

Meeting of the Council – 15th October 2007

Report of the Chairman of the Select Committee on the Environment

Annual Report of the Select Committee on the Environment

Purpose of Report

1. To submit to the Council the annual report of the Select Committee on the Environment for the 2006/07 Municipal Year.

Background

2. Article 6 of the Council's Constitution requires Select Committees to report annually to the full Council on their work and to make recommendations for future work programmes and amended working methods if appropriate. The Select Committee Chairmen have agreed that the annual report for this Select Committee should be submitted to the October meeting of the Council.
3. In deciding its work programme for 2006/07 the Committee chose to concentrate on a manageable list of important issues to ensure that they could be properly scrutinised whilst at the same time giving the Committee some flexibility to add some additional items that arose during the course of the year.
4. Accordingly, the planned work programme for the Committee in 2006/07 was as follows: -
 - Choice Based Lettings
 - Black Country Waste Management Study
 - Recycling
 - High Hedges Legislation
 - Air Quality Management
 - Food Service Plan
 - Review of Zonal Housing Repairs and Service Standards for Repairs
 - Review of Patch Working in Relation to Estate Management and Tenant Participation
 - Open Green Areas Not Subject to a Regular Maintenance Programme
 - Clean Neighbourhoods and Environment Act 2005
 - Sustainability Appraisal Toolkit
 - Grounds Maintenance on Housing Estates
5. We also agreed to investigate the decline in bus patronage and use of concessionary passes, which was referred by the former Select Committee on Economic Regeneration.

Analysis of the Work Programme for 2006/07

Appointment of Working Groups

6. At our meeting held on 27th June 2006 we approved the reappointment of the Recycling Working Group with the remit to consider recycling feasibility options and to look further at the recycling of plastics.
7. At our meeting held on 18th September 2006 we approved the following Work Programme for the Recycling Working Group:-

Material Recycling Facilities
A Second Civic Amenity Site
Domestic and Commercial Waste
Cleaner Neighbourhood Act
Plastics and Cardboard Recycling

Addressing the Decline in Bus Patronage and use of Concessionary Passes

8. At our meeting held on 18th September 2006 we received a report in respect of declining bus patronage and the take up of concessionary passes together with a presentation from the Assistant Director Bus Services and the Head of Bus Network regarding improving Dudley's Bus Services. Arising from the presentation concern was expressed that the decline in bus patronage was due to the problems that people encountered whilst using the service. It was also felt that an appropriate infrastructure should exist for bus shelters, as buses were not stopping because the driver could not see the person sitting inside and consequently people were forced to stand outside the shelter. Concern was also expressed that anti social behaviour occurred around bus shelters and seats were removed and glass broken and, following repairs, vandalism was repeated. It was suggested that where requests were made, these bus shelters should be removed. Further concerns were expressed that existing buses in Dudley were old and unreliable and it was felt that if customers received a quality bus network that was efficient and reliable coupled with a friendly environment, it would attract people to use the service. It was further considered that there was a need to coordinate train and bus services to avoid lengthy travelling and waiting times.

Implementation of Choice Based Lettings in Dudley

9. We received a progress report on plans for the implementation of Choice Based Lettings in Dudley. We considered the advertising of properties via websites and concern was expressed that not all people were familiar with using computers and it was queried whether dedicated trained people would be available to guide them on what to do. Concern was also expressed that if properties were only to be advertised in newspapers during the initial implementation period then people that worked full time or worked various shifts would be penalised, as they would be missing out on properties because they would not be able to take time off to visit Dudley Council Plus or the local Housing Office. It was also considered that people who did not have computers would have to rely on visiting libraries during their opening hours to access computers, which would further disadvantage them.

10. Arising from the concerns expressed we considered that an all-party Choice Based Lettings Working Group be set up to consider our reservations and to oversee and monitor progress of the pilot scheme and the banding proposals.

Review of Succession

11. A report was submitted to the Committee held on 18th September, 2006 to consider the decision of the Council in relation to a Notice of Motion Under Council Procedure Rule 12 considered on 24th July, 2006 regarding the issue of a review of succession to tenancy. We acknowledged the problems and issues that arose for tenants and agreed that the remit of the Choice Based Lettings Working Group be extended to consider the review of succession.
12. At our meeting held on 8th March, 2007 we received a report on the findings of the Choice Based Lettings Working Group and its recommendations in respect of policy and procedure on successions and joint tenancies. The potential improvements to the policy and procedure were submitted to us as recommended by the Working Group. Potential improvements to policy and procedure included the following:-
 - Any person who has always lived with the deceased tenant and is required to move should be offered a property of an appropriate size for their needs, which is in the same area or an area of equivalent popularity. They should also be offered a disturbance package equivalent to that offered in clearance cases, together with a fixed incentive payment.
 - Any person who has not always lived with the deceased tenant but has at some point joined the household of the deceased tenant and is now required to move, should be assessed for rehousing purposes so that their position will be the same as if they had remained in their previous home.
 - The grounds for the Principal Housing Manager to approve the granting of a tenancy should be extended to include severe and enduring mental health needs where a change of accommodation would be detrimental.
 - The existing policy on joint tenancies was considered adequate.
 - Information explaining these policies and the reasons for them could be produced in clear and simple terms (sample to be provided at Working Group Meeting), and promoted through Home Affairs.
 - Information on these policies and the reasons for them could be made available for elected members and specifically included in new members induction briefings.
 - The consistent and equitable operation of these policies should be monitored so that information on numbers and outcomes is presented to the Director and Cabinet Member for Housing on a quarterly basis and is available for all elected members upon request.

13. The recommendations were submitted to the Cabinet Member for Housing for consideration.

Black Country Waste Management Study

14. We received a report on the current status of the Black Country Waste Management Study.

High Hedges Legislation

15. We noted the information regarding the implementation of the Anti Social Behaviour Act 2003 (Part 8) with regard to High Hedges Legislation.

Clean Neighbourhoods and Environment Act 2005

16. At our meeting held on 13th November, 2006 we received a report outlining the new enforcement powers that had been introduced under the Act. The Working Group had considered the matter and presented the findings to the Committee. The Group had considered that the main problem areas in the Borough in relation to litter were areas around schools, colleges and shopping centres. It was considered that publicity of the new Clean Neighbourhoods and Environment Act 2005 should be encouraged throughout the Borough and that educating people should be a priority.

Green Waste Composting Facility at Iverley Park Farm

17. At our meeting held on 29th January, 2007 an issue was raised under the Public Forum agenda item. Representatives of Iverley Action Group attended the meeting and complained about the Green Waste Composting Facility at Iverley Park Farm and also expressed concern regarding the future development of the site. Complaints were made about the location of the site and that damaging emissions were being blown over the Norton area and reference was also made to noise and foul odours and the increased number of recorded complaints. Further concerns were expressed about the findings of the air quality study that had been conducted and that the operators would have been aware of this and may have taken action to reduce the impact of the operation during that time. The Assistant Director – Development and Environmental Protection informed us that the Council were not the enforcing local authority but confirmed that they were liaising closely with South Staffordshire District Council, the Environmental Agency and other regulating agencies to monitor the situation. It was also pointed out that Staffordshire District Council were undertaking work to conduct a trial to test a new probiotic compound, which should help to reduce the odour, and measures would be taken if matters did not improve. We were informed that Officers from South Staffordshire District Council, Dudley Council and Simpro Limited (the operating company) held regular meetings with a view to being updated on the current situation. We agreed to monitor the situation and asked that a report be submitted to a future meeting detailing the outcomes of the probiotic compound trial and an update on the issue.

Wednesbury to Brierley Hill Metro Extension

18. We received a report informing us on current progress and key issues in relation to the development and the implementation phases of the Wednesbury to Brierley Hill Metro Extension (WBHE).

Gully Cleaning Service

19. A report was submitted detailing the Council's responsibilities in respect of cleaning and maintaining its highway gullies and outlining the Council's resource capacity in the delivery of the service. During consideration of this item we welcomed the purchase of an additional gully tanker and felt that it would help in cleaning gullies faster. We also expressed concerns about the spate of manhole

covers being stolen and in view of it being a public danger and a huge liability for the Council, we asked that the impact of stealing manhole covers should be advertised to deter people. Concern was also expressed that there was a creeping loss of gardens resulting from either homeowners tarmac over the front gardens or by new housing developments that had smaller gardens. It was pointed out that London Boroughs were considering the introduction of byelaws to stop people from tarmac their front gardens and it was suggested that this Council should consider a similar recommendation.

Patch-Working and Estate Management

20. We received a report on progress made over the last two years with patch-working across our housing estates and the impact it has had on estate management. During our consideration of the item we felt that there were flaws in the system and that there was no consistent method being used by Housing Managers. We also considered that Members were not given sufficient notice informing them of forthcoming "walkabouts" and did not receive notification or, if received, a certain date and time was dictated.

Tenant Participation

21. We considered a report updating us on the progress with the implementation of the Tenant Participation Review.

Review of Zonal Housing Repairs and Service Standards for Repairs

22. We received a report detailing a reduction of the backlog of non-urgent repairs within Housing Services, an overview of how the current Housing Repairs Service operated and performance improvements within the repairs service, since 2003/04.

Choice Based Lettings

23. We considered a recommendation from the Choice Based Lettings Working Group and approved to change the pilot scheme from Central Dudley to Stourbridge and Halesowen due to the North Priory regeneration proposals.

Managing Green Care on Housing Estates and Open Spaces

24. A report was received informing us of progress made in respect of enhanced joint working between the Directorate of Adult, Community and Housing Services and the Directorate of Urban Environment in managing the Council's responsibilities for grounds maintenance on Housing Land and also advising on the introduction of a 'Green Care' Service Level Agreement between the two Directorates.

Provision of a Materials Recycling Facility

25. We received a report from the Recycling Working Group that had considered an issue regarding the lack of available storage and processing facilities (materials recycling facility) in the locality and recommending that a suitable site and appropriate funding be identified.

Other Items Considered

26. During the year we also considered the following principal items: -
- Annual report on equality and diversity in Housing Services 2005/06
 - Quarterly reports on corporate management performance regarding housing and the environment
 - Food Service Plan for 2006/07
 - Update of the Council's capital strategy
 - Update on Air Quality within Dudley
 - Proposed Revenue Budget 2007/08

Key Issues Arising

Choice Based Lettings

27. The ongoing work regarding Choice Based Lettings is an important issue and the Choice Based Lettings Working Group is continuing to monitor and oversee the work. We approved that the pilot scheme be changed from Central Dudley to Stourbridge and Halesowen due to the North Priory regeneration proposals and the Working Group will continue to monitor the pilot scheme with a view to reporting the findings to us to enable us to make an informed recommendation.

Policy on Successions and Joint Tenancies

28. The Choice Based Lettings Working Group considered the matter on Successions and Joint Tenancies and reviewed the policy and reported on its findings to us. We considered the report from the Working Group and we recommended that the Cabinet Member for Housing consider the potential improvements to the policy and procedure as outlined in the report submitted.

Provision of a Materials Recycling Facility

29. The Recycling Working Group visited a materials recycling facility in Shrewsbury, on the 13th February 2007. Arising from the visit the Group considered that a suitable similar site needed to be identified in Dudley as a matter of urgency and preferably sited centrally or to the north of the Borough. The findings were submitted to us and we made appropriate recommendations to the Cabinet Member for the Environment.

Recommendations that were made

30. Addressing the Decline in Bus Patronage and use of Concessionary Passes
- The information contained in the report and presentation given concerning bus patronage and concessionary fares was noted.
 - We supported Centro in its role of promoting the use of quality bus services as part of its wider transport objectives.
 - We requested that a further report be submitted to us in June 2007.

31. Implementation of Choice Based Lettings in Dudley
- The information contained in the report and Appendices attached to the report was noted.
 - We approved the appointment of an all-party Choice Based Lettings Working Group to oversee and monitor progress of the choice based lettings pilot scheme and the banding proposals.
 - We subsequently approved to change the pilot scheme for Choice Based Lettings from Central Dudley to Stourbridge and Halesowen.
32. Review of Succession
- Following consideration by the Choice Based Lettings Working Group recommendations were submitted to the Cabinet Member for Housing.
33. Black Country Waste Management Study
- The information contained in the report submitted on the progress made on the Black Country Waste Management Study was noted and we requested that further progress reports be submitted to future meetings of the Committee.
34. High Hedges Legislation
- The information contained in the report and in the attached Appendix was noted.
35. Clean Neighbourhoods and Environment Act 2005
- The Cabinet Member for the Environment was recommended to submit an appropriate press release advertising the new powers for the Council under the new Act and that enforcement action would be taken.
 - A report to be submitted to the Recycling Working Group was requested to include details on Fixed Penalty Notices with a view to setting a consistent charge level.
36. Green Waste Composting Facility at Iverley Park Farm (Public Forum Item)
- A report to a future meeting of the Committee was requested detailing the outcomes of the probiotic compound trial and an update on the issue.
 - An item on cross border issues was agreed to be included in the work programme for 2007/08.
37. Wednesbury to Brierley Hill Metro Extension
- The information contained in the report on current progress and key issues in relation to the development and the implementation phased of the Wednesbury to Brierley Hill Metro Extension was noted.

38. Gully Cleaning Service

- The information contained in the report on the work undertaken by the Street Maintenance Section in respect of managing the highway drainage maintenance budget was noted.
- The internal and external factors that were adding greater pressure on the capacity of the existing budget to deliver an adequate cleaning and highway drainage maintenance programme, was noted.
- The 2006/07 budget growth of £50k for gully cleansing, the purchase of a new gully tanker and the measures being introduced to improve the service, was noted.

39. Patch-Working and Estate Management

- The information contained in the report submitted on the work undertaken with patch working was noted.
- The Director of Adult, Community and Housing Services was requested to consider comments made by us and to submit a report to a future meeting of the Committee detailing actions to address inconsistency and communication problems together with details and statistics on home check visits and follow-up action.

40. Tenant Participation

- The information contained in the report submitted on the work undertaken with the implementation of the Tenant Participation review was noted.

41. Review of Zonal Housing Repairs and Service Standards for Repairs

- The information contained in the report submitted was noted and the principles of the new service enhancement initiatives as detailed in the report were supported.
- The Director of Adult, Community and Housing Services was requested to submit the findings arising from consideration of the customer satisfaction slips to all Members of the Committee.

42. Managing Green Care on Housing Estates and Open Spaces

- The information contained in the report submitted on the work undertaken by the Directorates of the Urban Environment and Adult, Community and Housing Services in respect of introducing a Service Level Agreement for grounds maintenance on Council land in Housing ownership, was noted.
- The management of the Green Care budget, by the Green Care Section to provide consistent standards of maintenance across the Borough and to more effectively manage the Council's Green Care priorities, was noted.
- The impact of new landscape developments on the Green Care budget and on overall standards of maintenance, particularly where schemes were introduced without adequate revenue funding, was noted.
- The proposal that further monitoring of the Grounds Maintenance Service Level Agreement be established formally with the Housing Area Panels and that each Area Panel receive a report twice a year on Grounds Maintenance issues arising within their respective areas, was received and noted.

43. Provision of a Materials Recycling Facility

- We recommended to the Cabinet Member for the Environment to consider a suitable site for a Materials Recycling Facility in the Borough in the capital programme and that approaches be made to the landowners to purchase the site.
- The Cabinet Member for the Environment was also requested to consider a working model and definite proposals for a Materials Reclamation Facility and to secure any available Government funding for such a site.

Changes as a result of recommendations

44. The development of a Choice Based Lettings system in the borough is a significant step forward and to enable a proper evaluation of the pilot scheme we approved to conduct the pilot in Stourbridge and Halesowen instead of Central Dudley. In addition the Committee has identified the importance of advertising the new powers for the Local Authority under the Clean Neighbourhood and Environment Act 2005 to warn people that enforcement action would be taken. Fixed Penalty Notices for dropping litter are currently under review and the Recycling Working Group will consider the matter with a view to recommending charges consistent with charges levied by other Local Authorities.

Any issues which were not reviewed during this work programme

45. None.

Any areas/opportunities for improvement

46. The Committee has recognised the value of having separate Working Groups to undertake detailed analysis of major issues such as Choice Based Lettings and recycling.

Areas of focus for the coming year – Key Issues to be considered

47. At our meeting held on 8th March, 2007 the following outline Work Programme was proposed for the 2007/08 Municipal Year:-

- Food Service Plan
- Food Service Plan Progress
- Air Quality Management Progress
- Update of the Council's Capital Strategy
- Equality and Diversity Reports
- Quarterly Reports on Corporate Performance Management
- Proposed Revenue Budget 2008/09
- Outline Work Programme 2007/08
- Annual Report of the Committee to Council
- Choice Based Lettings
- Recycling
- Health Act 2006 – No Smoking in Public Places Progress
- Cross Border Issues
- Fixed Penalties for Dropping Litter
- Patch Working and Estate Management
- Highways and Footpath Maintenance

- Update on Green Waste Composting Facility and Outcomes of the Probiotic Compound Trial

Finance

48. There are no direct financial consequences arising from this report.

Law

49. The requirement for Select Committees to make an annual report to the Council is contained in Article 6 of the Constitution.

50. The relevant statutory provisions regarding the Council's Constitution are contained in Part II of the Local Government Act 2000 together with regulations, orders and statutory guidance issued by the Secretary of State.

Equality Impact

51. This report complies fully with the Council's policies on equal opportunities and diversity.

52. This report will have no specific effect on children and young people. There is no requirement for consultation with children and young people or the involvement of children and young people in producing the report or the development of proposals.

Recommendation

53. That the Annual Report of the Select Committee on the Environment for 2006/07, as set out above, be noted and approved.



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CHAIRMAN OF THE SELECT COMMITTEE ON THE ENVIRONMENT