

# Public Document Pack

## ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE

Tuesday, 7 April 2009

<u>Present:</u>	Councillor	D Roberts (Chair)	
	Councillors	S Moseley A Bridson J Williams	P Johnson J Keeley M Redfern
<u>Cabinet Member</u>	Councillor	G Gardiner	
<u>In Attendance</u>	Councillor	R Moon	A Taylor

### 33 DECLARATIONS OF INTEREST/PARTY WHIP

Members were asked to consider whether they had personal or prejudicial interests in connection with any item(s) on this agenda and, if so, to declare them and state what they were.

Members were reminded that they should also declare, pursuant to paragraph 18 of the Overview and Scrutiny Procedure Rules, whether they were subject to a party whip in connection with any item(s) to be considered and, if so, to declare it and state the nature of the whipping arrangement.

No such declarations were made.

### 34 MINUTES

**Resolved – That the minutes of the meeting held on 28 January 2009 be approved.**

### 35 REDUCING THE COUNCIL'S CARBON FOOTPRINT - PROGRESS REPORT

The Director of Technical Services presented a six monthly progress report on the various projects being undertaken by Technical Services to achieve the Council's Corporate Objective to 'Reduce the Council's Carbon Footprint', as set out in the Carbon Reduction Programme. He set out performance to date in relation to the reduction of carbon emissions and commented that with the Cabinet approval of the implementation of the CRed initiative, the Council had now adopted the challenging CRed target of a 60% reduction by 2025 and would be working with residents, communities and both the public and private sectors to achieve their own reductions. He outlined the year on year improvements required by the Council to achieve the target and he provided details of progress on individual Council projects.

In response to various comments from members in relation to microgeneration and renewables, the Director referred to ongoing work to encourage the participation of schools and to alternative proposals for sustainable energy at Thurstaston Visitor Centre. He commented also that the biomass boiler at the Floral Pavilion was now fully operational and there were plans to install similar systems at the new developments at Woodchurch High School and Park Primary School. The boilers

were fuelled by woodchip pellets and he indicated that the system was classed as sustainable because of the proximity of supply. In response to a further question regarding staff business mileage, the Director proposed to present a report to a future meeting following analysis of the figures for 2008/2009.

**Resolved – That the performance and progress of the various Council ‘Carbon Footprint Reduction’ projects undertaken to date by the Technical Services Department be noted and endorsed.**

#### 36 **WIRRAL WASTE WATER TREATMENT WORKS - UPDATE**

The Director of Regeneration reported upon progress that had been made in tackling serious problems of odour nuisance and other issues arising from the Waste Water Treatment Works at Birkenhead, Meols and Bromborough. He introduced Mr L Jones and Mr P Bellis from United Utilities, who gave a detailed presentation on the measures developed and action taken to tackle the problems. The presentation identified the scope of improvement work at each plant and indicated that the total cost of the various projects amounted to £15.5m. The impact of the work had been a steady decline in the number of complaints and the combined commitment of officers, United Utilities staff, ward Councillors, members of the Overview and Scrutiny Committee and local residents had brought about a solution that the evidence suggested had resolved problems that had been a considerable blight on local communities.

Ward Councillors expressed their thanks on behalf of local residents for the significant improvements that had been achieved through close partnership working that had been developed between the Council and United Utilities.

**Resolved – That the measures taken to deal with the problems arising from the waste water treatment works in Wirral and the considerable improvements that have accrued as a consequence of the joint commitment of all those involved, be noted.**

#### 37 **LOCAL ENVIRONMENTAL QUALITY (LEQ) - PROJECT PLAN UPDATE**

Further to minute 180 (4 September 2008), the Director of Technical Services presented the latest version of the Local Environmental Quality (LEQ) Project Plan for 2008/2009. The Plan was prepared by Technical Services in partnership with Biffa Waste Services, Regeneration, Together Neighbourhood Management and local housing associations and it aimed to achieve the LEQ objectives set out in the Council’s Corporate Plan and Wirral Local Area Agreement. He outlined completed projects and provided updates in relation to various projects that were ongoing and were contained within the latest plan. He referred to an independent survey of the key Super Output Areas (SOA’s) undertaken by Encams, which revealed that the cleansing standards, as scored with the NI195 methodology, were almost three times as poor when compared with the overall Borough-wide scores. He presented the results of both an SOA-specific and a borough wide survey and he commented that the significantly greater improvement in the SOA areas compared to the rest of the Borough had demonstrated that the Council had ‘narrowed the gap’ in environmental quality standards. He reported that a new LEQ Project Plan was currently being developed for 2009/2010 and he set out projects being developed for next year to address LEQ issues throughout the borough.

A member referred to the continuing problems across the Borough associated with fly tipping, particularly on private land or on land in indeterminate ownership. The Director asked for details of specific problem areas to be notified to him and he commented that issues associated with Merseyrail would be dealt with at a regional strategic level. He referred also to the criteria for awards made under the Tidy Business scheme and agreed with members that greater publicity would help to promote the positive message they sought to convey. In response to a further comment in relation to projects outside SOA's, the Director agreed to hold a workshop for members with regard to the promotion of the Tidy Business Campaign across Wirral.

**Resolved – That the progress made in delivering the LEQ Project Plan for 2008/2009 be noted and endorsed.**

## 38 FLY TIPPING AND ENFORCEMENT - PROGRESS REPORT

Further to minute 43 (5 March 2008), the Director of Technical Services reported upon the current position with regard to performance against National Indicator NI196 (Fly Tipping). He commented that fly tipping had a significant and detrimental impact on the quality of life of the communities in affected areas and he outlined present enforcement initiatives being undertaken. In particular, fly tipping of domestic waste in alleyways and side waste at bin collection points was being tackled through a combination of education and robust enforcement for the most serious and persistent offenders, culminating in fixed penalties or court prosecutions as appropriate. He reported upon the results of a major education, awareness and enforcement campaign pilot, which took place in the Poulton area on 9 March 2009 and upon the results of a second round of inspections undertaken in the targeted area on 6 April 2009.

The Director provided an operational update with regard to street cleansing and reported upon a benchmarking exercise with other local authorities in order to improve performance sufficiently, by way of a reduction in the number of fly tipping incidents and an increase in the number of recorded actions, to achieve a top quartile position. In response to a comment from a member, the Director agreed to circulate the results of the benchmarking exercise direct to members. Consideration was also given to the issue of bins being left on the highway or in an unsafe position after collection. In response to further questions from members regarding the fees that were imposed in relation to stolen or missing bins, the Director agreed to circulate details of the charging policy to all members of the Council.

The Director reported also that the Government was committed to dealing with improving local environmental quality and tackling waste crime such as fly tipping. As part of DEFRA's continuing partnership with ENCAMS to tackle the issues, ENCAMS had provided free technical support for a select number of local authorities aimed at reducing fly-tipping, through the formulation of fly-tipping prevention strategies. As one of the selected authorities, Wirral Council and other LAA partners such as the Police, Fire Service and Environment Agency received a one day workshop in January 2009, where the discussion covered the extent and impact of fly-tipping in the local area, examined current initiatives, identified gaps in prevention and highlighted good practice. He commented that the work culminated in a multi-agency Fly-tipping Implementation Plan, which he appended to his report.

**Resolved –**

**(1) That the current position regarding fly tipping, as measured by National Indicator NI196, be noted.**

**(2) That the Fly-tipping Implementation Plan be endorsed and a progress report be presented to the relevant Overview and Scrutiny Committee in 12 months time in relation to progress in delivering the plan.**

39 **HEALTH AND SAFETY ENFORCEMENT ACTIVITY**

The Director of Regeneration reported upon recent work undertaken by Environmental Health Officers working within the Health and Safety Enforcement section of the Environmental Health Division and he outlined the progress made by a range of local and regional campaigns aimed at promoting the Health and Safety Commission's 'Fit 3' initiative. The initiative set the following national targets – a 35% reduction in the incidence rate of work related fatal and major injuries; a 6% reduction in incidence rate of cases of work related ill health and; a 9% reduction in the incidence rate of days lost due to work related injuries and ill health. The Health and Safety Enforcement Team had identified and prioritised those 'Fit 3' campaigns, projects and interventions that were most relevant to the workforce in Wirral and had fully supported the 'Fit 3' programme, recognising that in order to effectively contribute towards meeting the national targets, efforts needed to be focused in partnership with the HSE. To promote consistency, good practice and joint working on shared priorities across the Merseyside region the team also worked closely with 'Environmental Health Merseyside', a collaboration of all greater Merseyside Authorities. The Director commented also that whilst officers always tried to take a proportionate, informative and educative approach to enforcement, where there had been a clear and flagrant disregard for health and safety, it was necessary to consider formal action and he set out a number of the most recent prosecutions.

In response to comments from members in relation to the recovery of legal costs, the Director indicated that officers always sought to recover the costs incurred by the Department of Law, HR and Asset Management, external agents, and Environmental Health. However, the costs awarded, if any, were entirely at the discretion of the courts.

**Resolved – That the report be noted and the Health and Safety sections continuing work programme in support of The 'Fit 3' programme, be endorsed.**

40 **THE ROLE OF TRADING STANDARDS IN SUPPORTING THE NATIONAL ENFORCEMENT PRIORITY OF FAIR TRADING**

The Director of Regeneration reported upon legislative changes and Trading Standards activity to meet the national enforcement priority concerning fair trading. He indicated that it was a broad policy area and included trade descriptions, trade marks other misdescriptions of goods and services, doorstep selling and protecting the vulnerable from scams and rogue traders, and ensuring business compliance with consumer protection legislation. He commented that a National Indicator, NI 183, had been developed to ensure that local authorities targeted resources towards traders who deliberately broke the law and caused consumer detriment, rather than inspecting compliant traders.

**Resolved – That the report be noted and the work of the Trading Standards service in relation to fair trade in Wirral be endorsed.**

41 **QUARTER 3 - SCRUTINY PERFORMANCE MONITORING REPORT**

The Director of Technical Services provided an overview of progress against performance indicators and key projects in relation to the Technical Services and Regeneration Departments, which were relevant to the Environment Overview and Scrutiny Committee. He indicated that performance reports were in relation to relevant performance indicators and key actions that were contained within the council's corporate plan and departmental plans and they included any of 198 indicators featured within the national indicator set relevant to the committee.

In response to a comment from a member regarding sickness absence comparisons with other local authorities, the Director proposed to present a report to a future meeting of the relevant overview and scrutiny committee.

**Resolved – That the report be noted and a further progress report be presented to the next meeting of the relevant Overview and Scrutiny Committee.**

42 **REVIEW OF SCRUTINY WORK PROGRAMME**

The Chair presented an update report on the work programme for the Committee and, having regard to the views of the Cabinet in relation to scrutiny, requested members' consideration as to any issues they wished to be included within the work programme for the forthcoming municipal year for the relevant Overview and Scrutiny Committee with responsibility for those issues currently within the remit of this Committee.

In response to comments from members in relation to items that had been selected for inclusion in the Environmental Streetscene Services Contract Work Streams, the Director of Technical Services agreed to present a report to the next appropriate meeting. He also proposed to report further upon 'signposting' scripts that were being developed to ensure the right advice was given to members of the public.

**Resolved –**

**(1) That the report be noted and the officers be requested to report to the next meeting of the appropriate Committee in order to agree a work programme for the forthcoming municipal year.**

**(2) That the officers be requested to liaise with officers from Peel Holdings regarding the submission of the local Environmental Plan.**

43 **ANY OTHER URGENT BUSINESS APPROVED BY THE CHAIR**

The Chair and spokespersons thanked the members of the Committee and the officers in attendance for their commitment and hard work during the past municipal year.

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