

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
ENVIRONMENT SCRUTINY COMMITTEE
WEDNESDAY 2 DECEMBER 2015 AT 4.00 P.M.
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PART 1

PRESENT:
Councillors

Preece, J. (Chairman)
Witton, P. (Vice-Chairman)

Dean, A.	Lea, C.I.
Dudson, Miss M.J.	Peake, C.
Foley, D.	Pearson, A.
Grice, Mrs. D.	Sutherland, M. (substituting for Mrs. H. Sutton)
Grocott, M.J.	

Also in attendance:-

Councillor C. Bennett (Crime & Partnerships Portfolio Leader - observer)
Councillor A. Dudson (Environment Portfolio Leader)

The Chairman welcomed Nirmal Samrai, the new Head of Housing and Waste Management to the meeting.

6. Apologies

Apologies for absence were received from Councillors Mrs. H. Sutton, T.B. Johnson and J. Bowater.

Councillor M. Sutherland was in attendance as substitute for Councillor Mrs. H. Sutton.

7. 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.

8. Minutes

Councillor Pearson suggested that, in future, where there was a reference to "a Member" having raised an issue within the Minutes, the Member be named.

RESOLVED:

That the Minutes of the meeting held on 2 September, 2015 be appointed as a correct record and signed.

9. Quarters 1 and 2 Performance 2015-16 – Cleaner and Safer Environments

Consideration was given to the report of the Head of Governance (Item 4.1 – 4.4 of the Official Minutes of the Council.

The report provided Members with the progress on the performance of the Council in relation to the “Environment” actions and indicators set out in the “Cleaner and Safer Environment” Priority Delivery Plan for 2015/16.

The Waste and Engineering Services Manager explained that the performance indicator for “residential household waste collected” would be amended to “total waste collected per household” to reflect the changes to the Waste Collection contract. He advised that the Waste Collection Contract had been considered at Cabinet and Council and the contract awarded to BIFFA. Further information on this would be provided later in the meeting.

The Head of Commissioning confirmed that the actions and progress with regard to the new burial space in Cannock Chase was on target.

Reference was made to the minimum 50% rate of recycling and information regarding the target contained within the new Waste Collection contract was sought. The Waste and Engineering Services Manager confirmed that a target rate would be contained in the new contract but had not been set as yet. Regard would need to be given to the effect of removing food waste from the brown organics bin collection.

The Officer was asked whether there was any indication on the effect of removing food waste from the brown organics bin collection. The Waste and Engineering Services Manager explained that no analysis had been carried out to date. He confirmed that food waste made up less than 10% of the contents of the brown organics bins. The Officer was asked whether waste taken to the two household waste recycling centres in the District was recorded against the Council’s recycling rate. He explained that the County Council paid for the sites and the disposal of the contents. Any waste taken to these centres was recorded against the County Council recycling figures and was included in the Staffordshire total as a whole. The reason for this was because there was no control over who used these centres. For example, people from outside of the District (Cheslyn Hay/South Staffs District Council area) could use these centres.

The Officer was asked whether any type of food waste would be allowed to be placed in the brown bins. Members were advised that no food waste would be allowed in the brown bins. However, clarification was awaited from the disposal site confirming what they will allow. As an incentive he confirmed that there would be the offer of a free home composter to those interested. There would be a cost implication for the Authority for providing the composters; however, the Officer did not anticipate there would be too much interest from residents other than from keen gardeners.

The Waste and Engineering Services Manager agreed that he would provide Members, staff and residents with clarification of what the disposal site would allow to be placed in the brown bins.

AGREED:

- (A) That the Environment Scrutiny Committee notes the performance information relating to the Environment section of the Cleaner and Safer Environment in Quarters 1 and 2 as detailed at Appendix 1.
- (B) That the Committee notes the actions and indicators which are rated Yellow, Orange and Red and the associated commentary/remedial action proposed by the Lead Officer.
- (C) That the Waste and Engineering Services Manager provide Members, staff and residents with clarification of what the disposal site would allow to be placed in the brown bins.

10. Micro-chipping of Dogs (England) Regulations

The Environmental Protection Manager provided Members with a presentation on the impact of Micro-chipping of Dogs (England) Regulations. He explained that the regulations were being made under the Animal Welfare Act 2006 and would cease to have effect in February 2022. There would be a campaign to raise awareness and negotiations would take place with the Council's kennel operator with the aim of offering free microchipping. The regulations would apply in England only and come into effect on 6 April, 2016. It would not remove the requirement for a collar and tag to be on the dog (Control of Dogs Order 1992).

The key issues of the regulations provided a requirement to microchip all dogs over 8 weeks old, including imported dogs (within 30 days of importation). The exceptions were working dogs and dogs where a vet certifies it was unfit for the procedure. The regulations define a "keeper" of a dog as the person it normally lives with. For new born puppies the keeper will be the owner of its mother. For working assistance dogs this will be the training/allocating body and for retired assistance dogs it will be the person it normally lives with.

The presentation outlined what information was recorded on the microchip, the specific regulations on bodies holding information, the regulations on when there was a change of keeper and who could implant the microchips.

Members noted that authorised persons would be a Local Authority Officer, a Police Constable or PCSO and the Secretary of State may authorise a person. The powers were to serve notice on the keeper requiring microchipping to be done within 21 days. If the keeper failed to comply an authorised person could arrange for the dog to be microchipped, recover the costs and to seize the dog to check for a microchip or have it microchipped. All of these could be done without the consent of the dog's keeper.

The officer outlined the offences under the legislation and the appeals process. Members noted that a review of the regulations would take place periodically to assess the effectiveness and appropriateness.

Arising from the presentation the Officer confirmed that the charge for micro-chipping would be in the region of between £15-£30 and that all dogs would be required to be micro-chipped regardless of their age (the only exception being if the dog was medically unfit). With regards to the powers to seize dogs if the keeper failed to comply with having a dog micro-chipped, the Committee noted that there would be a process to go through before dogs were seized and the local authority would have support from the Police during this process. The Committee noted the need to ensure the micro-chip details were kept up to date, particularly when the owner moves house/changes their details. Concern was raised that there was no provision in the regulations to issue Fixed Penalty Notices.

Members discussed the issue of Fixed Penalty Notices in more detail and it was proposed that Officers lobby the Local Government Association on behalf of Local Authorities suggesting that the Secretary of State consider allowing Fixed Penalty Notices to be issued. The Environmental Protection Manager commented that the Government could introduce Fixed Penalty Notices to supplement the regulations.

Members agreed with the proposal put forward with the exception of Councillor Grice who requested that her name be recorded as having voted against the proposal.

AGREED:

That Officers lobby the Local Government Association on behalf of Local Authorities suggesting that the Secretary of State consider allowing Fixed Penalty Notices to be issued as part of the Regulations.

11. Environmental Crime (Presentation on Outcomes of the Environmental Enforcement Action Plan 2014-15)

The Environmental Protection Manager provided Members with a presentation on Environmental Crime. The presentation covered the outcomes from 2014/15 regarding duty of care, waste carriers, scrap metal dealers, awareness raising, reducing fly tipping, littering and dog fouling and outlined the intentions for 2015/16.

He explained that 13 electrical, building, and plumbing contractors had been assessed and found to be properly regulated. With regards to Industrial sites two new installations had been brought into regime.

In respect of waste carriers it was noted that stop and search operations had been undertaken (three with the Police). 1 Fixed Penalty Notice had been issued and there had been two successful prosecutions. These were for failing to produce authority to transport waste and failing to be registered as a waste carrier.

The Committee noted that the Local Authority was working with other Council's so that information sharing was being progressed through the Staffordshire Environmental Crime Forum.

Members noted that 7 applications for scrap metal dealers licences had been received (6 sites and 1 collector). In total 17 site licences had been issued and 29 collectors licences issued. 15 sites had been inspected and there had been 2 successful prosecutions.

To raise awareness the Council was promoting the £100 reward initiative for information on fly tipping that led to a successful conviction. One local resident had been rewarded following conviction of a fly tipper. Signage in "hotspots" would be maintained and renewed. 9 Press Releases issued as follows:

- 4 proactive – microchipping, spitting, disposal of dog waste
- 5 reactive – littering (3) , fly tipping, dog off lead

The Committee noted that fly tipping incidents had reduced from 112 previous year to 44 in 2014-15. There had been covert CCTV deployed to investigate incidents with 1 successful prosecution of a fly tipper.

Complaints regarding littering had decreased from 47 in the previous year to 44 in 2014-15. "Hotspots" would continue to be patrolled. 33 fixed penalties had been issued and there had been 5 successful prosecutions. Promotional work with High Schools would be undertaken and Year 7 pupils at some schools had received a littering presentation.

Members noted that the reporting of dog fouling incidents had reduced from 125 to 101 and "hotspots" would continue to be patrolled. No fixed penalties for dog fouling had been issued and there had been no prosecutions. There was 1 fixed penalty notice and 1 prosecution for a dog being off the lead. Officers would continue the campaign to promote responsible dog ownership and signage would be displayed and maintained.

The Committee noted that the intentions for 2015-16 would be as follows:

- Duty of care focus on gardening, landscaping and waste contractors services
- Display of signage – for littering/dog fouling
- Awareness raising of compulsory microchipping of dogs
- Mix of High visibility and covert patrols
- "Good Junior Citizen" Awards Initiative
- Environmental awareness initiative with High Schools
- Ongoing regulation of Scrap Metal Dealers Act 2013

A Member considered that, in addition to promoting the £100 reward initiative for information on fly tipping that led to a successful conviction, it was important to promote the fact that individuals had received fines for fly tipping offences.

(At this point in the meeting the Chairman, Councillor J. Preece had to briefly leave the meeting and the Vice-Chairman, Councillor Witton took the Chair).

12. Animals Killed on Roads

The Waste and Engineering Services Manager provided Members with a presentation on the process of dealing with dead animals. The aims of the process was to offer advice and guidance to residents, members and staff on what to do and what to advise and to outline Cannock Chase Council's and other organisations' responsibilities.

Some residents believed that:

- Any dead animal or pet can be placed in their domestic waste bin
- The Council collects/removes dead pets from council and private properties
- The Council collects/removes dead wild animals from gardens of council and private properties
- The Council stores dead animals (pets) found at roadside in case owners want them back at the depot.
- All dead animals in the district are all the Councils responsibility

Members noted the responsibilities – Who's ownership/who's land:

- Cannock Chase Council (district roads)
- Forestry Commission (Cannock Chase)
- County Council (Cannock Chase)
- Private (gardens / fields)
- Custodian / Lease holder (fields)
- Highways Agency (trunk roads)
- Environment Agency (main rivers)

General responsibilities:

- Badgers – Cannock Chase Council
- Birds – Cannock Chase Council
- Cats – Owner / Cannock Chase Council
- Deer – County Council / Forestry Commissions
- Dogs – Owner / Cannock Chase Council
- Domestic Pets at Home – Owner
- Farm Animals (Cows/Sheep/Pigs) – Animal Owner / Land Owner / Staffordshire Police
- Foxes – Cannock Chase Council
- Horses - Staffordshire Police

The Committee noted that in the last 12 months the following animals had been killed:

- 3 dogs (CCC)
- 11 Cats (CCC)
- 6 Badgers (CCC)
- 5 Foxes (CCC)

- 15-20 rats and birds
- >150 Deer (FC/SCC)

With regards to animals killed on roads or on public land the first action was to ascertain responsibility. The Council would attend within 24 hours (normally same working day). The animal would be visually inspected and a pet cat or dog would be scanned electronically to ascertain ownership. If the owner was identifiable they would be contacted. The animal would be kept at a local vets for 48 hours in storage at no cost (this was a trial). If the animal was not collected it would be disposed of after 48 hours. Where an owner was unidentifiable the carcass was not kept and the animal was disposed of immediately at an incinerator.

Members noted that dead wild animals at properties (such as cats, dogs, rabbits, foxes etc.) should not be put into the domestic residual waste. Residents must make their own arrangements for the safe disposal of pets' bodies via a local veterinary surgery. Small pets (such as hamsters and gold fish) could be put into the residual waste (green) bin wrapped in a newspaper / plastic bag. Under no circumstances should any type of dead animal be put into either the organic (brown) or dry (blue) recycling bins.

The Committee noted that Council had 2 digital pet scanners; however microchips were not always readable.

The Council collected dead wild animals such as rats, foxes, badgers and large birds from residents homes within 24 hours. The animal must be bagged and placed in the curtilage of the homes. Alternatively, if residents cannot remove the animal, they should employ a contractor to remove and dispose of the animal at their own cost.

Following the presentation Members discussed the issue of deer being killed on the road. The Waste and Engineering Services Manager clarified that the Police had to be called when a motorist killed a deer as the road may have to be closed to enable the deer to be removed or there could be an injury to the motorist. The Police were therefore the first port of call in such an incident and they would then involve Staffordshire County Council or the Forestry Commission as appropriate.

Confirmation was sought as to whether a person was legally allowed to bury their pet in their garden. The Environmental Protection Manager agreed to ascertain whether there were any regulations regarding this and report back to the Committee.

Concern was raised with regard to the timescale for the Council collecting a dead wild animal from a property as it was considered that 24 hours was too long. Following a vote the Committee agreed to keep the timescale at 24 hours.

AGREED:

That The Environmental Protection Manager ascertain whether there were

any regulations regarding the burying of pets in a garden and report back to the Committee at a future meeting.

13. Waste Collection Contract Update

Joss Presland, Waste and Engineering Services Manager advised Members that the Waste Collection contract had been considered at Cabinet and Council and the Contract had been awarded to BIFFA. Meetings were being held with BIFFA and the contract was due to be signed shortly. He confirmed that it was a 7 year contract with the option of a further 7 year extension.

With regard to the level of staffing the Officer advised that each refuse vehicle required a driver and 2 operators. The contractor could use 1 operator plus a driver if there was an issue with sickness; however the round would take longer to complete. He confirmed that the assisted collection for disabled residents would continue as part of the new contract.

(At this point Councillor J. Preece came back in to the meeting. However, the Vice-Chairman, Councillor Witton continued to Chair the meeting).

14. Bus Shelter Maintenance and Vehicles Parking on Verges

Bus Shelter Maintenance

Joss Presland, Waste and Engineering Services Manager advised Members that bus shelters had been replaced in the following locations:

- Hednesford Road, Rugeley
- Uxbridge Street, Hednesford
- Wolverhampton Road, Cannock
- Bradbury Lane, Hednesford (near Common View junction)
- Lichfield Road, Cannock (outside ASDA)
- Longford Road, Cannock (opposite Mosswood Street)
- Bradbury Lane, Hednesford (opposite junction Rowley Close)
- Ascot Drive, Cannock (opposite no .41)
- Station Road, Hednesford (opposite no. 241)
- Cannock Road, Blackfords (opposites no. 90)
- Pye Green Road, Cannock (opposite no.329)

One shelter had been removed in Wolverhampton Road, Cannock (opposite “Gestamp”) as it was no longer used.

The Environment Portfolio Leader confirmed that, at the request of Brereton and Ravenhill Parish Council, the organisation “Brereton Millions” had paid for the bus shelter by the Cedar Tree in Rugeley.

The Crime and Partnerships Portfolio Leader made reference to the Liberal Democrat and Conservative coalition who had been in power at the Council some years ago who had decided not to replace bus shelters. He confirmed that Brereton and Ravenhill Parish Council had decided that, in order to create a good impression, they would replace the bus shelters along the main roads

or the pathways to the District.

Vehicles Parking on Verges

The Waste and Engineering Services Manager advised that he had spoken to Mark Keeling, Staffordshire County Council Highways who had explained that each County Councillor was allocated £10,000 per year to spend on highway schemes/issues they considered as priority within their respective Wards.

The Officer proposed that Members advise him of any specific areas/roads where they had concern with regard to vehicles parking on verges. These would then be reviewed with the County Council's Officers and a scheme developed that best fit the issue. Officers would then prioritise these schemes with the County Councillor for that area.

Concern was raised that the County Councillors £10,000 allocation was limited and may well have already been spent or allocated to a specific highway scheme/improvement. The issue of vehicles parking on verges remained a concern in residential areas and at industrial areas where a particular car sales premises was using the verge as a staff car park.

The Environment Portfolio Leader explained that he was a County Councillor and he outlined a number of schemes he had spent his £10,000 budget on. These schemes included implementing Traffic Regulation Orders for double yellow lines and reducing speed limits or Residents Parking Zones. He commented that a good portion of the allocation could be spent on legal fees in implementing the Traffic Orders. He confirmed that this £10,000 allocation was in addition to the County Council's planned programme of highway schemes.

A Member outlined the following three issues within her Ward where she had concern:

- Station Road – parking on footpath
- Brindley Heath Road – resident parking on footpath
- Brindley Crescent – resident parking half across the footpath

The Chairman commented that these issues were obstruction matters and would be dealt with by Staffordshire Police. The Waste and Engineering Services Manager added that as the District Council had no powers to address the issues raised by the Member, he would refer them to the County Council Highways Team who would provide feedback to her outside of the meeting.

It was proposed that the Waste and Engineering Services Manager email every Member of the Council asking them to nominate areas within their Wards where they were concerned about parking on grass verges. The Officer would then refer these issues to the County Council Highways Team for consideration. The Committee was in favour of this proposal.

AGREED:

(A) That the Waste and Engineering Services Manager refer the three

issues raised by the Member to the County Council Highways Team who would provide feedback outside of the meeting.

- (B) That the Waste and Engineering Services Manager email every Member of the Council asking them to nominate areas within their Wards where they were concerned about parking on grass verges and these issues be referred to the County Council Highways Team for consideration.

15. Staffordshire County Council's consultation on the Countryside Service

The Committee considered the letter attached to the agenda seeking feedback on the County Councils plans to review the future management of Staffordshire's countryside parks and green spaces. The deadline for feedback was 24 January, 2016.

The Environment Portfolio Leader advised that the letter had been passed to him for a response. He had sought the view of Cabinet on the proposals. Cabinet had decided that Option A was the best option and a letter would be sent to the County Council outlining Cabinet's view.

Officers were asked whether a response could be sent from the Committee. The Head of Commissioning explained that Officers would respond to the letter outlining the view of the Authority.

It was proposed that Cabinet be advised that the Environment Scrutiny Committee supported Option A and the County Council be advised accordingly. The Committee was in favour of the proposal.

Officers were asked whether the letter could be uploaded to the Council's website so that others had an opportunity to respond to the consultation. The Environmental Protection Manager commented that he would advise the Communications Team accordingly.

AGREED:

- (A) That Cabinet be advised that the Environment Scrutiny Committee supported Option A and the County Council be advised accordingly.
- (B) That the County Council's consultation letter on the plans to review the future management of the Countryside Service be uploaded on to the District Council's website.

The meeting closed at 6.20pm.

CHAIRMAN

