

SELECT COMMITTEE ON ENVIRONMENT

Wednesday 8th September, 2010 at 6.00pm
in Committee Room 2, The Council House, Dudley

PRESENT:-

Councillor Mrs. Cowell (in the Chair)
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 Environmental Management, Head of Environmental Health
and Trading Standards and Trading Standards Manager (All Directorate of the
Urban Environment), Head of Housing Options and Head of Construction
(Both Directorate of Adult Community and Housing Services) and Miss K
Fellows (Directorate of Law, Property and Human Resources).

13 **DECLARATIONS OF INTEREST**

No member made a Declaration of Interest in accordance with the Members' Code of Conduct.

14 **MINUTES**

RESOLVED

That, the minutes of the meeting of the Committee held on 24th June, 2010, be approved as a correct record and signed.

15 **PUBLIC FORUM**

No matters were raised under this agenda item.

16 **ANNUAL REPORT OF THE SELECT COMMITTEE**

A report of the Lead Officer to the Committee was submitted on the Annual Report of the Committee for 2009/10.

In responding to a question from a Member the Assistant Director of Environmental Management confirmed that a report in relation to the plastics recycling trial would be submitted to a future meeting of the Committee.

RESOLVED

That the Annual Report of the Select Committee for 2009/10 be received and noted and referred to Council.

17

ANIMAL HEALTH AND WELFARE FUNCTIONS OF THE COUNCIL.

A report of the Director of the Urban Environment was submitted on animal health and welfare responsibilities of the local authority and of the scope of the work being undertaken to meet those responsibilities.

Arising from the presentation of the report Members asked questions and made comments and the Head of Environmental Health and Trading Standards responded as follows:-

- In relation to stray dogs, in order to minimise the call outs to the collectors, it was preferable if the stray dog was housed in a secure place prior to collection however, should more than two telephone calls be received in relation to stray dogs roaming the streets, the collector would attend in any event.
- That, animal welfare was promoted by working with partners such as Housing services and the Royal Society for the Prevention of Cruelty to Animals (RSPCA) and would be publicised by posters which would be displayed in Housing Offices and libraries.
- The Council's register contained approximately sixty one premises which house farm animals including poultry and that, in relation to the poultry register, the Council would encourage registration of avian premises with the Department for Environment Food and Rural Affairs via publicity upon the Council's website.
- That the Council would continue to be required to deal with the licensing of animal establishments and animal movement, however a reduction in funding would impact on performance in other areas.
- In relation to the collection of stray dogs, in view of the number of cases, it would be difficult for the Council to remain within budget.
- In relation to the Rosedene Kennels it was noted that the kennels had re-opened and that the Council had secured a back up facility.
- Following a suggestion from a Member, it was indicated that investigations would be undertaken in relation to publishing details of rescue centres for dog owners who were unable to look after their dog on the Council's website.
- It was confirmed that work would be conducted within approximately three to four months in order to update the Council's Charter for the Welfare of Animals.

- From an animal welfare perspective abattoir premises were visited by the Council at least twice each year.
- In relation to the promotion of responsible ownership including microchipping, work would be conducted with companies who provided the microchips, together with promotional work that would be undertaken with the Council's other partners.
- The Council would have to tender for kennelling facilities again in March, 2012.
- That the owners of stray dogs were charged a fee of £25 plus kennelling costs by the Council and although it was accepted that the Council could charged a greater fee, on occasions when owners were requested to pay the above, they had left their dogs rather than paying the fees and for the above reason, a balance was required in relation to the fees. However, the position in relation to fees would be re-assessed.
- The Council in conjunction with the Police would deal with stray horses that were suffering or were seen to be suffering and the procedure in order to transfer ownership from the Council to the RSPCA would involve service of a notice upon the land and Court proceedings.
- The Council employed a horse bailiff who would be responsible for stray horses that were tethered on council owned land.
- That a number of meetings had taken place with partners in order to establish a common policy and procedure in relation to dealing with stray horses.
- That the Police were responsible for stray horses upon the highway.

A Member suggested that kennelling facilities should be secured locally by the Council.

RESOLVED

- (1) That, the Director of the Urban Environment be requested to:-
 - (a) Conduct a review of the Council's Animal Welfare Charter.
 - (b) Include on the Council's website details of Rescue Centres including those that were specialised.
 - (c) Circulate to Members details of the number of dogs returned to their owners that were microchipped.

- (d) Carry out an investigation in relation to the fees charged to owners for collection and kennelling stray dogs.
 - (2) That the Head of Environmental Health and Trading Standards be requested to provide Councillor Mrs Jordan with information as to whether drivers are under an obligation to report badgers when they were victims of road kill.
 - (3) That, the information contained in the report submitted, on the animal health and welfare responsibilities of the local authority and of the scope of the work being undertaken to meet those responsibilities, be noted.
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ROGUE TRADERS AND DOORSTEP CRIME

A report of the Director of the Urban Environment was submitted on Dudley Trading Standards Service's role in combating the problems of Doorstep Crime and investigating rogue traders.

Arising from the presentation of the report, Members expressed support and praise for the Fix a Home scheme, which included 120 traders that offered a wide range of property and garden maintenance services.

A Member suggested that the Council implement a scheme whereby cold callers were issued with passes confirming that they were an approved trades person.

It was also suggested that further leaflets and stickers should be produced in order to promote the Fix a Home scheme.

The Trading Standards Manager responded to questions from Members as follows:-

That it was a condition of joining the Fix a Home Scheme that companies could not sub-contract out work that they had agreed to undertake and should the Council become aware that they had, their agreement would be terminated.

Should agreements to conduct work be entered into as a result of cold calling, seven day cancellation notices should be issued, and should they not, the supplier would be committing an act of fraud and the Council had powers to prosecute should such cases arise.

That within the Dudley Borough the Council were considering implementing no cold calling zones within areas that had been identified as having high levels of such activity, whereby appropriate signage would be erected and those areas would be publicised.

Rogue traders would be identified by utilising intelligence and there was an intelligence arm regionally whereby details of rogue traders were circulated to Local Authorities and that a periodic review of various directories was conducted by Trading Standards in order to check whether trades persons were members of any trade associations.

Information in relation to rogue traders and scams were publicised Borough wide in libraries and newsletters and Age Concern publicised details upon their website, with Adult Care Services also providing details to those who were vulnerable.

It was confirmed that the Fix a Home booklet was updated twice each year.

RESOLVED

- (1) That the Trading Standards Manager be requested to circulate to Members the Council's Fix a Home Scheme Booklet.
- (2) That the Director of the Urban Environment be requested to report on Rogue Traders and Doorstep Crime to a future meeting of each Area Committee.
- (3) That the information contained in the report submitted, on Dudley Trading Standards Service's role in combating the problems of Doorstep Crime and investigating rogue traders, be noted.

AGE RESTRICTED PRODUCTS ENFORCEMENT

A report of the Director of the Urban Environment was submitted on the enforcement and advice activity carried out by the Trading Standards service concerning age-restricted products including alcohol, tobacco, spray paints and knives, to provide an annual Report on tobacco enforcement and aerosol spray paints activity as required by specified legislation and of forthcoming tobacco control legislation currently under consultation.

A Member raised concerns in relation to the suspension period imposed by the Council in relation to licensed premises, recommending that the maximum three month suspension period should be imposed.

A Member made a suggestion that the consumption of alcohol by under eighteens should be made an offence in order to provide positive enforcement action.

It was further suggested that test purchasing should take place in relation to knives and aerosols in order to ascertain whether those areas were problematic.

Concerns were raised as to the effectiveness of test purchasing alcohol as licensed premises may not sell to strangers in view of the fact that they would fear reprisals.

The Head of Trading Standards then responded to Members questions as follows:-

That Trading Standards were in the process of recruiting an Age Restricted Products Enforcement Officer, funded by the Primary Care Trust for a twelve month fixed term, which would increase the Departments enforcement ability and covert test purchasing.

Within certain areas of the Borough there were problems with proxy sales and those problems were being addressed.

The Director of Corporate Resources advised Members that the Coalition Government had indicated that they would be conducting a review of Licensing Legislation including the powers of the Local Authority which could impact upon the action that the Licensing and Safety Committee through its sub Committees could take

RESOLVED

That, the information contained in the report submitted, on the enforcement and advice activity carried out by the Trading Standards service concerning age-restricted products including alcohol, tobacco, spray paints and knives, to provide an annual Report on tobacco enforcement and aerosol spray paints activity as required by specified legislation and of forthcoming tobacco control legislation currently under consultation, be noted.

COUNCIL HOUSING VOID PROPERTY REVIEW

A report of the Director of Adult, Community and Housing Services was submitted on progress to date with the Council Housing Void Property Review. A copy of the project outline was attached as an Appendix to the report submitted.

It was noted that there were more high cost voids within the South of the Borough and that Housing Services were on target in relation to voids at the end of quarter one for 2010/11 with a borough figure of 1.8%.

In presenting the report the Head of Housing Options advised Members that the Housing Working Group had convened a meeting at the end of September, 2010

It was also reported that a small number of Housing Services staff would receive additional training in order that following the review they would be in a position as enablers to identify future continuous improvements to the service and that reports in relation to the end to end review of the lettings service would be submitted to the Housing Working Group at each four stages of the review process.

A Member referred to the number of high cost void properties and the affect that they were having upon housing waiting lists.

The Head of Housing Options responded stating that the percentage of void properties remained below the 2% generally regarded as an upper limit. The main issues surrounding high cost voids had been a sharp increase mainly in those vacated by older tenants who had declined improvements, and that measures had then had to be put into place in order to deal with them.

It was reported that the number of voids had reduced from 480 to 420 since the end of the quarter and that progress was being made, as some of the high cost voids were not being repaired and re-let.

In responding to a question from a Member it was stated that it was believed that additional efficiencies could be applied to the service, which had resulted in the decision to review the whole lettings process end to end. Officers had been required to show that the potential for increased income and/or reduced costs could significantly outweigh the costs of conducting the review.

The Head of Construction reported that during the latter part of 2009 the void standard had been reviewed and a new standard had been implemented shortly before Christmas 2009.

It was further reported that there had been a surge in high cost voids during 2009/10, and that the above trend continued during the first quarter of 2010, but had begun to slow down.

In responding to a question from a Member the Head of Housing Options advised that a property would not be termed, as void should the four week notice period in relation to the termination of a tenancy continue to be applicable.

It was further reported that access could not always be gained to a property until the above notice period had expired, however should the Council have the keys to a property and the agreement of the outgoing tenant, there would be no reason why an assessment in relation to repairs could not be carried out whilst the notice period was running.

It was stated that provided the outgoing tenant had provided notice, Housing Services would accept the keys to a property and that Building Services and the Lettings Team would be advised when keys were handed in and Building Services would have the keys either the same or the following day.

The Head of Construction advised that work on average routine voids would take approximately two to three weeks.

He also indicated that a high cost void would cost an average of £25,000, and that the above costs usually had to be incurred when an outgoing tenant had refused to have the property modernised.

He indicated that during the first five months of 2010, a lower bar had been set in order to maximise the number of properties that could be re-let and prioritising those properties that had void costs between £15,000 and £20,000.

It was stated that the costs incurred as a result of vandalism to properties were not a major reason for high cost voids and there was a re-charge policy for work involved such as removal of rubbish and maintaining gardens.

In responding to a Member's suggestion that Home Checks could be utilised in order to establish whether properties were going to become high cost voids the Head of Housing Options indicated that issue could be discussed with the Housing Group. There was some evidence that the first three years of home checks had led to some tenants being moved from their homes because they could not cope, and that this had created some high cost voids. The impact of the above would lessen as most homes had now been visited.

In responding to a question from a Member the Head of Construction stated that work on routine voids was predominantly undertaken by the Direct Labour Organisation workforce, however the Council also utilised two principal contractors who usually undertook the work to most high cost voids.

RESOLVED

- (1) That the information contained in the report, and Appendix to the report, submitted on the progress to date with the Council Housing Void Property Review, be noted.
- (2) That agreement be given to the remit of the Housing Working Group as set out in paragraph 4 of the report submitted.
- (3) That the Head of Housing Options be requested to provide Members of the Working Group with the percentage of high cost voids resulting from vandalism and the percentage of high cost voids resulting from refusing modernisations.

A report of the Lead Officer to the Committee was submitted on performance in the fourth quarter of 2009/10, for the period 1st January 2010 to 31st March, 2010, in relation to the activities relating to the terms of reference of this Committee.

Following the presentation of the report the Assistant Director of Environmental Management made particular reference to the decline of recycling performance, advising that there were two main factors that had impacted upon performance which were the long hard winter that had contributed to a suspension in green waste which had resulted in a small amount of green waste being recycled in March and the vast reduction in paper/magazine recycling due to the economic climate impacting upon glossy magazine sales. However, it was hoped that recycling would improve.

In responding to a question from a Member, the Assistant Director of Environmental Management advised that the level of recycling was difficult to monitor nationally, however a straw poll had been conducted around other Authorities who had also reported a similar dip in dry waste recycling.

It was further reported that green waste recycling had continued to improve during quarter four and performance levels had been better than expected and it was hoped that the Council would be in a position to offer a second green waste recycling bin at an extra cost during the course of next year.

It was stated that it was hoped that figures in relation to dry waste recycling would increase in view of the introduction of a recycling trial of plastics.

In responding to a question from a Member in relation to more sustainable modes of transport for home to school journeys, the Assistant Director of Environment advised that the downturn had resulted in view of the particularly hard winter months.

It was reported that in relation to the provision of rolls of refuse sacks, those would be distributed upon a rolling basis until the end of the month and the scheme would result in efficiency savings. It was accepted that there had been problems with quality control as far as the provision of leaflets that were attached to the sacks were concerned.

It was further reported that the assisted service in relation to refuse collections remained available to those residents who required assistance.

In relation to the introduction of the collection of a maximum of three refuse sacks from each property it was reported that it was hoped that the practice of residents placing piles of refuse sacks outside one particular property towards the end of a street would be eradicated and the above would continue to be monitored.

RESOLVED

- (1) That the information contained in the report, and coloured copy of the extracted report circulated separately on performance in the fourth quarter of 2009/10, for the period 1st January, 2010 and 31st March, 2010, in relation to the activities relating to the terms of reference of this Committee, be noted.

- (2) That the Director of the Urban Environment be requested to submit a report to a future meeting of this committee in relation to the recycling of plastics and cardboard trial.

The meeting ended at 8.35pm

CHAIRMAN