

## **ENVIRONMENT SCRUTINY COMMITTEE**

Monday 5<sup>th</sup> November, 2012 at 6.00 pm  
in Committee Room 2, The Council House, Dudley

### **PRESENT:-**

Councillor Hanif (Chair)

Councillors M Aston, Boleyn, Duckworth, Harley, James, L Jones, Jordan, J Martin, Mrs Turner and Tyler.

### **Officers**

Director of Corporate Resources (As Lead Officer to the Committee), Assistant Director of Planning and Environmental Health, Assistant Director of Environmental Management, Head of Environmental Health and Trading Standards (All Directorate of Urban Environment); Assistant Director of Housing Services (Directorate of Adult, Community and Housing Services), Treasurer and Miss H Shepherd (Both Directorate of Corporate Resources).

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#### 21. **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were submitted on behalf of Councillors A Finch and Mrs Shakespeare.

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#### 22. **APPOINTMENT OF SUBSTITUTE MEMBERS**

It was noted that Councillors Tyler and L Jones had been appointed as substitute members for Councillors A Finch and Mrs Shakespeare, respectively, for this meeting of the Committee only.

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#### 23. **DECLARATIONS OF INTEREST**

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

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#### 24. **MINUTES**

##### **RESOLVED**

That, the minutes of the meeting of the Committee held on 5<sup>th</sup> September, 2012, be approved as a correct record and signed.

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25. PUBLIC FORUM

No matters were raised under this agenda item.

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26. REVENUE BUDGET STRATEGY 2013/14

A joint report of Officers was submitted to consult with Members on the Revenue Budget Strategy for 2013/14 and the Medium Term Financial Strategy.

Arising from the presentation given, a Member raised concerns with regard to the spending pressures and the calculation of the landfill and waste costing. The Assistant Director of Environmental Management stated that the landfill tax, set nationally, had increased by £8 per ton and that domestic waste being incinerated had reduced but was unpredictable. It was anticipated that there would be more waste recycled, which would reduce landfill and free up additional capacity at the plant which would be offered out to other waste organisations.

In response to further questions the Assistant Director of Environmental Management informed the Committee that the green waste fleet vehicles were hired on a five-year lease, however due to new technology and reliability of the vehicles, it was considered that the vehicles could run over a 7 year period. The reduction in green waste care business had been factored in, but it was considered that the vehicles worked excessively during the months of April to October. It was considered that a generic fleet would be more beneficial and efficient for the Authority. It was also stated that the introduction of wheelie bins would be factored in with the roll out of the recycling scheme and that funding for the wheelie bins would be obtained from the black sack capital and from the reduction in the number operatives. It was confirmed that it costs £52 per ton to incinerate waste and £72 per ton for landfill.

A Member raised concerns with regards to the savings required relating to the reduction in road and footway reconstruction and resurfacing and referred to the current scheme and the visible improvements. The Assistant Director of Environmental Management stated that it was a significant cut to the programme and that it would affect future schemes. He also confirmed that the programme would not be able to work as it was currently and that different methods and materials would be utilised, but intelligence would be used to determine and prioritise the areas that were most in need of maintenance work.

In response to a question the Assistant Director of Environmental Management stated that Ward Members, together with the Cabinet Member for Transportation and Community Safety would all be consulted with regard to the consideration of implementing charges on currently free parking car parks.

With reference to paragraph 36 of the report submitted relating to public consultation, a member raised concerns and requested that other methods of communicating the consultation be explored to ensure that all residents were consulted. It was stated that the consultation would be wider spread than just the internet and would also include meeting with an array of community groups across the borough.

Arising from a question the Assistant Director of Environmental Management advised that the Council currently worked with partners when resurfacing roads and footpaths and that specialised machinery was supplied by partners to recycle old surfaces, which when mixed with a few additional materials was re-invigorated and re-laid. This procedure was being monitored but it was confirmed to be satisfactory, sustainable and environmentally friendly.

A Member requested assurance that the reduction in grounds maintenance would not impact on public rights of way as this was a safety issue and problems with anti social behaviour were already being experienced in certain areas and that the reduction in gully drain emptying would not increase flooding issues within the borough which could subsequently then impact on the quality of road surfaces. The Assistant Director of Environmental Management stated that grounds maintenance would need to prioritise areas to be maintained, however regular inspections of public rights of way would be adhered to due to legal obligations. All maintenance works would be prioritised in relation to potential hazards to the public and that gully emptying would be impacted, but known hotspots that were expected to flood would take priority.

#### RESOLVED

That the Cabinet's Revenue Budget Strategy proposals for 2013/14 and Medium Term Financial Strategy, as set out in the report, and appendix A to the report, submitted, be noted and that the Cabinet be informed that there were no specific issues that this Committee would wish to raise.

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#### 27. ROGUE TRADERS AND DOORSTEP CRIME

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

Following the presentation a Member commended the Fix a Home scheme but raised concerns in relation to ex-offenders knocking on doors selling items and considered that this could be intimidating for residents especially the elderly. It was suggested that the Council could possibly have a register for anyone who wished to sell door to door and that an identity card could be issued with a registered number, which it was considered, would give residents more assurance when approached. The Head of Environmental Health and Trading Standards agreed to explore this option with colleagues and legal services.

In response to a question raised the Head of Environmental Health and Trading Standards stated that there were no immediate plans to extend the 'No Rogue Trader Zone', but would continue to work with West Midlands Police in identifying hotspots within the borough.

Arising from a question raised the Head of Environmental Health and Trading Standards confirmed that the Council did not actively promote the Fix a Home list to Traders, Traders contacted the Council direct if they wished to be included. However the possibility of advertising to extend the list would be investigated.

Concerns were raised by Members that residents within the 'No Rogue Trader Zone' had not received the documentation referred to in the report and questioned where the figures, referring to residents feeling safer in their homes since the introduction of the zone, had been obtained. The Head of Environmental Health and Trading Standards stated that the figures had been obtained from a national survey and did not solely relate to Dudley. He also stated that further publications could be printed and distributed to areas that had been missed during the original distribution.

In response to a further question raised it was confirmed that it was completely free for a trader to be registered on the Fix a Home traders list, but traders would be required to attend an interview which lasted approximately one hour and provide a series of references before being accepted. It was stated that following any work carried out by a trader on the list, a survey was sent to the resident to complete providing feedback on the work carried out. Any traders considered to be unsatisfactory would be removed from the list and no longer recommended. It was also stated that Age UK Dudley funded the Fix a Home brochure that was produced and distributed.

Following discussions it was considered by a Member that if a register for door-to-door sales and identity cards were to be implemented, it was important for the scheme to be promoted to ensure resident awareness.

#### RESOLVED

- (i) That the information contained in the report submitted, on the role of the Dudley Trading Standards Service in combating the problems of Doorstep Crime and investigating Rogue Traders, be noted.
- (ii) That the Head of Environmental Health and Trading Standards explore the option of having a register for door to door salespersons with colleagues and legal services and report back to the Committee.

## AGE RESTRICTED PRODUCTS ENFORCEMENT

A report of the Director of the Urban Environment was submitted updating Members on legislation enforcement and advice activity carried out by the Trading Standards Service concerning the sale of alcohol to persons aged under eighteen and to provide an annual report to Members on tobacco enforcement activity as required by specified legislation.

Arising from a question it was confirmed by the Head of Environmental Health and Trading Standards that there was currently no monitoring mechanism in place for sale of lottery tickets or scratch cards to under age persons.

Members commended Officers involved in Alcohol Enforcement for the excellent work that they did and the paper work that was produced.

In response to a question it was stated that a person obtaining alcohol on behalf of an under age person, known as a 'proxy sale', was also classed as an offence and with sufficient evidence could result in legal action.

Arising from a question the Head of Environmental Health and Trading Standards agreed to provide the Committee with a breakdown of the areas where test sales had taken place and report to a future meeting of the Committee on the work carried out in relation to the sale of fireworks.

The Head of Environmental Health and Trading Standards also agreed to provide Members with the number of cases in which Dudley and Her Majesty's Revenue and Customs had worked together in combating counterfeit and illicit alcohol and tobacco.

In response to a question, the Head of Environmental Health and Trading Standards explained the procedure of a test purchase and referred to the officers who would be present. He also confirmed that Dudley worked in conjunction with NHS Dudley to help promote health related issues in relation to the dangers of purchasing counterfeit and illicit products.

### RESOLVED

- (i) That the information contained in the report submitted, on legislation enforcement and advice activity carried out by the Trading Standards Services concerning the sale of alcohol to persons aged under eighteen and the annual report on tobacco enforcement activity as required by specified legislation, be noted.
- (ii) That the Head of Environmental Health and Trading Standards report back to a future meeting of the Committee with a breakdown of the areas in which test sales had taken place and report on the work carried out in relation to the sale of fireworks to underage persons.

- (iii) That the Head of Environmental Health and Trading Standards provide Members with the number of cases in which Dudley and Her Majesty's Revenue and Customs had worked together in combating counterfeit and illicit alcohol and tobacco.

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29. WEST MIDLANDS BEST USE OF STOCK (WMBUS) INITIATIVE

A report of the Director of Adult, Community and Housing Services was submitted on the collaborative work that was being undertaken by the major social landlords in the region.

Arising from the presentation the Chair expressed the importance of Members attending the Welfare Reform Awareness training that would be provided and asked the Assistant Director of Housing Services to e-mail all Members again once dates had been confirmed.

The Assistant Director of Housing Services confirmed that it was anticipated that there would be two working group meetings before Christmas to discuss the Allocations Review and Tenancy Policy and the Housing Strategy.

A Member requested an assurance that in respect of persons involved in the cross borough exchanges the Council would be provided with the persons housing history prior to the exchange.

Following discussion a Member expressed the need for a mechanism to be built in to the allocation process to address individual exceptional cases. The Assistant Director of Housing Services stated that this policy was considered at the former Choice Based Lettings Working Group, but could be re-addressed at the new working group once fully established if the group felt it appropriate.

In response to a question from a Member relating to the 'bedroom tax' the Assistant Director of Housing Services stated that apart from claimants over pensionable age, there were no exceptions to the measure regardless of the claimant's circumstances. This is likely to be subject to legal challenge as in a private sector case the Court of Appeal had ruled that the legislation discriminated against people needing an extra bedroom for a carer or because children cannot share a bedroom as a result of a disability.

A Member raised concerns with regards to the housing bidding process, especially for elderly residents who did not have access to the internet or were not confident in using the system and asked if there was data on how efficient the bidding system was. The Assistant Director of Housing Services stated that no resident should be disadvantaged by the system and that Officers offered a service where they would place bids on that person's behalf. The Member accepted this but expressed concern that the system did not encourage people who were under occupying a property to consider moving. The Assistant Director of Housing Services agreed to look in to this and provide a written response to the Member.

## RESOLVED

- (i) That the information contained in the report submitted, on the collaborative work that was being undertaken by the major social landlords in the region, be noted.
  - (ii) That the Assistant Director of Housing Services e-mail all Members confirming dates of the Welfare Reform Awareness training.
  - (iii) That two meetings of the Housing Working Group be held before Christmas to consider the Allocations Review and Tenancy Policy and the Housing Strategy.
  - (iv) That the Assistant Director of Housing Services provide a written response to a Member in regard to the promotion of re-housing to people under occupying their homes.
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The meeting ended at 7.55 pm.

CHAIR