

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
ENVIRONMENT SCRUTINY COMMITTEE
TUESDAY 6 DECEMBER, 2016 AT 4.00 P.M.
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK
PART 1

PRESENT:
Councillors

Cooper, Miss J. (Chairman)
Pearson, A.R. (Vice-Chairman)

Allt, Mrs. A.	Grice, Mrs. D.
Bowater, J.	Witton, P.T.
Dudson, A.	Woodhead, P.E.
Foley, D.	

Also in attendance:-
Councillor J. Preece (Environment Portfolio Leader-observer)

19. Apologies

Apologies for absence were received from Councillors Mrs. S.M. Cartwright and Mrs. H.M. Sutton.

20. Declarations of Interests of Members and Officers in Contracts and Other Matters and Restriction on Voting by Members

No further declarations were made in addition to those already confirmed by Members in the Register of Members Interests.

21. Minutes

RESOLVED:

That the Minutes of the meetings held on 30 August and 29 September, 2016 be approved as a correct record and signed.

22. Quarter 2 Performance Report – Cleaner and Safer Environments Priority Delivery Plan (Environment Section)

Members noted the latest performance information (Item 4.1 – 4.4 of the Official Minutes of the Council). The Head of Housing and Waste Management outlined the current position in relation to the objectives.

With regard to the objective to explore delivery options for a new cemetery site

a Member asked why this was in the performance information for Cleaner and Safer Environments when the recent “call-in” in relation to the cemetery had been considered by the Health Scrutiny Committee. The Head of Housing and Waste Management commented that she would check and advise the Member accordingly.

23. Pest Control Service Presentation

The Environmental Protection Manager provided the Committee with a presentation on the Pest control Service which covered the following:-

- Legal duty
- Nature and extent of the service provided
- Achievements
- Funding
- Future arrangements

He explained that Councils had a legal duty “to take such steps as may be necessary to secure so far as practicable that their district is kept free from rats and mice”. The legal duty covered carrying out inspections and to disinfest its own land.

The Committee noted that the provision of a pest control service to residents should not be reliant on enforcement action and should cover a wider range of pests. There should be free treatments to encourage uptake and no service is provided to businesses. An external contractor has been engaged to carry out the service.

He outlined the treatment of the Council’s estate:

- proactive and reactive treatments
- Council buildings and public open space
- Wide range of pests covered
- Economical approach
- Sewer Baiting Programme

In respect of the domestic treatments provided the Committee noted the following information:-

	2013-14	2014-15	2015-16	2016-17 (Apr-Oct)
Wasps	546	407	231	380
Rats	303	629	509	356
Mice	163	229	173	117
Bedbugs	6	14	19	23
Fleas	47	53	52	64
Totals	1065	1332	980	940

With regards to the Councils "own estate" the treatments provided also included moles, ants and flies. Treatment sites included:-

- Civic Centre
- Cemetery
- Sheltered accommodation
- Void properties
- Mill Green Nature Reserve
- Town centre/car parks

Members noted that there was an annual budget of £28,400, with a £7,450 recharge. Income generation was between £6,000-£10,000 (wasps only).

Future arrangements would be dependant upon:-

- Public expectations
- Increasing demands
- Reducing budgets
- Increasing costs

Following the presentation Members were afforded the opportunity to ask questions. A Member asked whether environmental factors, such as milder/wetter summers had an effect on the number of reports of rats/mice. The Environmental Protection Manager commented that there were increased reports of rats/mice in some areas but this was more than likely due to residents reporting it.

Reference was made to the increased sightings of foxes in town centres. The Environmental Protection Manager explained that the contractor did not provide a service in relation to foxes and any callers in respect of foxes were directed to the advice of the RSPCA, which was to discourage them and not to irradiate them.

Officers were asked whether the pest control service was offered to commercially rented properties owned by the Council. The Head of Housing and Waste Management advised that the service was offered to Council tenants and this was funded through the Housing Revenue account. If the service was offered out to businesses who rented properties then this would need to be funded from somewhere.

Reference was made to the new tipping charges introduced by Staffordshire County Council on 1 November, 2016. Members asked whether it was considered that these new charges would lead to an increase in rats in the area. The Environmental Protection Manager did not consider that this would happen as the charges related to materials such as tyres/soil/hardcore/plasterboard and not organic waste which would attract mice or rats.

Reference was made to the rates charged by the contractor and the Environmental Protection Manager advised that the contractor was asked to

price based on the service to the public, a programme of services to the Local Authority and optional extras to the Local Authority. It was at the discretion of the Contractor to determine their prices. The bids received from the tenderers had different prices for the same services. For example, one contractor had priced the services of bait stations in a car park at £340 and another contractor had priced this at £460. He confirmed that a comparison could be done in the future examining the total cost and rates for individual treatment offered by the different contractors engaged to deliver the service.

24. Fly Tipping Presentation

The Environmental Protection Manager and the Waste and Engineering Services Manager provided a presentation on Fly Tipping which covered the following:-

- Legal Responsibilities
- Current position in Cannock Chase DC
- Enforcement/Deterrents
- Funding
- Future issues

The Officer outlined the legal responsibilities in relation to the waste producers, waste carriers, landowners, Environment Agency and the Council:-

The number of incidents of fly tipping were as follows:-

Year	2012-13	2013-14	2014-15	2015-16	2016-17
Fly tip reports	318	334	416	363	79 (so far)

The nature of the fly tipping related to white goods, household waste, tyres, building rubble, asbestos, commercial waste and large scale brash/garden waste

Members were advised that during 2015/16 approximately 110 tonnes of fly tipping was removed; this was equivalent to 12-13 refuse vehicles. The Officer outlined the District's hotspots which were as follows:-

- Newlands Lane, Norton Canes
- Washbrook Lane, Norton Canes
- Gains Lane, Norton Canes
- Stile Cop Road, Rugeley
- Wandon Road Cross Roads, Rugeley
- Marquis Drive, Cannock Chase
- Fishley Lane, Norton Canes
- Broadhurst Green, Pye Green (near Pye Green Tower)

The Committee noted the enforcement options and deterrents, which were:-

- *Investigation techniques*

- Complaints
- Surveillance
- Stop and search operations
- *Penalties*
 - Caution
 - Fixed penalty Notice
 - Prosecution

The Officer explained that there had been one successful conviction in 2015, with three cases pending (two in court in December) and there were further cases in preparation.

There were a number of challenges which included:

- Evidence required
- Evidential tests – beyond reasonable doubt
- Seen as a “simple” crime
- Awareness of fly tippers
- “Socially acceptable” (cheapest option to dispose of rubbish)

The budget in 2015-16 for the Council was £5510 with an actual spend (disposal only) of £5,771. An estimated total spend (which the Government estimated fly tipping would cost the authority) was £40,716.

He explained that no figures were available in terms of the cost to land owners, but nationally the anticipated cost to Local Authority’s alone was £50million in 2014-15. He also commented that Fixed Penalty Notices would generate some income; these only came into effect in May 2016.

Some of the issues for the future were outlined, these included:-

- Waste producer responsibility
- Serious organised crime
- Waste disposal charges
- Contaminated household bins
- Public/landowner expectations
- Travellers

The Committee were then shown a map which detailed the reported fly tipping incidents within the District.

Members of the Committee were then offered the opportunity to ask any questions.

In response to a question the Waste and Engineering Services Manager advised that the District Council was ranked quite good in terms of fly tipping with incidents being dealt with fairly quickly; 11th out of 350 Local Authorities.

Members referred to the newly introduced tipping charges and asked whether there had been an increase in the number of fly tipping incidents since this new

charge had been introduced. The Waste and Engineering Services Manager confirmed that it was too early to know with it only being introduced on 1 November, 2016. He assured the Committee that both the County Council and District Council would be monitoring the situation and if there was any increase in fly tipping incidents the County Council would take action. The Leader of the District Council was in discussions with the Leader and Portfolio Holder of the County Council as there was concern that the new charges may increase fly tipping incidents.

A Member suggested that mobile cameras powered by solar power could be located in hotspot areas to deter fly tipping incidents. He made reference to Fishley Lane where there had been problems of this nature for many years. The Environmental Protection Manager explained that cameras had a limited range in terms of the view. Solar powered cameras would help as they would last longer than cameras powered by battery but the solar panels would need to be placed close by and it may reveal that the area was under surveillance.

(At this point Councillor P. Witton left the meeting).

The Waste and Engineering Services Manager commented that Cannock Chase District was kept tidy by the street cleaners and this helped in deterring the number of fly tipping incidents.

The Chairman then asked the Committee if there were any other issues they wished to discuss or receive updates on at the next meeting. A Member made reference to trees; however it was considered that it would be better to wait until the new Committee structures were in place as it was not certain where trees would be placed.

A Member made reference to pollution from log burners and considered this could be looked at by the Committee. The Environmental Protection Manager confirmed that the Committee had discussed this at a previous meeting and were due to receive a briefing note on this matter. However, due to the incident with the fire at Slitting Mill Officers had not been able to prepare the information and submit it to the Committee. He confirmed that updates in relation to pollution from log burners and parking on grass verges were scheduled to come to the Committee this municipal year.

It was suggested that an update on the new tipping charges introduced by the County Council should be included on the agenda for the next meeting. The Waste and Engineering Services Manager agreed to add this to the agenda for the next meeting.

A Member asked whether further information on the maintenance of nature reserves could be submitted to the Committee. The Head of Housing and Waste Management explained that this issue was not under her remit. However, she agreed to make a note of this and advise the relevant Heads of Service that it had been raised.

AGREED:

That an update on the new tipping charges introduced by Staffordshire County Council be included on the agenda for the next meeting.

25. Waste Contract Monitoring Update

The Waste and Engineering Services Manager provided the Committee with an update in relation to the Waste Management Contract that had been in place for 8 months. There had been no major issues with the new Contractor and work on contamination was continuing with the help of Biffa and residents. There were no issues in respect of food waste contamination as yet. There was an increased Government national reporting requirement under waste data flow being introduced. Work to develop the Customer Relations Management system reporting was continuing (for contract management purposes). There were no other major changes planned in the new year and a robust client management system was in place.

With regards to the contamination campaign Members noted that 25 (full/part) loads had been rejected since March 2015. This amounted to 7-8 tonnes per load of lost recycling at a cost of approximately £1,500 per load. He made reference to the "Stop and Think" campaign and showed examples of the poster and stickers applied to 42,500 bins.

In September over 12,500 warning tags were issued for contamination of recycling bins. In October over 7,740 bins were tagged and not taken away as a result of contamination. The CRM team received 1,062 waste calls with October averaging at 72 calls per day at the height. However, there were a lot less complaints than expected (234 received in October).

At the height of the tagging period 87% of residents still produced satisfactory to excellent recycling. The main excuse from residents as to why their bin was contaminated was that "someone else had contaminated the bin after it had been put out for collection". Waste calls were now back down to an average of 26 per day.

The Committee noted that there had been some negative comments regarding the campaign on social media. Officers had attempted, where possible, to talk to or contact as many residents as possible to explain the reasons for the campaign and the action taken. There had been no noticeable increase in fly tipping as a result of the campaign but there had been a slight increase in bins left on the streets. Overall the contamination campaign had been a success.

Members noted that new annual calendars and information booklets had been printed and delivered. The collection on Christmas Monday 26 December would be on Saturday 24 December and other collections would be 1 day later.

The Waste and Engineering Services Manager thanked Members, the Council's Contact Centre and the PR team for their work and support during the campaign. Members suggested that a press release be issued outlining the success of the campaign and thanking the teams involved. The Committee asked that their thanks be passed onto the Contact Centre staff for their hard work. The Waste and Engineering Services Manager agreed to organise a

press release and pass on the Committee's thanks to the Contact Centre staff.

Members of the Committee were then afforded the opportunity to ask any questions.

In response to a question the Waste and Engineering Services Manager advised that the County Council were planning to monitor the composition of residual waste as this had only been done once before back in 2009. Items such as tyres and DIY waste would be recorded if they were placed in the residual waste.

A Member made reference to bins being left blocking driveways once they had been emptied. The Officer advised that if residents were experiencing difficulties of this nature they should contact the Contact Centre. Any bins left inappropriately would be flagged up to Biffa's Management Team. It was part of the contract that the refuse team should return emptied bins to the same place. All refuse vehicles now had 360 degree CCTV cameras fitted to them. Therefore, any issues with the vehicles could be checked using the CCTV footage.

A Member referred to bins being left on the street and the Officer advised that this was issue in Chadsmoor with a row of terraced properties. Officers had visited the residents to establish why the bins were being left out. Residents were advised that if they continued to leave their bin on the street they would be issued with a black bin bag. As a result of this the majority of residents in this area now remove their bins once it has been emptied.

AGREED:

- (A) That the Waste and Engineering Services Manager organise a press release outlining the success of the contamination campaign and thanking all the staff who had been involved.
- (B) That the Waste and Engineering Services Manager pass on the thanks of the Committee to the Contact Centre staff for all their hard work during the campaign.

26. Oak Tree Farm Update

The Environmental Protection Manager provided the Committee with an update on the position at Oak Tree Farm. A multi-agency response has continued since the incident commenced in early September. This involved the District Council, Staffordshire County Council, Environment Agency, Public Health England and Staffordshire Fire and Rescue Service.

Regular strategic meetings and a series of operational meetings have taken place to review and progress investigations and enforcement action in relation to the landowner, Dennis Ward and the site operator who was responsible for the wood waste business, Steven Reeves-Morgan.

Air Quality has been monitored since September and the results have been

published on the Council's website on a daily basis. The results consistently showed low levels of air pollution. He confirmed the Air Quality Monitoring had now ceased. The Council will keep the situation under review and will reinstate air monitoring if required.

Members noted that all enforcement and legal options are being considered and, where appropriate, addressed. Staffordshire County Council have an Enforcement Notice in place and have obtained Interim injunctions against Mr. Ward and Mr. Reeves-Morgan on 14 November. These prohibit the individuals from bringing any waste on to the site, require them not to recycle or burn or disturb waste on the site and not to remove waste unless to an authorised site. The full hearing is expected in early 2017.

The District Council is continuing, in conjunction with Staffordshire County Council and the Environment Agency, to monitor the site for any potential breaches.

Members made reference to the criticism the District Council had received regarding the incident but considered that the Council had done what was necessary at the time to set up the multi agency response. However, it was noted that this could have been set up a little sooner.

The Environmental Protection Manager advised that work was on going across Staffordshire to review all similar sites. The multi-agency group was looking at how to stop similar situations arising in the future. He confirmed that lessons had been learnt from this incident and in future the response would be better.

Members referred to the criticism received regarding the initial delay in setting up the air quality monitoring equipment. The Officer advised that the air quality monitoring equipment had been removed as monitoring was no longer considered to be warranted given that the air pollution levels were so low. He confirmed that the equipment will be deployed quickly if the situation at the site changes and any air quality issues arise.

A Member asked whether action was being taken to pursue the costs of using Staffordshire Fire and Rescue Services from the individuals concerned and whether they will be prosecuted for their actions.

The Environmental Protection Manager advised that it would be more likely that the cost of using the services of Staffordshire Fire Rescue would fall on the public purse. He confirmed that consideration was being given to recovering the costs (this was part of the legal action against the individuals concerned). However, their ability to pay would be taken into consideration. Both the Environment Agency and Staffordshire County Council were gathering evidence to determine the case for prosecutions against the two individuals. Any sanctions imposed on either individual following a successful conviction would be a matter for the Court to decide. A guilty plea would influence the level of sanctions that could be imposed.

(At this point Councillor Mrs. D. Grice left the meeting).

A Member asked whether it was possible to compulsory purchase the land (as compensation for the individuals actions). He also asked when it was anticipated the fire would go out and who would pay for the cost of clearing the site.

The Environmental Protection Manager explained that compulsory purchasing the land was a legal option currently under consideration by the multi agency group. It was not certain when the fire would go out but once it was out a decision on how to address the waste at the site would need to be made. The landowner was responsible for paying for this but it was not certain whether he had the means to pay.

Members had concern in relation to the landowners ability to pay should he be fined or punished for his actions. The Officer confirmed that the agencies involved would need to build their cases and the Court would issue a level of punishment that was appropriate. Consideration would be given to the landowners past offences and the level of fine received which appeared to be no deterrent as he continued to breach the legislation.

The meeting closed at 6.05pm.

CHAIRMAN