

SELECT COMMITTEE ON ENVIRONMENT

Monday 21st March, 2011 at 6.00pm
in Committee Room 2, The Council House, Dudley

PRESENT:-

Councillor Mrs. Cowell (Chairman)
Councillor Mrs. Turner (Vice-Chairman)
Councillors Mrs. Blood, A Finch, Hill, Islam, James, J Jones, Mrs Jordan, Mrs Shakespeare and Waltho.

Officers

Director of Corporate Resources (As Lead Officer to the Committee),
Assistant Director Planning and Environmental Health, Assistant Director
Environmental Management, Head of Street and Green Care, Group
Engineer, Principal Engineer, (All Directorate of the Urban Environment),
Assistant Director of Housing Management, Head of Housing Management –
North, (Directorate of Adult Community and Housing Services), Principal
Officer Corporate Management, and Miss K Fellows (Directorate of Corporate
Resources).

Also in Attendance.

Councillor Stanley, Cabinet Member for Environment and Culture and
Councillor Vickers.

34	<u>DECLARATIONS OF INTEREST</u>
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No member made a Declaration of Interest in accordance with the Members' Code of Conduct.

35	<u>MINUTES</u>
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RESOLVED

That, the minutes of the meeting of the Committee held on 24th
January, 2011, be approved as a correct record and signed.

36	<u>PUBLIC FORUM</u>
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No matters were raised under this agenda item.

37	<u>CONSIDERATION OF PETITIONS (IF ANY) REFERRED TO THE COMMITTEE BY THE PETITION'S OFFICER</u>
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No Petitions had been referred to the Committee.

38

DIRECTORATE OF CORPORATE RESOURCES EQUALITY AND
DIVERSITY ACTION PLAN 2011/12

A report of the Director of Corporate Resources was submitted on the annual Equality and Diversity Action Plan for 2011/12 for the Directorate of Corporate Resources. A copy of the Action Plan was attached as an Appendix to the report submitted.

Arising from the presentation of the Report and Appendix to the report submitted, Members asked a number of questions and made comments relating in particular to:-

- Whether the e-learning package had been developed in house or whether that would be provided by an external provider;
- When the Customer Service Excellence Standard would be rolled out to other Directorates;
- Whether a Registering service would be provided within the Stourbridge area of the Borough;
- In relation to the Dudley town centre redevelopment plans whether there would be adequate parking and access for those with disabilities;
- Which libraries offered the wi-fi service and could that be included on the libraries website;
- Could Dudley Council Plus be advised that direct debits in relation to payment of Council Tax could be arranged via the telephone.

In responding to questions raised, the Director of Corporate Resources advised as follows:-

The e-learning package would be provided by an external provider, and both Councillor Mrs Shakespeare, as Member Champion for Equality and Councillor A Turner, as Cabinet Member for Personnel, Legal and Property would be provided with the opportunity to meet in order to view the e-learning package.

It was also stated that the e-learning package would be available for Member training.

In relation to Registering services in the Stourbridge area of the Borough, it was indicated that, in view of the Crown Centre redevelopment the Register Office would close and other options would be investigated to ascertain whether this facility could be retained locally.

In relation to the Dudley Town Centre redevelopment plans it was reported that disabled parking would remain a key priority and would be discussed at the Corporate Property Group chaired by the Director of Corporate Resources.

RESOLVED

- (1) That the information contained in the report, and Appendix to the report, submitted on the annual Equality and Diversity Action Plan 2011/12 for the Directorate of Corporate Resources, be noted and endorsed.
- (2) That the Principal Officer Corporate Management be requested to email to Members details of the libraries who operate a wi-fi service.
- (3) That the Principal Officer Corporate Management arrange to include details of those libraries providing a wi-fi service on the Council's website.
- (4) That the Assistant Director of Corporate Resources, (Customer Services) be requested to liaise with Councillor Mrs Jordan in relation to the query outlined above relating to Dudley Council Plus.

PROVISIONAL WORK PROGRAMME FOR 2011/12

A report of the Lead Officer to the Committee was submitted on the provisional work programme for the Select Committee for the 2011/12 municipal year with a request that Members consider any additions/deletions they would wish to make to the programme.

Arising from the presentation of the report Members suggested that items that were usually discussed at the Select Committee's Working Groups should form part of this Committee's agenda.

The Director of Corporate Resources indicated that he would refer the above suggestion to the Meeting of the Select Committee Chairmen.

In responding to a question from a Member in relation to the standard items that usually formed part of the Committee's agenda, the Director of Corporate Resources indicated that should Members wish to debate the items that were emailed to them, there would be some flexibility to bring the item back onto the agenda.

Arising from consideration given to this matter Councillor Waltho suggested the addition of an item on Empty Homes to the work programme.

RESOLVED

That, subject to the inclusion of the additional item indicated, the provisional work programme for the Committee for 2011/12 be noted and that Members be requested to submit to the Democratic Services Officer any further suggestions concerning the work programme by 20th April, 2011 so that all comments received might be circulated to

Members of the Committee with a view to a formal work programme being reported to the June, 2011 meeting of the Committee for approval.

FLOOD RISK MANAGEMENT

A report of the Director of the Urban Environment was submitted on the increased roles and responsibilities of the Council, in respect of flood risk management for surface water flooding; to advise on the Council's responsibility to develop and produce a Preliminary Flood Risk Assessment Report (PFRA) and a Surface Water Management Plan, (SWMP) for the Committee to scrutinise and approve the methodology used in the preparation of the PFRA.

It was noted that at paragraph four of the report submitted the year referred to should read 2009.

The Section Engineer gave a presentation on Flood Risk Management, making specific reference to the work that had been undertaken to manage flood risks including surface water management. Using the adopted risk and consequence methodology the presentation identified flood risk across the Borough based on both historical flood events and future predictions.

The Section Engineer referred to the Surface Water Risk Management Plan, outlining the partners that the Council were working with in relation to Flood Risk Management.

The presentation included a demonstration of the Council's Geographical Information System, including how information had been obtained in order to accumulate flood data, which resulted in specific areas of flood risk being identified including the population of the area and general facilities such as schools that would be affected.

The Section Engineer advised that the above information would assist with contingency planning and utilised to support external funding applications.

In responding to Members' questions the Section Engineer advised as follows:-

- Three external funding applications had been applied for and were successful in order to help produce the Surface Water Management Plan and undertake minor flood mitigation works;
- That the Department for Food Environment and Rural Affairs had allocated further funding for the following two years via area based grant allocation;

- In relation to surface water flooding the Council would ultimately be responsible, although they would continue to work with partners such as the Environment Agency and Severn Trent;
- In relation to gully maintenance the Council were attempting to identify highway gullies within hot spots hot spots in the Borough in order to increase the surface water maintenance regime in those areas;
- Meetings of the Strategic and Operations Board continued and representatives of the Halesowen Flood Forum had attended the last meeting of the Board, and were pleased that partnership working had improved.

Members raised concerns in relation to the planning issues that may contribute to flood risk.

The Assistant Director of Planning and Environmental Health responded confirming that planning permission would be required for non-permeable driveways. She indicated that some planning applications for driveways had been received.

The Assistant Director of Planning and Environment Health also stated that in relation to new builds, the possibility of flood risk would be addressed when considering Building Regulations consent.

In responding to questions from Members the Section Engineer stated as follows:-

- That in relation to culverts and clearing debris, partnership work was continuing with maintenance work being carried out jointly between the Council and other partners. The Council was in the process of developing a matrix in order to prioritise work to those areas affected.
- That in terms of all forms of development the Council would be responsible for the adoption of Sustainable drainage systems which would include long term maintenance responsibilities. At the moment there was no specific funding stream. It was possible that in order to finance this, Section 106 monies could be obtained from new developers, or from Community infrastructure Levy contributions.

He also indicated that the maps provided by the Environment Agency utilised satellite imagery (LIDAR) data and had taken into account a 20% increase for climate change.

- That the Council would continue to work with residents within the Borough in order to minimise flooding risks to their properties.

- In relation to flooding risks at the Bonded Warehouse in the Stourbridge area of the Borough, there was a large development in that area and the developers would be taking action as part of that development in order to minimise the risk of flooding to housing.

In responding to a question from a Member, the Head of Street and Green Care stated that funding in relation to drainage responsibilities was an issue, however, there would be opportunities for the Council to apply for further funding for remedial schemes.

RESOLVED

- (1) That the information contained in the report submitted, on Flood Risk Management, be noted.
- (2) That the responsibilities of the Council resulting from both the introduction of the Flood Regulations and the Flood and Water Management Act be noted.
- (3) That the approach taken in assessing the risks of flooding in the Borough and the approach of Council Officers in the development of a PFRA be supported.
- (4) That the Assistant Director of Planning and Environmental Health be requested to email to Councillor J Jones the number of planning applications made for re-surfacing driveways.

TENANCY AND ESTATE MANAGEMENT

A report of the Director of Adult, Community and Housing Services was submitted on Tenancy and Estate Management in Housing Services.

Arising from the presentation of the report submitted Members asked questions and made comments and the Head of Housing Management - North responded as follows:-

- In relation to the tenants who had not allowed the Council entry for Home Checks approximately one third of those were new tenants;
- In relation to the Gardening Scheme, funding had been allocated for that scheme for the next financial year;
- Approximately twenty possession orders had been obtained in relation to those tenants who were in breach of their tenancy conditions which included breaches for anti social behaviour.

- That the Council's Tenancy Conditions contained a right of entry for the Council to carry out home checks and gas inspections. However, in order to enforce those conditions, an application would have to be made to Court for a Possession Order or for an Injunction, otherwise the Council would be acting unlawfully as a landlord;
- That approximately five thousand home checks were carried out each year;
- The new bespoke software referred to at paragraph 8 of the report submitted, would provide the extra capacity for Housing Managers to carry out home checks if that was considered the best use of that resource;

Members raised concerns that the Council as landlords could not automatically gain entry to properties in order to carry out gas inspections, as they feared the repercussions should an accident or fatality occur as a result of a possible gas explosion. The Committee recommended that Members of Parliament and the Government should be lobbied in order to change the legislation in that regard.

RESOLVED

- (1) That the information contained in the report submitted, on Tenancy and Estate Management in Housing Services, be noted.
- (2) That the Assistant Director of Housing be requested to advise Councillor J Jones when checks for asbestos were carried out by the Council.

QUARTERLY CORPORATE PERFORMANCE MANAGEMENT REPORT

A report of the Lead Officer to the Committee was submitted on performance in the third quarter of 2010/11, for the period 1st October, 2010 to 31st December, 2010 in relation to the activities relating to the terms of reference of this Committee.

Arising from the presentation of the report submitted, the Assistant Director of Environmental Management responded to a question indicating that extremely high targets had been set by the Directorate in relation to relevant land and highways that was assessed as having deposits of litter that fall below an acceptable level. Issues associated with the budget had impacted upon the target as vacant posts had remained open for longer than usual, however vacancies had now been filled.

In responding to a question from a Member, the Head of Housing Management - North indicated that in relation to the delivery of adaptations funding had not met the demand for adaptations. Funding was, however reviewed annually.

Members also raised queries regarding targets relating to empty homes.

RESOLVED

- (1) That the information contained in the report, and colour copy of the extracted report circulated separately, on performance in the third quarter of 2010/11, for the period October to December, 2010, in relation to the activities relating to the Terms of Reference of this Committee, be noted.
- (2) That the Assistant Director of Housing Strategy and Private Sector be requested to forward a briefing note to Councillor Islam in relation to the linkages between indicator EH2.4a and BV064 referred to on page 11 of the Appendix to the report submitted.

The meeting ended at 8.10pm

CHAIRMAN