

TONBRIDGE AND MALLING BOROUGH COUNCIL

LOCAL ENVIRONMENTAL MANAGEMENT ADVISORY BOARD

Monday, 1st March, 2010

Present: Cllr M O Davis (Vice-Chairman - in the Chair), Cllr Mrs S J Boakes, Cllr F R D Chartres, Cllr J R H Clements, Cllr R W Dalton, Cllr D W P Evans, Cllr Mrs F A Kemp, Cllr Mrs S L Luck, Cllr M R Rhodes and Cllr D W Smith.

Councillors Aikman, Mrs Anderson, Ms Atkinson, Baldock, Ms Branson, Court, Cure, N Heslop, Thornewell and Worrall were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillor C Brown (Chairman) and from Councillors Ms Spence and Stone.

PART 1 - PUBLIC

**LEM
10/001 DECLARATIONS OF INTEREST**

Councillor Worrall declared a personal interest in the presentation by Dr Chandrakumar in that he was a Non-executive Director of Maidstone and Tunbridge Wells NHS Trust.

**LEM
10/002 CHAIRMAN'S ANNOUNCEMENT**

The Mayor, Councillor Mrs Murray, presented the Director of Health and Housing with a certificate received from Aylesford Newsprint which recognised the high quality of paper delivered by the Borough Council for recycling.

**LEM
10/003 MINUTES**

RESOLVED: That the notes of the meeting of the Local Environmental Management Advisory Board held on 24 November 2009 be approved as a correct record and signed by the Chairman.

**LEM
10/004 PRESENTATION BY DR CHANDRAKUMAR, DIRECTOR OF KENT
HEALTH PROTECTION AGENCY**

The Board received a presentation from Dr Chandrakumar, Director of the Kent Health Protection Agency.

MATTERS FOR RECOMMENDATION TO THE CABINET

LEM 10/005 KENT WASTE PARTNERSHIP - PROPOSED REVIEW OF WASTE MANAGEMENT IN WEST AND MID KENT

Decision Notice D100025MEM

The joint report of the Director of Health and Housing and the Cabinet Member for Environmental Services set out details of a proposal to review waste management arrangements for both disposal and collection and the associated funding streams to ensure the best deal for the Kent taxpayer.

RECOMMENDED: That

(1) the Council participate in the proposed Kent Waste Partnership review and discussions relating to waste management in West and Mid Kent; and

(2) the Director of Health and Housing be requested to advise Cabinet of progress with this initiative.

LEM 10/006 CONTAMINATED LAND INSPECTION STRATEGY

Decision Notice D100026MEM

The joint report of the Director of Health and Housing and the Cabinet Member for Environmental Services gave details of the 2010 Contaminated Land Inspection Strategy.

RECOMMENDED: That the revised Contaminated Land Inspection Strategy be endorsed and the performance information relating to contaminated land activities be noted.

LEM 10/007 STREET SCENE ACTION PLAN 2010-11

Decision Notice D100027MEM

The joint report of the Director of Health and Housing and the Cabinet Member for Environmental Services provided outline details of Street Scene initiatives planned in 2010/11.

RECOMMENDED: That the Street Scene Action Plan, as detailed in Annex 1 of the report, be approved.

LEM 10/008 CLEANER BOROUGH CAMPAIGN - ACTION PLAN 2010/11

Decision Notice D100028MEM

The joint report of the Director of Health and Housing and the Cabinet Member for Environmental Services gave details of educational and community initiatives aimed at proactively tackling litter and other street scene problems in 2010/11.

RECOMMENDED: That the 'Cleaner Borough' Action Plan for 2010/11, as detailed in Annex 1 of the report, be approved.

**LEM
10/009**

THE PRIVATE WATER SUPPLIES REGULATIONS 2009

Decision Notice D100029MEM

The joint report of the Director of Health and Housing and the Cabinet Member for Environmental Services outlined the new duties and requirements placed on local authorities under The Private Water Supplies Regulations 2009 which had come into force on 1 January 2010 and which revoked The Private Water Supplies Regulations 1991.

RECOMMENDED: That the requirements of the new regulations and the new associated statutory responsibilities placed on the Council be noted.

MATTERS SUBMITTED FOR INFORMATION

**LEM
10/010**

WASTE SERVICES UPDATE

The Board received an update on various waste management issues including refuse and recycling collections during the severe weather conditions and the timetable for removal of the cardboard banks from Recycling Centres.

**LEM
10/011**

NEW HEALTH AND SAFETY EXECUTIVE GUIDANCE - HEALTH AND SAFETY MANAGEMENT OF WASTE AND RECYCLING SERVICES

The Director of Health and Housing reported on the advice recently produced by the Health and Safety Executive on compliance with safety legislation relating to refuse and recycling services.

**LEM
10/012**

SCORES ON THE DOORS

The Board received an update on the current status of the national 'Scores on the Doors' scheme proposed by the Food Standards Agency.

**LEM
10/013**

SAFER FOOD BETTER BUSINESS SEMINAR FOR CHILDMINDERS

The report of the Director of Health and Housing set out details of a recent seminar organised for childminders to assist them in meeting the legal requirement to document procedures for managing food safety.

**LEM
10/014**

HEALTH AND SAFETY PRIORITIES AND INCIDENT SELECTION CRITERIA GUIDANCE

The report outlined the new arrangements for Health and Safety Priority Planning and Incident Selection Criteria.

**LEM
10/015** **OUT OF HOURS ARRANGEMENTS - ANNUAL MONITORING
REPORT**

The report provided a summary of the standby service provided by the Council's Environmental Health and Housing Services during 2009.

**LEM
10/016** **EXTERNAL CONSULTATIONS**

Members noted the consultation document responded to since the last meeting of the Advisory Board.

**LEM
10/017** **PROSECUTIONS**

The report of the Chief Solicitor set out details of a prosecution undertaken under Section 87 of the Environmental Protection Act 1990.

MATTERS FOR CONSIDERATION IN PRIVATE

**LEM
10/018** **EXCLUSION OF PRESS AND PUBLIC**

The Chairman moved, it was seconded and

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

PART 2 - PRIVATE

MATTERS SUBMITTED FOR INFORMATION

**LEM
10/019** **HEALTH AND SAFETY - FATAL ACCIDENT ON A228,
BOYLE WAY, EAST PECKHAM
(Reason: LGA 1972 - Sch 12A Paragraph 5 - Legal Advice)**

The joint report of the Director of Health and Housing and the Chief Solicitor provided an update on the legal action being taken by the Health and Safety Executive in respect of a fatal accident.

**LEM
10/020** **SERVICE OF STATUTORY NOTICES
(Reason: LGA 1972 - Sch 12A Paragraph 3 - Financial or business
affairs of any particular person)**

Members were advised of Statutory Notices served since the last meeting of the Advisory Board.

The meeting ended at 2143 hours

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION

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

Decision No: D100025MEM

Date: 1st March 2010

Decision(s) and Reason(s)

**Kent Waste Partnership - Proposed Review of Waste Management
in West and Mid Kent**

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

**The report set out details of a proposal to review waste
management arrangements for both disposal and collection and
the associated funding streams to ensure the best deal for the Kent
taxpayer.**

Following consideration by the Local Environmental Management
Advisory Board, the Cabinet Member for Environmental Services
resolved that:

- 1) the Council participate in the proposed Kent Waste Partnership
review and discussions relating to waste management in West and Mid
Kent; and
- 2) the Director of Health and Housing be requested to advise
Cabinet of progress with this initiative.

Reasons: As set out in the report submitted to the Local Environmental
Management Advisory Board of 1 March 2010.

Signed Cabinet Member for O Baldock
Environmental Services:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

Date of publication: 05 March 2010

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: D100026MEM

Date: 1st March 2010

Decision(s) and Reason(s)

Contaminated Land Inspection Strategy

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

**The report gave details of the 2010 Contaminated Land Inspection
Strategy.**

Following consideration by the Local Environmental Management
Advisory Board, the Cabinet Member for Environmental Services
resolved that the revised Contaminated Land Inspection Strategy be
endorsed and the performance information relating to contaminated land
activities be noted.

Reasons: As set out in the report submitted to the Local Environmental
Management Advisory Board of 1 March 2010.

Signed Cabinet Member for O Baldock
Environmental Services:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

Date of publication: 05 March 2010

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: D100027MEM

Date: 1st March 2010

Decision(s) and Reason(s)

Street Scene Action Plan 2010-11

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

**The report provided outline details of Street Scene initiatives
planned in 2010/11.**

Following consideration by the Local Environmental Management
Advisory Board, the Cabinet Member for Environmental Services
resolved that the Street Scene Action Plan, as detailed in Annex 1 of the
report, be approved.

Reasons: As set out in the report submitted to the Local Environmental
Management Advisory Board of 1 March 2010.

Signed Cabinet Member for O Baldock
Environmental Services:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

Date of publication: 05 March 2010

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: D100028MEM

Date: 1st March 2010

Decision(s) and Reason(s)

Cleaner Borough Campaign - Action Plan 2010/11

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

**The report gave details of educational and community initiatives
aimed at proactively tackling litter and other street scene problems
in 2010/11.**

Following consideration by the Local Environmental Management
Advisory Board, the Cabinet Member for Environmental Services
resolved that the 'Cleaner Borough' Action Plan for 2010/11, as detailed
in Annex 1 of the report, be approved.

Reasons: As set out in the report submitted to the Local Environmental
Management Advisory Board of 1 March 2010.

Signed Cabinet Member for O Baldock
Environmental Services:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

Date of publication: 05 March 2010

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: D100029MEM

Date: 1st March 2010

Decision(s) and Reason(s)

The Private Water Supplies Regulations 2009

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

**The report outlined the new duties and requirements placed on
local authorities under The Private Water Supplies Regulations
2009 which had come into force on 1 January 2010 and which
revoked The Private Water Supplies Regulations 1991.**

Following consideration by the Local Environmental Management
Advisory Board, the Cabinet Member for Environmental Services
resolved that the requirements of the new regulations and the new
associated statutory responsibilities placed on the Council be noted.

Reasons: As set out in the report submitted to the Local Environmental
Management Advisory Board of 1 March 2010.

Signed Cabinet Member for O Baldock
Environmental Services:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

Date of publication: 05 March 2010

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.