

MAIDSTONE BOROUGH COUNCIL

**MINUTES OF THE ENVIRONMENT AND TRANSPORTATION
OVERVIEW AND SCRUTINY COMMITTEE MEETING HELD ON
TUESDAY 15 MARCH 2011**

PRESENT: Councillor Mrs Blackmore (Chairman)
Councillors Beerling, Ross, Verrall, Vizzard and Yates

84. The Committee to consider whether all items on the agenda should be web-cast

Resolved: That all items be web-cast.

85. Apologies for Absence

An apology for absence was received from Councillor Sharp.

86. Notification of Substitute Members

There were no substitute members.

87. Notification of Visiting Members

There were no visiting members.

88. Disclosures by Members and Officers:

Councillor Beerling disclosed a personal interest by virtue of his previous employment with Golding Homes and Councillor Yates disclosed a personal interest by virtue of his former business in the paper mill industry which dealt with effluent water both in relation to item 8, Securing Water Supplies.

89. To consider whether any items should be taken in private because of the possible disclosure of exempt information

Resolved: that all items be taken in public as proposed.

90. Minutes of the Meeting held on 15 February 2011

Resolved: That the minutes of the Environment and Transportation Overview and Scrutiny Committee meeting of 15 February be agreed as a correct record and duly signed by the Chairman.

91. Securing Water Supplies

The Chairman welcomed Head of Development Management, Rob Jarman, Principal Planning Officer, Steve Clarke and Lee Dance Head of Resources and Environmental at South East Water.

Mr Jarman and Mr Clarke began with a presentation that set out the consultation process regarding the impact of new development on water supplies demand through the Local Development Framework and the development management process that seeks to ensure development that is approved uses water as efficiently as possible. They explained that this demand was managed through consultation with water providers; Southern Water for drainage and South East Water for capacity/supply. Mr Dance explained that South East Water had a Water Resource Management Plan which was a 25 year business plan that was regulated by Ofwat and reviewed every 5 years. Along with infrastructure requirements it took into consideration the number of houses, the location and the pace of investment and development. Mr Dance explained that South East Water had a statutory requirement to provide water to new homes.

It was explained that climate change data showed that the south east was getting dryer with an increasing population and economic growth. The Code for Sustainable Homes, an environmental impact rating for housing in England in Wales which set the standard for energy efficiency, was explained to the Committee. They were told Maidstone Borough Council had no policy that took them above Level 1 of the Code but that through negotiation they nearly always achieved Level 3. The Officers informed Members that they were one of the highest achieving local authorities since the scheme's introduction in 2007 and they were the highest in Kent. Members were told that in the emerging Core Strategy policy requiring development to achieve a minimum Level 3 for the Code would be set. The government aspiration was that by 2016 all new dwellings would be carbon neutral, meeting water efficiency targets that would put them at level 5 or 6 in the Code. The same aspiration was set for public buildings by 2019. Members explored the area of water efficiency in developments further and were told that in major developments grey water recycling and rain water harvesting and SuDS drainage were often included and were given an example of a recently approved development at the television studios in Maidstone. The Committee queried the water efficiency methods that were being introduced by the water companies and whether the aim was to introduce a water metre in every property. They were told that South East Water supported the Code for Sustainable Homes and were working with Kent County Council. Mr Dance explained that South East Water were working with developers and on development in Ashford had provided a water efficiency 'kit' to prove the reliability of water saving methods. He explained that the kits used micro component modelling to understand water usage and how savings could be delivered through water saving shower heads and by using a half flush on toilets. Members were told that the Secretary of State was in support of compulsory metres with 45% of households using metres at present, by 2015 this would be 70% and by 2020 it would be 90%. Maidstone would be included in year two of the programme which would make people aware of their usage. The assumption was that there would be a 10% reduction in water usage when customers went from unmeasured to a measured water supply. In relation to the Code for Sustainable Homes it was established that Building Control were operating at a minimum level

of 1 or 2 whilst Planning were aiming for Level 3. In relation to this the Housing Associations who were seen to be leading the way in terms of the Code were not now going to be required to undertake their developments so that they meet Code Level 4 as originally envisaged from April 2011. Members were informed that this had been postponed by the Homes and Communities Agency. The cost to the developer was cited as a reason for the code remaining stagnant with profit margins being an issue. Mr Jarman explained that in terms of s106 contributions that offset the impact of new development on existing services such as health care provision, Development Management held a realistic view as to the contributions requested by consultees and that in order to achieve higher levels under the Code for Sustainable Homes developers it may be necessary to reduce contributions elsewhere accordingly.

The Committee moved on to the issue of Surface Water Flooding, an issue for Maidstone. Members were told that this was caused by poor maintenance with debris and leaves blocking rainwater drains. The Committee were informed that under the 1976 Act Maidstone was a land drainage authority but ditches remained the responsibility of the land owner with the authority having the power to have them cleaned up. Members explored the possibility of surface water flooding being an opportunity for the water supplier to consider its diminishing future supply. Mr Dance explained that currently this was the responsibility of Southern Water but agreed that effluent waste water could be reused and was an option South East Water had timetabled to consider post 2030. He explained that there were other, less carbon intensive processes to consider. Members were keen for South East Water to consider initiatives in this area and if necessary generate initiatives to work with Southern Water. Mr Dance emphasised that at present South East Water had no remit or power in areas such as drainage as a supplier but that metering was a cost effective option that they were pursuing.

Mr Jarman explained the methods Development Management were using in terms of tackling surface water flooding. The Government had changed 'permitted development rights' relating to the creation of hardstanding areas on garden areas fronting a highway requiring all areas of 5sqm or more to be paved with a porous material or drain into a permeable or porous area on the property. Members felt that this was something that could be emphasised and communicated to the public via the website. The Officer went on to explain the benefit of Sustainable Drainage Systems (SuDS) which he said could enhance a development as well as providing opportunities for water efficiency, design features and tackling environmental issues. With regard to the Flood and Water Management Act 2010, the Committee were advised that Kent County Council would be the SuDS authority but that the regulations had not been released so the Officers were not yet aware what Maidstone Borough Council's responsibilities would be. They explained that volume house builders would be prevented from linking up to the mains drainage system. The option would not always be SuDS but it was the option preferred by Southern Water. Members were told that conditions surrounding this issue would be sent out with the Planning decision. Mr Jarman confirmed they would be looking at the SuDS option first. Members highlighted the

Local Development Framework which would span a large timescale and recommended that this needed to be included within it. The Officer explained that it was not mandatory and in some cases there would be no problem using the mains drainage system. The Committee were told that the use of SuDs would be evidence based. Mr Dance returned to the point made regarding recycling effluent water in relation to drainage and SuDs. He explained that a system was required that could deliver during dry periods and that could also manage rain water. The two issues were providing a flood asset and also a supply. He articulated that if you were providing a flood asset you would want it to remain empty. Members questioned the way in which the water supply was preserved in terms of repairs to the infrastructure. Mr Dance explained that South East were governed on this by industry wide regulations.

Mr Jarman explained to the Committee how matters would be taken forward. The Kent County Council Surface Water Flood Team along with Maidstone Borough Council would be refreshing the strategic flood risk assessment. With regard to SuDs schemes, pre-application discussions would take place with developers and KCC to create an early dialogue regarding the cost and to provide the developer some certainty in the development process. The Officer agreed that the scheme had a place in the Core Strategy but that the details for SuDs would come in a more detailed, land allocations document, as it was site specific. The Core Strategy was an 'umbrella' document.'

The Committee expressed their thanks to the witnesses for all the information gleaned but felt that there remained a great deal of unanswered questions, particularly with reference to the water companies not working together. Members reiterated their concerns regarding new development; 10,080 in Maidstone and 100,000 across the county, putting further pressure on a system already stressed by the amount of water consumed. Mr Dance explained that new housing meant more water efficiency and directed the Committee to the 36 page summary document of South East Water's Water Resource Management Plan which would show reassuring forecasts in line with the efficiency methods discussed.

It was resolved that Requirements for Sustainable Drainage Systems should be included in the Land Allocation document.

92. Progress Update on Best Value Review of Waste and Recycling Implementation Plan

The Committee welcomed Georgia Hawkes, Head of Business Improvement, Jennifer Gosling, Waste Collection Manager, David Edwards, Director of Change, Planning and the Environment and Jonathan Scott, Street Scene Manager to the meeting.

Ms Hawkes gave the Committee a background to the Waste and Recycling Best Value Review describing it as a key piece of work for the Council over the past 18 months. Members were reminded that this followed a review into Waste and Recycling in which Overview and Scrutiny had played a

key part. The Officer explained that the review had been about defining a strategy and giving that clarity through an implementation plan and that was now something that was being delivered on. The Officer highlighted the 4 overdue actions that had occurred because of the food waste collection service being implemented. Ms Hawkes explained the use of Covalent performance management system to the Committee which allowed the plan to be updated and monitored by Officers with actions assigned to the relevant person. This was something that Officers did as they went along and she offered her congratulations to Ms Gosling and her team.

The Committee were told that the new food waste collection contract had already shown a 70-80% participation rate. This measurement was currently being made by counting the number of food waste caddies presented on the roadside on the day of collection; Members were told that there would be more extensive monitoring to come. With regard to flats, residents had the option to opt in to the scheme if there was a place to put out a caddy. Larger caddies would be looked at in the future, once the service and routes had been established. Commercial Waste was also something that would be considered at a later stage under the phase model which included school waste. Members were told that the education officer had attended all Maidstone's primary schools to help inform the next generation. The success of the service so far was also measured by the amount of food waste collected which at 100 tonnes, was per household higher than the UK average shown in trials. It was explained that the waste was taken to Blaise Farm for composting. As a result of the food waste collection Maidstone's recycling rate had risen from 30% in 2009/2010 to over 40%. Taking into account a reduction in the use of grey bins there was a 12% reduction in the overall waste arisings, which put Maidstone on course to meet the 45% recycling target set with a further 5% to be achieved through glass recycling. The expectation was that people would begin to buy less food when they saw how much they were wasting which would show an initial decrease in usage. Less than 90 people had opted out of the new scheme and concerns over the caddies being a target for vermin had been appeased when the robust, lockable caddy was delivered.

Ms Gosling explained other recycling initiatives that were being launched including funding for 5 Tetra pack recycling banks to be introduced at 5 sites across the borough. She explained that there was a focus on supermarkets for the sites for these as they were where people bought the products. It was highlighted that there were some issues with supermarkets having recycling facilities in situ as it could impact on their parking availability for customers. Members questioned this point, taking into account the environmental credentials these companies had to consider and suggested the use of planning policy to enforce this. The Officer explained that that was not the preferred course of action as once recycling facilities were publicised by a competitor other supermarkets would follow suit but was happy for parish and ward members to encourage recycling at local supermarkets.

The Committee questioned the use of planning in waste and recycling and were informed that developers already considered this and would consult with them on this. Members queried the facilities at village halls for recycling food waste but were informed that this was not something they were interested in at the moment, recycling was preferential to them. Members were also told that there would no longer be separate dog waste bins as they cost an additional £40,000 a year to service under a separate contract. This was in line with the latest waste campaign 'any bin will do.' A mapping exercise had been carried out to show the location of all bins and it was found there was often more than one bin in the same location. This exercise had also demonstrated that there was no correlation between the level of dog fouling and the number of bins.

Health and Safety issues were also addressed. Members were told that Health and Safety was a key component in the work carried out and that they were proactive in the management of this by attending meetings with Sita to provide support in this area.

The Officers were thanked for attending the meeting and complimented by the Committee on the success of the implementation plan.

It was resolved that:

- a) The recycling of food waste should be offered to those residing in flats;
- b) Tetra pack recycling should be publicised;
- c) There should be a continued dialogue with supermarkets through public engagement to encourage recycling; and
- d) The Waste and Recycling teams should return in 6 months time to provide the Committee with a progress report.

93. Future Work Programme

The work programme was considered by the Committee.

It was resolved that:

- a) Flo Churchill, Interim Head of Core Strategy, should be invited to the next meeting to discuss the local development framework in respect of transport;
- b) Southern Water should be approached again and be invited to the next meeting; and
- c) The Cabinet Members should be invited to update the Committee on their progress.

94. Duration of the meeting

6.30pm to 8.35pm