

## **SELECT COMMITTEE ON ENVIRONMENT**

Tuesday 23<sup>rd</sup> June, 2009 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, Hanif, Hill, James, Mrs Jordan, Mrs Rogers,  
Mrs Shakespeare, and Waltho

### **Officers**

Interim Director of Law and Property (As Lead Officer to the Committee),  
Assistant Director Planning and Environmental Health, Assistant Director,  
Environmental Management, Food and Occupational Safety Manager, Head  
of Waste Care, Martin Gorajczyk, Senior Enforcement Officer, Mr K Lea, Pest  
Control Officer, (All Directorate of the Urban Environment), Assistant Director  
of Finance (Revenues, Benefits and Management Support), (Directorate of  
Finance, ICT and Procurement), Assistant Director of Housing Management,  
(Directorate of Adult Community and Housing Services) and Miss K Fellows  
(Directorate of Law, Property and Human Resources).

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1            **APOLOGIES FOR ABSENCE**

An apology for absence from the meeting was submitted on behalf of  
Councillor P Harley

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2            **APPOINTMENT OF SUBSTITUTE MEMBERS**

It was reported that Councillor Mrs Rogers had been appointed as a  
substitute member for Councillor P Harley for this meeting of the Committee  
only.

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3            **DECLARATIONS OF INTEREST**

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

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4            **COMMENTS OF THE CHAIRMAN**

The Chairman welcomed new members to the Committee and expressed  
thanks and congratulations to Councillor Stanley on his promotion to Cabinet  
Member for Environment and Culture.

The Chairman also referred to an email received from Councillor Lowe, which congratulated the Members and Officers for their enthusiasm and commitment in relation to the Committee, and in particular referred to the Select Committee on Environment Choice Based Lettings Working Group, of which Councillor Lowe had previously been a member.

RESOLVED

- (a) That, the Chairman, on behalf of the Committee write to Councillor Stanley, to convey thanks for his work in relation to the Committee, and to congratulate him upon his appointment as Cabinet Member for Environment and Culture.
- (b) That, the Chairman, on behalf of the Committee write to Councillor Lowe, thanking him for his email.

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5 MINUTES

RESOLVED

That, the minutes of the meeting of the Committee held on 5<sup>th</sup> March, 2009, be approved as a correct record and signed subject to the insertion of a further minute, following minute 44 , in respect of "Appointment of Substitute Members and indicating that Councillor Mrs Coulter had been appointed as a substitute member for Councillor Mrs Jordan for this meeting of the Committee only".

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6 PUBLIC FORUM

No matters were raised under this agenda item.

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7 WORK PROGRAMME FOR 2009/10

A report of Lead Officer to the Committee was submitted on the Work Programme for the Select Committee for 2009/10.

Arising from requests of Members at a recent meeting of the Select Committee on Community Safety and Community Services it was agreed that reports on Use, Abuse and Effectiveness of Speed Cameras and Issues relating to Civil Parking Enforcement, with particular reference to the respective roles of the Council and the Police in dealing with cases of obstruction, be included in the work programme and considered at the September, 2009, meeting of the Committee.

RESOLVED

That the Work Programme for the Committee for 2009/10 be approved as follows:-

- Food Service Plan June, 2009
- Presentation on the Work of the Pest Control Team June, 2009
- Work Programme June, 2009
- Quarterly Reports on Corporate Performance Management June and November, 2009, January and March, 2010
- Appointment of Working Groups June, 2009
- Equality and Diversity June, 2009
- Drainage Report September, 2009
- Annual Report of the Committee to Council September, 2009
- Final Evaluation of the North Dudley Gardening Initiative September, 2009
- Use, Abuse and effectiveness of Speed Cameras September, 2009
- Civil Parking Enforcement and respective roles of the Council and the Police in dealing with cases of obstruction September, 2009
- Food Service Progress November, 2009
- Update of the Council's Capital Strategy November, 2009
- Tenancy and Estate Management - Patch-Working November, 2009
- Air Quality Management Progress January, 2010
- Proposed Revenue Budget 2009/10 March, 2010
- Outline Work Programme 2009/10 March, 2010
- Equality and Diversity Action Plan March, 2010
- Choice Based Lettings – Points to Banding March, 2010
- Recycling Working Group Report March, 2010

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## APPOINTMENT OF WORKING GROUPS

A report of the Lead Officer to the Committee was submitted on the appointment of Working Groups of the Committee for 2009/10

### RESOLVED

- (1) That, the Recycling Working Group be re-appointed with the remit to consider recycling feasibility options and to look further at the recycling of plastics and that the membership of the Working Group comprise:-

Councillors Mrs Turner (Chairman), Mrs Cowell, Hanif, Hill and Waltho.

- (2) That, the Choice Based Lettings Working Group be re-appointed with the remit to oversee and monitor the progress of the choice based lettings pilot scheme and the banding proposals and that the membership of the Working Group comprise:-

Councillors Mrs Cowell (Chairman), A Finch, Mrs Jordan and Mrs Turner

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9 DIRECTORATE OF FINANCE, ICT AND PROCUREMENT'S EQUALITY AND DIVERSITY ANNUAL REPORT 2008/09

A report of the Interim Director of Finance was submitted on the Directorate of Finance, ICT and Procurement's Equality and Diversity Annual Report for 2008/09. A copy of the annual report was attached as an Appendix to the report submitted.

RESOLVED

That, the information contained in the report, and Appendix to the report submitted, on the Directorate of Finance, ICT and Procurement's Equality and Diversity Annual Report for 2008/09, be noted.

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10 CHANGE IN ORDER OF BUSINESS

Pursuant to Council Procedure Rule 13(c), it was

RESOLVED

That agenda item Number 10 be considered as the next item of business followed by agenda item Number 9 and the remaining agenda items.

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11 FOOD SERVICE PLAN 2009/10

A report of the Director of the Urban Environment was submitted on the Food Service Plan 2009/10. A copy of the Food Service Plan Summary 2009/10 was attached as an Appendix to the report.

In presenting the report the Food and Occupational Safety Manager referred in particular to the performance items to note in 2008/09, making particular reference to the high level of programmed inspections of food premises being maintained and the Scores on the Doors scheme, which had been extremely

popular with members of the public with up to 2,000 users per month. In the first twelve months of the scheme the proportion of the borough's food premises which were broadly compliant with food hygiene legislation had risen from 75% to 81%, with 71 Dudley Food for Health Awards

being issued during the year. Food labelling lessons had also been delivered in both secondary and primary schools in the borough.

It was reported that there had been an increase in small business food premises during the last year, and in particular an increase in those run from home, totalling fifty across the borough.

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

- Details of the three food businesses closed by invoking emergency powers;
- The number of employees and how surveillance for new or unregistered food businesses would be prioritised;
- The increase in food business premises run from home;
- That law enforcement relating to food and health had improved year on year, and praise in relation to the fast and efficient action that had been taken against food premises;
- Geographical details of those food premises applying for registration as food businesses during 2008/09.

In responding the Food and Occupational Safety Manager reported that, the three businesses closed had been reported in the press and included a Chinese takeaway for mouse infestation, an Indian takeaway for cockroach infestation and a Chinese takeaway for rat infestation;

The number of staff included eleven full time employees for food inspecting and relating to prioritisation during the last year higher risk and new business premises had been prioritised, and prioritisation would be reviewed each year.

It was reported that publicity surrounding food premises run from home would be undertaken by the Council in order to encourage those concerned to register their businesses.

#### RESOLVED

- (1) That, the information contained in the report, and Appendix to the report, submitted on the Food Service Plan 2009/10, be noted.
- (2) That the Food and Occupational Safety Manager be requested to circulate to Members the geographical details of those food businesses applying for registration as food premises during 2008/09.

The Senior Enforcement Officer gave a power point presentation on the work of the Pest Control Team referring in particular to:-

- That the Pest Control Team comprised of one team leader, four pest control officers and one administration officer;
- Contact being made with those raising pest control issues within twenty four hours from notification;
- The provision of trained and qualified staff, proffering free advice, and determining the appropriate treatment in relation to varying insects and rodents including mice and rats and dealing with stray dogs;
- The service figures for 2008/09 displayed, together with the charges that may be implemented, and photographs of some premises inspected;

Arising from the presentation a member requested that data be provided for the main geographical area where rat infestation occurred.

The Senior Enforcement Officer advised that there had not been one main area, as this occurred throughout the Borough.

In responding to a question from a member relating to squirrels, it was reported that although the Council's Pest Control Team did not deal with squirrels, they did provide those enquiring with details of private Pest Control Contractors who could assist with these problems.

A Member referred to badgers under-mining gardens and causing dangers to residents and continuing problems with the Department for Environment Food and Rural Affairs (DEFRA) in this regard. The Senior Enforcement Officer advised that all problems with badgers should be provided for by DEFRA, and noted members concerns with the lack of assistance provided.

In responding to questions and concerns relating to stray dogs the Assistant Director of Planning and Environmental Health responded stating that from April, 2008 responsibility for dealing with stray dogs out of hours had become a Local Authority responsibility, however an inadequate amount of funds had been provided by the Government for Local Authorities to deal with this additional workload. An out of hours service is provided in emergency situations, and that these dogs were collected by Rosedene Rescue Centre in Walsall. She confirmed that the issue relating to funding for this service would continue to be discussed and monitored.

A Member raised a question relating to the Council's powers to ensure that the residents of privately owned properties cleared up their premises.

In responding, the Senior Enforcement Officer advised that this would be classed as a Statutory nuisance under the Environmental Protection Act, which would require a civil action, whereby strict liability would be imposed upon private property owners, and further in relation to Council tenants, the Council would have powers to deal with such problems under the conditions of tenancy agreements.

It was further reported that there would be powers under the Town and Country Planning Act in order to deal with areas where eyesores had resulted, and should members provide the Senior Enforcement Officer with details of addresses, he would follow up relevant enquiries with the Principal Planning Officer Enforcement.

Following a further question of a member, the Pest Control Officer reported that risk assessments were undertaken as to the amount of treatment required to eliminate rodents, and although some rodents did have tendencies towards bait shyness, the treatments utilised continued to be effective, and following treatment the left over treatments and carcasses would be disposed of in the Council's incinerator.

A member raised a question relating to the Council's responsibilities to deal with dangerous dogs and road kill.

In responding the Assistant Director of Planning and Environmental Health advised that dangerous dogs would be dealt with by the Police under the provisions of the Dangerous Dogs Act, and pet owners continued to be encouraged to microchip their pets, in order that owners could be contacted. It was further indicated that the Council would shortly be operating a stray dog register on their website which would be updated on a daily basis.

The Assistant Director of Environmental Management advised that Street Cleansing employees had been issued with bar coding devices in order to identify the owners of stray and road kills.

Relating to a question raised by a Member pertaining to bed bugs, the Pest Control Officer, advised that these problems were usually raised following people suffering bites during the night, and once Pest Control Officers were contacted they would request that samples be obtained by the complainants from head boards. Following determination of infestation treatment would be identified and administered, however these infestations were limited with eight to twelve calls during the preceding five years.

In responding to a question from a member relating to wasp nests, the Pest Control Officer advised that once the wasp treatment had been successfully administered, wasps would not return to the nest.

Members thanked officers for their short concise presentation indicating that this had been both interesting and informative.

RESOLVED

That the Assistant Director of Environmental Management be requested to:-

- (a) write to the Department for Environment Food and Rural Affairs (DEFRA) expressing Members concerns in relation to the lack of assistance that they and their constituents had been provided with in order to deal with problems pertaining to squirrels and badgers.

- (b) Email to Members details of the Charges of the Pest Control Team.
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### QUARTERLY CORPORATE MANAGEMENT REPORT

A report of the Lead Officer to the Committee was submitted on performance in the final quarter of 2008/09, for the period 1<sup>st</sup> January, 2008 to 31<sup>st</sup> March, 2009, in relation to the activities relating to the terms of reference of this Committee.

In responding to a question from a Member relating to the provision of double glazing in council properties being included in the Decent Homes Standard, the Assistant Director of Housing Management indicated that the Decent Homes Standard would not include the provision of double glazing. It also remained anticipated that the Dudley Borough would meet the required 2010 target in respect of decent homes and that funding/improvement options could be explored once the intentions of the Government were known post Decent Homes Standard.

The Lead Officer to the Committee provided clarification in relation to the Work Programme for the Committee, advising that there were certain reports that had to be considered by them in order for members to delve behind some of the data provided as scrutinisers

It was further confirmed by the Assistant Director of Housing Management that Officers were required to attend before the Cabinet Performance Management sub-group in order to answer questions and provide further information in relation to the performance and standards of their directorates when major risks were identified.

#### RESOLVED

- (a) That the information contained in the report, and coloured copy of the extracted report circulated separately, on performance in the final quarter of 2008/09, for the period 1<sup>st</sup> January, 2008 and 31<sup>st</sup> March, 2009, in relation to activities relating to the terms of reference of this Committee, be noted.
- (b) That Members be requested to email details of any further matters that they wish to be included in the Work Programme of the Committee to the Lead Officer of this Committee.

The meeting ended at 7.20pm

CHAIRMAN