

## **SELECT COMMITTEE ON ENVIRONMENT**

Monday, 25th January, 2010 at 6.00pm  
in Committee Room 2, The Council House, Dudley

### **PRESENT:-**

Councillor Mrs Cowell (Chairman)  
Councillor Mrs Turner (Vice-Chairman)  
Councillors Mrs Blood, A Finch, Hanif, P Harley, Hill, J Martin, Taylor and Waltho.

### **Officers**

Director of Corporate Resources (As Lead Officer to the Committee),  
Director of the Urban Environment, Assistant Director of Planning and  
Environmental Health, Assistant Director of Environmental Management and  
Head of Environmental Health and Trading Standards (All Directorate of the  
Urban Environment), Interim Director of Finance (Directorate of Finance, ICT  
and Procurement), Assistant Director Housing Management, Head of  
Housing Options, (Both Directorate of Adult, Community and Housing  
Services) and Miss K Fellows (Directorate of Law, Property and Human  
Resources).

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### **APOLOGIES FOR ABSENCE**

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

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### **APPOINTMENT OF SUBSTITUTE MEMBER**

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

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### **DECLARATIONS OF INTEREST**

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

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### **MINUTES**

#### **RESOLVED**

That, the minutes of the meeting of the Committee held on 9<sup>th</sup>  
November, 2009, be approved as a correct record and signed.

No matters were raised under this agenda item.

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REVENUE BUDGET STRATEGY 2010/11

A joint report of the Director of the Urban Environment, the Director of Adult, Community and Housing Services and the Interim Director of Finance was submitted on the Revenue Budget Strategy for 2010/11 and Medium Term Financial Strategy 2010/11 – 2012/13.

The Interim Director of Finance in his presentation of the report, made particular reference to the Council's current financial position, including further pressures upon services effecting demands upon Council finances, the pay award for 2009/10 being agreed at a lower rate, general fund balances, the forecast balance at 31<sup>st</sup> March, 2010 and additional spending and efficiency and other savings referred to in the report and appendices to the report submitted.

It was noted that the Analysis of Provisional 2010/11 Budget by the Division of Service should be amended in relation to Children and Families Social Services to £35,104 and other Children's Services to £1,751 as referred to at Appendix C to the report submitted.

Following a query raised by a member it was further noted that the headings on the columns referred to at paragraph 22 of the report submitted should be amended to £,000's.

Councillor Waltho referred to the package of efficiency and other savings referred to in the report submitted stating that although he had requested further information, the information provided had been inadequate. It was stated that Councillor Ali as shadow Cabinet Member for Finance had received a detailed breakdown of this information, and Councillor Waltho confirmed that he would consult with Councillor Ali in the first instance.

In responding to a question from a Member relating to pothole repairs, the Director of the Urban Environment indicated that the provisional budget for highways maintenance whilst clearly assisting with highway damage would not address the overall road conditions which this year had been compounded by the severe winter. A programme of planned repairs and emergency pothole work was underway however major investment would be required in the future in order to address declining road conditions and significant reductions in Government funding for road maintenance.

The Assistant Director of Environmental Management also reported that in conjunction with the Cabinet Member for Highways, both short and long term strategies in relation to highways were being investigated.

In responding to a further question from a Member, the Director of the Urban Environment advised that the figure referred to within the analysis of provisional 2010/11 Budget by Division of services for the Urban Environment, in relation to cemeteries and crematoria was a minus as it was proposed that income would be generated by carefully considered increases in Bereavement Services fees, in order to provide revenue for improvements to the borough crematoria and the maintenance of some closed churchyards. However it was stated that despite the proposed increase the Bereavement Services fees would still remain the lowest of all the Black Country Local Authorities.

In responding to a question in relation to whether the improvements at crematoria included the provision of security at Gornal Wood and Stourbridge crematoria, the Director of the Urban Environment advised that he would provide the member with the details requested.

A member requested that problems in relation to Japanese Knotweed at Council properties be investigated. The Assistant Director of Environmental Management confirmed that specific problems and particular issues would be investigated by himself in conjunction with the Assistant Director of Housing.

The Assistant Director of Housing confirmed that both council tenants and private tenants who had problems as a result of Japanese Knotweed were treated equally by the Council. The Council did not have funds available to alleviate the problem completely however, they could provide advice on how to treat the problem and assist with ongoing treatment. Councillor Finch indicated that he had concerns in relation to a number of gardens situated on the Priory Housing Estate and was requested to forward to the Assistant Director of Housing details in order that those concerns could be investigated.

The Assistant Director of Housing confirmed that she would write to Members advising them of the advice and any assistance that the Council could provide to deal with Japanese Knotweed.

## RESOLVED

- (1) That the information contained in the report, and Appendices to the report, submitted on the Cabinet's Revenue Budget Strategy proposals for 2010/11 and Medium Term Financial Strategy for 2010/11 – 2012/13, be noted and that the Cabinet be informed that there were no observations that this Select Committee wished to make on the proposals presented.
- (2) That the Assistant Director of Housing be requested to circulate to Members information advice and

assistance that the Council could provide tenants in order to deal with Japanese Knotweed.

- (3) That the Director of the Urban Environment be requested to email to Councillor Mrs Jordan details of whether planned improvements to crematoria would include the provision of safety measures to Gornal and Stourbridge crematoria.

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AN UPDATE ON AIR QUALITY MANAGEMENT WITHIN DUDLEY METROPOLITAN BOROUGH.

A report of the Director of the Urban Environment was submitted on an update on the current situation with respect to air quality within the Borough, addressing areas of work to do with air quality monitoring; areas identified as having poor air quality; Air Quality Management Area and Action Plan progress and future initiatives for 2010.

Arising from the presentation members asked questions and made comments in particular relating to whether the Council were legally obliged to prepare the report submitted; how the Council assessed whether pollution had improved or moved to a different area; appreciation for the work involved and the length of time that it may take to improve highways in order that pollution issues could be addressed.

In responding to questions from members, the Head of Environmental Health and Trading Standards stated that the Environment Act 1995 placed a legal duty upon Local Authorities to monitor air quality and hence the report submitted.

He also commented that air quality monitors were utilised prior to and after highway improvements, together with further analysis to assess pollution and in particular in relation to the Brierley Hill parallel route results had indicated that the air quality in the High Street had improved with some air pollution being displaced to the parallel route from the High Street.

RESOLVED

That the information contained in the report submitted, on progress made with air quality monitoring, be noted and that support be given to continued monitoring in 2010/11 to assist in furthering understanding and making further improvements to the air quality within the Borough.

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HOUSING APPLICATIONS FROM OWNER OCCUPIERS AND FORMER OWNER OCCUPIERS

A report of the Director of Adult, Community and Housing Services was submitted informing the Committee of a query raised by an Elected Member,

and to invite Members' views on this and related issues.

Arising from the presentation of the report members asked questions and made comments. The Assistant Director of Housing Management and Head of Housing Options responded as follows:-

In relation to recommendations referred to in the report submitted it was confirmed that the Working Group of the Committee had primarily been concerned about bungalows being available to private sector owner-occupiers but not to former council tenants who had exercised the Right to Buy. However, a comparable equality issue existed in relation to relationship breakdowns, where owner-occupiers were sometimes eligible for houses whilst council tenants in otherwise similar situations were not. It was noted that bungalows and houses were both amongst the most sought-after council accommodation with the longest waiting lists. On that basis, the recommendation was to restrict the access of owner-occupiers and former owner-occupiers to houses and bungalows.

Concerns were also expressed by Members that exceptional circumstances should be taken into account particularly in relation to family circumstances and the proposed policy referred to above should not automatically apply in all such cases. In response reassurances were given to Members that there was already in place a policy applying to exceptional circumstances that may apply and that exceptional circumstances would be taken into account, as it may not be applicable to apply the policy not to allocate houses or bungalows in every case. It was also stated that the decision sheet in relation to the proposed recommendations referred to in the report submitted would contain the policy in relation to exceptional circumstances.

Members recommended that elderly existing council tenants should be prioritised in relation to the allocation of bungalows.

#### RESOLVED

- (1) That the information contained in the report submitted, on Housing Applications from Owner Occupiers and Former Owner Occupiers, be noted.
- (2) That, subject to the assurances given by the Assistant Director of Housing, support be given to the general policy as follows, that:-
  - (a) Council properties should not be allocated to people who own or jointly own a property;
  - (b) Anyone who transfers ownership of a property should only be considered for flats or maisonettes.
- (3) That the Cabinet Member for Housing be informed of the Committee's views and comments as set out above.

QUARTERLY CORPORATE PERFORMANCE REPORT

A report of the Lead Officer to the Committee was submitted on Performance in the second quarter of 2009/10, for the period July to September, 2009 in relation to the activities relating to the Terms of Reference of this Committee.

The Lead Officer to the Committee in his presentation of the report, and report summary in respect of the activities of this Select Committee, referred to a number of issues with particular reference to those issues, where there was an indication that there was below target performance.

Arising from the presentation of the report, the Assistant Director of Environmental Management responded to Members questions in relation to fly tipping, indicating that the below target performance in relation to enforcement actions had resulted from a reduced number of fly tipping incidents. Enforcement action had also reduced.

The Lead Officer confirmed that the costs for enforcement action would always be pursued against Defendants, with detailed costs schedules being submitted to the Court, however it would be a matter for the Court to determine at which rate and how frequent payments towards costs should be made as they were under a duty to take into account the Defendant's circumstances.

The Assistant Director of Environmental Management confirmed that there were standard fines imposed as a result of fly tipping, with fixed penalty notices being issued and agreed to forward to Members a copy of the Policy relating to fixed penalties.

In relation to a question regarding affordable housing the Assistant Director of Housing reported that within the last financial year the Directorate of Adult, Community and Housing Services had exceeded their target in relation to the provision of affordable housing and it was anticipated that the target would be attained for the current financial year with figures improving at quarter three stage.

It was further reported that due to the disposal of garage sites target limits in relation to the provision of affordable housing were improving with further sites owned by the Council continuing to be marketed in order to increase the provision of affordable housing within the borough.

It was stated that in relation to rent loss a review would be commenced shortly upon the process for dealing with void properties to ensure that empty properties were let upon an expedient basis in order to reduce rent loss.

Following a query from a Member in relation to the minor risk identified within the Directorate of Adult, Community and Housing Services referred to as "contract/material specification proven to be inadequate" the Assistant Director of Housing confirmed that she would provide the Member with a further written explanation in relation to that risk.

RESOLVED

- (1) That the information contained in the report, and colour copy of the extracted report circulated separately, on performance in the second quarter of 2009/10, for the period July to September, 2009, in relation to the activities relating to the Terms of Reference of this Committee, be noted.
- (2) That the Assistant Director of Environmental Management be requested to email to Members the Council's Policy in relation to the fixed penalties imposed for fly tipping.
- (3) That the Assistant Director of Housing be requested to forward to Councillor Mrs Jordan information relating to the contract/material specification proven to be inadequate as referred to in the report submitted.

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The meeting ended at 7pm

CHAIRMAN