

ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE

Minutes of the meeting held on Tuesday, 4 November 2003 at the Castle Sixth Form Centre, Rouncil Lane, Kenilworth, at 6.00 p.m.

PRESENT: Councillor Mrs Compton (Chairman); Councillors Mrs Blacklock, Cockburn, Copping, Davies, Gill, Sandhar and Smith.

ALSO PRESENT: Councillor Mrs Begg (Portfolio Holder for Environmental Services);and

Councillor Windybank

(Councillor Cockburn substituted for Councillor Hatfield)

580. **DECLARATIONS OF INTEREST**

Minute Number 582 - Smells from a Foul Sewer in Kenilworth

Councillor Cockburn declared a personal interest in this item as he was a local farmer and had sent sheep to the abattoir.

581. **MINUTES**

The minutes of the meetings held on 9 September and 7 October 2003 having been printed and circulated, were taken as read and signed by the Chairman as a correct record.

582. **SMELLS FROM A FOUL SEWER IN KENILWORTH**

The Chairman of the Committee explained that the purpose of the meeting was to give local residents the opportunity to hear the up to date information first hand and ask questions about the issue, and also to try and find a way forward for dealing with this issue.

Officers from the Council, Severn Trent and Hydro Gas (as consultants for Farmers Fresh) reported verbally that all three parties had been working closely together to resolve this issue. Two meetings had taken place at the Abattoir since the September meeting of the Committee and it was now agreed, after a number of tests and experiments, that a permanent dosing system would be installed during the week commencing 17 November 2003.

The Officers reported that there was a high probability that the introduction of a permanent dosing system would resolve the problem and evidence existed that the process would work. A further meeting between all parties would take place at the Abattoir on the 1 December 2003 to monitor events subsequent to the installation of the system and the outcome of this meeting would be reported back to the Committee in January 2004.

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There were seven outstanding questions which members of the public wanted to be answered from the meeting on 9 September 2003 as follows:-

6A how many sheep are being slaughtered at the Abattoir?

Currently the Abattoir was working at 80% capacity and there is a variation in capacity operation between 60 and 90%. However, the Abattoir were not prepared to reveal how many sheep were being slaughtered as this caused problems for them with animal rights protestors.

6B was there any risk to health from the chemical that was being used to treat the effluent?

The chemical being used to treat the effluent was a calcium nitrate, which is a non hazardous substance and had achieved the Queens Award for environmental impact. Members of the public were offered the opportunity to contact Hydro Gas after the meeting to inspect the cost data for the chemicals.

6C – why had it taken so long to sort out this problem?

Although the smells had been evident for a long time, many years in fact, it was not that Warwick District Council hadn't done anything to resolve this problem. A lot of work had been carried out with the previous and present owners of the Abattoir at various times which had meant that smells had been eliminated for a time. It was obvious that a permanent solution had not been found. There had been long periods where there had not been any smells and even when smells have been evident they had not been a permanent feature. They had been intermittent and not regular, for those reasons control had been difficult. Nevertheless all parties were fully committed to sort the problem out.

6D – why wouldn't the Environment Agency agree to install a treatment plant on the Abattoir premises?

Provided the effluent was treated properly it made sense to discharge it to a sewer and convey it to a large sewer works. To be efficient, sewer works needed to be able discharge treated effluent into running water. As far as the Council was aware there was no river of sufficient size to act as a discharge point near to the Abattoir.

6E – what was the current maximum level of effluent discharge for the site?

Currently the Abattoir has consent to discharge up to 100 metres cubed per day. However, at the moment the plant has only ever reached 75 metres cubed a day.

6F – would the current levels of effluent discharge be made available as public information?

This question was answered by the previous answer

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6G – would the public know if an application was made to Severn Trent to increase the throughput

The public could know if an application was made as they are public documents. However, it was unlikely that the Abattoir would ask for an increase in throughput as they had spare capacity. In the event that they did ask to increase the level of throughput it was highly unlikely that Severn Trent would grant permission as the local sewage treatment works would find it hard to cope with the extra load.

RECOMMENDED that

- (1) the officers' reports presented to the meeting, both verbal and written, be noted;
- (2) the responses of officers given at the meeting to questions, both to those submitted in advance of the meeting and those at the meeting itself, be noted;
- (3) the confidence of officers, that all parties including Farmers Fresh, are working together to sort out the problem, against a background of positive progress and clear steps to resolve it, be noted;
- (4) although Farmer Fresh were not prepared to reveal details of the numbers of animals being slaughtered at the premises each week, the officers be asked to write to Farmers Fresh requesting this information and to check the available public records with a view to finding out.
- (5) Officers undertook to provide information and details of the relevant consents relating to lorry movements associated with the premises
- (6) the following be the recommended to the Executive in December:-
 - (i) all developments at the Abattoir continue to be closely monitored;
 - (ii) a further report be presented to the January meeting of the Environment Overview & Scrutiny Committee by way of an update of events;
 - (iii) both the District Council and Severn Trent continue their investigations into the continuing drainage problems suffered by the properties in Leycester Road and Mortimer Road;
 - (iv) all parties be encouraged to continue to pursue a permanent solution by negotiation; and

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- (v) statutory enforcement action continue to remain a clear option in the event of a solution by negotiation not being found.

583. PLANNING BEST VALUE REVIEW

The Committee considered a report from the Head of Planning and Engineering updating on the progress of the Planning Best Value Review.

During late 2002 the Committee had considered the final report of the Planning Best Value Review that had been undertaken during the course of 2002. The Committee welcomed the report at the time and submitted its conclusions and action plan.

During March this year the Planning service had been the subject of an external inspection by the Best Value Inspectorate. The inspection was thorough and highly demanding of staff time and resources. In May the inspection report was published. The report concluded that the service was fair with promising prospects for improvement. The full report was attached as an appendix to the report for information.

The outcome of the inspection was a good one for the service but for three factors which would have resulted in them being recognised for a high level of qualities. These factors were:

- (1) the temporary drop in DC performance figures from the top quartile levels during the year of the inspection as a result of staff sickness and other resource difficulties;
- (2) delay in preparation of the local plan as a result of pressures and staff resource difficulties;
- (3) the lack of public speaking at Planning Committee and associated Committee procedures.

The report made a number of specific recommendations which were summarised within the report and the appendices to the report.

It was important, as a first priority, that the specific recommendations of the inspectors were addressed in order that service could continue to maintain improvements. Each of the recommendation areas were set out together with actions as necessary to achieve progress attached as an appendix to the report. It should be noted that there had been progress against many of the actions although others would need time to be programmed as part of the relevant work of the service.

The overall action plan approved by members set out a very wide range of actions to be achieved. Although good progress had been made there had been difficulties in meeting some of the targets. This had been due in part to being over ambitious in considering the timescales that would have to be met at the same time as delivering high demanding services.

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This was recognised by the inspectors who nevertheless supported the action plan and were happy that there had been good progress made on a number of key issues. Indeed it was on the track record of the unit in relation to the previous pilot Best Value Review as well as positive early action on the current one that led them to be comfortable with formally recognising that the services had “promising prospects for improvement”.

RECOMMENDED that

- (1) the outcomes of the Best Value inspection and of the planning service be noted; and
- (2) the actions set out in Appendix A and B to the report be supported and implemented; and
- (3) regular monitoring reports be submitted to members.

584. COMMITTEE WORK PROGRAMME

The Committee considered its work programme for the ensuing year and made amendments to it as necessary.

The following amendments were made to the work plan:

- (1) an updated report on the actions recommended to the Executive from this Committee on energy management in April 2003 (Minute No. 966) be included in the work plan for April; and
- (2) the addition of a pending issue of the implementation of the Licensing Act 2003 and the Council’s Licensing Policy.

RECOMMENDED that the work plan and subsequent amendments be approved.

585. EXECUTIVE AGENDA (NON-CONFIDENTIAL ITEMS AND REPORTS)

The Committee considered the items which would be discussed at the meeting of the Executive on Monday 5 November 2003, which came within the remit of the Committee. As a result the following comments were made for forwarding to the Executive.

Item 4 – Approval of Fees and Charges 2004-2005

The Committee supported the fees and charges which fell within their remit. However, the Committee expressed concern over the fee for collection of garden refuse (page 22) and whether this should continue especially as it is such a minimal fee. The Committee also wishes to highlight that they were currently investigating this area as part of their scrutiny recycling, the outcome of which would be reported to the Executive early next year.

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Item 5 – Financial Monitoring 2003/2004 (Half Year to 30 September 2003)

The Committee supported the recommendations in the report. However, the Committee expressed concern over the following issues.

5.1.3.1 (page 67) how did officers manage to miscalculate the rate of inflation by so much?

5.1.3.2 paragraph 1 (page 67). The Committee were disappointed as the tax credits from the Central Government/County Council were never guaranteed and therefore should not have been included within the budget.

5.1.3.2 paragraph 2 (page 67). The Committee sought further information on why the contractor had not produced the leaflet advertising recycling schemes as they believed this to be part of the contract and they thought this had been carried out by the contractor.

Item 6 – Performance Management – Half Year Results 2003/4

The Committee supported the recommendations in the report although highlighted that the public conveniences (page 103) fell within the remit of the Economic Scrutiny Committee and that the progress on CCTV coverage (page 102) fell within the remit of both Economic and Environment Overview and Scrutiny Committees.

Item 7 – Licensing Acts 2003

The Committee supported the recommendations in the report.

Item 8 – Best Value Review of Community Safety

The Committee supported the adoption of the Improvement Plan, welcomed the appointment of the Licensing Enforcement Officer and applauded Pete Cutts for all his work on the review.

Item 9 – Member Development

The Committee supported the recommendation in the report.

Item 12 – Motion to Council on Smoking in Council Facilities

The Committee supported the recommendation of the report. However the Committee expressed concern about the implications of the original notice of motion if it was to be enforced, especially the aspect of forcing village halls to comply with Council policy via the threat of the removal of grants and the implications for shop holders who rent Council shops.

(The meeting ended at 8.50 p.m.)