

**PUBLIC & ENVIRONMENTAL SERVICES COMMITTEE
11 SEPTEMBER 1997**

Present: Councillors Mills (Chairman), Adams, Barnard, Bayle,
Beadsley, Flood, Mrs Keene, North, Onions,
Mrs Pile, Simonds, Wade and Ward

Apologies for absence were submitted on behalf of Councillors Mrs Clifford, Egan and Veakins

233. **Minutes**

RESOLVED that the minutes of the meetings of the Committee held on 13 May and 19 June 1997 be approved as a correct record and signed by the Chairman.

234. **Matters Arising from the Minutes.**

SANDS Memorial (Minute 107)

The Chairman reported that he had received a letter from Susan Cunningham thanking the Committee for the grant of £6,170 to provide a SANDS (Stillborn and Neo-Natal Death Society) memorial sculpture at Easthampstead Park. A sculptor had begun work on a scale model, which would be used to produce the final sculpture. The Committee agreed that there might be a small ceremony to mark the installation of the sculpture at the Cemetery and Crematorium.

235. **Hackney Carriage Sub-Committee**

RESOLVED that the minutes of the meeting of the Hackney Carriage Sub-Committee held on 31 July 1997 (Appendix A hereto) be received.

236. **Local Government Reorganisation - Position Statement. (Item 1)**

The Committee received a report detailing the current position in relation to Local Government Reorganisation, as it affected a variety of service areas. In particular, the Committee considered the arrangements for the Joint Committee for the Thames Valley Police Authority, and the constitution of the Police Authority itself. The Committee was advised that Mr Alun Michael MP, on behalf of the Home Office, had indicated that the likely size of the Authority to be approved by the Home Office would be 19 members. If such a membership were determined, then the likelihood was that not all local authorities within the Police Authority's area would be represented on it. The Council had previously expressed the view that overall membership of the Police Authority should be 23, which would provide twelve local authority nominations on the basis of Oxfordshire County Council three, Buckinghamshire County Council two, Milton Keynes one and one each for the six Berkshire Unitary Councils. The Committee reaffirmed this view.

In relation to the shadow Royal Berkshire Fire Authority, the Home Office's response to submissions made by the Committee at its last meeting and the laying of a draft Order were reported. It was likely that the Fire Authority would be formally established in late November 1997. At its last meeting three representatives were appointed to the shadow Joint Committee. The Committee decided to appoint these representatives to the Fire Authority itself and to authorise an interim scheme of delegation to the County Fire and Emergency Planning Officer, which would help with the transitional arrangements. The Committee was also advised that a draft order had been issued, extending to the members and officers of combined fire authorities the same exemption from liability as already existed for members and officers in general.

In relation to the Rent Officer Service, the Committee was advised that the Department of the Environment, Transport and the Regions had sought confirmation of the arrangements following vesting day.

RESOLVED that:

- (i) the action taken in relation to the Local Government Reorganisation be noted and endorsed;
- (ii) the preferred composition of the Joint Committee for the Thames Valley Police Authority be twelve local authority representatives as follows: Buckinghamshire two representatives, Oxfordshire three representatives, Milton Keynes one representative and Berkshire Unitary Authorities one representative each and the Home Office be advised accordingly;
- (iii) the Home Office be advised that the Council endorses its earlier view that the local authorities should have 12 members on the Thames Valley Police Authority, comprised as in (ii) above;
- (iv) pending the adoption of a scheme of delegation by the Royal Berkshire Fire Authority, the County Fire and Emergency Planning Officer be authorised, where necessary and appropriate in respect of issues relating to the combined Fire Authority,

to exercise the powers presently delegated to him by the County Council, subject to prior notification to the Joint Committee;

- (v) the Home Office be advised that the Council concur with the provisions of the draft Order relating to the liability of members and officers of combined fire authorities; and
- (vi) the view that the Rent Officer Service be administered by Reading Borough Council, as lead authority from 1 April 1998, be confirmed.

RECOMMENDED that:

- (i) the Borough Administrator, in consultation with the Chairman, be authorised to nominate a representative (and a reserve, if appropriate) to serve on the Joint Committee for the Thames Valley Police Authority and the shadow Police Authority; and
- (ii) Councillors Egan, Mills and Onions (with Councillors Barnard, Beadsley and Flood as reserves) be nominated to serve on the shadow Royal Berkshire Fire Authority.

237. London Road Landfill Site, Chavey Down. (Item 2)

The Committee was advised of the latest position in relation to the London Road Landfill Site, Chavey Down, which would cease to operate at the end of October 1997. In view of the likelihood that a considerable portion of the restoration costs would fall to the unitary authorities (in addition to the aftercare and management of the site), the Committee considered it appropriate to urge Berkshire County Council to complete as much of the necessary work as was practicably feasible prior to vesting day. The officers advised that it was unlikely that the timescale for implementing restoration works, as required by the planning consent, would be met.

RESOLVED that:

- (i) the commitment of Berkshire County Council to proceeding with the closure and restoration of the London Road, Landfill Site, be welcomed; and
- (ii) Berkshire County Council be urged to complete as much of the necessary work as is practicably feasible prior to vesting day, and if it were envisaged that the period required for the completion, restoration and landscaping of the site would be likely to exceed the requirements of the current planning conditions, Berkshire County Council take measures to seek any necessary amendments to the conditions.

238. Waste Regulation. (Item 3)

The Committee was advised that the Environment Agency, which had assumed responsibility for waste regulation from April 1996, had no process for the granting of temporary waste management licences nor allowing applications for licences to be processed urgently. As a result there might be situations in which the Environment Agency prevented a local authority from making appropriate arrangements to deal with refuse/waste disposal in the event of unforeseen circumstances arising.

RESOLVED that representations be made to the Environment Agency, the Department of Environment, Transport and the Regions, and the Local Government Association, suggesting a review of the existing procedures with regard to the possible issue of Waste Management Licences, for a temporary period or in cases of demonstrable urgent need:

239. **Additional Project - “Desire Line” Footpaths (Item 4)**

The Committee considered a report on ‘desire lines’ where pedestrians had, over a period of time, worn paths in grass verges and open spaces. As part of an ongoing programme, the Committee decided to improve seven of these ‘desire lines’ with planted borders and replanting of grass or tarmac footpaths. To fund the works, which totalled £7,100, a bid would be submitted to the Strategy and Policy Committee to release funding previously identified for these schemes.

RESOLVED that schemes at the following locations be approved and the Strategy and Policy Committee be requested to release the necessary funding from the additional projects package:

Cross Fell, Wildridings	£800
Waterham Road/Mansfield Crescent, Easthampstead	£1,500
1/9 Earlswood, Birch Hill	£250
65/66 Earlswood, Birch Hill	£1,600
Abbotsbury, Great Hollands	£700
Cornbunting Close, College Town	£750
3M/The Ring, Priestwood	£1,500
	<u>£7,100</u>

240. **Woodland Improvement Scheme - Hanworth Phase 2. (Item 5)**

Last winter, as part of an ongoing programme, work on renewal of urban woodland in the Hanworth area was begun. This involved the selective thinning of the pines which dominated the area and replanting with a diversity of species. The Committee considered that it was desirable to continue this programme of plantings.

RESOLVED that expenditure of £20,000 be approved for inclusion in the 1997/98 Capital Programme relating to Woodland Improvement Scheme - Hanworth Phase 2 and the works be undertaken this winter by the Landscape Direct Service Organisation.

241. **Environmental Improvement Scheme - Open Amenity Areas. (Item 6)**

The Committee considered a report which outlined proposals for five Environmental Improvement Schemes in open amenity areas. Residents had been involved in the design of the schemes, the costs of which were estimated at £10,205 and would be funded from the balance of the budget for such schemes.

RESOLVED that landscaping schemes at the following locations be approved, and following further consultation with residents, the Grounds Maintenance Direct Labour Organisation be employed to execute the works:

Arncliffe, Wildridings	3,415
99-110 Viking, Great Hollands	2,522
Osmans Close, Chavey Down	£650
Farcrose Close/Hungerford Close, Owlsmoor	£675
Town Centre Improvements to Gateways	<u>£2,943</u>
	<u>£10,205</u>

242. **Graffiti- Resistant Treatment to Martin Herons Railway Road Bridge. (Item 7)**

The Committee considered a report outlining proposals from the Safer Travel Group for a graffiti-resistant treatment to Martins Heron Railway/Road Bridge. The scheme, with an estimated cost of £9,000, (half of which would be met by South West Trains) was intended to improve safety and security at the station.

RESOLVED that approval be given to contribute 50% (to a maximum of £4,500) of the funding required to carry out the specific capital project for anti-graffiti treatment including murals, at Martins Heron Station.

243. **Revenue Budget Outturn 1996/97. (Item 8)**

The Borough Finance Officer reported that the Committee's expenditure for the 1996/97 financial year stood at £3,249,000 (excluding capital charges) and represented an underspend of £660,000. The Committee was also advised that as at 31 March there were provisions, covering repairs and renewals and maintenance of Section 106 land, totalling £663,000 and earmarked balances covering a variety of items, totalling £110,000.

RESOLVED that the outturn, and the provision and earmarked balances, be noted.

244. **Thames Water/Local Authority Liaison Group. (Item 9)**

The Director of Planning and Transportation reported that since April 1996 Thames Water had been dealing with all public sewerage matters directly. The company had created a Thames Water/Local Authority Liaison Group which would meet two or three times per annum and had sought nominations from the Authority.

RESOLVED that:

- (i) Councillors Barnard and Ward be nominated to attend meetings of the Thames Water/Local Authority Liaison Group, together with the Director of Planning and Transportation and the Director of Public and Environmental Services; and

- (ii) attendance at these meetings be classified as an Approved Duty for the purposes of Members' Allowances.

245. Committee Terms of Reference/Delegations to Officers - Report of Focus Group. (Item 10)

On 29 August 1997 the Committee's Focus Group considered terms of reference of the Committee and its Sub Committees, together with the standard terms of reference for service committees. A further meeting of the Focus Group would consider officer delegations.

RESOLVED that:

- (i) the following be referred to the Strategy and Policy Committee for consideration:
 - (a) the Standard Terms of Reference for Service Policy Committees, subject to:
 - the deletion of "and overall Council policy" from paragraph 1;
 - the deletion of "urgent" from paragraph 13(ii); and
 - further consideration being given to the effectiveness of paragraph 7, which relates to the role of the Audit, Performance and Scrutiny Committee, relative to the Committee's principal duty of ensuring effective provision of the services for which it has responsibility;
 - (b) the draft terms of reference of the Committee, as amended by the Committee (1) to reflect the licensing functions relating to betting, gaming and lotteries, and performing animals; and (2) to include reference to all landscape and grass cutting responsibilities, in accordance with Minute 61 - Strategy and Policy Committee, 20 May 1997;

- (ii) the Strategy and Policy Committee be requested to give further consideration to committee responsibility for the following functions:
 - car parks;
 - drainage;
 - liaison with the health service;
 - the management of Bracknell Market;
 - the management of trees; and
 - energy management

- (iii) the scheme of delegation to officers be considered by a further meeting of the Focus Group.

246. Authorisation of Officers. (Item 11)

The Committee considered a report seeking specific delegated authority for two new officers in the Environmental Health Section.

RESOLVED that:

- (i) Phillip West be authorised for the purposes of the statutes specified in Part 1 of Annexe A of Item 11 of the agenda and any regulations made thereunder during his employment with the Council; and
- (ii) Dawn Clarke be authorised for the purposes of the statutes specified in Part 2 of Annexe A of Item 11 of the agenda and any regulations made thereunder during her employment with the Council.

247. **Information Item. (Item 12)**

It was reported that the Department of Environment, Transport and the Regions was undertaking an informal public consultation exercise in relation to the accessibility of hackney carriages in line with the requirements of the Disability Discrimination Act 1995.

RESOLVED that the report be noted.

248. **Exclusion of the Press and the Public.**

RESOLVED that pursuant to Section 100A of the Local Government Act 1972 members of the public and press be excluded for the consideration of the following Items which involved the likely disclosure of exempt information under the following category of Schedule 12A of that Act:

- (12) Information and Advice relating to possible legal proceedings

249. **Odour Nuisance - Clarks Farm, Reading Road, Yateley. (Item 13)**

The Borough Environmental Services Officer reported on abatement action being undertaken by Hart District Council in relation to odour nuisance emanating from Clark's Farm.

RESOLVED that:

- (i) the current position as regards the status of the abatement notice be noted;
- (ii) the efforts being made by both Hart District Council and Blue Prince Mushrooms to secure a significant improvement to the situation be acknowledged; and
- (iii) officers be instructed to continue to review progress on this issue.

250. **Street Trading Offences. (Item 14)**

The Borough Environmental Services Officer reported on unauthorised street trading at three locations.

RESOLVED that the Borough Solicitor be authorised to prosecute:

- (i) Mr B Cam for street trading at the Crowthorne roundabout on Foresters Way on the morning of 5 July 1997 without the benefit of a street trading consent;
- (ii) Mr H Mahdavi for conducting the business of street trading in London Road near Coppid Beech Hotel, London Road, Bracknell, within 30m of the highway on 25 July, 1 August, 2 August and 8 August 1997, without the benefit of a street trading consent; and
- (iii) Mr H Mahdavi for street trading at Skimped Hill car park within 30m of the highway on 25 July 1997 without the benefit of street trading consent.

(Councillor North declared a non-pecuniary interest in this item.)

251. **Noise Nuisance Offence. (Item 15)**

The Borough Environmental Services Officer reported on noise nuisance allegations relating to the Admiral Cunningham Hotel on two separate dates.

RESOLVED that authority be given to instigate legal proceedings against Mr B K Levey for breaching the requirements of the Abatement Notice (Ref: No EPA/96/12/CLM) at the Admiral Cunningham Hotel, Priestwood on 7 June 1997 and 8 August 1997.

252. **Contravention of Health & Safety Legislation. (Item 16)**

The Borough Environmental Services Officer reported on an accident that had occurred at Tesco's store in Sandhurst.

RESOLVED that the Borough Solicitor be authorised to prosecute Tesco Stores Ltd for:

- (i) failing to conduct its business in such a way as to ensure, so far as is reasonably practicable, the safety of members of the public, contrary to Section 3(i) Health and Safety at Work etc Act 1974; and
- (ii) failing to report forthwith that a member of the public suffered an injury in connection with their work and was taken to hospital from the premises contrary to Regulation 3 Reporting of Injuries, Diseases and Dangerous Occurrences 1995.

(Councillor Mrs Pile declared a pecuniary interest in this item and left the meeting during its consideration.)

253. **Mr Alan Stanton**

The Committee recorded its gratitude to Mr Alan Stanton for his work as Borough Environmental Services Officer. Mr Stanton responded in appropriate terms and thanked the Committee for its support over many years.

The meeting commenced at 7.30 pm
and concluded at 8.55 pm

CHAIRMAN