

**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**LOCAL ENVIRONMENTAL MANAGEMENT ADVISORY BOARD**

**Tuesday, 23rd November, 2010**

**Present:** Cllr F R D Chartres (Vice-Chairman in the Chair), Cllr Mrs S J Boakes, Cllr C Brown, Cllr Mrs F A Kemp, Cllr Mrs S L Luck, Cllr M R Rhodes and Cllr Ms S V Spence.

Apologies for absence were received from Councillors Clements, M Davis (Chairman) and D Smith and also from Councillor Baldock (Cabinet Member for Environmental Services).

Councillors Mrs Anderson, Heslop and Worrall were also present pursuant to Council Procedure Rule No 15.21.

**PART 1 - PUBLIC**

**LEM  
10/038**      **DECLARATIONS OF INTEREST.**

There were no declarations of interest made.

**LEM  
10/039**      **MINUTES**

**RESOLVED:** That the notes of the meeting of the Local Environmental Management Advisory Board held on 25 May 2010 be approved as a correct record and signed by the Chairman.

**MATTERS FOR RECOMMENDATION TO THE CABINET**

**LEM  
10/040**      **REVIEW OF ENVIRONMENTAL HEALTH SERVICE FEES AND CHARGES**

Consideration was given to the joint report of the Director of Health and Housing, Director of Finance and Cabinet Member for Environmental Services which proposed fees and charges for the provision of services in respect of food certificates, stray dog redemption fees, household bulky refuse collection, rats and mice and contaminated land monitoring.

**RECOMMENDED:** That the scale of charges for condemned food certificates, exported food certificates, stray dog redemption fees, contaminated land monitoring, household bulky refuse collection and rats and mice be approved with effect from 1 April 2011 as detailed in the report.

**\*Referred to Cabinet**



**LEM  
10/041**

## **REVIEW OF NATIONAL WASTE STRATEGY**

Decision Notice D100144MEM

The joint report of the Director of Health and Housing and Cabinet Member for Environmental Services gave details of a review being undertaken by DEFRA of England's Waste Strategy and associated policies. A summary was given of the response of the Kent Waste Partnership to the "call for evidence" together with a supplementary submission made by the officers in consultation with the Cabinet Member for Environmental Services.

**RECOMMENDED:** That

(1) the responses by the Council and the Kent Waste Partnership to the Government's "call for evidence" in respect of the review of England's Waste Strategy be noted; and

(2) the Director of Health and Housing be requested to explore any opportunities to achieve service performance enhancements and/or financial savings through the national and Kent reviews of waste strategies.

**LEM  
10/042**

## **REVIEW OF THE ENVIRONMENTAL MONITORING PROGRAMME**

Decision Notice D100145MEM

The joint report of the Director of Health and Housing and Cabinet Member for Environmental Services reviewed the range of environmental monitoring activities carried out by the Environmental Protection team, evaluated their benefit to the local community and considered whether certain discretionary elements to the programme should cease.

It was noted that monitoring of air quality and private water supplies was a statutory requirement and would remain unchanged. However, concerns were reiterated that the Council should be properly reimbursed for the costs involved and the Government's attention drawn to the need for clarity between the roles of organisations involved in monitoring and effecting improvements.

**RECOMMENDED:** That:

(1) the changes to the Environmental Monitoring Programme outlined in the report be approved as follows:

- Landfill gas – monitoring at Priory Wood only, until agreed with the Environment Agency that monitoring can cease at this location;
- Swimming pools (other than Council operated pools) – monitoring to cease;
- Radiation – monitoring to cease as a routine function;
- Recreational lakes – monitoring to cease but examination of possible designation of Haysden and Leybourne Lakes for monitoring by the

Environment Agency; and

(2) the Government's attention be drawn to the need for clarity between the roles of organisations involved in monitoring and effecting consequential improvements and for the costs incurred by the Council to be properly reimbursed.

**LEM  
10/043**

**CONTROL OF EMISSIONS FROM INDUSTRY - ANNUAL REPORT  
2009/11**

Decision Notice D100146MEM

Consideration was given to the joint report of the Director of Health and Housing and Cabinet Member for Environmental Services which set out the annual report outlining the work undertaken by the Environmental Protection Team in relation to the control of emissions from specified industrial processes in the borough. Details were also given of a number of operational changes in delivery of the service involving closer working with Gravesham Borough Council.

**RECOMMENDED:** That the performance information relating to Environmental Permitting activities be noted and the new operational arrangements in the Environmental Protection Team be endorsed.

**LEM  
10/044**

**STREET SCENE ACTION PLAN 2010/11**

Decision Notice D100147MEM

The joint report of the Director of Health and Housing and Cabinet Member for Environmental Services gave details of Street Scene initiatives planned and undertaken in 2010/11. Reference was made to the Council's contribution at a national level through the involvement of the Head of Waste and Street Scene Services in a Local Government Association Advisory Group and a DEFRA "Litter Convention".

**RECOMMENDED:** That

(1) the role being fulfilled by the Council in contributing to the development of national policy to tackle littering be noted and appreciation be recorded of the work undertaken throughout the Authority in achieving this recognition; and

(2) the actions taken and improvements proposed in the Street Scene Action Plan set out at Annex 1 to the report be endorsed.

**MATTERS SUBMITTED FOR INFORMATION**

**LEM  
10/045**

**STREET CLUTTER**

The Board received the report of the Director of Planning, Transport and Leisure on recent Government advice on removal of street clutter together with a review of the Council's position on this matter. Reference was made to the work of the Streetscene Officer Study

Group and an operational protocol for joint working with the County Council. It was recognised that in the current financial climate the most appropriate approach would be to include an element of decluttering in the brief for planned schemes. It was noted that within the Tonbridge Town Centre Action Plan there was a specific improvement task to deal with the state of street furniture in central Tonbridge. Members suggested that the Government advice be drawn to the attention of parish councils.

**LEM  
10/046**

#### **KENT WASTE PARTNERSHIP UPDATE**

The report of the Director of Health and Housing provided an update on initiatives being undertaken and proposed by the Kent Waste Partnership. Members were advised that discussions were reopening with the County Council regarding the possible reintroduction of some KCC funding to support the Council's green waste recycling.

**LEM  
10/047**

#### **WASTE SERVICES UPDATE**

The report gave an update on a number of initiatives in respect of waste services including an evaluation of the "incentivisation" approach to participation in recycling schemes and Christmas arrangements for refuse and recycling collections. The Board was pleased to note that disruption would be kept to a minimum and for the first time there would be no suspension of the green waste collection service over the holiday period.

Members expressed concern about problems of smell emanating from the Blaise Farm in-vessel composting unit and details were given of action being taken to remedy the situation by the various agencies involved. The officers agreed to make appropriate representations and provide information to local Members in the first instance with an update to Cabinet in due course.

**LEM  
10/048**

#### **HEALTH AND SAFETY - FATAL ACCIDENT ON A228, BOYLE WAY, EAST PECKHAM**

The joint report of the Director of Health and Housing and Legal Services Partnership Manager indicated the outcome of the action by the Health and Safety Executive against Veolia in respect of the fatal accident on the A228 at East Peckham.

**LEM  
10/049**

#### **CLEANER BOROUGH CAMPAIGN UPDATE 2010**

The report gave details of enforcement, educational and community initiatives undertaken to date in 2010 in respect of the reduction of litter, dog fouling, fly-tipping and graffiti.

**LEM  
10/050**

#### **STRAY DOG SURVEY 2010**

The report provided information on the findings of a survey of councils' stray dog services undertaken by the Dogs Trust with specific reference to the local position in Tonbridge and Malling.

**LEM  
10/051**      **NATIONAL LPG INSPECTION CAMPAIGN**

The report described the inspection activities of the Food and Safety team in relation to its responsibility to inspect bulk Liquefied Petroleum Gas (LPG) tank installations as part of a national inspection campaign.

**LEM  
10/052**      **ENVIRONMENTAL PROTECTION UPDATE**

The report provided an update on a range of environmental protection issues including air quality and private water supplies.

**LEM  
10/053**      **CHANGE4LIFE, HEALTH AND WELLBEING PROJECT**

Members were advised of the NHS West Kent funded project being led by the Environmental Projects Coordinator which focused on the Department of Health Change4Life programme aimed at supporting health and well-being amongst employees.

**LEM  
10/054**      **EXTERNAL CONSULTATIONS**

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

**LEM  
10/055**      **SIMPLE CAUTIONS AND PROSECUTIONS**

The report of the Legal Services Partnership Manager set out details of simple cautions administered and prosecutions undertaken in respect of littering and food hygiene offences. An explanation was given of the use of simple cautions (previously known as formal cautions) in cases involving first time, lower level offences.

**MATTERS FOR CONSIDERATION IN PRIVATE**

**LEM  
10/056**      **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  
10/057**      **SERVICE OF STATUTORY NOTICES  
(Reason: LGA 1972 Sch 12A Para 3 - Financial or business affairs  
of any particular person)**

Details were given of Statutory Notices served since the last meeting of the Advisory Board.

The meeting ended at 2056 hours

# TONBRIDGE & MALLING BOROUGH COUNCIL

## RECORD OF DECISION

**Decision Taken By: CABINET MEMBER FOR  
Housing**

**Decision No: D100144MEM**

**Date: 23rd November 2010**

### **Decision(s) and Reason(s)**

#### **Review of National Waste Strategy**

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

**The report gave details of a review being undertaken by DEFRA of England's Waste Strategy and associated policies. A summary was given of the response of the Kent Waste Partnership to the "call for evidence" together with a supplementary submission made by the officers in consultation with the Cabinet Member for Environmental Services.**

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

- 1) the responses by the Council and the Kent Waste Partnership to the Government's "call for evidence" in respect of the review of England's Waste Strategy be noted; and
- 2) the Director of Health and Housing be requested to explore any opportunities to achieve service performance enhancements and/or financial savings through the national and Kent reviews of waste strategies.

**Reasons: As set out in the report submitted to the Local Environmental Management Advisory Board of 23 November 2010.**

Signed Cabinet Member for J Anderson  
Housing:

Signed Leader: M Worrall

Signed Chief Executive: D Hughes

**Date of publication: 26 November 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.

In accordance with Paragraph 2, Annex 1 of the Executive Procedure Rules, the Leader nominated the Cabinet Member for Housing to take this decision in the absence of the Cabinet Member for Environmental Services.

# TONBRIDGE & MALLING BOROUGH COUNCIL

## RECORD OF DECISION

Decision Taken By: **CABINET MEMBER FOR**

**Housing**

Decision No: **D100145MEM**

Date: **23rd November 2010**

### **Decision(s) and Reason(s)**

#### **Review of the Environmental Monitoring Programme**

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

**The report reviewed the range of environmental monitoring activities carried out by the Environmental Protection team, evaluated their benefit to the local community and considered whether certain discretionary elements of the programme should cease. It was noted that monitoring of air quality and private water supplies was a statutory requirement and would remain unchanged. However, concerns were reiterated that the Council should be properly reimbursed for the costs involved and the Government's attention drawn to the need for clarity between the roles of organisations involved in monitoring and effecting improvements.**

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

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  - Landfill gas – monitoring at Priory Wood only, until agreed with the Environment Agency that monitoring can cease at this location;
  - Swimming pools (other than Council operated pools) – monitoring to cease;
  - Radiation – monitoring to cease as a routine function;
  - Recreational lakes – monitoring to cease but examination of possible designation of Haysden and Leybourne Lakes for monitoring by the Environment Agency; and
- 2) the Government's attention be drawn to the need for clarity between the roles of organisations involved in monitoring and effecting consequential improvements and for the costs incurred by the Council to be properly reimbursed.

Reasons: As set out in the report submitted to the Local Environmental Management Advisory Board of 23 November 2010.



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**TONBRIDGE & MALLING BOROUGH COUNCIL**

**RECORD OF DECISION**

**Decision Taken By: CABINET MEMBER FOR**

**Housing**

**Decision No: D100146MEM**

**Date: 23rd November 2010**

**Decision(s) and Reason(s)**

**Control of Emissions from Industry - Annual report 2009/11**

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

**Consideration was given to the annual report which outlined the work undertaken by the Environmental Protection team in relation to the control of emissions from specified industrial processes in the borough. Details were also given of a number of operational changes in delivery of the service, involving closer working with Gravesham Borough Council.**

Following consideration by the Local Environmental Management Advisory Board, the Cabinet Member for Housing resolved that the performance information relating to Environmental Permitting activities be noted and the new operational arrangements in the Environmental Protection Team be endorsed.

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**TONBRIDGE & MALLING BOROUGH COUNCIL**

**RECORD OF DECISION**

**Decision Taken By: CABINET MEMBER FOR  
Housing**

**Decision No: D100147MEM**

**Date: 23rd November 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 1)**

**(Appendix 1)**

**Details were given of Street Scene initiatives planned and undertaken in 2010/11. Reference was made to the Council's contribution at a national level through the involvement of the Head of Waste and Street Scene Services in a Local Government Association Advisory Group and a DEFRA "Litter Convention".**

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