

PUBLIC AND ENVIRONMENTAL SERVICES COMMITTEE
22 JUNE 1999

Present: Councillors Mills (Chairman), Adams, Barnard, Bayle, Beadsley, Blatchford, Mrs Clifford, Egan, Mrs Keene, North, Piasecki, Mrs Pile, Simonds, Wade and Ward

Apologies for absence were received from:
Councillor Veakins

The Chairman welcomed to the meeting: Alan Barnish, Mick Cash, Patricia Coleman, John Dixon-Dawson and David Heslop from the Local Government Improvement Team.

The Chairman also welcomed to the meeting Mr M Clement-Green, Deputy Chief Fire Officer, and Mr C Moore, Assistant Divisional Fire Officer, from the Royal Berkshire Fire and Rescue Service.

93 Minutes

RESOLVED that the minutes of the meeting of the Committee held on 23 March 1999 be approved as a correct record and signed by the Chairman.

94 Chairman's Announcements

Bracknell Market Anti Graffiti Work

The Chairman reported that several compliments that had been received by the Public and Environment Services Department in relation to the mural artwork at Bracknell Market, which formed part of the Borough's anti graffiti programme.

Chewing Gum Removal

The Chairman announced that the Council had now purchased a chewing gum removal machine, which would be of great amenity benefit to Bracknell Town Centre and other parts of the Borough.

Draft Food Standards Agency Bill

The Chairman was pleased to announce that the Government no longer proposed to introduce a standard levy of £90 on food establishments as a means of funding the proposed Food Standards Agency. The Chairman reminded the Committee that it had been unanimous in its opposition to the levy at its last meeting.

95 Urgent Item of Business Under Standing Order 7

The Chairman gave notice of an urgent item of business under Standing Order 7. The item related to the London Road Former Landfill Site and was urgent because circumstances had arisen since the publication of the agenda which required a

decision from the Committee and this decision could not practicably be delayed to the next scheduled meeting of the Committee on 12 October 1999.

96 **Hackney Carriage Sub Committee**

RESOLVED that the minutes of the meeting of the Hackney Carriage Sub Committee held on 19 May 1999, as set out in Appendix A hereto, be received.

97 **Emergency Planning Advisory Panel**

RESOLVED that the minutes of the meeting of the Emergency Planning Advisory Panel held on 11 June 1999, as set out in Appendix B hereto, be received.

98 **Quarterly Operations Report (Item 1)**

The Committee considered the Quarterly Operations Report which detailed work undertaken by the Department since the last meeting of the Committee. Of the current issues reported, the tendering exercise for the grounds maintenance contract and the trial kerb-side recycling scheme were highlighted. The Committee noted the current action and progress in relation to the strategic and priority objectives in the Department's Service Plan as well as full year figures for the performance indicators for the Department.

RESOLVED that the Quarterly Operations Report be received.

99 **Provisional Out-turn 1998/99 and Commitment Budget 2000/01 - 2002/03**

The Committee was advised that the projected budget out-turn for 1998/99 would be £4.409 million compared to an approved budget of £5.297 million with this variation arising largely from increased income from car parks, the cemetery and crematorium service, and trade waste as well as a reduction in the tonnage of waste for disposal. The Committee agreed to request budget carry forwards for air quality monitoring procedures and graffiti treatment/removal work, totalling £32,000, which would require confirmation from the Strategy and Policy Committee. The Committee also noted the planned commitment budget for the next three financial years.

RESOLVED that

- (i) provisional out-turn expenditure for 1998/99 of £4.409 million be noted;
- (ii) the Strategy and Policy Committee be requested to approve the budget carry forwards to 1999/2000, as detailed in paragraph 4.4 of the report; and
- (iii) the Committee's budget for the period 2000/01 – 2002/03 be noted.

100 **Future Waste Management Strategy (Item 3)**

The Director of Public & Environmental Services reported on progress that had been made following the establishment of a joint Member/officer working group with Reading Borough Council and Wokingham District Council to develop an environmentally sustainable solution for the future management of waste. The waste management industry had been consulted and as a result valuable information has been obtained and a consultant had assessed the advantages of a consortium approach and the feasibility of pursuing a Private Finance Initiative (PFI) solution to finance a long term waste management scheme. The Committee noted that initial feedback from the Department of the Environment, Transport and the Regions had been positive and in order to attract funding in 2001 it would be necessary to submit an Outline Business Case to the March 2000 meeting of the Government's Treasury Performance Review Group.

RESOLVED that

- (i) the Council continue to work in partnership with Reading Borough Council and Wokingham District Council in the development and implementation of an environmentally sustainable solution for the management of waste;
- (ii) the Council in partnership with Reading Borough Council and Wokingham District Council prepare and submit an application for revenue support for the scheme under the Government's Private Finance Initiative;
- (iii) the Director of Public and Environmental Services, in consultation with the Chairman, be given delegated authority to appoint consultants to advise on the preparation of an Outline Business Case, the cost of which would be borne equally by this Council, Reading Borough Council and Wokingham District Council; and
- (iv) the Director of Public and Environmental Services, in consultation with the Chairman, be given delegated authority to approve the Outline Business Case before submission to Department of the Environment, Transport and the Regions.

101 **Strategy for Air Quality (Item 5)**

The Committee considered a report outlining progress with the strategy for air quality, the monitoring of which is a legal requirement for local authorities. The Committee noted the conclusions and recommendations presented by the consultant and agreed to the purchase of a continuous monitoring station to monitor levels of nitrogen dioxide and small particulate matter as well as two movable roadside pollution monitors to monitor levels nitrogen dioxide and carbon monoxide.

RESOLVED that the progress made in respect of the air quality assessment and measurement in the Borough be noted and the purchase of equipment, as detailed in the report, be approved.

102 **Bracknell Market – Review of Contract (Item 6)**

The Director of Public and Environmental Services reported that Bracknell Market was currently managed by Grenchurch Ltd and the contract was due for renewal on 31 March 2000. Since the current contract had been let in 1993, the economic conditions had changed and markets nationally had declined in popularity. Given this factor and that the existing contractor was already on site, the Committee concluded that rather than enter into a tendering exercise it was appropriate to renegotiate the terms of the contract with the current contractor. The new contract would aim to share the risk of managing the market between the Council and the contractor and place an obligation on the contractor to advertise the Market.

RESOLVED that the Director of Public and Environmental Services be authorised, in consultation with the Chairman, to enter into negotiations with Grenchurch Ltd for a new contract over a five year term, whereby financial risk would be more equitably shared and provision would be made for an advertising obligation upon Grenchurch Ltd.

103 **Scheme of Delegation (Item 7)**

The Committee considered proposals for delegations to the Director of Public and Environmental Services, which would form part of Volume 3 of the Scheme of Council and Committee Management. As the Committee's terms of reference included the management of car parks, a further delegation to the Director of Planning and Transportation was also agreed.

RECOMMENDED that the delegations set out in the Annexe hereto be approved for inclusion in Volume 3 of the Scheme of Council and Committee Management.

104 **Royal Berkshire Fire Cadet Scheme (Item 8)**

The Director of Public and Environmental Services reported on proposals for the establishment of a fire cadet scheme in the Borough, which would provide training for young people aged between 11 and 16 and help to encourage them develop their physical and mental capabilities. Although the training covered normal fire service activities, there would be considerable emphasis on learning how to become a team member within a disciplined environment. The Committee agreed to support the proposed scheme whilst noting that it would complement the Council's youth development policy and support the objectives of the newly approved Community Safety Strategy. As funding for the scheme would be made under Section 137 of the Local Government Act 1972 confirmation would be required from the Council.

RECOMMENDED that the establishment of a Fire Cadet unit in Bracknell Forest be supported and the use of funds up to a limit of £5,000 from existing revenue budgets be approved.

105 **The Control of Street Collections within the Borough (Item 9)**

The Committee reviewed its policy in relation to the issue of street collection permits, which enabled charitable organisations to undertake collections on the public highway. The Committee agreed that there should be no increase in the overall number of permits issued throughout the year, whilst noting that in exceptional circumstances that the Director of Public and Environmental Services would be able to waive this limit.

RESOLVED that

- (i) the Director of Public and Environmental Services be authorised to issue only one street collection permit for any particular location on any single day; and
- (ii) the policy of only issuing 50 street permits in any one year be retained, save for the Director of Public and Environmental Services being delegated authority to waive this limit in exceptional circumstances.

106 **Deregulation (New Year Licensing) Order 1999 (Item 10)**

The Committee was advised that the Government intended to relax licensing laws for both the 'Millennium Eve' and subsequent New Year Eves, so that licensed premises could sell alcohol for an uninterrupted period from the start of permitted hours on New Year's Eve until the end of permitted hours on New Year's Day. Without previous experience of these opening times the Committee noted that it was impossible to predict any outcome, but agreed to be kept apprised of developments over the Millennium period.

RESOLVED that the report be noted with the proviso that the Committee be kept apprised of developments in relation to licensed premises over the Millennium.

107 **Environment Fair 1999 – Feedback (Item 11)**

The Committee noted the report on another successful Environment Fair which had generated positive feedback from a number of sources. The Committee agreed to hold another Fair in the year 2000 and asked the Environmental Impact Group to co-ordinate its arrangements.

RESOLVED that

- (i) the feedback in relation to the 1999 Environment Fair be noted;
- (ii) the Environmental Impact Group be requested to co-ordinate the arrangements for next year's Environment Fair to be held on Sunday 14 May 2000; and
- (iii) it be confirmed that the Environment Fair 2000 be held in the grounds of South Hill Park.

108 Parking Issues Focus Group – Terms of Reference (Item 12)

The Committee approved revised terms of reference for the Parking Issues Focus Group.

RESOLVED that the following revised terms of reference for the Parking Issues Focus Group be approved:

"To examine in corporate terms the existing parking and related issues within the Borough; and identify opportunities for short-term solutions and steer the development of a new parking strategy."

109 London Road Former Landfill Site (Urgent Item)

The Committee noted that it had previously decided to enter into an agreement with Natural Power Ltd for the extraction of landfill gas to generate electricity and had authorised the negotiation of an agreement with the other Berkshire unitary authorities to permit the Council to enter into such an agreement on their behalf. The Committee was advised of the need for the Council to enter into an interim arrangement with Natural Power so that the company might start work immediately on the site prior to the conclusion of the full agreement, which would require a resolution from the relevant committee of the other five unitary authorities. The Committee also agreed to grant Natural Power Ltd a tenancy at will of part of the site, which could be terminated by either party immediately.

RESOLVED that

- (i) the Director of Public and Environmental Services be authorised to conclude an agreement with Natural Power Ltd, as set out in Section 4 of the report;
- (ii) if appropriate a tenancy at will be granted to Natural Power Ltd for part of the London Road site.

110 Items Submitted for Information

The Committee noted the following items submitted for information:

Audit Commission Local Authority Citizens Charter Indicators (Item 13)
Better Quality of Life – Strategy for Sustainable Development for the UK (Item 14)
Action Taken when Gypsies Arrive in the Borough (Item 15)
Thames Valley Police Authority (Item 16)
Report of the Environmental Impact Group (Item 17)

The Meeting commenced at 7.30pm
and concluded at 9.40pm.

CHAIRMAN

The Director of Public and Environmental Services is authorised to take the following action and discharge the following functions of the Council:-

1. Exercise the Council's powers and discharge the Council's duties in relation to:-
 - (i) Weights and Measures, Fair Trading, Trade Descriptions, Consumer Safety and Trading Standards (and to act as Chief Inspector for the purposes of Weights and Measures)
 - (ii) Health and Safety legislation (and to act as Inspector for the purposes of Health and Safety enforcement)
 - (iii) Food Safety legislation (and act as inspector for the purposes of food safety)
 - (iv) The legislation relating to explosives (and to act as Inspector for the purposes of the explosives legislation)
 - (v) Part IIA of the Environmental Protection Act 1990 (Contaminated Land)
 - (vi) Pollution Control and Statutory Nuisances
 - (vii) Pest Control (not including the setting of charges)
 - (viii) Recycling (excluding approval of recycling plans)
 - (ix) Street Cleansing (but excluding the letting of street cleansing contracts)
 - (x) Grounds maintenance (excluding the letting of contracts) other than countryside maintenance
 - (xi) Weighbridges
 - (xii) Bracknell Market (not including the setting of stall rentals or the letting of a contract for the operation of the market)
 - (xiii) Emergency Planning Duties (save for approval of the Emergency Plan)
 - (xiv) Public Conveniences, Cesspools and Private Sewers (excluding the setting of standard charges)
 - (xv) Clean Air and Air Quality
 - (xvi) Refuse and waste collection including the management of the refuse disposal contract (excluding termination of the contract and setting charges determining the method of waste collection and the letting of contracts for waste collection)
 - (xvii) Litter other than the designation of Litter Control Areas
 - (xviii) The removal and disposal of abandoned vehicles

2. Manage the Council's Civic Amenity Sites
3. Make representations to the licensing authorities in connection with the revocation, suspension or curtailment of operators' licences
4. Initiate the necessary action to designate additional streets for street trading purposes
5. Seek the disclosure of criminal records in accordance with approved hackney carriage licensing procedures
6. Waive fees for services (in full or in part) in the interests of public health
7. Approve applications in respect of prescribed processes
8. Serve Notices (not under seal) and Orders; obtaining of warrants; arrange for the carrying out of works in default and the recovery of costs
9. Issue formal cautions
10. Approve Grants for the renewal or improvements of housing
11. Appoint officers and others to positions and/or to act in particular capacities under legislation falling within the terms of reference of the Public & Environmental Services Committee including:-
 - (a) Rent Officers
 - (b) Health & Safety Inspectors
 - (c) Food Safety Inspectors
 - (d) Public Analysts
 - (e) Coroner
 - (f) Agricultural Analysts and Deputy Agricultural Analysts
 - (g) Veterinary Surgeons (for purposes of Animal Welfare legislation)
 - (h) Inspectors for the purposes of Explosives Legislation
12. Authorise persons to exercise powers of entry, inspection, take samples and seize goods and articles under all legislative provisions falling within the terms of reference of the Committee.
13. Make arrangements for the disposal of the dead.
14. Arrange for the removal to suitable premises, persons in need of care and attention.
15. Exercise the Council's powers and duties relating to cemeteries and the crematorium including granting exclusive rights of burial.
16. Maintain burial and exercise the Council's powers in relation to closed church yards.
17. Take all necessary action with regard to notifiable diseases or food poisoning.
18. Agree to transfer of premises
19. Make arrangements for the promotion of safety in the home

20. Sign certificates in respect of the export of food products
21. Give prior approval of industrial furnaces and heights of chimneys
22. Take all necessary action in relation to water quality
23. Authorise the Borough Solicitor to issue Directions and seek Orders under all legislation falling within the terms of reference of the Committee
24. Make objections or representations on application for the grant or renewal of club registration certificates or justices licences
25. Object to the grant of bookmaker's permits and lodge objections to betting office licence
26. Seize dogs and take appropriate action relating to their disposal.
27. Action under Part IV Berkshire Act 1986 (Miscellaneous powers relating to public health)
28. Action under Part III Berkshire Act 1986 ("Amenities and Municipal Property") in respect of land under the control of the Public and Environmental Services Committee other than the designation of areas to which any of the provisions are to apply.
29. Determine applications for permits, licences and the registration of premises (including the power to suspend and revoke where applicable)
30. Exercise the powers of an authorised officer for the purposes of the collection of evidence, including powers of entry, as appropriate for the purposes of waste management under all principal Acts (as amended) and Regulations or Orders made thereunder.
31. Exercise powers of entry and take samples, in respect of matters relating to public or environmental health under all principal Acts (as amended) and Regulations or Orders made thereunder.
32. Exercise powers of entry and take samples, in respect of matters relating to trading standards under all principal Acts (as amended) and Regulations or Orders made thereunder.

The Director of Planning and Transportation is authorised to discharge the functions of the Council falling within the terms of reference of the Committee, relating to car and lorry parks, excepting the setting of charges.