

WARWICK DISTRICT COUNCIL

Minutes of the meeting held on Wednesday 19 August 2009, at the Town Hall, Royal Leamington Spa at 6.00 pm.

PRESENT: Councillor MacKay (Vice Chairman); Councillors Mrs Blacklock, Boad, Mrs Bunker, Caborn, Coker, Copping, Davies, De-Lara-Bond, Ms Dean, Dhillon, Malcolm Doody, Michael Doody, Edwards, Mrs Gallagher, Gifford, Gill, Mrs Goode, Mrs Grainger, Guest, Hammon, Harris, Hatfield, Heath, Mrs Higgins, Illingworth, Kinson, Mrs Knight, Mrs McFarland, Mrs Mellor, Mobbs, Pittarello, Rhead, Mrs Sawdon, Mrs Scarrott, Mrs Tyrrell, Vincett, Ms Weed, White and Wilkinson.

In the absence of the Chairman of the Council, the Vice-Chairman (Councillor MacKay) chaired the meeting.

36. APOLOGIES

Apologies for absence were received from Councillors Barrott, Crowther, Mrs Falp, Kirton, Pratt and Shilton.

37. COMMUNICATIONS AND ANNOUNCEMENTS

- (A) The Chairman welcomed to the meeting families who had participated in the Council's "Slim Your Bin" challenge to reduce the volume of rubbish that they produced.

The Council's recycling team had visited the families regularly over the six week challenge which had started on 1 June 2009 to provide support and find out what lifestyle changes they had made in an attempt to reduce waste. A prize of £250 was to be presented to the household that had reduced the amount of non-recyclable waste most significantly or had made the greatest change.

The Chairman congratulated all those who had participated in the challenge and presented the winners' prize to the Knibb family and the runners up prize to the Blackmore family. The Brandao, Rutter, Van Schie, and Carter families were also highly commended for their achievements as part of the challenge.

38. PRESENTATION

On behalf of the Council, the Vice Chairman welcomed Gary Stephens, Group Leader, Policy, Projects and Conservation, who was attending to give a presentation on the Regional Spatial Strategy Options.

Following the presentation and a time for questions, the Vice Chairman thanked Mr Stephens for his informative and interesting presentation.

COUNCIL MINUTES (Continued)

39. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 7 (2)

- (A) From Councillor Mrs E Higgins to Councillor Mrs F Bunker, Environment Portfolio Holder:

“Now that the High Court has ruled that the group of 16 families in Corby can sue Corby Borough Council for failing to clear up toxic waste left behind by the demolition of the town’s old steelworks in the mid-1980s; please could WDC ensure that the demolition and clearance of the Ford Foundry site, with investment by AWM, is carried out in a clean and secure manner.”

Councillor Mrs Bunker replied:

“Firstly there are a few points I would make to clarify the situation.

The Corby case could be considered different from the Ford site in a number of important respects.

- a) The land was owned by the Council and therefore part of the ruling against them was related to ownership.
- b) In this case the land is still owned by Ford and there is no current prospect of Advantage West Midlands funding re-development of the site.
- c) The legislative background to contaminated land issues has significantly changed since the development of the site in Corby.
- d) In the Corby case it wasn't the failure to clean the site up, it was the manner in which the clean up was carried out.

The Ford Foundry premises have been subject to the Integrated Pollution Prevention and Control (IPPC) legislative regime for a number of years, which has been enforced through the Environmental Health department. Members should be re-assured that, when the plant was de-commissioned, conditions for ‘revoking’ the IPPC permit included the need to ensure that the site was left in such a condition as to prevent existing contaminants from affecting the environment, on closure.

With a long-standing industrial site there is always the potential for contaminants to have existed on the land over the history of its use and it will not be known what is there until the land is cleared for re-development. It is the normal practice that the Environmental Health department request conditions to be imposed on planning consents which require the safe clean up of land. This would include the requirement to undertake a full survey of the site to determine exactly what contaminants are present. The conditions would then require measures to control any risks to the environment generally and this would include control of risks to surrounding residents during the course of re-development work.”

In a supplementary question, Councillor Mrs Higgins asked:

“I do not think the answer is sufficient – please answer it more fully in relation to the poisoned land at the Ford Foundry.”

In reply, Councillor Mrs Bunker said:

COUNCIL MINUTES (Continued)

“If you read the reply you will see that we have kept a close eye on what has been going on at the Ford Foundry, and that the Environmental Health service have been doing their duty in making sure that any work that has gone on there has been done properly. It is only when this land comes up for redevelopment that it will be part of the planning permission to ensure that any work that needs to be done to clear that site properly will in fact be done. Obviously when that does happen, we will keep people informed as to what is going on to ensure that they are safe. I do not agree that we have not answered the question because I think it covers all the points that you have asked for and more.”

40. EXECUTIVE

It was moved by Councillor Doody, duly seconded and

RESOLVED that the report of the Executive meeting held on 15 July 2009, be approved and adopted.

41. DECLARATIONS OF INTEREST

With the consent of the Vice Chairman, Councillor Caborn requested the Council to note corrections which were necessary to the Declarations of Interest made at the meeting of the Executive held on 10 June 2009.

The corrected declarations were as follows:

Minute No. 4 – item 4 – Core Strategy preference options

Councillor Caborn declared a personal interest in the item because he was a Warwickshire County Councillor and a trustee of the Thomas Oken's and Nicholas Eyffler's Charity for Warwick District Council.

Minute No. 19 – item 18 – Memorandum of Understanding (MoU) for Waste Collection/Disposal

Councillor Caborn declared a personal interest in this item because he was a Warwickshire County Councillor.

Minute No. 20 – item 19 – Memorandum of Understanding (MoU) between Warwickshire Abandoned Vehicle Partnership (WAVP) and the Driver and Vehicle Licensing Agency (DVLA)

Councillor Caborn declared a personal interest in this item because he was a Warwickshire County Councillor.

RESOLVED that the corrections be noted.

COUNCIL MINUTES (Continued)

42. COMMON SEAL

It was

RESOLVED that the Common Seal of Warwick District Council be affixed to such deeds and documents as may be required for implementing decisions of the Council arrived at this day.

(The meeting ended at 7.15 pm)

CHAIRMAN
14 October 2009