

SELECT COMMITTEE ON ENVIRONMENT

Tuesday, 24th June, 2008 at 6.00pm
in Committee Room 2, The Council House, Dudley

PRESENT:-

Councillor Mrs Cowell (Chairman)
Councillor Mrs Turner (Vice-Chairman)
Councillors Mrs E Blood, Body, P Harley, Hill, Mrs Jordan, Lowe,
Stanley and Vickers.

Officers

Director of Law and Property (As Lead Officer to the Committee),
Assistant Director of Finance (Revenues, Benefits and Management
Support), Assistant Director of Adult, Community and Housing Services
(Housing Management), Head of Service Private Sector Housing
(Directorate of Adult, Community and Housing Services), Head of Street
and Green Care, Food and Occupational Safety Manager (Directorate
of the Urban Environment), Management Support Officer (Directorate of
Finance, ICT and Procurement) and Mrs M Johal (Directorate of Law
and Property).

1 **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were submitted on behalf of
Councillors James and Waltho.

2 **APPOINTMENT OF SUBSTITUTE MEMBER**

It was reported that Councillor Vickers had been appointed as a
substitute member for Councillor James for this meeting of the
Committee only.

3 **DECLARATIONS OF INTEREST**

No Member made a declaration of interest in accordance with the
Members' Code of Conduct.

4 **MINUTES**

RESOLVED

That the minutes of the meeting of the Committee held on 6th
March, 2008, be approved as a correct record and signed.

PUBLIC FORUM

Emptying of Cesspits

The Head of Street and Green Care informed the meeting about the background to discussions that had taken place following complaints made from a resident about charges for private cesspit emptying. The resident was on a shared cesspit with five other properties and on average the tank was emptied once a month. The costs were shared between the five residences and the normal load emptied by the Council was approximately 5,000 gallons, which equated to three trips to empty and dispose. The total cost for the operation amounted to £488.50 with the total charge to the residents being £412.25, which equated to £82.45 for each resident.

The Head of Street and Green Care reported that three options had been put to the Council, namely, to connect properties to mains services, to reduce charges or to undertake repairs or maintenance to the cesspits to make the system more effective to increase efficiency and subsequently reduce costs to residents. With regard to connecting properties to mains services, the Head of Street and Green Care reported that residents would need to liaise directly with Severn Trent as they were responsible for the sewers, and that if approval was given, additional pipe work may be required inside the properties and on the private land with all costs falling on the residents. The Service that the Council provided served approximately 160 properties in the Borough and was partly subsidised by the Council although consideration was being given to removing these subsidies. With regard to reducing charges it would be deemed unfair to other residents in the Borough. It was not a statutory requirement that the Council emptied cesspits and alternative service providers could be used. However, it was pointed out that Council rates remained competitive when compared to private companies. To undertake repair or maintenance work to the system was the responsibility of the residents and the Council were not under any obligation to carry out or pay for the work.

RESOLVED

That the verbal report on the position of the cesspits be noted and that no further action be taken.

CHANGE IN ORDER OF BUSINESS

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

RESOLVED

That agenda item Numbers 9 and 10 be considered as the next items of business.

DIRECTORATE OF FINANCE, ICT AND PROCUREMENT'S
EQUALITY AND DIVERSITY ANNUAL REPORT 2007/08

A report of the Director of Finance was submitted on the Directorate of Finance, ICT and Procurement's Equality and Diversity Annual Report for 2007/08. A copy of the annual report was attached as an Appendix to the report submitted.

Arising from the presentation of the report a Member referred to the workforce profile and requested that in future reports, owing to Directorates' undergoing organisational and structural changes, figures be displayed in a format that would easily identify staff movement from one Directorate to another.

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 2007/08, be noted.

FOOD SERVICE PLAN 2008/09

A report of the Director of the Urban Environment was submitted on the Food Service Plan 2008/09. A copy of the Food Service Plan Summary 2008/09 was attached as an Appendix to the report submitted.

In presenting the report the Food and Occupational Safety Manager referred to inspections of food businesses to ensure compliance with food safety and food standards legislation and explained that the percentage of inspections had dropped as rules had become stricter. However, she assured Members that although there had been a drop in inspections due to tighter rules the quality and standards that were expected were still the same.

Arising from the presentation of the report a Member referred to "Scores on the Doors" and expressed concern that not all establishments that had been issued certificates were displaying them and particularly referred to those that had been awarded lower stars. In responding the Food and Occupational Safety Manager explained that all establishments that had been visited since April had been issued with certificates. However, she acknowledged the problem that some proprietors that had been awarded lower stars were reluctant to display their certificates but she indicated that discussions were being held with the Food Standards Agency regarding the issue.

In response to further questions the Food and Occupational Safety Manager explained about perishable and best before date stock and the associated legal implications involved for businesses that sold such items. She also explained about the legal process that was involved where businesses had to be shut down but it was pointed out that action could only be taken where there were serious problems such as infestation, flooding or a risk of food poisoning.

The Food and Occupational Safety Manager undertook to provide a response to Members of the Committee explaining the types of food premises that were referred to as "Others" as indicated in paragraph 3 of the Appendix attached to the report.

RESOLVED

- (1) That the information contained in the report, and Appendix to the report, submitted on the Food Service Plan 2008/09, be noted.
- (2) That the Food and Occupational Safety Manager be requested to provide a response to Members of the Committee to explain what types of food premises were referred to as "Others" as indicated in paragraph 3 of the Appendix attached to the report.

9

WORK PROGRAMME FOR 2008/09

A report of the Lead Officer to the Committee was submitted on the proposed Work Programme of the Committee for the 2008/09 Municipal Year.

Arising from a request from a Member it was agreed that a report on maintenance of green care open spaces, including public rights of way, be included in the work programme for consideration in September, 2008.

RESOLVED

That the Work Programme of the Committee for 2008/09 be approved as follows:-

- Food Service Plan June 2008
- Aids and Adaptations
- Enforcement of Tenancy Conditions
- Quarterly Reports on Corporate Performance Management June and November 2008, January and March, 2009

- Maintenance of Green Care Open Spaces September 2008
- Annual Report of the Committee to Council
- Report from Recycling Working Group (Interim report)
- Food Service Plan Progress November 2008
- Update of the Council's Capital Strategy
- Housing Allocations Scheme (Interim report)
- Report from Choice Based Lettings Working Group (Interim report)
- Air Quality Management Progress January 2009
- Proposed Revenue Budget 2009/10
- Gardening Initiative
- Provision and Condition of Public Conveniences
- Outline Work Programme 2009/10 March 2009
- Equality and Diversity Action Plan Report
- Patchworking
- Housing Allocations Scheme
- Report from Choice Based Lettings Working Group
- Report from Recycling Working Group

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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 2008/09.

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 Body, Mrs Cowell, James, Stanley, Mrs Turner and Waltho.

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

11 QUARTERLY CORPORATE PERFORMANCE MANAGEMENT REPORT

A report of the Lead Officer to the Committee was submitted on performance in the final quarter of 2007/08, for the period 1st January, 2008 to 31st March, 2008, in relation to the activities relating to the terms of reference of this Committee.

RESOLVED

That the information contained in the report, and coloured copy of the extracted report circulated separately, on performance in the final quarter of 2007/08, for the period 1st January, 2008 to 31st March, 2008, in relation to activities relating to the terms of reference of this Committee, be noted.

12 EQUIPMENT AND ADAPTATIONS IN PRIVATE AND PUBLIC SECTOR HOUSING IN THE BOROUGH

A report of the Director of Adult, Community and Housing Services was submitted on the current position relating to the provision of equipment and adaptations to private and public sector housing in the Borough.

Arising from the presentation of the report the Head of Service Private Sector Housing undertook to provide Members with a response to the request for information on the number of private sector grants for adaptations and the percentage and types of complaints that were received relating to work undertaken by building contractors.

Following further queries the Head of Service Private Sector Housing explained about the guarantee period for work undertaken by the builders and the process involved for updating the list of builders and how complaints about builders were dealt with.

RESOLVED

- (1) That the information contained in the report, and Appendices to the report, submitted on Equipment and Adaptations in Private and Public Sector Housing in the Borough, be noted.

- (2) That the Head of Service Private Sector Housing be requested to provide Members with a response to the request for information on the number of private sector grants for adaptations and the percentage and types of complaints that were received relating to work undertaken by building contractors.

13

CONDITIONS OF TENANCY

A report of the Director of Adult, Community and Housing Services was submitted on conditions of tenancy and enforcements.

Arising from the presentation of the report a Member expressed concern about untidy gardens and queried the enforcement position. In responding the Assistant Director of Adult, Community and Housing Services (Housing Management) acknowledged the concerns raised and indicated that officers were proactive in trying to address the issue. Officers had to take account of the individual or family circumstances when determining any action and recognising the need to demonstrate 'reasonableness' if pursuing court action for repossession. There was an option to undertake the work in default and recharge but this led to potential debt situations and was not seen as a satisfactory solution.

A Member referred to Choice Based Lettings and multiple viewings and complained that tenants were having their hopes raised but then did not get the property concerned. The Assistant Director of Adult, Community and Housing Services (Housing Management) undertook to investigate the matter.

RESOLVED

- (1) That the information contained in the report, and Appendices to the report, submitted on conditions of tenancy and enforcement, be noted.
- (2) That the Assistant Director of Adult, Community and Housing Services (Housing Management) be requested to investigate the issue about multiple viewings in respect of Choice Based Lettings and to respond to the Member concerned.

The meeting ended at 8.15pm

CHAIRMAN

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