

TONBRIDGE AND MALLING BOROUGH COUNCIL

LOCAL ENVIRONMENTAL MANAGEMENT ADVISORY BOARD

Monday, 27th October, 2008

Present: Cllr C Brown (Chairman), Cllr Ms S V Spence (Vice-Chairman), Cllr F R D Chartres, Cllr J R H Clements, Cllr D A S Davis, Cllr Mrs C A F Grant, Cllr R D Lancaster, Cllr B J Luker, Cllr M J MacDonald and Cllr M R Rhodes.

Councillors Aikman, Mrs Anderson, Baldock, Bolt, Court, Evans, Heslop, Mrs Holland, Smith, Thornewell and Worrall were also present pursuant to Council Procedure Rule No 15.21.

An apology for absence was received from Councillor M Davis.

PART 1 - PUBLIC

**LEM
08/048 DECLARATIONS OF INTEREST**

There were no declarations of interest made.

**LEM
08/049 MINUTES**

RESOLVED: That the notes of the meeting of the Local Environmental Management Advisory Board held on 28 May be approved as a correct record and signed by the Chairman.

**LEM
08/050 "CHANGING BEHAVIOUR - IMPROVING RECYCLING"
PRESENTATION BY PAUL VANSTON, KENT WASTE
PARTNERSHIP**

Mr Paul Vanston, the Behaviour Change Programme Manager, gave a detailed presentation on improving recycling behaviour. The relevant Kent Waste Partnership workstreams of maximising use of existing recycling schemes and behaviour changes were explained.

Members were pleased to note that Tonbridge and Malling were in the top three performers in Kent.

The Changing Behaviour initiative aimed to educate the public and influence their attitudes and behaviour to maximise recycling and reduce food waste. The importance of understanding the demographic and attitudes of residents in a ward and whether they had a high recycling belief was recognised as an effective social marketing tool.

Members debated the importance of influencing discussions with national bodies like DEFRA to bring out Kent based issues; packaging and labelling; financial considerations and waste auditing and the possibility of a fortnightly collection potentially providing inaccurate information on county residual waste statistics.

Mr Vanston indicated that a waste audit was ongoing specifically looking at Tonbridge and Malling's unique circumstances and agreed the importance of reviewing both audits together. He emphasised that intelligence into householder habits was improving all the time and would be used to inform future service improvements.

The Advisory Board asked what effect on district council budgets could be expected once the evidence and data was in place. Mr Vanston anticipated that external funding would be available or that costs would be transferred out to reduce base line expenditure on audits and surveys. He advised that the Kent Waste Partnership would try to contain costs whilst balancing value for money and influencing decisions to prevent costs being directed towards the Borough Council.

The Chairman thanked him for his informative presentation and contribution to the meeting.

MATTERS FOR RECOMMENDATION TO THE CABINET

**LEM
08/051**

RECIPROCAL ARRANGEMENTS - WASTE MANAGEMENT SERVICES

Decision Notice D080191MEM

The joint report of the Director of Health and Housing and the Cabinet Member for Environmental Services sought to confirm informal arrangements, put in place with Maidstone Borough Council, to undertake cross boundary work associated with waste services.

RECOMMENDED: That the reciprocal arrangements in place with Maidstone Borough Council be noted and their formalisation, as detailed in the report, approved.

**LEM
08/052**

WASTE SERVICES - VARIATION OF CONTRACT

Decision Notice D080192MEM

The Director of Health and Housing and the Cabinet Member for Environmental Services requested approval of the assignment of the Council's waste services contract. Members were advised that as part of an internal reorganisation Veolia had decided to transfer the Cleanaway business to Veolia ES (UK) Limited and had requested a formal assignment of the contract.

RECOMMENDED: That the assignment of the Council's waste services contract to Veolia ES (UK) Ltd be approved.

**LEM
08/053**

PURCHASE OF WHEELED BINS

Consideration was given to urgent action taken to secure the provision of wheeled bins as outlined in the report of the Director of Health and Housing.

Members acknowledged that immediate action had been needed to secure bin provision as the failure to provide containers, particularly to households on the green waste scheme, would have presented real problems for residents during the summer months.

The Advisory Board was informed that the cost of individual bins had risen from about £14 to above £21. The additional capital cost of providing bins in 2008/09 had been offset by additional revenue income associated with the refuse contract. Ongoing costs would be monitored but would clearly relate to prevailing market conditions.

Members queried whether problems had been experienced with losing smaller bins in refuse vehicles and were advised that when this happened Veolia had to notify the Council and Veolia paid for replacement bins. Measures were underway to try to address the problem.

RECOMMENDED: That the approach to the procurement of wheeled bins detailed in the report be noted and endorsed. ◀

***Referred to Cabinet**

**LEM
08/054**

THE HOP FARM, BELTRING - TRANSFER OF REGULATORY FUNCTIONS

The joint report of the Director of Health and Housing and the Cabinet Member for Environmental Services considered the transfer of a range of regulatory functions to the Council to ensure a coordinated approach to enforcement at the Hop Farm.

Members noted that there would be no financial implication associated with this arrangement but recognised that enhanced consideration of the enforcement activity would result in an improved effectiveness of the service.

The Director of Health and Housing introduced Jane Heeley, the new Chief Environmental Health Officer replacing Barry Olding, and outlined her previous experience.

Members took the opportunity of expressing the Council's gratitude to Barry Olding for his years of service and his contribution, dedication and hard work which was greatly appreciated and wished him a long and happy retirement.

RECOMMENDED: That the setting up of an agreement with Tunbridge Wells Borough Council and Maidstone Borough Council be approved in principle and the Chief Solicitor and Director of Health and Housing be given delegated authority to finalise the agreement on ◀

behalf of the Borough Council.
***Referred to Cabinet**

MATTERS SUBMITTED FOR INFORMATION

**LEM
08/055 ENVIRONMENTAL HEALTH AND HOUSING SERVICES -
OPERATIONAL CHANGES**

The Director of Health and Housing outlined changes within the Service to strengthen delivery of street scene services consistent with one of the Council's key priorities. He indicated that the changes were cost neutral.

Members were advised that a new Clean Borough team had been established with responsibility for looking at the problem of litter 'hot spot' areas. The effective partnership working with other agencies, including the police, PCSOs and other enforcement officers as well as colleagues in other services to tackle a wide range of problems was noted.

Members welcomed Jane Heeley to her role within Environmental Services and thanked the team for their support to Members and their contribution and commitment to street scene issues.

**LEM
08/056 LITTER ENFORCEMENT**

The Advisory Board considered the report of the Director of Health and Housing which outlined a new approach to the enforcement of litter laws to bring about further improvements to the street scene.

Members welcomed the approach outlined in the report which would ensure the Borough Council's consistent and effective approach to street cleansing. The importance of enforcing litter laws to help educate and change people's attitudes was recognised. Partnership working across enforcement agencies using a targeted approach was considered to be a most effective use of resources.

**LEM
08/057 CLEAN BOROUGH CAMPAIGN INITIATIVES**

Details of educational and community initiatives delivered as part of the Clean Borough Campaign were outlined by the Director of Health and Housing and noted by Members.

**LEM
08/058 RECYCLING PROGRAMME - APR/SEP 08 AND GENERAL UPDATE**

The Director of Health and Housing provided performance information and details of Service Improvements.

**LEM
08/059 KENT WASTE PARTNERSHIP UPDATE**

Members noted the report of the Director of Health and Housing which provided details of initiatives undertaken by the Kent Waste Partnership.

The Cabinet Member for Environmental Services reminded the Advisory Board that Tonbridge and Malling were one of the best authorities in Kent and had exceeded the countywide recycling target by reaching 50% over the summer months. However, he alerted Members to a potential future problem surrounding funding for collecting different waste streams due to the reclassification of waste being undertaken. The Advisory Board acknowledged the difficulties in having a countywide model for waste collection and recycling due to variances in demographics and population.

**LEM
08/060**

CLASSIFICATION OF WASTE - A NATIONAL ISSUE

The Director of Health and Housing provided background to the legal duties relating to waste management by Waste Collection Authorities, as outlined in the Environmental Protection Act 1990 and the Controlled Waste Regulations 1992.

Members were advised that over recent months DEFRA, the Local Government Association and Joan Ruddick MP, the Parliamentary Under Secretary for Climate Change, Biodiversity and Waste, had been in correspondence clarifying various interpretations of these regulations. It was noted that these discussions may have significant implications for all Waste Collection and Disposal Authorities. The report aimed to summarise such discussions and advise on the actions being taken by Tonbridge and Malling and the Kent Waste Partnership.

Members noted that although it was hoped that a sensible and workable solution would be agreed through the ongoing discussions, there were potentially significant financial implications for local authorities.

**LEM
08/061**

ENVIRONMENTAL MONITORING REPORT - 2007

Members noted that the annual report on routine environmental monitoring of air, land and water undertaken by the pollution control section of Environmental Health and Housing Services was published during the summer.

The Director of Health and Housing agreed to present a report summarising the findings to a future meeting of the Advisory Board.

**LEM
08/062**

GRAFFITI ACTION PLAN - UPDATE

The report of the Director of Health and Housing gave an update on progress made in relation to the Graffiti Action Plan.

Members welcomed the efforts to enter into arrangements with public utilities and other agencies to bear the costs of removing graffiti from their property in an effort to reduce removal costs to the Borough Council.

**LEM
08/063** **LOOSE RUBBISH FIRE PROFILES - 2008**

Members noted the report of the Director of Health and Housing which considered the incidence of loose rubbish fires in the borough during 2007/08.

**LEM
08/064** **WELL DISPOSED: RESPONDING TO THE WASTE CHALLENGE - AN AUDIT COMMISSION REPORT**

The report of the Director of Health and Housing considered an Audit Commission review of waste services.

**LEM
08/065** **SAFER FOOD BETTER BUSINESS**

Members noted the report of the Director of Health and Housing which provided information on Safer Food Better Business.

**LEM
08/066** **CONSULTATION ON THE FUTURE OF TOBACCO CONTROL**

The report of the Director of Health and Housing summarised a Department of Health consultation on government options for reducing smoking following introduction of smoke-free legislation.

**LEM
08/067** **"SCORES ON THE DOORS" - FOOD STANDARDS AGENCY CONSULTATION**

The report highlighted details of the Food Standards Agency consultation related to Scores on the Doors and reviewed the pilot scheme.

**LEM
08/068** **WEST KENT COLLEGE - BUSINESS TRAINING PARTNERSHIP**

The Director of Health and Housing's report set out details of the West Kent College Business Training Partnership.

**LEM
08/069** **EXTERNAL CONSULTATIONS**

Members noted the consultation documents responded to since the last meeting of the Advisory Board on 28 May 2008.

**LEM
08/070** **PROSECUTIONS**

The Advisory Board noted the prosecutions taken since the last meeting of the Advisory Board.

MATTERS FOR CONSIDERATION IN PRIVATE

**LEM
08/071** **EXCLUSION OF PRESS AND PUBLIC**

The Chairman moved, it was seconded and

RESOLVED: That as public discussion would disclose exempt information, the following matter be considered in private.

PART 2 - PRIVATE

MATTERS SUBMITTED FOR INFORMATION

**LEM
08/072**

SERVICE OF STATUTORY NOTICES

(Reason: LGA 1972 Sch 12A Para 2 - Information likely to reveal information about an individual and Para 3 - Financial or business affairs of any particular person)

Members were advised of the statutory notices served since the last meeting of the Advisory Board.

The meeting ended at 2110 hours

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

**Decision Taken By: CABINET MEMBER FOR
Environmental Services**

Decision No: D080191MEM

Date: 27th October 2008

Decision(s) and Reason(s)

Reciprocal Arrangements - Waste Management Services

**(Joint Report of Director of Health and Housing and Cabinet
Member for Environmental Services)
(Annex 1)**

**The report sought to confirm arrangements, put in place with
Maidstone Borough Council, to undertake cross boundary work
associated with waste services.**

Following consideration by the Local Environmental Management
Advisory Board, the Cabinet Member for Environmental Services
resolved that the reciprocal arrangements in place with Maidstone
Borough Council be noted and their formalisation, as detailed in the
report, approved.

Reasons: As set out in the report submitted to the Local Environmental
Management Advisory Board of 27 October 2008.

Signed Cabinet Member for O Baldock
Environmental Services:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

Date of publication: 31 October 2008

This decision will come into force and may then be implemented on the expiry of 5
working days after publication unless it is called in.

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

**Decision Taken By: CABINET MEMBER FOR
Environmental Services**

Decision No: D080192MEM

Date: 27th October 2008

Decision(s) and Reason(s)

Waste Services - Variation of Contract

**(Joint Report of Director of Health and Housing and Cabinet
Member for Environmental Services)**

**The report considered a request to transfer the Borough Council's
waste services contract following an internal reorganisation of
Veolia.**

Following consideration by the Local Environmental Management
Advisory Board, the Cabinet Member for Environmental Services
resolved that the assignment of the Council's waste services contract to
Veolia ES (UK) Ltd be approved.

Reasons: As set out in the report submitted to the Local Environmental
Management Advisory Board of 27 October 2008.

Signed Cabinet Member for O Baldock
Environmental Services:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

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