

Thurrock: A place of opportunity, enterprise and excellence, where
individuals, communities and businesses flourish

Cleaner, Greener and Safer Overview and Scrutiny Committee

The meeting will be held at **7.00 pm** on **15 December 2014**

Committee Room 1, Civic Offices, New Road, Grays, Essex, RM17 6SL.

Membership:

Councillors Cathy Kent (Chair), Pauline Tolson (Vice-Chair), Andrew Roast,
Susan Shinnick and Michael Stone

Substitutes:

Councillors Oliver Gerrish, Brian Little and Simon Wootton

Agenda

Open to Public and Press

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1. Apologies for Absence	
2. Minutes	5 - 10
To approve as a correct record the minutes of the Cleaner, Greener and Safer Overview and Scrutiny Committee meeting held on 31 July 2014.	
3. Items of Urgent Business	
To receive additional items that the Chair is of the opinion should be considered as a matter of urgency, in accordance with Section 100B (4) (b) of the Local Government Act 1972.	
4. Declaration of Interests	
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of prevention, enforcement and Waste Removal

6. Work Programme

Queries regarding this Agenda or notification of apologies:

Please contact Matthew Boulter, Principal Democratic Services Officer by sending an email to Direct.Democracy@thurrock.gov.uk

Agenda published on: **5 December 2014**

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DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF

Breaching those parts identified as a pecuniary interest is potentially a criminal offence

Helpful Reminders for Members

- *Is your register of interests up to date?*
- *In particular have you declared to the Monitoring Officer all disclosable pecuniary interests?*
- *Have you checked the register to ensure that they have been recorded correctly?*

When should you declare an interest *at a meeting*?

- **What matters are being discussed at the meeting?** (including Council, Cabinet, Committees, Subs, Joint Committees and Joint Subs); or
- If you are a Cabinet Member making decisions other than in Cabinet **what matter is before you for single member decision?**



Does the business to be transacted at the meeting

- relate to; or
- likely to affect

any of your registered interests and in particular any of your Disclosable Pecuniary Interests?

Disclosable Pecuniary Interests shall include your interests or those of:

- your spouse or civil partner's
- a person you are living with as husband/ wife
- a person you are living with as if you were civil partners

where you are aware that this other person has the interest.

A detailed description of a disclosable pecuniary interest is included in the Members Code of Conduct at Chapter 7 of the Constitution. **Please seek advice from the Monitoring Officer about disclosable pecuniary interests.**

What is a Non-Pecuniary interest? – this is an interest which is not pecuniary (as defined) but is nonetheless so significant that a member of the public with knowledge of the relevant facts, would reasonably regard to be so significant that it would materially impact upon your judgement of the public interest.

Pecuniary

If the interest is not already in the register you must (unless the interest has been agreed by the Monitoring Officer to be sensitive) disclose the existence and nature of the interest to the meeting

If the Interest is not entered in the register and is not the subject of a pending notification you must within 28 days notify the Monitoring Officer of the interest for inclusion in the register

Unless you have received dispensation upon previous application from the Monitoring Officer, you must:

- Not participate or participate further in any discussion of the matter at a meeting;
- Not participate in any vote or further vote taken at the meeting; and
- leave the room while the item is being considered/voted upon

If you are a Cabinet Member you may make arrangements for the matter to be dealt with by a third person but take no further steps

Non- pecuniary

Declare the nature and extent of your interest including enough detail to allow a member of the public to understand its nature



You may participate and vote in the usual way but you should seek advice on Predetermination and Bias from the Monitoring Officer.

Thurrock: A place of opportunity, enterprise and excellence, where individuals, communities and businesses flourish

To achieve our vision, we have identified five strategic priorities:

1. Create a great place for learning and opportunity

- Ensure that every place of learning is rated “Good” or better
- Raise levels of aspirations and attainment so that local residents can take advantage of job opportunities in the local area
- Support families to give children the best possible start in life

2. Encourage and promote job creation and economic prosperity

- Provide the infrastructure to promote and sustain growth and prosperity
- Support local businesses and develop the skilled workforce they will require
- Work with communities to regenerate Thurrock’s physical environment

3. Build pride, responsibility and respect to create safer communities

- Create safer welcoming communities who value diversity and respect cultural heritage
- Involve communities in shaping where they live and their quality of life
- Reduce crime, anti-social behaviour and safeguard the vulnerable

4. Improve health and well-being

- Ensure people stay healthy longer, adding years to life and life to years
- Reduce inequalities in health and well-being
- Empower communities to take responsibility for their own health and wellbeing

5. Protect and promote our clean and green environment

- Enhance access to Thurrock’s river frontage, cultural assets and leisure opportunities
- Promote Thurrock’s natural environment and biodiversity
- Ensure Thurrock’s streets and parks and open spaces are clean and well maintained

Minutes of the Meeting of the Cleaner, Greener and Safer Overview and Scrutiny Committee held on 31 July 2014 at 7.00 pm

Present: Councillors Cathy Kent (Chair), Pauline Tolson (Vice-Chair), Andrew Roast, Susan Shinnick and Michael Stone

In attendance: Councillor Tony Fish - Portfolio Holder for Environment
Gavin Dennett - Environmental Health and Trading Standards Manager
Grant Greatrex - Sport and Leisure Policy Development Manager
Mike Heath - Head of Environment
Matthew Boulter - Principal Democratic Services Officer

Before the start of the Meeting, all present were advised that the meeting may be filmed and was being recorded, with the audio recording to be made available on the Council's website.

1. Minutes

The Minutes of the Cleaner, Greener and Safer Overview and Scrutiny Committee, held on 4 February 2014, were approved as a correct record.

2. Items of Urgent Business

There was none.

3. Declaration of Interests

Councillor Roast declared a non-pecuniary interest in respect of Agenda Item 5 as he has gym membership at Impulse Leisure.

Councillor Shinnick declared a non-pecuniary interest in respect of Agenda Item 5 as she has gym membership at Impulse Leisure.

Councillor Kent declared a non-pecuniary interest in respect of Agenda Item 5 as she is a member of the Coalhouse Fort Project and a non-pecuniary interest in respect of Item 7 as she is a member of the Community Safety Partnership Board due to her position on the Essex Fire Authority.

4. Budget Update and Savings Proposals

The Committee heard that in relation to the Environment department, a large amount of their budget was tied up in waste contracts and could not be reviewed for savings. As a result, those areas outside this were adversely affected. For example, grounds Maintenance was proposed to be reduced by 57%. Officers briefly outlines those savings that had already been agreed by Cabinet including a senior management restructure and the closing of certain

depots, including Curzon Drive. Councillor Roast felt that more detailed and probing questions needed to be asked on each proposal throughout the next few weeks and Members should follow up on queries to ensure they fully understood and investigated the proposals. This should be followed by a public consultation.

Revisions to waste collection and disposal arrangements

A number of proposals were being made. Firstly, there was a proposal to reroute food waste in residual waste collection and charge for garden waste collection. This charge would be around £30 or £40 per year and would consist of fortnightly collections in the summer months and monthly collections in the winter. Other proposals included reducing the operating hours of the Linford refuse site and reducing the cost of waste disposal.

Some Councillors expressed their opposition to reducing the hours at the Linford site on the basis it was a very busy site and shorter hours could create traffic problems. Officers agreed and stated that the company running the site had said no savings could be made by operating the site less days. Therefore, there were other proposals being considered which included limiting rubble waste and charging for vans.

Through the discussion it was highlighted that three enforcement officers would be employed for a year to enforce the new changes in waste collection to ensure residents did not use their residual waste bins for garden waste. It was added that the bins could easily be checked for waste content as they were unloaded onto the truck.

Restructure and review all grounds maintenance operations

It was proposed to reduce the following services:

- Reduce maintenance of play areas to ten key sites.
- Reduce grass cutting from monthly in the summer to two or three times a year.
- Remove the ranger service from Coalhouse Fort and Langdon Hills, making them self managed public spaces.
- Reduce or cease the level of maintenance for football, bowls and cricket pitches.
- Cease winter shrub maintenance and floral planting in town centres except for war memorials.

The Committee expressed their concern over reducing these greening services and felt that Thurrock's visual image and street scene would suffer. Officers did respond to a comment that they may look at responding to grass cutting on a 'as needed' basis rather than a prescribed schedule.

The Committee identified forty two job losses and Councillor Roast asked whether a service could be provided to private companies to generate income and kept the staff. Officers responded that they did offer limited services in this

area already but the savings were so pressing and there was no guarantee money could be generated. The savings had to be made.

With regards to sports pitches, officers stated that they were working with community groups to encourage them to undertake maintenance on their own initiative. Some councillors felt this could be too much to ask on residents who were already paying money to be part of the sport already. Officers said there was scope to provide a service in this area by reducing the quality of maintenance or hiring maintenance equipment instead of purchasing it.

Councillor Kent was concerned about reductions in cemetery maintenance and asked whether a reduction in ranger presence at Coalhouse Fort could jeopardise its future Lottery funding and blue flag status.

In relations to playgrounds, officers explained that the ten key sites would be identified through a criterion of most used and also those that had newer equipment and were not vandalised regularly.

Reduce frequencies of street cleansing and partially mitigate impact through implementing area based working and optimising routes

The impact on the street cleansing service would include no weekend service, a more reactive service, less mechanical sweepers in the fleet and a reduction in replacing damaged or old street bins. Officers stressed there would be the same amount of litter dropped, simply less rounds to clear it up. For example, Grays high street would be cleaned once every day in the morning and would not have a continuous twelve hour presence as it currently had.

It was added that there would be capacity for the service to respond to resident complaints and requests of there was a particularly bad area. Some councillors felt this would not be effective because residents would not make these requests but officers stated the 'report it' app the Council had introduced had been well used.

Transfer Highways Maintenance to Planning and Transportation

This was an efficiency allowing the right department to manage a workload more effectively. Members made no comment.

Cessation of funding to Impulse Leisure

The discretionary grant paid to Impulse Leisure had started in 2000 at £1.2 million and had since reduced to £350,000. The Council and Impulse Leisure had always been working towards ceasing this funding but the current proposals brought that forward much more than expected. The Council was working with Impulse Leisure to ensure it became sustainable.

Upon questioning, officers confirmed that Impulse Leisure did not intend to close any of its sites and that there were no penalties for the council

withdrawing the funds, however a six month notice period was required. It was added that the outreach activities the company made with certain community groups could cease once funding was withdrawn.

Cessation of Council Funding to the Community Safety Partnership (CSP)
The funding proposed for withdrawal was an additional discretionary fund. The level of activity of the Partnership could reduce as a result but officers would work to obtain external funding from the Police Crime Commissioner for certain related projects. Members clarified the position of Thurrock CSP amongst Southend CSP and Essex CSP.

Trading Standards – Cessation of duties in relation to trademarks and counterfeiting

This proposal would see a cessation of duties surrounding counterfeit goods at places such as boot fairs. This was a statutory duty and the chance of being censured for not carrying out the duty would most likely come from the brand companies themselves. There was a potential for electrical or cosmetic counterfeit goods to be unsafe for residents. A further cessation in this category would relate to animal welfare and the checking of cattle and farm livestock.

The Committee recognised this reduction in one officer's role and learnt that because of the specialisms involved, it was very difficult to retrain existing staff. The proposal could lead to a redundancy or a reduction in an officer's contracted hours.

The Committee debated whether officers from other councils could be shared. It was explained that the specialisms were covered across Thurrock and Barking and Dagenham but due to the amount of work each field officer had in each council, it was not a viable option to have them working across both sites.

Environmental Protection – Reduction in Duties:

There was a proposed cessation in:

- Inspecting commercial and industrial pollution permits
- Prevention of damage by pests
- Services related to verminous properties and noxious waste.

Officers confirmed they undertook around seventy two commercial pollution inspections per year and although these would stop, the council would still issue pollution permits to the companies because they paid for the service and it was vital to their operation. Officers felt that these companies would not support paying more money to support an inspection service. It was added that most of the companies operated very stringent safety measures in this area.

This proposal would see the removal of one post that co-ordinated and supported the team in legal and freedom of information administration.

RESOLVED: That:

1. **The above comments be sent to Cabinet for consideration.**
2. **Meetings between committee members and officers be arranged outside the meeting to explore the proposals in further detail. Results of these meetings be reported back to Committee.**

5. Local Air Quality Management

Members asked why it had taken three years for the pollution levels to be acted upon from their initial assessment in 2011. Officers explained that the levels had to be checked through a national average and therefore the process to identify rising pollution levels took a long time.

RESOLVED That the committee recommend to Cabinet that a new air quality management area is declared along Dock Road, Calcutta Road and part of St. Chad's Road.

6. Report on Thurrock Community Safety Partnership

Councillor Roast felt that fifteen anti-social behaviour (ASB) reports per day was a significant amount. Officers agreed that although all ASB reports were taken seriously, there was a potential for multiple reports to distort the figure and also that some of the activities were not indeed ASB but perceived to be.

RESOLVED that:

1. **The performance of the Thurrock Community Safety Partnership for the year 2013/14 be noted.**
2. **The recommendations within the strategic assessment for 2013 be noted.**
3. **The four priorities of the Community Safety Partnership for the year 2014/15 be supported.**
4. **The links that have been made to support delivery of the Police Crime Commissioner's Police and Crime Plan be noted.**

7. Work Programme

A brief discussion was had on badger snaring and officers agreed they would look into adding the relevant wording into the Animal Welfare Charter.

RESOLVED that the work programme be noted.

The meeting finished at 9.06 pm

Approved as a true and correct record

CHAIR

DATE

**Any queries regarding these Minutes, please contact
Democratic Services at Direct.Democracy@thurrock.gov.uk**

15 December 2014	ITEM: 5
Cleaner, Greener and Safer Overview and Scrutiny Committee	
Current response of Thurrock Council to fly-tipping in terms of prevention, enforcement and waste removal	
Wards and communities affected: All	Key Decision: Not applicable
Report of: Jim Nicolson - Community Protection Manager Daren Spring – Street Services Manager	
Accountable Head of Service: Mike Heath, Head of Environment and Gavin Dennett, A/Head of Public Protection	
Accountable Director: David Bull, Director of Planning & Transportation	
This report is public	

Executive Summary

The number of fly-tips reported to the Council fell by 55% between 2008/09 and 2011/12. Since then the numbers have started to rise, with an increase of 71% in the current year compared with the same period in 2013/14. The cost of removing all the fly-tips in 2013/14 was £117,916. This report sets out the changes in the resources available to respond to this trend and a number of initiatives that are in hand to assist in the maintenance of a robust prevention, enforcement and clean-up approach.

1. Recommendation(s)

1.1 That the Committee note the number of fly-tips being reported and the developments in the way in which these are dealt with.

2. Introduction and Background

2.1 This report was requested by Councillor Tolson following a number of informal reports on the number of fly-tips being reported and the response to them.

3. Issues, Options and Analysis of Options

3.1 The number of fly-tips dealt with by the Council fell from 2,211 in 2008/09, to 999 in 2012/13. This represents a fall of 55% (1,212 fly-tips). However, in 2012/13, there was an increase to 1,119, fly-tips, the equivalent of a 12% rise (120 fly-tips) This trend has continued with 1,133, fly-tips recorded between

April and October 2014, an increase of 71% (472 fly-tips) on the equivalent period on the preceding year.

- 3.2 There appears to be no pattern to the places where these fly-tips are deposited; which are found in almost every part of the Borough. The bulk of the tips comprise building material or garden waste and foliage. In such cases there is very little prospect of recovering any evidence that will identify those responsible for them.
- 3.3 However, some large-scale tips are clearly the result of organised criminal activity. As a result Thurrock Council has joined the newly formed Riverside Group, which comprises a number of East London boroughs and a number of local authorities, as well as the Environment Agency and a number of police forces. The purpose of this group is to focus on these criminal gangs by sharing information and intelligence for targeted action by the enforcement agencies.
- 3.4 In Thurrock the response to fly-tips rests with the Environmental Enforcement and the Street Cleansing teams. The Environmental Enforcement team will, on receipt of a report of a fly-tip, or if they find one when on patrol, investigate for any evidence of who may have been responsible for depositing the fly-tip, either directly or indirectly. They will also identify whether the land on which the fly-tip is, is publically or privately owned.
- 3.5 Where evidence is obtained enforcement action can be taken either in the form of a letter of caution; a Fixed Penalty Notice (FPN); or court proceedings. Comparative enforcement figures from neighbouring boroughs on fly tipping for the twelve months to June 2014 are as follows;

Council	Investigations	Prosecutions	FPNs Issued
Basildon	3239	0	0
Brentwood	58	0	7
Barking & Dagenham	516	0	17
Harlow	972	0	0
Thurrock	228	0	10

(Data from Fly Capture national database)

- 3.6 Until September 2013, the Environmental Enforcement Team comprised 8xFTE officer posts and 2xFTE coordinators. These staff members also dealt with anti-social behaviour complaints throughout the Borough. After that date the number of officers was reduced to 2xFTE with 1x FTE coordinator posts. However, in October 2014, the coordinator post was also removed. These staff members no longer have any role in responding to anti-social behaviour.
- 3.7 The two staff members are now more closely linked to the other enforcement staff within Public Protection. As a result they will be able to train up these colleagues, who will, when other duties permit be able to offer them some

assistance in responding to fly-tip investigations. Their capacity to do so, however, will inevitably be somewhat limited.

- 3.8 In June 2014, five mobile CCTV cameras were purchased to deploy to target locations. The randomness of the pattern of fly-tips locations is such that these have yet to produce sufficient evidence to support any proceedings.
- 3.9 If the fly-tip is on publically-owned land, following investigation, it will be referred to the Street Cleansing Team for clearance. If on privately-owned land, efforts will be made to identify and contact the owner(s), to advise them of their responsibilities to get the fly-tip removed; this would be at their own expense.
- 3.10 If the fly-tip is on unregistered land then it will be referred to Community Pay back for clearance. In the past, the Community Payback Scheme, run by the Probation Service, has been very helpful in clearing fly-tips on unregistered or, in certain cases and with the consent of Probation Service managers, privately-owned land, such as private alleyways. Earlier this year this service was unavailable for some months due to the shortage of supervisors in the Probation Service. This has now been addressed and the service has just been re-established with encouraging early signs that this service will resume to the same level seen previously.
- 3.11 There is, in addition, the possibility, in cases deemed necessary to clear fly-tips on unregistered land with any expense incurred as a consequence being placed as a charge on that land. This would be recovered at some point in the future, should ownership be subsequently registered. This might include fly-tips, the contents of which were hazardous to health, such as broken asbestos sheeting.
- 3.12 It is the case that at some, but not all unauthorised encampments, travellers leave fly-tips. Some of these on privately-owned land have been of significant proportions. The Essex Countywide Traveller Unit now offers advice to private landowners on the more effective way to achieve their removal. It is anticipated that, subject to their other commitments, they will be able to take on the eviction process for private landowners, for payment.
- 3.13 Below is a table in relation to the fly-tips dealt with by the Street Cleansing Team, showing the weight and cost of the removing them for 2013-14, and for the year to date.

Year	2013-14	2014-15 (ytd)
Tonnages	643.64	345.9
Cost	£117,916	£66,828

- 3.14 These figures are collated from the weight of material picked up by the Council's grab lorry vehicle which is responsible for collecting the larger fly tips that the Street services team remove. When smaller fly tipping is reported

it is normally removed by the caged vehicles as part of the daily schedules. In addition, these teams will collect general litter, bags from litter bins, bags of litter generated by manual sweeping, fly tipping from parks or Housing land etc. This makes it impossible to calculate the total weight and the cost of removing these minor fly tips.

4. Reasons for Recommendation

- 4.1 The reason for the Recommendation is so that Members are apprised of current trends in Borough-wide fly-tipping; the costs involved in dealing with them; and the latest developments to reduce the number of fly-tips and to take enforcement action against those who commit these offences.

5. Consultation (including Overview and Scrutiny, if applicable)

- 5.1 No external consultation has taken place in the preparation of this report.

6. Impact on corporate policies, priorities, performance and community impact

- 6.1 Fly-tips can have a substantial community impact and can be viewed as a threat to public health through hazardous waste or rodent infestation. It is also an indicator of anti-social or criminal behaviour.

By reducing the number of fly-tips, there can be a beneficial impact on three of the Council's Priorities, these being;

1. **Build** pride, responsibility and respect to create safer communities
2. **Improve** health and well-being
3. **Protect** and promote our clean and green environment

7. Implications

7.1 Financial

Implications verified by: **Mike Jones**
Management Accountant

There are no direct financial implications in this report.

7.2 Legal

Implications verified by: **Alison Stuart**
Principal Lawyer

The legal implications are contained within the report. The report is for noting only.

7.3 **Diversity and Equality**

Implications verified by: **Natalie Warren**
**Community Development and Equalities
Manager**

This report deals with the problem of fly tipping throughout Thurrock. In assessing this problem we recognise our responsibility with regard to the Equality Act 2010 and will seek to work positively and proactively to ensure **all** communities are aware of both their rights and responsibilities.

7.4 **Other implications** (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

Fly-tipping is a criminal offence. It follows that where residents see these being deposited, it can be seen as evidence of increased criminal activity and accordingly raise the fear of crime. This can have an impact on perceptions of safety and on the use of public space.

8. **Background papers used in preparing the report** (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- No background papers were used in preparing this report.

9. **Appendices to the report**

- None.

Report Author:

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