

## **Meeting of the Council – 10<sup>th</sup> April 2006**

### **Report of the Chairman**

### **Annual Report of the Select Committee on the Environment 2005/2006**

#### **Purpose of Report**

1. To consider the annual report to the Council for the 2005/06 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 April meeting of the Council.
3. In deciding its work programme for 2005/06 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 2005/06 was as follows: -
  - Traffic Management (to include decriminalisation of car parking)
  - Sustainable Development and Decision Making
  - Choice Based Lettings and Visit to Wolverhampton
  - Implementation of Best Value Service Continuous Improvement Plans and Waste Management
  - Black Country Waste Management Forum – Presentation
  - Duplex Properties
  - Condition of Public Multi-Storey Car Parks
  - Plastics Recycling
  - Tree Management Policy – Replacement of Felled Trees
  - Affordable Housing

#### **Analysis of the Work Programme for 2005/06**

##### **Traffic Management and Decriminalised Parking**

5. At our meeting held on 30<sup>th</sup> June 2005 we received a report informing and updating us on policy and legislative influence relating to traffic management. The report explained about the Traffic Management Act, which aimed to tackle congestion and reduce disruption by proactive management of existing highway

network, better co-ordination and management of planned works, more effective powers and sanctions over street works and wider civil enforcement powers for traffic contraventions ie, decriminalised parking.

6. During our consideration of the item, particular reference was made to the Blue Badge Scheme and concern was expressed that some people abused the scheme and were able to acquire badges even though they did not need one. Further comments were made in relation to the legalities of where holders of badges could park due to some holders parking inconsiderately which held up other traffic.

### **Sustainable Development and Decision Making**

7. At our meeting held on 30<sup>th</sup> June, 2005, a report was submitted asking us to oversee a programme of research into Sustainable Development in terms of Council decision-making. Sustainable Development is about improving people's quality of life both now and in the future without having a detrimental effect on the earth's resources. It means balancing economic, social and environmental objectives. We approved the report and recommendations and to enable a fuller understanding of the outcome and what was to be achieved, a further update report, including a practical example of how the process could be applied, was requested. This was subsequently presented to the meeting of the Committee held on 31<sup>st</sup> October, 2005.
8. A further report was received at our meeting held on 30<sup>th</sup> March, 2006 and details will be circulated separately.

### **Choice Based Lettings and Visit to Wolverhampton**

9. A visit was undertaken to Bushbury Hill Estate Management Board on 26<sup>th</sup> July, 2005 to gain an understanding of the way the scheme worked for them to help us decide on an appropriate scheme for Dudley.
10. A report was submitted to the Committee held on 19<sup>th</sup> September, 2005 where we considered that an initial Choice Based Lettings scheme for Dudley should be entered into with caution. It was further considered that a specific area of Dudley should be piloted with the proposed scheme, and if successful, be rolled out to the rest of the Borough. A further report, together with a detailed work plan and information on timescales was requested to enable a decision to be made on whether the Committee or a Working Group should oversee the process. A report on the proposed Project Plan for implementing Choice Based Lettings was subsequently submitted on 31<sup>st</sup> October, 2005. During consideration of the item concern was expressed at the 50% refusal rate of take-up, which could be due to properties being in a state of disrepair. It was suggested that tenancy conditions should be made stronger and enforcement action taken on those that wrecked properties or did not leave them in a reasonable state.
11. The Project Sponsor and the Project Manager are to co-ordinate the project and regular reports are to be submitted to the Committee. A report on research options was submitted to the Committee in January 2006. We agreed to choose option 4(f) for the choice based lettings process because it allowed the greatest flexibility and models could be mixed and matched. In terms of policy, we chose option 5(b) which allowed the continuation of the points scheme, but taking the opportunity to update it to take into account changes in supply and demand (such

as the increase in homelessness, reducing numbers of voids, and the market information which will, in due course, become available from the current Housing Needs Survey). We also chose option 5(d), which is a banding system as it was felt that tenants felt more comfortable with a points scheme and a time limited priority card system could be adopted for urgent cases. A report with detailed examination of the options in local context is to be submitted in September 2006.

### **Implementation of Best Value Service Continuous Improvement Plans and Waste Management**

12. Concern was expressed in relation to the smell caused by people urinating at the Foster Street underpass in Stourbridge and it was pointed out that the floor was cleaned regularly but additional cleaning on the walls was required. Officers were asked to undertake cleaning on a more regular basis to include the walls. Comments were further made in relation to the subway at Union Street where the same smell occurred and it was pointed out that, although the area was cleaned regularly, the material on the floor absorbed the smell and cleaning had very little effect. It was noted that the odour could only be removed by replacing the floor with a surface that did not absorb liquid. We also considered that gullies at the bottom of hills should be identified as a priority on the cleaning programme due to being prone to overspill as they collected the most water.
13. The Committee further expressed some concern in relation to the differing railings on the subway. Officers reported that the whole guardrail associated with the subway was attached to the structure. There were safety implications and owing to changes in standards, a replacement scheme would have to be more robust. We noted that a meeting was due to take place in the near future with a view to obtaining additional funding to enable the continuation of the colour scheme for the entire railings.

### **Sale of Cars on Highways and Private Land**

14. We considered a recommendation from the Brierley Hill Area Committee requesting us to review the regulations and enforcement action to combat the sale of cars on highways and private land. The recommendation was agreed and the matter was included as part of our work programme. We also considered that the Cabinet Member for the Environment should submit a press release highlighting the seriousness of the matter and pointing out that enforcement action would be taken.
15. A further report was considered in January 2006, together with a report from the Lead Officer to the Select Committee on Economic Regeneration. The report expressed concern in respect of the number of vehicles parked legally and illegally on pavements and roads, which created problems for people in wheelchairs, as they had to go around and between the cars.
16. We agreed that action should be taken and a letter has been written to the Chief Superintendent requesting that he speak to the local Inspectors so that they take appropriate action. Discussions are also taking place with the police and Traffic Management with a view to reaching a long-term solution. The Director of the Urban Environment has also been requested to instigate appropriate action under Section 3 of the Clean Neighbourhoods and Environment Act 2005 when motor vehicles are offered for sale in contravention of this statutory provision.

## **Black Country Waste Management Study – Presentation**

17. At our meeting held on 31<sup>st</sup> October, 2005 a report, together with a presentation on the progress of the Black Country Waste Management Study, was considered. During the presentation, officers reported that the Black Country would, by joint working, achieve regional self-sufficiency in municipal waste management and committing to landfill only those wastes that could not, through the adoption of best practice, be re-used, recycled or recovered as energy.
18. We considered that to enable officers to move forward, there was a need for an urgent decision to be made on whether the Council wished to proceed independently or by joint working and it was considered that the Recycling Working Group should consider the options in more detail.
19. We requested that a further presentation be made to the Committee upon completion of the study.

### **Duplex Properties**

20. A report updating the Committee on the position with regard to Duplex properties in the Borough was received. Concern was expressed at Duplex properties and Members had received several complaints in relation to noise nuisance caused in flats from vacuuming or the use of washing machines by the tenants either above or below the property.

### **Multi-Storey Car Parks**

21. A supplementary paper will be circulated on this matter.

### **Plastics Recycling**

22. A supplementary paper will be circulated on this matter.

### **Tree Management Policy – Replacement of Felled Trees**

23. We considered that there was a need to ensure people were made aware as to the planting of appropriate trees in relation to size of area and location. It was also reported that a database recording details of every tree in the Borough, to include its size, location and maintenance was being pursued. The software would enable the creation of reports and digital plotting of trees, and officers had been issued with tablets to enable the recording of data.

### **Affordable Housing**

24. A supplementary paper will be circulated on this matter.

### **Other Items Considered**

25. During the year we also considered the following principal items: -
  - Annual report on equality and diversity 2004/05 for the Directorate of Housing
  - Quarterly reports on corporate management performance regarding housing and the environment
  - Food Service Plan for 2005/06

- Update of the Council's capital strategy
- Update on Air Quality within Dudley
- Grounds Maintenance on Housing Estates

### **Recycling Working Group**

26. We appointed a Recycling Working Group as we considered that recycling figures for the area of Dudley were lower than average. The Working Group comprising Councillors Mrs Turner (Chairman), Mrs Collins, Stanley and Tomkinson was appointed to investigate and monitor recycling in the borough.
27. At the first meeting of the Working Group the proposed Work Programme and recycling issues were discussed. Officers informed the Group that Directorates were currently exploring avenues to improve in-house recycling and it was suggested that the Group should include the review as part of their work programme.
28. The Group were informed that an "on request" collection service was offered to Members and, upon request, arrangements were made for bulky papers to be collected. Members commented that the courier service, which was currently used to deliver mail to Members could be utilised to also collect papers at the same time. Officers advised that a mix and match service could be offered and undertook to investigate the matter.
29. The Group further commented that the facility to recycle glossy paper existed in Sedgley and, as Council Directorates were sending large amounts of documents on glossy paper, it was queried whether a market existed to obtain an income from this type of recycling. Officers reported that it was easier to recycle white paper as dyed and glossy paper were of a superior quality and heavily inked which decreased its value and special technology was required to remove the ink. However, clarification on what could be recycled is to be reported back to a future meeting.
30. The Group considered that it would be useful to use internal envelopes for Members post, as very often there were several smaller envelopes inside a large one. It was suggested that envelopes should also be sent back for re-use.
31. The position in relation to the issuing of black boxes was queried and Officers advised that there had been delays due to the exceptional demand. However it was confirmed that issuing black boxes to all households in the Borough was to be completed shortly. The Group requested that when green waste bins were allocated, the process should be planned appropriately to enable the households that had been waiting longest for black boxes to be issued with green bins first. It was also requested that figures detailing and assessing take up of black boxes in the Borough should be submitted to a future meeting.
32. The Group proposed the following Work Programme, which was subsequently approved by the Select Committee:-
  - Black Country Study – Waste Management
  - Recycling Plastics
  - Green Waste
  - Performance Management and In-House Recycling

## **Black Country Study – Waste Management – 23<sup>rd</sup> November, 2005**

33. A report on the Black Country Study – Waste Management was considered. Officers referred to two issues, which required input from the Working Group, these being options for joint working and the location and types of new facilities. On being invited to consider ideas for the development of the infrastructure in so far as waste management was concerned, reference was made to a need for lobbying of government to provide for increased regulation of packaging waste; the importance of regional self sufficiency in waste disposal and the need in the Borough for a new civic amenity site, a composting site and extra processing capacity at the existing waste - energy facility. It was considered that the formation of a formal strategic body with a constitution (stand alone or joint) be approved as the preferred option of the Working Group for delivering the joint Black Country waste management strategy.
34. On the issue of collection of items for recycling, the use of wheeled bins was discussed. Options suggested for consideration were large wheeled bins with fewer collections or small wheeled bins with no change in the number of collections. It was acknowledged that a greater use of wheeled bins could prejudice certain residents, including those with difficulty in mobility or residents of high rise flats or properties with steps leading to front doors. Regarding flats, Officers suggested that recycling collection points could be introduced in flats or that recycling facilities could be provided on site at blocks of flats.

## **Recycling from Council Premises – 10<sup>th</sup> January, 2006**

35. A report on recycling from Council premises was considered. Members commented that in the report, mention was only made of one library that contributed to waste recycling and it was queried whether other libraries were aware of recycling opportunities. Officers have agreed to contact other libraries in the Borough with a view to investigating their contributions to recycling. We have also asked for further information to include recycling figures for Sainsburys and statistical information and figures detailing recycling facilities at schools including how much waste was generated and recycled to enable proper comparisons to be made. The Waste Education Officer is being requested to provide feedback in relation to recycling at schools to a future meeting.
36. Further discussion ensued and the Group felt that, due to the sensitive contents and nature of some documents and confidential “blue” papers, efforts should be made in identifying a secure collection point and two containers should be made available to separate public papers and sensitive documents. It was also requested that recycling should be made easier for Members and it was pointed out that Members experienced difficulty in depositing their papers, given the location of the container in the basement of the Council House. Officers have agreed to investigate the matter.

## **Recycling Plastics – 24<sup>th</sup> March, 2006**

37. A visit was undertaken in the morning by the Group to Lichfield District Council to investigate their practices in relation to recycling plastics. A meeting of the Group then followed in the afternoon.

38. The Group received a verbal update on the Black Country Waste Management Forum and Officers reported that there was a commitment to partnership working and that a site for development had been identified. It was reported that a joint Conference involving the four West Midlands Councils was to be arranged during May as part of the communication strategy and a further presentation would be made to the Select Committee at its first meeting of the Municipal Year.
39. Discussion ensued on plastics recycling and it was commented that plastics was a commodity that could be re-used and would also help accelerate recycling figures in the Borough. The visit had highlighted issues such as the need to have a dedicated quality customer support telephone service, that there was a need to educate people and that Officers should engage and consult with the community on their needs.
40. It was also suggested that consideration should be given to charging people, at cost price, if additional black boxes or lids were required. However, it was requested that, in the first instance, efforts should be made to ensure that all households had black boxes before advertising a second service. It was also requested that to ensure that there was sufficient capacity, a consultation exercise should be undertaken to assess demand. A further report on recycling from flats is to be submitted to a future meeting of the Group.
41. Officers reported that they were in the midst of taking delivery of another vehicle with a view to undertaking a trial on plastics collection to ascertain take-up and volume. Following discussion it was agreed that a report detailing the outcomes of the trial and also outlining options on plastics recycling for the Borough be submitted to a future meeting of the Group.
42. A visit to a glass processing mill or a material reclamations system is also to be arranged for the next Municipal Year as part of the Groups ongoing work programme.

### **Key Issues Arising**

#### **Choice Based Lettings and Visit to Wolverhampton**

43. We considered that the visit to Bushbury Hill Estate Management Board on 26<sup>th</sup> July, 2005 was necessary to help us to gain an understanding of the way the choice based lettings scheme worked for Wolverhampton to enable us to decide on an appropriate scheme for Dudley.
44. We further considered that due to the importance of the matter, the setting up of a Working Group would be more appropriate to enable full discussions to take place. However, we later decided that the Project Sponsor and the Project Manager would co-ordinate the project and submit regular reports to the Committee for a decision to be made.

#### **Recycling Plastics**

45. A Working Group was set up to investigate recycling issues, including recycling plastics in the Borough, as we felt that the matter was of utmost importance and that there was a general need to educate people.

46. A visit was undertaken to Lichfield District Council to investigate their practices in relation to recycling plastics. The visit had highlighted issues such as the need to have a dedicated quality customer telephone support service, that there was a need to educate people and that Officers should engage and consult with the community on their needs. A further report detailing the outcomes of the trial on plastics collection and also outlining options on plastics recycling for the Borough is to be submitted to a future meeting of the Group.

### **Recommendations that were made**

47. Traffic Management (to include decriminalisation of car parking)

30<sup>th</sup> June, 2005

- The Head of Street Care was asked to respond direct to the Member concerned in relation to identifying where blue badge holders could lawfully park.

48. Sustainable Development and Decision Making

31<sup>st</sup> October, 2005

- The Committee agreed to oversee further evaluation of:-
  - (a) the practical application of a sustainability appraisal tool by:-
    - assessing the practicality of the sustainability toolkit that was currently being piloted by the Dudley Community Partnership for wider Council use; and
    - consideration of the level of projects/initiatives that should be subject to a sustainability appraisal, in practical terms and how it would be built into the Council's decision-making processes, and
  - (b) the practical application of State of the Environment reporting in connection with Dudley Community Partnership and in particular monitoring the outcomes of the Community Strategy.
- The Committee also decided not to undertake further evaluation of Eco-management and Audit Scheme (EMAS) in the immediate term due to concerns raised about significant staff and financial resources.

30<sup>th</sup> March 2006

- The Committee has been recommended to agree that further testing of the sustainability appraisal toolkit is undertaken across projects/initiatives within the Directorate of the Urban Environment and that a further report is presented to a future meeting that
  - gives consideration to how the toolkit impacts on outcomes of projects/initiatives in sustainability terms
  - gives consideration to the level of projects/initiatives that should be subject to a sustainability appraisal
  - gives consideration to awareness raising/training requirements including links into the project management training module.



49. Choice Based Lettings

- The Director of Adult, Community and Housing Services was requested to pursue, as indicated in the report in respect of Choice Based Lettings, option 4(f), which adopted mixed models drawn from several or all of the other options; option 5(b), which allowed the continuing of the points scheme but taking the opportunity to update it to take into account changes in supply and demand; and option (5d), which was a banding system which could have a time limited priority card system for urgent cases.
- A detailed examination of the options in local context will be reported to the Committee in September 2006.

50. Multi-Storey Car Parks

- The Committee has been recommended to agree that information contained in the report be noted and support be given to the current progress being made relating to multi-storey car parks redevelopment and refurbishment.

51. Plastics Recycling

A supplementary paper will be circulated on this matter.

52. Tree Management Policy – Replacement of Felled Trees

- A further report will be submitted to the Committee prior to the end of the three year funding period detailing future budgetary implications, and in particular, the extent of remedial work identified from proactive inspections, the cost of introducing a future cyclical programme of works and of maintaining the Council's tree stock in good order.

53. Affordable Housing

A supplementary paper will be circulated on this matter.

54. Sale of Cars on Highway and Private Land

- The Cabinet Member for the Environment was recommended to issue a joint press release with the Chairman of the Committee, highlighting the seriousness of the matter and pointing out that enforcement action would be taken.
- The Director of the Urban Environment was requested to instigate appropriate action under Section 3 of the Clean Neighbourhoods and Environment Act 2005 when motor vehicles are offered for sale in contravention of this statutory provision.
- The Director of Law and Property was requested to take appropriate action to prevent Council-owned land at Eve Hill from being used for the unauthorised display of cars for sale.
- The Assistant Director of the Urban Environment (Environmental Management) was asked to forward concerns made by the Committee to the police and the Traffic Management Unit with a view to reaching a long-term solution of the problem of vehicles being parked inappropriately on pavements thereby causing an obstruction to pedestrians.

### **Changes as a result of recommendations**

55. The development of a Choice Based Lettings system in the borough is a significant step forward. In addition the Committee has identified that the Council must make better use of its powers under the Clean Neighbourhood and Environment Act 2005 to deal with the sale of motor vehicles on the highway.

### **Any issues which were not reviewed during this work programme**

56. None.

### **Any areas/opportunities for improvement**

57. The Committee has recognised the value of having a separate Working Group to undertake detailed analysis of major issues such as recycling.

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

58. At our meeting held on 23<sup>rd</sup> January, 2006 the following Work Programme was proposed for the 2006/07 Municipal Year:-

- Choice Based Lettings
- Black Country Waste Management Study
- Recycling
- 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
- Air Quality Management
- Food Service Plan
- Implementation of Best Value Service Continuous Improvement Plans
- Update of the Council's Capital Strategy
- Equality and Diversity Reports
- Quarterly Reports on Corporate Performance Management

### **Finance**

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

### **Law**

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

61. 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**

62. This report complies fully with the Council's policies on equal opportunities and diversity.
63. 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**

64. That the Annual Report of the Select Committee on the Environment for 2005/06, as set out above, be considered and approved.



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Chairman – Select Committee on the Environment