

Environment Overview & Scrutiny Committee – 21 January 2003

Minutes of the meeting of the **Environment Overview & Scrutiny Committee** held on **21 January 2003** when there were present:

Cllr P A Capon (Chairman)
Cllr Mrs R Brown (Vice-Chairman)

Cllr R S Allen
Cllr R A Amner
Cllr C I Black
Cllr C A Hungate

Cllr P K Savill
Cllr P F A Webster
Cllr Mrs M A Weir

VISITING MEMBER

Cllr Mrs M S Vince

OFFICERS PRESENT

R Crofts	Corporate Director (Finance & External Services)
A Bugeja	Head of Legal Services
S Scrutton	Head of Planning Services
G Woolhouse	Head of Housing, Health & Community Care
M Martin	Committee Administrator

REPRESENTING THE COUNTY COUNCIL

L Harvey Area Highways, Essex County Council

REPRESENTING THE PARISHES

Cllr D Collins	Hockley Parish Council
Cllr R Vingoe	Hockley Parish Council
Cllr Mrs L Campbell-Daley	Hullbridge Parish Council
Cllr Mrs K Morgan	Hullbridge Parish Council
Cllr Mrs W Stevenson	Hullbridge Parish Council

19 MINUTES

The Minutes of the meeting held on 11 December 2002 were approved as a correct record and signed by the Chairman.

20 PUBLIC REGULATION, INSPECTION AND PROTECTION BEST VALUE REVIEW – INTERIM REPORT

The Committee considered the report of the Head of Housing, Health & Community Care which apprised Members of the progress so far with this review and sought agreement on the process for consultation. Members noted that this interim review had also been reported to the Community Overview and Scrutiny Committee, as

Environment Overview & Scrutiny Committee – 21 January 2003

some of the services under the review fell within the terms of reference of that Committee.

The Head of Service reported that this had not been an easy review to undertake, due to the diverse nature of the front line service areas. Members noted that in most of the functions reviewed, potential process improvements had been identified, but that there were also a number of common themes which had been outlined in the officer's report. Costed and evaluated proposals would be brought forward in response to areas of improvement for significant issues such as out of hours noise issues. Members noted that officers attempt to provide the best service possible with the limited resources available.

The full analysis of current service performance and actions to address weaker performance had been placed in the Members' Lounge at Rayleigh. The Head of Service provided a resume of that analysis as follows:-

Abandoned Vehicles

There has been plenty of activity in this area, but over the last 12 to 18 months, the number being reported and the time taken to remove them has reduced. However, prosecution of those responsible for the dumping of vehicles is not practicable. The Council could provide a free disposal service but there would be costs in doing so. The review demonstrated the need to provide better information including around the dangers associated with dumped vehicles.

Air Quality and Pollution Controls

The Council employs competent and well trained staff in this area. Prosecutions do take place where evidence exists. The weakness is that there is currently no monitoring carried out as this would be highly expensive and the Council has no monitoring equipment. There is also currently very little active promotion of air quality issues.

Contaminated Land

A strategy is in place which is working well. The Council employs knowledgeable staff in this area, but there is a big programme of site inspections to be carried out which will take several years to complete. The alternative option would be to invite in resources. Members noted that further sites may be identified and the Council could become responsible for sites which were previously in local authority control or where no responsible person can be found. If this is the case, reports would be brought forward regarding funding.

Dangerous Structure

This Council has a good record of dealing with this issue, although it is not possible to guarantee an out of hours response.

Dangerous Trees

Expert advice is available through the Council's specialist officers. However, it sometimes takes too long to get back to members of the public, as work in this area needs to be prioritised. Very little public information is available.

Dog Fouling

The Council receives relatively few complaints around this issue, and there are a good number of disposal bins around the District. A response is made by the Council's contractor to multiple complaints, but no response is made where the contact is made by an individual. Prosecuting offenders is very difficult. The Council does not provide bags or scoops. It could consider providing education in responsible pet ownership. An Animal Welfare Charter is currently being drafted for approval by Members.

Drainage/Surface Water

A good response is maintained, although the work is time consuming. Little proactive ditch maintenance is carried out.

Flytipping

The number of incidents is reducing and there are few complaints about the Council's response. The Council's Contractor provides a cost effective collection service for bulky goods. Partnership working arrangements could be improved. Where hazardous waste such as asbestos exists, it is difficult to find and prosecute those responsible. It would be possible to encourage informants to come forward and also to give consideration as to whether the use of CCTV might be able to provide the evidence necessary.

The charging policy around the use of civic amenity sites outside the District has caused problems. If continuous monitoring of fly tipping were to be considered, officers would need to be taken off other work.

Litter

A reasonable standard of service exists, plenty of litter bins are provided in the District, and emptying of bins is carried out regularly.

Planning Enforcement

Officer assessment is good, the Council often wins appeals. Applications to remedy breaches are dealt with efficiently. The Council has very competent officers, but the work is reactive. There is scope to look at clarifying planning conditions to avoid inadvertent breaches. Sometimes the length of time in dealing with cases exceeds customer expectations. Increasing the level of delegation to officers would assist this.

Nuisances

Little preventative work is done to raise awareness of issues such as noise. Out of hours problems are not adequately addressed at present.

Stray Dogs

This is a relatively small problem for this Council and a good humane collection service exists which seeks to provide homes for the dogs. However, very little preventative work is carried out.

Tree Preservation Orders

Very little proactive work is carried out in this area. More information could be provided for the public using the website. Prosecution is difficult as evidence has to be gathered. There is room to improve internal working.

Other issues

Very little information is provided for the public about how the Council prioritises its work or how well we are doing in each of the areas. A problem exists in obtaining accurate information. The Council will be found wanting on inspection if the information is not available, as many of the services under review will contribute to the overall Comprehensive Performance Assessment for the authority.

Members noted that:-

- the Council will need to demonstrate that it has tested the competitiveness of the services reviewed. Some of them are already provided by contractors appointed through competitive tendering.
- Due to the diverse range of services being reviewed, it is unlikely that there will be many contractors who would have the skills and experience necessary to undertake a comprehensive service provision.
- Informal discussion could take place with a company who is currently contracting to provide a range of services for a London Borough, in order to establish whether there is a market for a smaller contract suitable for the needs of the this Council.
- Should the discussions prove positive, a soft market-testing exercise using external consultants could then be undertaken. Costings for this would then be brought back to Members.

The Committee thanked the Head of Service for his very full and frank report. He confirmed that officers would investigate the option of improving the out of hours cover by seeking to work in conjunction with other authorities.

During debate the following Member suggestions were noted:-

- Disappointment that no formal ditch and water course clearance programme existed.
- Fly-tipping on private land is a blight on the District which should be cleared more regularly.
- Better information should be provided to residents regarding tree preservation orders.
- The need to provide an additional Civic Amenity Site, perhaps in partnership with Southend.

In response to Member questions, the following was noted:-

- Stray horses are usually tethered. There are no statutory powers, although links with the RSPCA could be improved.
- The second review of air quality is due later this year. If in the future the Council is required to install equipment for monitoring certain pollutants, a detailed report would be brought back to Committee.
- In respect of ditches and water course maintenance, some discussion takes place with landowners. An information letter is sent, where possible, to owners of water courses.

A Member cited problems in the Great Wakering area in particular where ditches and water courses have been blocked, thus causing flooding. Despite repeated requests to both the County and District Council over a two year period, nothing has been done.

Resolved

- (1) That progress so far on the Public Regulation, Inspection and Protection Best Value Review be noted.
- (2) That informal discussions be held with a contractor to determine the level of interest in contracted service provision, with a further Committee report on soft market-testing if appropriate. (HHHCC)

21 HOCKLEY AND HULLBRIDGE IMPROVEMENT SCHEMES

The Chairman welcomed representatives from the Hockley and Hullbridge Parish Councils to the meeting.

The Committee considered the report of the Corporate Director (Finance & External Services) which sought Members' views in respect of a number of elements regarding these two schemes prior to the Corporate Director (Finance & External Services) using his delegated authority to progress the issues.

Hullbridge

Hullbridge Parish Councillors and District Councillors representing the Hullbridge Ward were extremely concerned at the many outstanding and unresolved issues which were still surrounding the Hullbridge village enhancement scheme. Of particular concern, the following was noted:-

- The scheme was over budget

Environment Overview & Scrutiny Committee – 21 January 2003

- Many aspects of the scheme, such as quality of paving, height of lamp columns, litter bins, planting of trees were proving not to be as Members of the former Hullbridge Village Working Group believed they had been advised by the County Council.

Hockley

Members noted that a decision was required in respect of what elements of the eastern side of Spa Road, Hockley should be upgraded. In general, the Parish Council expressed pleasure with the progress of the scheme so far, but felt that to satisfy the expectations of local residents it was essential that the outstanding paving is carried out. It was suggested that consideration be given to the cost effectiveness of the remaining work being carried out overnight again, when there are few interruptions to the work.

Concern was expressed that the issue surrounding the use of Spa Road as a terminus for buses had still not been resolved.

Members were of the opinion that in order to maintain the momentum of these enhancement schemes, representatives from the County, District and Parish Councils should meet together. This would provide an opportunity for a report to come back on the findings of the County's Portfolio Holder.

Resolved

- (1) That a meeting be arranged to enable representatives of the County, District and Parish Councils to meet together to progress the completion of the town centre enhancement schemes. (Area Highways/CD(F&ES))
- (2) That a comprehensive report be brought back to a future meeting of this Committee dealing with all the outstanding issues surrounding the enhancement scheme in Hullbridge (Area Highways)
- (3) That paving work be carried out on the eastern side of Spa Road, Hockley, between property numbers 14 and 42C and at a maximum cost of £50,000. (CD(F&ES))

22 PROVISION OF ADDITIONAL PAPER RECYCLING COLLECTION AT GOLDEN CROSS, ASHINGDON

The Committee considered the report of the Corporate Director (Finance & External Services) which provided Members with the additional costs that would be incurred in providing additional paper recycling collections at Golden Cross Shopping Parade, Ashingdon.

Members noted that there are currently four 1100 litre Euro bins at Golden Cross for paper recycling. These are currently emptied on a fortnightly basis but are usually full

Environment Overview & Scrutiny Committee – 21 January 2003

a week later. Contracted Services staff are therefore having to redistribute the additional paper to adjacent sites to alleviate the problem.

Members were concerned at the high cost of an additional weekly collection and whilst officers had advised in the report that the site would not be large enough to accommodate a larger recycling container or any additional 1100 litre bins together with the fact that vehicles might not be able to access the site to empty a larger container, they requested that a report be brought back to this Committee with detailed measurements.

Resolved

That a report be brought back to the next meeting of this Committee detailing the measurements of the site together with those of options for additional bins.
(C(F&ES))

Recommended to Council

That, provision be made in the 2003/04 Budget for an additional collection, subject to confirmation that it would not be possible to employ a cheaper option of increasing the number of paper recycling bins at the Golden Cross, Ashingdon site.
(CD(F&ES))

23 REMOVAL OF CHEWING GUM UPDATE

The Committee considered the report of the Corporate Director (Finance & External Services) which updated Members on the results of the free trial of the chewing gum removal process that had taken place in Rochford Square and also of the responses from Town and Parish Councils on contributing to the costs.

Members noted that:-

- The trial in Rochford had been good and it was very clear where the cleaning had taken place. All parties had agreed that the process did produce a positive result. As the process only uses water, there would be no resulting damage to paving.
- Letters had been sent to the relevant Town and Parish Councils enquiring if they wished to contribute towards the cost of implementing this process. Responses had been received from Rayleigh who had committed £1000 for 2003/03 and Hockley who had stated they could not make a contribution.

In response to Member requests, it was agreed that:-

- the high cost which had been estimated for cleansing Great Wakering. would be investigated and details of the exact area which had been used for the calculation would be brought back.

- The cost to the Council of purchasing a machine would be investigated together with details of the licence which would be needed to access the fire hydrant.

Resolved

That the following details be brought back to this Committee to enable further consideration to be undertaken in advance of a recommendation:-

- the exact area used in the calculations for cleaning Great Wakering
- the costs involved in purchasing a machine and acquiring a licence to use fire hydrants. (CD(F&ES))

Recommended to Council

That the provision of £8,000 be made in the 2003/04 Budget for the twice yearly removal of chewing gum in town centres, on the understanding that a written statement is provided to the effect that the additional pro rata cost will be met by the Great Wakering, Hockley, Hullbridge, Rayleigh and Rochford Town/Parish Councils. (CD(F&ES))

24 HABITATS DIRECTIVE AND LAND-USE PLANNING – CONSULTATION PAPER

The Committee considered the report of the Head of Planning Services which sought Members' views on government proposals to introduce new legislation, which places a specific obligation on local planning authorities to satisfy the requirements of the Directive, with respect to European protected species, and for derogation to be issued as part of the planning process.

Members noted that:-

- at present, the land-use planning regime and the legislation protecting rare species operated independently, but that there is an overlap between the two where protected species are affected by development activities.
- Where protected species will be affected by development proposals, they should be taken into account as material planning considerations.
- For those species protected under the Habitats Directive, a further regulatory regime is in place and a separate licence must be obtained following grant of planning permission.
- The current arrangement which involves a two handed process of planning consent followed by the issue of a licence is not the most effective way of dealing with protected species on development sites.
- The proposal to transfer derogation powers to local planning authorities so that it becomes part of the planning process will allow developers to appeal decisions if they so wish.

- This will ensure that full and proper consideration can be taken of the implications of the development proposals, including the application of appropriate conditions.
- This authority does have the expertise in-house to analyse the implications of development proposals on protected species.

Resolved

That the Office of the Deputy Prime Minister be advised that this Council supports the proposals to bring together land-use planning and the issue of licences under the provisions of the Habitats Directive. (HPS)

25 STAMBRIDGE SEWAGE TREATMENT WORKS

The Committee considered the report of the Head of Housing, Health & Community Care which apprised Members of odour problems being reported by Stambridge Parish Council and Sludgewatch and of a consultation on nuisance control at sewage treatment works. Concern had also been expressed about the possible effect on residents, domestic animals and wildlife on the emission of hydrogen sulphide from the works.

Members noted that:-

- Odour control equipment is installed in the ventilation system to the sludge dewatering building.
- Essential repair work had been taking place in the dewatering building and Anglian Water Services had been using a centrifuge to remove water from the sewage sludge.
- Anglian Water Services propose to replace the odour control equipment by the end of this financial year and arrangements would be made to ensure that there is odour control equipment operating during the installation of the new plant.
- Officers had continued to work on the problems associated with noise nuisance and noise levels had been reduced.
- A consultation paper recently received from the Department for the Environment, Food and Rural Affairs on proposals for the statutory control of odour and other nuisance from sewage treatment works would be brought before this Committee.

Members requested that officers arrange for Anglian Water Services to bring a senior representative to a meeting of this Committee, who would be able to discuss the issues surrounding the flooding problems which have existed in the Great Wakering area for the last two years.

Resolved

Environment Overview & Scrutiny Committee – 21 January 2003

- (1) That representatives from Anglian Water Services, Sludgewatch and Stambridge Parish Council be invited to attend a meeting of this Committee to discuss the issues surrounding the odour problems being reported at the Stambridge Sewage Treatment Works.
- (2) That a senior representative from Anglian Water Services be invited to attend a meeting of this Committee to discuss the issues surrounding flooding problems in the Great Wakering area. (HHHCC)

26 ISSUES FOR ROCHFORD

The Committee considered the exempt report of the Head of Planning Services which provided Members with the background to a number of important issues facing the district, which would be dealt with through the review of the Local Plan.

The report had been previously presented to the meeting of the Committee held on 11 December 2002 and deferred to this meeting in order that Members could consider the issues in detail prior to further discussion by the Committee. Where appropriate, updated information had been provided.

Resolved

- (1) That the Environmental Services Committee consider the recommendations contained within the exempt appendix to these Minutes at the time of considering the other Local Plan issues.
- (2) That further reports be brought forward to appropriate Committees as required. (HPS)

The meeting closed at 10.25 pm

Chairman

Date