain number of passengers are required (whether fares are paid directly or through the concession) for it to be profitable.

The Council is now considering the possibility of prosecuting the occupiers of this unauthorised site. However, the arrangements for dealing with unauthorised Gypsy and Travellers sites are complicated by the requirements to comply with the provisions of the Human Rights Act and by a recent change in national planning policy. A review of the East of England Plan is underway to take account of the requirements of national legislation that an assessment be carried out of the need for the provision of pitches for Gypsy and Traveller caravans in the East of England districts. An issues and options paper was published by the East of England Regional Assembly in May 2007 and the Council is waiting for the outcome from that consultation to determine the appropriate course of action for dealing with this site. The latest information from the East of England Regional Assembly suggests that a site or sites for an additional 10 pitches (about 20 caravans) would need to be found in the District between 2007 and 2011.

The local byelaws are no longer valid, but there are measures in place that can no longer be amended and the fines cannot be increased. RDC needs to review control measures with respect to dogs and the final proposals will reflect the consensus of opinion from local residents.

### Question

### Response

Why have a dog pound in Basildon?

RDC employs contractors to deal with stray dogs during office hours.

The contractors employed by RDC to deal with stray dogs are located outside the District, but this does not affect their ability to deal with stray dogs during their contracted office hours.

J Kingston, Rayleigh

How many people putting forward the motion have dogs?

It is not possible to detail the responses received to the consultation at this stage. There was a good response rate and it will accordingly take some time to collate all the data received.

Who put forward the motion?

Where can dogs run free?

The Council was seeking residents' views and could not yet be specific about dog-friendly sites as there is still much analysis and a period of formal public consultation required.

V Fitzgerald, Rayleigh

Why did so few people receive the responsible dog ownership questionnaire? Why was it not published in the local press?

The questionnaire was included in the last edition of *Rochford District Matters*. This was, however, an initial, informal consultation. Formal public consultation would be included in the local press at such time as the Council's formal position was finalised.

Resident, Rawreth

Why do we have to have gypsy sites at all? Many stay in the same place and don't travel.

There is a Central Government requirement that all Local Authorities conduct a gypsies and travellers accommodation assessment. If such an assessment identifies a housing need, the Local Authority will be required to provide appropriate sites.

Resident, Rayleigh

### Question

Has any decision been taken about new houses in Rayleigh? When will residents be informed?

### Response

There will be public consultation on the next version of the Core Strategy, which is due to be published in May/June 2008. This will contain specific details of housing distribution.