

PUBLIC & ENVIRONMENTAL SERVICES COMMITTEE
19 JUNE 1997

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

Also Present: Councillors Blatchford and Mrs Hayes

Apologies for Absence were received from:
County Councillor Tomkinson

91. **Minutes.**

The minutes of the meeting of the Committee held on 18 March 1997 were approved as a correct record and signed by the Chairman.

92. **Local Government Reorganisation - Position Statement.**

The Committee considered a report giving details of the current position relating to the Local Government Reorganisation specifically relating to the licensing of petroleum installations and sports grounds, trading standards and waste disposal. It was considered that it would be useful for the Customer Advice Centre to give advice regarding food hygiene issues.

RESOLVED that the committee noted and endorses the action taken to date.

93. **Emergency Planning. (Item 2)**

The Committee considered a report giving details of the view reached by the Officer Working Party regarding the basis on which emergency planning should be undertaken following the advent of unitary authorities. Work had been based on the view that the function should be dealt with on a unitary authority level, although ensuring effective liaison and communication between the unitary authorities. The Joint Officer Working Group had produced a draft memorandum of understanding which could form the basis for future liaison and cooperation between the unitary authorities.

The Home Office had indicated that it would need to be satisfied in respect of the liaison arrangements to be put in place between the six Berkshire Unitary Authorities.

RESOLVED that:

- (i) the Committee endorses the decision that emergency planning post 1 April 1998 should be the responsibility of the unitary authorities;
- (ii) the Committee acknowledges the need for effective liaison and communication between the unitary authorities and to that end approves and endorses the principles of establishing a “Memorandum of Understanding”; and
- (iii) subject to the results of the current consultation process, the post of Emergency Planning Officer as proposed be redesignated Civil Emergency Planning Officer.

94. **Combined Fire Authority (Shadow Planning). (Item 3)**

The Borough Administrator presented a report regarding the proposal by the Home Office to make an order to combine the responsibilities of each new unitary authority under a Combined Fire Authority for Berkshire. The draft Berkshire Fire Services (Combination Scheme) Order 1997 had been submitted to all existing District/Borough Councils seeking views on issues relating to the name of the Combined Fire Authority, the name of the combined Fire Brigade, who should be appointed to convene the first meeting, the number of members required for the Joint Committee and the quorum for the meetings. The report also envisaged the setting up of a Pre-Shadow Committee to make early progress with planning preparations.

RESOLVED:

- (a) That the Committee submit the following comments to the Home;
 - (i) that the name of the Combined Fire Authority be the Royal Berkshire Fire Authority;
 - (ii) that the name of the Brigade remain the Royal Berkshire Fire and Rescue Service;
 - (iii) that the first meeting of the Combined Fire Authority be called by the Berkshire County Council Solicitor;
 - (iv) that the number of elected Members to serve on the Combined Fire Authority be 24;
 - (v) that the quorum at meetings of the Combined Fire Authority be one third of the total membership, and one half for the Fire Authorities Budget Meetings; and
 - (vi) that this Council support the provisions of Section 39 of the Local Government (Miscellaneous Provisions) Act 1976 applying to combined fire authorities;
- (b) that this Council support the early establishment of a Pre-Shadow Joint Fire Authority Committee and that the following members, Councillors Egan, Onions and Mills be recommended for appointment, and Councillors Barnard, Beadsley and Flood as reserves, with attendance at such meetings qualifying as an approved duty under this Council’s Scheme of Allowances; and
- (c) that an information seminar be arranged for all Members of the Council on the Berkshire Fire & Rescue Service.

95. **Establishment of the Shadow Thames Valley Police Authority. (Item 4)**

The Borough Administrator presented a report detailing the steps which would be required to be taken in order to respond to the draft consultation document constituting the Thames Valley Police Authority with effect from 1 April 1998, and the need to consider the ways in which the Local Authority representatives would be appointed to the Shadow Thames Valley Police Authority with effect from 1 October 1997. The draft Thames Valley (Police Authority) Order 1997 had been received for consultation from the Home Secretary, setting out the manner for constituting the new Police Authority. Consideration was given to a proposal to increase the number of the Local Authority seats on the Police Authority to 12 and hence the overall total number of seats to 23, in order to enable each unitary authority to have one representative, while Buckinghamshire County Council would have two seats and Oxfordshire County Council three; in view of their larger populations and tax bases.

The procedure whereby local authority members would be appointed to the Police Authority would be by each of the nine constituent authorities appointing members to a Joint Committee which would then appoint representatives from the Local Authorities to the Police Authority itself.

RESOLVED that:

- (i) a response be made to the draft Thames Valley (Police Authority) Order 1997 in the manner set out in the Officer's report, indicating that the size of the Police Authority should be increased to 23 of which 12 would be local authority members; and
- (ii) the actions required to be taken in order to establish the local authority representation on the Police Authority be noted.

96. **Scheme of Delegation and Related Topics. (Item 5)**

The Borough Administrator submitted a report regarding the proposals made by the Annual Council meeting of 13 May 1997 that each main service Policy Committee should establish a Focus Group to undertake a full review of the functions responsibilities and delegations of that Committee in order ensure completeness, accuracy and to decide how that Committee should fulfil its strategic and operational responsibilities. The Focus Group would report back to the Strategy & Policy Committee of 15 October 1997, and would be comprised of five members, with Officers as detailed in the report.

RESOLVED that:

A focus group be established comprising Councillors Adams, Mrs Clifford, Egan, Mills and Mrs Pile plus the Borough Environmental Services Officer, Borough Engineer and Surveyor, Borough Housing Officer, Borough Finance Officer, Borough Solicitor and Borough Administrator or their representatives, appropriate County Council Officers, and any other Officers as considered appropriate; with the following terms of reference:-

- (a) To review the description of the functions assigned to the Committee to ensure they are complete and accurate.
- (b) To examine the scope for delegating decision making activities in respect of the functions to Officers or to Sub Committees.

- (c) To consider how best to achieve the strategic management functions assigned to the Committee.
- (d) To report back to the next meeting with firm proposals.

97. **Appeals Sub Committee. (Item 6)**

The Borough Administrator submitted a report giving details of the urgent need to establish a mechanism for dealing with appeals against decisions taken by or on behalf of the Committee in relating to entertainment licences, street trading and the Council's functions under the Cinemas Act 1985. In addition to these functions the Panel could be constituted in appropriate circumstances to hear an appeal against any decision taken by the Borough Environmental Services Officer under delegated powers if justified in the interests of natural justice.

RESOLVED that:

- (i) the Public & Environmental Services Committee should establish a Sub Committee to be known as the Appeals Sub Committee with the following Terms of Reference;
 - (a) to consider appeals in respect of the determination of applications for Entertainment's licences;
 - (b) to consider appeals in relation to the refusal by the Council to grant or vary a street trading licence;
 - (c) to consider appeals or other appropriate issues relating to the Council's functions under the Cinemas Act 1985 and other legislation in respect of the licensing of and objections to the public exhibition of films;
 - (d) to consider appeals against any decision taken by the Borough Environmental Services Officer under delegated powers if justified in the interests of natural justice; and
- (ii) the Appeals Sub Committee comprises of five members in the ratio 3 Conservative and 2 Labour, and that Councillors Barnard, Flood, Onions, Mrs Pile and Veakins be nominated to serve thereon.

98. **Coroner's Service. (Item 7)**

The Committee considered a report regarding the way in which the Coroner's Service could be operated within a unitary context, considering the advice provided in Home Office Circular 9/1996. It was noted that a County-wide group of officers had been in discussion with the Coroners and the Home Office to assess the provision of the Service from 1 April 1998. The information received from the Home Office suggested that it would be beneficial to maintain one Coroner's District cover the areas of the four unitary authorities, forming the present

Coroner's District of East Berkshire. If this was accepted, it was considered that one of the Councils within the District should act as the lead authority. The present Coroner for East Berkshire had expressed that the Service should be hosted by the Royal Borough of Windsor and Maidenhead and having regard to this and other factors it was felt that it would consider that Windsor and Maidenhead Unitary Authority should act as the Lead Authority for the Coroner's Service. The existence of the public mortuary at Easthampstead Park would be an issue to be taken into account in discussion of the detail arrangements necessary to support the Lead authority role.

RESOLVED that:

Subject to the detail to be approved in the necessary Order and Agreement, the Council agrees that:

- (a) an East Berkshire Coroner's District should be established covering the four unitary authorities of Bracknell Forest, Royal Borough of Windsor & Maidenhead, Slough and Wokingham, and
- (b) that the Royal Borough of Windsor & Maidenhead should act as the host authority for the Coroner's Service in East Berkshire.

99. **Position Statement - Environmental Services Capital Programme. (Item 8)**

The Borough Environmental Services Officer submitted a report giving details of the development of schemes to be spent on desire lines footpaths, environmental improvements in open amenity areas and the progression of toilet refurbishments schemes at Brooke House, Napier Road, Crowthorne and Birch Hill shops.

RESOLVED that the Committee:

- (a) notes the position statement in respect of desire lines and environmental improvements;
- (b) notes the position with regards to the proposed refurbishment of Brooke House, Napier Road and Birch Hill toilets;
- (c) delegates authority to the Borough Environmental Services Officer in consultation with the Chairman to approve the detailed design of the Napier Road, Crowthorne and Birch Hill shops schemes; and
- (d) authorises the Borough Environmental Services Officer in consultation with the Chairman to seek tenders for the work detailed in the report and accept the most appropriate tender received.

100. **Position Statement - London Road Landfill Site. (Item 9)**

The Borough Environmental Services Officer submitted a report regarding the current position relating to the restoration of this site and implementation of aftercare arrangements in accordance with the current planning consents.

RESOLVED that the Committee notes the position with regards to the London Road site.

101. **Position Statement - Waste Disposal Market Testing. (Item 10)**

The Borough Environmental Services Officer submitted a report updating the Committee on progress made with regards to the waste disposal market testing exercise and its impact on current thinking concerning the development of waste disposal and recycling arrangements.

RESOLVED that:

- (a) the Committee notes the contribution of the current market testing exercise to the strategic development of cost effective and sustainable waste disposal outlets; and
- (b) notes that in light of the opportunities and uncertainties arising from the award of the BERIS contract and current market testing exercise, it is considered prudent, whilst maximising participation in current schemes, to refrain from developing new recycling initiatives until they can be informed by the nature of waste disposal outlets available to the new authority.

102. **Street Trading - Designation of Additional Streets. (Item 11)**

In accordance with Standing Order 23 Councillor North declared a non pecuniary interest in this item but was allowed to remain in the Council Chamber and speak and vote.

The Borough Environmental Services Officer submitted a report regarding additional streets within the Borough to be designated as consent streets and a schedule for the Local Government (Miscellaneous Provisions) Act 1982, enabling street trading to be controlled within those streets.

RECOMMENDED that:

- (i) Pursuant to schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 the streets as listed in Annexe B hereto including all forecourts, roads, footways or other areas adjacent to the streets to which the public have access without payment referred to in this resolution for a distance of 30 metres from the said streets, be designated as consent streets; such designations to be effective from 1 September 1997 and that the conditions as per Annexe B of the report to Environment Committee on 19 September 1995 (minute 235 refers) be adopted as the Council's conditions in respect of street trading in those streets as of that date; and
- (ii) the fees payable on applications for all consent street traders in the streets as listed in Annexe A of the report in accordance with the current scale of fees and charges, namely £110 per calendar month, £270 for the three calendar months and £500 for six calendar months.

103. **Local Agenda 21 - Policy Review/Progress Update. (Item 12)**

The Committee considered a report giving details of the progress made in respect of performance relating to the adopted policies, key action areas and indicators in relation to the Council environmental performance.

The Committee considered that the details regarding the Corporate Travel Coordinator and mileage in relation to cycle paths should be included in the indicators.

RESOLVED that:

- (i) reaffirms its support for the existing policies, key action areas and indicators as set out in Annexe A for the period ending 31 March 1998; and
- (ii) the Environmental Impact Group be charged with the responsibility for the production of an Environmental Strategy for adoption by the Council that takes due account of the powers and duties of a Unitary Authority and becomes effective as of the 1 April 1998.

104. Environment Fair - 1998. (Item 13)

In a joint report the Borough Environmental Services Officer and Borough Leisure Officer gave details of the proposal to stage an environment fair during 1998 based on the success of the last environment fairs held within the grounds of South Hill Park.

RESOLVED that the Committee:

- (i) confirms its intention to hold an environment fair on Sunday 17 May 1998 at South Hill Park;
- (ii) records its thanks to everyone involved in helping make this year's event a success; and
- (ii) write to the Officers involved in the day's events and thank them for their hard work.

105. Performance Indicators. (Item 14)

The Committee received the six monthly performance indicators for the period ending 31 March 1997 and customer surveys for Cemetery and Crematorium, and of Residents who have requested a service.

RESOLVED that the performance indicators and customer surveys be noted.

106. Annual Report - Miscellaneous Licensing & Registration. (Item 15)

The Borough Environmental Services Officer submitted the annual report in relation to the range of licensing applications and registrations undertaken under delegated powers.

RESOLVED that the Committee notes and approves the action taken under their delegated powers in respect of licensing registration.

107. SANDS Memorial - Easthampstead Park Cemetery & Crematorium. (Tabled Item)

Due to the timescale involved, the Borough Environmental Services Officer submitted a tabled report regarding the proposals to provide a SANDS (Stillborn & Neonatal Death Society) Memorial Sculpture to provide a focal point in the Babies Garden of Remembrance in Easthampstead Park Cemetery and Crematorium.

RESOLVED that an amount of £6,170 be set aside from the existing capital programme to facilitate the provision of a SANDS Memorial Sculpture by SANDS at Easthampstead Park Cemetery and Crematorium - Babies Garden of Remembrance.

The meeting commenced at 7.30pm and concluded at 9.45pm

CHAIRMAN