

**SELECT COMMITTEE ON THE ENVIRONMENT**

Thursday, 16th October, 2003, at 6.00 p.m.

**PRESENT:-**

Councillor Sheppard (Chair)  
Councillors Banks, Crumpton (substitute for Councillor Ms Harris), G H Davies, Hanson (substitute for Councillor Mrs Coulter), Johnson (substitute for Councillor Jackson), Mrs Patrick, Ryder, Stanley and Whitehouse, together with the Director of Law and Property (as Lead Officer to the Committee), Director of Housing, Assistant Directors of Housing (Dr Sims and Mr Harris), Assistant Director of the Urban Environment (Mr Williams), Mr Powell (Director of the Urban Environment) and Mr Sanders (Directorate of Law and Property)

22

**MINUTES**

**RESOLVED**

That the minutes of the meeting of the Committee held on 11th September, 2003, be approved as a correct record and signed.

23

**DECLARATIONS OF INTEREST**

Councillors Johnson and Ryder declared a personal interest in the subject of item 12 on the agenda (Issues referred to the Committee by Select Committee Chairs) insofar as it related to the request for consideration to be given to the implications for the emergency services of the introduction of speed humps on residential roads in view of their membership of the West Midlands Fire Authority.

24

**APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were received on behalf of Councillors Mrs Coulter, Ms Harris and Jackson.

25

**SUBSTITUTE MEMBERS**

It was reported that Councillors Crumpton, Hanson and Johnson were serving as substitute members in place of Councillors Ms Harris, Mrs Coulter and Jackson, respectively.

CONTAMINATED LAND

A report of the Director of the Urban Environment was submitted indicating progress made in implementing the Contaminated Land Inspection Strategy produced in accordance with Part II A of the Environmental Protection Act, 1990.

This part of the Act had come into force on 1st April, 2000, and aimed to identify land affected by contamination that presented an unacceptable risk to human health, or the wider environment, in its existing condition. Where such land was identified, the law was designed to ensure that where it was reasonable and practical, remediation was carried out so that the land no longer presented an unacceptable risk. The Contaminated Land regime was intended to complement other regimes.

Under the legislation, the Council had a duty to produce a written inspection strategy and this had been in operation since 2001. In presenting the report, Mr Powell of the Directorate of the Urban Environment explained how the strategy had operated, making particular reference to the priority list generated and the software utilised in this regard. Mr Powell also gave an example of action taken when a site was investigated. These were expressed by Councillor Stanley in respect of the work done on Milking Bank.

Mr Powell indicated the structuring and number of staff within the Directorate allocated to deal with Contaminated Land, referred to the funding limitations and would cause progress to be slow.

In the question and answer session that followed the presentation, the Director of Law and Property clarified the legal position on action that could be taken where materials had been dumped without authorisation. Mr Powell answered a question asked regarding the concreting over of former vehicle scrap yards prior to development.

RESOLVED

That the report be noted and the work being done acknowledged.

BEST VALUE SERVICE CONTINUOUS IMPROVEMENT PLANS (SCIPS)

A report of the Director of the Urban Environment was submitted containing details of progress against targets in the Best Value Service Continuous Improvement Action Plans in the Service Areas of Public Protection, Waste Management and Highways.

In presenting the report, insofar as it related to public protection, Mr Powell confirmed that approximately two thirds of the issues referred to had now been dealt with. He also indicated that, from feedback received, the relocation of Trading Standards from Lister Road to St James's Road was proving more convenient to the public.

In presenting the report, insofar as it related to Waste Management and Highways, Mr Williams summarised progress, following which he answered questions asked by members on particular issues. In response to a question on the issue of a phased move to wheeled bins for household collection, the Chair confirmed that it was not yet certain this would be undertaken and considered that the issue should be looked at in the context of kerbside recycling when this was fully operational. Mr Williams confirmed that any move to wheeled bins would not be entered into without full public consultation.

Certain members commented favourably on the difference made in their areas since introduction of anti-dog fouling measures and expressed the view that the press coverage given to prosecutions in this regard had been helpful in increasing public awareness.

Regarding highways, Mr Williams referred to the objectives received and those which were ongoing. In response to a question on the replacement of lighting columns, Mr Williams indicated that this was not a priority of grounds for funding but stated that a bid had been made for replacement work to be undertaken in 2004. Funding for a major capital programme was unlikely in the short term, however, and the Council therefore carried out replacement of columns on the basis of a risk management strategy.

#### RESOLVED

- (1) That the report be received and noted.
- (2) That, regarding the collection of green waste, the Lead Member for the Environment be recommended to indicate in the notes attached to boxes that the green waste will be composted and then available for purchase by the public.
- (3) That a report on the replacement of street lighting columns be submitted to a future meeting of the Committee.

#### RECYCLING PLAN

A report of the Director of the Urban Environment was submitted containing information on the status of the Council's recycling and composting activities.

In introducing the report, Mr Williams reported that the Council was on target to meet the recycling standards referred to in paragraph 2.3 of the report by the due dates.

In expanding orally on the information contained in the report on the "green waste collection" Mr Williams confirmed that the service had been introduced in June, 2003, but drew attention to problems encountered initially when non-eligible waste, which had caused contamination, had been placed in collection boxes. Broadly, however, the service had been well received with approximately 2,500 tonnes having been collected by the end of September.

In relation to kerbside collection, the Council had been awarded a funding package of £577,000 from the government through the National Waste Minimisation and Recycling Fund for the development of recycling from April, 2003. The funding would provide for four new specialist recycling collection vehicles and £60,000 plastic recycling boxes to extend recycling collections across the borough. The vehicles had been ordered there was a waiting list and they would not be delivered until Spring 2004. The Council was therefore working in conjunction with Sandwell and Wolverhampton in utilising modified existing vehicles in order to extend the service as far as possible in the interim period.

A question and answer session followed in which Councillor Mrs Patrick expressed disappointment that Kingswinford had not been included in a pilot project on recycling, in response to which Mr Williams was asked to advise Councillor Mrs Patrick on when Kingswinford would be targeted. Mr Williams also answered a question asked in relation to the extension of the programme to Sedgley. Mr Williams then responded to a number of questions regarding vehicle manufacture and supply.

#### RESOLVED

- (1) That the report be received and progress on the development of waste recycling issues noted.
- (2) That a report be submitted to the next meeting of the Committee containing a work plan on how the recycling service will be delivered across the Borough, indicating the timescale and setting out the order by electoral ward in which the programme will be implemented.

---

#### WINTER SERVICE

A report of the Director of the Urban Environment was submitted seeking support for proposals with regard to winter service operations and for a proposed winter service policy and procedure manual. The report included a summary of the winter service policy proposed.

The report indicated the extent of the Council's limited legal responsibilities regarding ice and snow on the highway. A key action resulting from the Service Continuous Improvement Plan on the Best Value Review of Highways, however, had been the production of the Code of Practice for Winter Service, the draft manual for which was proposed as the Code.

A list of routes proposed for pre-salting in the likely event of snow and ice on the highway was circulated. Mr Williams confirmed that the proposals in the list conformed with the draft Manual and national recommendations.

A request by the Vice-Chair of the Committee for consideration to be given to the order of priority for pre-salting footpaths in the smaller centres in the Borough where post offices were situated, in view of the substantial use of those areas by elderly people, was reported by the Chair.

#### RESOLVED

- (1) That the Winter Service Policy and Procedure Manual, as appended to the report now submitted, be supported.
- (2) That the relevant officers, in consultation with the Lead Member for Transportation and Councillors Ms Harris and Sheppard, as the shadow spokespersons for transportation, examine and identify the operational and financial implications of amending the criteria for highways to be included in the Winter Policy and Procedure Manual and the Lead Member be requested to authorise the necessary amendment to the Winter Service Policy and Procedure Manual.

That the existing network treated in the 2002/03 winter months continues to be treated until such time as officers, in consultation with the Lead Member and Shadow Spokespersons for Transportation, agree amendments to the Winter Service Policy and Procedure Manual.

A report of the Director of Housing was submitted seeking consideration of the Annual Equality and Diversity Action Plan of the Directorate of Housing for 2003/04. The Action Plan was attached to the report now submitted.

A breakdown of the staff in the Directorate of Housing in terms of number, gender and ethnicity, was circulated at the meeting. In responding to a question regarding the apparently low percentage of ethnic minority manual staff who were paid fortnightly, the Assistant Director of Housing (Dr Sims), referred to the low starting base being consistent with many local authorities and reported on initiatives taken in advertising which had been aimed at increasing the number of manual staff from ethnic minorities. The Director of Housing also confirmed that the manual workforce had been largely static with a low turnover with the result that recruitment had been low.

RESOLVED

That the report be noted.

---

31

### INTERIM REPORT ON HOUSING REPAIRS

A report of the Director of Housing was submitted seeking initial consideration of progress on a Best Value Review of housing repairs and a position statement on reactive repairs.

In introducing the report, the Assistant Director of Housing, Mr Harris, summarised the work undertaken to date under the Best Value Review of Repairs and Maintenance, which had commenced in April, 2002, indicating the key issues that the review had established and the background to them. In this regard, he confirmed that performance management was being shared with the Area Housing Panels. Mr Harris then discussed briefly the background activities and current situation on repairs and maintenance, as set out in Appendix 2 to the report submitted.

In answering questions on the report, Mr Harris clarified the position regarding turnover of stock as being some 2,500 to 3,000 properties in a year. Voids comprised approximately 1.2% of stock, exclusive of difficult to let properties.

In response to another question, Mr Harris confirmed that the Best Value regime continued to require the housing authority to benchmark notwithstanding the more holistic approach within the service following the discontinuation of compulsory competitive tendering. Mr Harris then clarified details of the tendering processes within the authority, with particular regard to the requirements of European Directives.

Arising from discussion, Mr Harris confirmed that benchmarking and monitoring would continue after the Best Value Review had been finalised. These practices would be undertaken both internally and where private contractors were engaged. In this regard, Mr Harris explained that external contractors were engaged mainly in areas of work in which the internal workforce was not resourced.

In response to a further question, the Director of Housing and Mr Harris explained the details of the window replacement programme.

RESOLVED

That the report now submitted be noted and referred to the Working Group on Housing Repairs and Housing Improvements Options for detailed consideration.

---

32

## REVIEW OF HOUSING LETTINGS POLICY AND ALLOCATIONS PROCESS

A report of the Director of Housing was submitted on the proposed review of the Housing Lettings Policy and Allocations Process.

The report set out details of the current policy which comprise a needs based pointed system with a number of qualifications. The report also indicated how the policy was operated currently.

The report also explained the machinery involved in the alternative Choice Based Lettings system piloted under the 2000 Green Paper "Quality and Choice – A Decent Home for All" together with the consultation arrangements required under the Housing Act, 1996 before an alternative allocations scheme could be adopted. In relation to the latter issue, it was indicated in the report that, as well as the statutory requirements, it was proposed that Area Panels and the Dudley Federation of Tenants and Residents Associations would be consulted should the Council decide to follow the Choice Best Based Lettings route.

In the discussion on this item, concerns were expressed in relation to the handling of tenants with anti-social behaviour and the Director of Housing acknowledged that a lettings policy which addressed issues of people with anti-social behaviour was necessary.

A suggestion was made that tenants forums should have an input into lettings regarding housing development, in response to which the Director of Housing commented that, while provision for this could be added to the start of the process, the Council was obliged to work within housing legislative and meet equal opportunities requirements.

Reference was made in the discussion to an apparent lack of action in certain cases where there was a clear breach of tenancy conditions and a harder line was advocated by certain members. Concerns were also expressed that the equity level allowed by the Council to the owners of former Council houses when selling their properties had been set at too generous a level. A further comment was made that any policy adopted should be transparent.

#### RESOLVED

- (1) That a report be submitted to a future meeting of the Committee providing in greater detail a comparison between the advantages and disadvantages of the current allocation system and a choice based lettings policy and containing information on issues emerging from the pilot schemes on the choice based lettings system currently in operation.
- (2) That the need for any future lettings policy to include provision for dealing with anti-social behaviour by tenants be endorsed.
- (3) That the need for any future lettings policy to be transparent to be acknowledged.
- (4) That consideration be given to the involvement of tenants forums in housing development in any revised lettings policy and allocations process considered.
- (5) That the report consider the equity level currently allowable to the owners of the former Council properties.

---

33

#### ISSUE REFERRED TO THE COMMITTEE BY SELECT COMMITTEE CHAIRS – IMPLICATIONS FOR THE EMERGENCY SERVICES OF THE INTRODUCTION OF SPEED HUMPS IN RESIDENTIAL ROADS

It was reported that at a recent meeting of Select Committee Chairs, a request for consideration to be given to the implications for the emergency services of the introduction of speed humps in residential roads had been referred to this Committee.

In response, the Assistant Director of the Urban Environment, Mr Williams, confirmed that the statutory procedure required that emergency services were consulted before traffic calming measures were installed. He agreed, however, to report the concerns expressed to the appropriate officers in the Directorate and to write to the emergency services confirming the procedures involved regarding consultation and notification in respect of traffic calming issues.

RESOLVED

That the referral of the matter be noted and that the action now proposed by the Assistant Director of the Urban Environment, as set out above, be approved.

---

Neevia Document Converter Pro V6.5

34

ISSUE REFERRED TO THE COMMITTEE BY SELECT COMMITTEE CHAIRS – UNKEMPT GARDENS IN COUNCIL AND PRIVATELY OWNED PROPERTIES

It was reported that, at a recent meeting, Select Committee Chairs had referred consideration of this issue to the Select Committee on the Environment.

It was considered that, with regard to Council owned properties, unkempt gardens could be included within the review of letting arrangements.

RESOLVED

That the Director of Housing arrange for the submission of a report to a future meeting of the Committee. He indicated the powers of the Council in respect of unkempt gardens.

35

ISSUE REFERRED TO THE COMMITTEE BY THE SELECT COMMITTEE ON ECONOMIC VITALITY AND JOBS

A recommendation by the Select Committee on Economic Vitality and Jobs, made at a recent meeting, that the road directions to the M5 from Wall Heath should be signed via the A449 rather than through Kingswinford, Wordsley and Stourbridge was reported. It was noted that the Highways Agency, rather than the Council, were responsible for the signage.

RESOLVED

That no action on this matter be taken, and that the member of the Select Committee on Economic Vitality and Jobs who raised the issue be advised that responsibility for signage on trunk roads lies with the Highways Agency.

36

ISSUE REFERRED TO THE COMMITTEE BY THE SELECT COMMITTEE ON ECONOMIC VITALITY AND JOBS – PROVISION FOR BUS LANES IN THE DESIGN OF NEW ROADS

It was reported that, at a recent meeting, the Select Committee on Economic Vitality and Jobs had referred to this Committee for consideration a recommendation that the design of new roads should include provision for bus lanes.

RESOLVED

That the recommendation be noted.

The meeting ended at 8.30 pm.

CHAIR

*Neevia Document Converter Pro V6.5*