

## **SELECT COMMITTEE ON THE ENVIRONMENT**

Monday, 8th December, 2003, at 6.00 p.m.

### **PRESENT:-**

Councillor Sheppard (Chair)  
Councillor Mrs Coulter (Vice Chair)  
Councillors Banks, Jackson, Mrs Patrick, Ryder, Stanley and Whitehouse, together with the Director of Law and Property, Senior Assistant Director of Housing, Assistant Directors of Housing (Housing Management), Assistant Directors of the Urban Environment (Development and Environmental Protection and Environmental Management), Mr Anderson and Mr Powell (Directorate of the Urban Environment) and Mr Sanders (Directorate of Law and Property)

37

### **MINUTES**

#### **RESOLVED**

That the minutes of the meeting of the Committee held on 16th October, 2003, be approved as a correct record and signed.

---

38

### **DECLARATIONS OF INTEREST**

No member declared a personal or prejudicial interest, in accordance with the Members' Code of Conduct, in respect of any matter to be considered at this meeting.

---

39

### **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were received on behalf of Councillors G H Davis and Ms Harris.

---

40

### **AIR QUALITY MANAGEMENT**

A report of the Director of the Urban Environment was submitted advising the Committee of the current status of air quality management in the Borough, with specific reference to the proposals contained in the draft Air Quality Action Plan designed to improve the air quality within the Brierley Hill Air Quality Management Area.

It was explained in the report that Brierley Hill had been selected as an Air Quality Management Area as air quality monitoring had identified it as likely to be in breach of national objectives for concentrations of nitrogen dioxide by the deadline of 31st December, 2005.

In the discussion on the report, a number of other areas were suggested as being appropriate for consideration as Air Quality Management Areas and it was agreed that tests in this regard would be carried out.

#### RESOLVED

- (1) That the proposals to improve the Air Quality in the Brierley Hill Air Quality Management Area in the summary of the draft Air Quality Action Plan appended to the report now submitted, be endorsed.
- (2) That the decision making process with regard to the Air Quality Action Plan, as proposed in paragraph 3.2 of the report now submitted, be endorsed.
- (3) That the continued programme of Air Quality Monitoring ongoing within the Borough be endorsed.
- (4) That the Lead Member for the Environment be recommended that further investigations on air quality and respiratory disorders be instituted throughout the Borough be instituted throughout the Borough to ascertain whether other areas which are in need of protection.

#### REVISED BUS STRATEGY 2003-11

A report of the Director of the Urban Environment was submitted seeking approval to the revised Bus Strategy proposed by Centro, on behalf of the West Midlands Passenger Transport Authority, for the period for 2003-11.

The report summarised the Strategy, which was arranged under three broad themes with supporting policies, and explained where it differed from the previous Strategy. The report also explained how customer needs and aspirations had been identified and indicated improved measures within the Strategy which were expected to contribute to creating a cycle of increased bus use. The report also referred to the means by which consultation on the development of the Strategy had been undertaken and on the way in which it was envisaged the Strategy would be funded. Mr Cuesta of Centro attended the meeting to expand on the detail of the Strategy and answer questions.

In the discussion on the issue, the relationship between the Strategy and the local Transport Plan was explained. In the question and answer session that followed, the use of bus lanes was commented on and a view was expressed that their hours of operation should be tailored more closely to times when traffic was expected to peak and to the bus time table. The point was also made that there should be greater local input in relation to planning for local public transport services.

On the issue of funding, Mr Cuesta indicated that the Passenger Transport Authority were giving increasing consideration to the funding of local transport facilities by way of Section 106 monies.

#### RESOLVED

That the Executive be informed

- (1) That the Committee supports the revised Bus Strategy but would like to have seen a greater local input into its drafting.
- (2) That the improvement in the quality of services and the local input into routes is supported and
- (3) That, with regard to paragraph 5.2 in the report now submitted, that the Select Committee has concerns about the seeking of an increase of the WMPTE levy over the level of inflation as an additional funding stream.

#### RECYCLING

A report of the Director of the Urban Environment was submitted indicating the proposed implementation programme for the Recycling Collection service.

The report indicated that, with the further phase of expansion to be implemented from 1st December, 2003, the total number of premises served in the current year would be in excess of 37,500. The distribution of the areas was provided for in the report. It was indicated further that the next phase of expansion would commence in May, 2004. New recycling vehicles and additional recycling containers had been bid for through funding from DEFRA. A successful bid would enable another 28,000 premises to be served.

In the discussion on the issue, one member expressed disappointment at the practice whereby parts of areas, rather than whole areas, were covered under the scheme. Other members then expressed concerns that particular areas had not yet been served. In response, the Assistant Director of the Urban Environment (Mr Williams) confirmed that the programme for 2004/05 had yet to be determined and that consideration could be given to the areas referred to in detailing of the programme.

#### RESOLVED

- (1) That the current proposals for the proposed implementation programme for recycling collections for 2004/05, as set out in the report now submitted, be noted and that the draft programme for 2004/05 be submitted to the next meeting of the Committee.
- (2) That, in determining the programme for 2004/05, the Lead Member for the Environment be recommended that first preference is given to wards which have not been represented in the programme hitherto.
- (3) That the bids to DEFRA for additional funding from the National Waste Minimisation and Recycling Fund of 2003/04 and 2004/05 be supported.

---

43

#### UNTIDY GARDENS

A report of the Director of Housing was submitted setting out the options to the Council to tackle the problem of untidy gardens, both in the public and private sectors.

In relation to Council owned properties, the report summarised standard tenancy conditions in relation to garden areas and indicated the grounds on which possession might be granted by a Court for breach of tenancy conditions. The report also indicated the matters involving untidy gardens dealt with by the Council in the current financial year. Regarding the private sector, the report indicated action that could be taken by the Council in relation to complaints of overgrown and untidy gardens, broken fences, trees etc.

A question and answer session followed, in which the Assistant Director of the Urban Environment (Housing Management) confirmed that the current tenancy agreement did not restrict the planting of trees. She indicated that it might be possible to include an advisory note to tenants stating suitable trees and the tenant's responsibilities for any damage caused by the unsuitable planting of trees. Reference was made in the discussion to the desirability of a register of voluntary groups who would undertake gardening for the elderly or disabled to be drawn up. A suggestion was made that guidelines for tenants on minimum standards on the upkeep of gardens could be included in Tenancy Agreements.

A number of questions were asked, mainly relating to operational issues, which were answered by the Senior Assistant Director of Housing. Reference in this regard was made to the number and type of cases taken to Court.

Concern was expressed by one member at the way in which some tenants had engaged in creating hard standings at their properties. The Senior Assistant Director of Housing agreed to address this with a view to ensuring that, where hard standings were provided, they were constructed to an acceptable standard.

#### RESOLVED

- (1) That the contents of the report now submitted be noted.
- (2) That the report, together with the comments and recommendations of this Committee be presented to the Area Housing Panel and that an article be included in the next edition of "Home Affairs" offering guidance on trees and reminding tenants of their responsibilities in keeping gardens tidy.
- (3) That the review of the Lettings Policy currently being undertaken include consideration of the following issues:
  - The inclusion of provisions in Tenancy Agreements regarding tree planting, to include species which are and which are not acceptable.
  - The inclusion of provisions in Tenancy Agreements regarding standards to apply where hard standings are constructed.
- (4) That the Lead Member for Housing be recommended that a register of voluntary groups willing to provide gardening services for the elderly and disabled be drawn up.

A report of the Lead Officer to the Committee was submitted presenting the half yearly performance report on the relevant priorities and targets of the Council Plan falling within the terms of reference of this Committee.

Reference was made in the discussion to the manner in which bin bags were delivered to properties by refuse operatives.

#### RESOLVED

- (1) That the report be noted.
  - (2) That a presentation on the Supporting People Programme be made by the Director of Housing to the meeting of the Committee to be held on 25th March, 2004 and that the work programme of the Committee be amended accordingly.
  - (3) That a report on Homelessness be submitted by the Director of Housing to the meeting of the Committee to be held on 25th March, 2004 and that the Work Programme of the Committee be amended accordingly.
  - (4) That a site visit be made to the Lister Road depot in April, 2004, to view the incinerator and to discuss any issues with operatives, including the quality of bin bags provided.
-

CHRISTMAS

This being the last meeting of the Committee before Christmas the Chair wished members and officers a Merry Christmas and a Happy New Year and they, in turn, wished him the compliments of the season.

The meeting ended at 8.25 pm.

CHAIR