

ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE

Minutes of the meeting held on Tuesday, 13 January 2004 at the Town Hall, Royal Leamington Spa at 6.00 p.m.

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

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

752. DECLARATIONS OF INTEREST

Minute Number 761 – Warwick Setting Strategy and Heritage Garden Trail

Councillor Mrs Begg declared a personal and prejudicial interest and left the room while this Executive item was being discussed because she was a trustee of Hill Close Gardens.

Minute Number 763 – St. Mary's Lands Lease Scheme – New Lease and Agreement to Lease for Warwick Racecourse

Councillor Mrs Begg declared a personal and prejudicial interest and left the room while this Executive item was being discussed because she was a trustee of Hill Close Gardens.

753. MINUTES

The minutes of the meetings held on 4 November and 2 December 2003, having been printed and circulated were taken as read and signed by the Chairman as a correct record.

754. SMELLS FROM A FOUL SEWER IN KENILWORTH

The Committee considered a report from the Environmental Directorate updating them on the current situation in the Rouncil Lane area of Kenilworth.

Following a Notice of Motion submitted by Councillor R I G Davies to Council on the 9 July 2003, a report was submitted to the Committee in August from the Council's Environmental Health Department, advising members of the position with regards to smells emanating from the foul sewer serving the Rouncil Lane area of Kenilworth.

At the August meeting it was agreed that the September meeting of the Committee should be held in Kenilworth and a further report should be submitted to the meeting updating them on work undertaken so far. In addition the Committee also requested that representatives from Severn Trent attend if possible.

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The September meeting was held in Kenilworth with over 40 members of the public and representatives from Severn Trent attending. The minutes of this meeting including the agreement action points were reported to the November meeting of the Committee, which again was held in Kenilworth.

Following the September meeting, a meeting had taken place between Environmental Health, Severn Trent, the Abattoir management and the Abattoir's consultant. A further update meeting took place on the 3 November. The outcome of both these meetings was reported verbally at the November meeting of the Committee, the minutes of which were attached as an appendix to the report.

At the November meeting of the Committee, Officers had undertaken to provide information and details of the relevant consent relating to lorry movements associated with the premises. This information was attached as an appendix to the report. A verbal update on the progress made in abating the smell nuisance was made by Environmental Health at the meeting.

Officers also undertook to write to Farmers Fresh and to check the available public records to find the details of the number of animals being slaughtered at the premises each week. Officers did undertake the research. However, the information was not available on public records and following advice from the police they had agreed not to seek further information on this subject.

A draft report was circulated at the meeting for approval which would be submitted to the February meeting of the Executive.

RESOLVED that the report circulated at the meeting be submitted to the Executive in February 2004 seeking a resolution to the notice of motion submitted by Councillor Davies in July 2003.

755. SCRUTINY AND RECYCLING

The Committee considered a report from Members' Services seeking approval of a draft report on the findings of the Environment Overview and Scrutiny Committee in terms of scrutiny and recycling for approval for the submission to the Executive in February.

As part of its work plan for 2003/04 the Committee had agreed to scrutinise recycling within Warwick District.

Following a report in October 2003 it was agreed that pairs of Councillors would be charged with scrutinising different areas and reporting back their findings to the Committee in December

It was agreed that Officers would use these reports and the content of discussions at the meeting to form the basis of a report for submission to the Executive.

RESOLVED that the report as amended by Finance, be submitted for consideration by the Executive as this

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Committee's recommendations with regards to the Council's responsibilities on recycling.

756. SCRUTINY OF STREET CLEANSING

The Committee considered a report from Environmental Health informing them of the current position with regard to street cleansing and suggesting what aspects of the service members might wish to carry out a further more detailed scrutiny.

The Best Value Review of the Cleansing of the Environment was completed in November 2001. The Inspectors who completed the external review rated the service as "fair" with uncertain prospects for improvement. The Inspectors also listed a number of recommendations.

The Inspectors' recommendations and those arising from the Council's own review were incorporated (where practicable) into a new "Cleansing of the Environment" contract which was let on the 1 October 2002, to Ecovert Limited which had since changed its company name to Verdant.

The main departures from the old street cleansing contract included the introduction of continuous cleaning regime in town centres; increasing the frequency of cleaning in many urban areas; improved cleansing in hot spot areas and routes to schools; and a rapid response unit for one-off cleansing to identify problems and fly-tips.

The method of operation had also changed from the last contract with the introduction of barrowmen in town centres and a greater reliance on smaller mechanical footway sweepers.

The contractor's performance to date had been poor and, although some of the new measures had led to a noticeable improvement, the poor levels of supervision, lack of control of the operatives, inadequate quality control had let the contract down badly as a whole. Discussions with the contractor's Management Team were ongoing and the recent appointment of a new Contract Manager had been a slow but discernable progress.

There were a number of aspects of the street cleansing service operated by the Council which members might wish to examine in greater detail. These included:

- (1) The effect of the introduction of continuous cleaning and rapid response unit.
- (2) The effectiveness and suitability of the equipment employed on the contract.
- (3) The performance of the Contractor and the Council's Contract Management.
- (4) Implementation of the recommendation supplied in the Best Value Review.

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- (5) CPA diagnostic of public space and contribution of street cleansing.
- (6) Performance indicators BV199.
- (7) Staffing and resource issues.
- (8) Partnership and joint working.
- (9) Provision and maintenance of litter bins (litter bin policy).
- (10) Enforcement notification.
- (11) Customer satisfaction and public consultation.

Members also considered how these various elements should be investigated. The other options included the scrutiny of discreet aspects of the service by individual members or small groups (as with the recent scrutiny of recycling services), further detailed officer reports, public consultation, presentation by Contractors (including question and answer sessions) and benchmarking in comparison with other authorities.

It was agreed that staffing and resource issues would also be considered as part of each area investigated by Councillors as would the implementation of the recommendations arising from the Best Value Review.

RECOMMENDED that

- (1) the report be noted;
- (2) the following areas be investigated by Councillors who will submit bullet point reports to the March meeting:-

Contract operation – Councillors Copping & Smith

Performance assessment – Councillors Gill & Sandhar

Enforcement\Education – Councillors Mrs Blacklock & Davies

Customer Liaison and joint working – Councillors Mrs Compton & Hatfield; and

- (3) staffing and resource issues be considered as part of each of the areas investigated by Councillors along with the implementation of the recommendations arising from the Best Value Review of Cleansing of the Environment.

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757. REVIEW PREPARATION OF FLOOD ALEVIATION METHODS

The Committee considered a report from Planning and Engineering informing Members about the progress of the watercourse/flood management work programme for the period between September 2002 and October 2004.

The watercourse/flood management work programme for 2002/3 was reported to the Committee in October 2002.

The work programme for 2003 was attached as an appendix to the report and was updated with a short commentary to demonstrate how each task had been progressed against the original 2002/3 programme in conjunction with the current and forthcoming projects.

It was suggested that members might wish to split into three teams to look at three areas of flood alleviation management within Warwick District. These areas were:

- (1) Post opening works, looking at the problems, the design, including the hydraulic model, scheme benefits, partnership working and a site visit to Pingle Brook in Cubbington;
- (2) Current – Understanding Watercourse Maintenance Regimes, looking at the monitoring and maintenance undertaken, day to day problems found during the site visits of watercourses in Warwick; and
- (3) A future capital project, looking at the problems of feasibility solutions for the tanyard stream in Kenilworth and the procedures to take the capital scheme to construction.

RECOMMENDED that

- (1) the content of the report be noted;
- (2) the committee undertakes a site visit of the Pingle Brook scheme in Cubbington; and
- (3) a further report be submitted to the March meeting to consider the next stage of scrutiny of flood alleviation schemes.

758. REVIEW OF SERVICE PLAN AND IMPLICATIONS FOR THE 2004/05 BUDGET

The Committee considered a report from the Strategic Director (Environment) and the Portfolio Holder for Environmental Services which gave information on the link between the priorities in the service plans for the Environmental Portfolio and their resource implications and sought comments in the light of the overall financial position of the Council.

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Members of the Committee were asked to comment on specific items which had been identified as priorities by the Portfolio Holder.

RECOMMENDED that

- (1) the priorities for this Council within the Environmental Services portfolio area be flooding alleviation as the highest priority, then in descending order recycling, street cleansing, local planning and the need to improve the dog bin facility within the district; and
- (2) it was desirable to try to enforce litter legislation, even though it is accepted that this did pose some practical difficulties.

759. COMMITTEE WORK PROGRAMME

The Committee considered its work programme for the ensuing year. The following amendments were made to the work programme:-

- (1) Review of one Executive decision from 2003/04 be moved to 30 March meeting and linked with the update report on actions recommended to the Executive from this Committee on Energy Management in April 2003 (Minute No. 966);
- (2) Moving further tasks linked to the scrutiny of street cleansing (including a presentation from the contractor from the February meeting to 2 March meeting;
- (3) Moving the Debate on the local plan from the February meeting to pending;
- (3) Addition of review of the Warwick and Leamington Conservation Areas to the February meeting;
- (4) The addition of flood alleviation, heritage grants reports and EMAS update, to the 2 March meeting; and
- (6) Moving the completion of Scrutiny of Street Cleansing to the 30 March from the 2 March meeting.

RECOMMENDED that the work programme as amended be approved.

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760. EXECUTIVE MEETING – MONDAY 8 DECEMBER 2003

The Committee considered the minutes of the Executive meeting held on Monday 8 December 2003, which came within its remit.

RECOMMENDED that the minutes be noted.

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

The Committee considered the items which would be discussed at the meeting of the Executive on Monday, 19 January 2004, which came within their remit. As a result the following comments were made for forwarding to the Executive:-

Item 1b - Notice of motion – Councillor Shilton

The Committee requested that a report be submitted to them from Environmental Health detailing what implications the Fireworks Act 2003 had for this authority.

Item 1c - Notice of motion – Councillor Coker

The Committee supported the recommendation in the report.

Item 5 - Programme of Best Reviews

The Committee supported the recommendations in the report

Item 6 – Budget Prospects Update

The Committee felt that the priorities for this Council within the Environmental Services portfolio area were flooding alleviation as the highest priority, then in descending order recycling, street cleansing, local planning and the need to improve the dog bin facility within the district. In addition to this the Committee agreed that it was desirable to try to enforce litter legislation, however it accepted that this did pose some practical difficulties.

Item 9 – Warwick Setting Strategy and the Heritage Garden Trail

The Committee supported the recommendations in the report, but asked if the Warwickshire Wildlife Trust should be invited to be a member of the Project Steering Group?

762. PRESS AND PUBLIC

RESOLVED that under Section 100A of the Local Government Act 1972 the public and press be excluded from the meeting for the following items by reason of the likely disclosure of exempt information within paragraph 9 Schedule 12A of the Local Government Act 1972.

763. EXECUTIVE AGENDA (CONFIDENTIAL ITEMS AND REPORTS)

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The Committee considered the confidential items which would be discussed at the meeting of the Executive on Monday, 19 January 2004, which came within their remit. As a result the following comments were made for forwarding to the Executive:-

Item 14 - The Public Health (Control and Diseases) Act 1984 - Acceptance of Tender for the burial and cremation and removal of dead persons.

The Committee supported the recommendations in the report.

Item 15 – St. Mary's Lands Lease Scheme – New Lease and Agreement to Lease for Warwick Racecourse Company.

The Environment Overview & Scrutiny Committee supported the recommendation in the amended report following the meeting of the St Mary's Lands Working Party meeting.

(the meeting ended at 8.45 p.m.)

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