

**ENVIRONMENT AND TRANSPORTATION OVERVIEW AND SCRUTINY  
COMMITTEE**

**17 AUGUST 2010**

**Extract from the Review of Past Reports, 2001 – 2008**

**"Abandoned Vehicles**

*Summary*

The report outlined the serious situation at that time, in relation to burnt out and abandoned vehicles that were clearly visible and a physical danger, often in place around the Borough and the County for long periods of time. There were a number of significant achievements arising from this review including:

- The subsidised collection of old vehicles – (scrapped three years ago when the charge was removed)
- Provision of Operation Cubit
- Blocking off roads and hot spots such as Boxley Warren

*Outcomes*

There have been two key outcomes from the review:

- **Subsidised collection of old vehicles** - This was implemented and offered residents a service removing older vehicles from the property for a small charge. This service was discontinued 3 years ago when the service from external providers improved as the price of scrap metal rose.

Number of abandoned vehicles – 06/07 – 97  
07/08 – 42  
08/09 – 23 (nine months)

- **Operation Cubit**– Operation Cubit is a multi-agency scheme for dealing with abandoned and untaxed vehicles, it was introduced in Kent in 2001. As a result of the review the Council committed to and took part in the scheme regularly. This was instigated as a joint agency initiative with Maidstone Borough Council, other Borough Councils, KCC, the police, the fire brigade and other agencies, on a Kent wide basis. All parties including Maidstone Council contributed to the cost (Maidstone contribution was £12,600 in 08/09) which secured 4 weeks operational time for the Borough.

This initiative has been very successful and helped reduce abandoned vehicles. It has ensured the removal from the roads, and on occasion the prosecution of owners of both illegal private and commercial vehicles.

There is concern at the proposal within the budget for Maidstone to reduce its contribution by £10,000.

Action required: Maidstone's effective withdrawal from Operation Cubit substantially increases the risk of fly-tipping in our area. Likewise, this together with the reduction in value of scrap metal increases the risk of an increase in

abandoned vehicles. The extent of fly tipping and abandoned vehicles now needs to be kept under review.

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### Climate Change

#### *Summary*

The report considered a number of issues in particular the Council's corporate response to climate change and action that should be taken. The review concluded that "the implications climate change has in terms of the increased risk of drought, flood, wildfire, and the dangers posed to human health and our natural environment mean that climate change is going to have a major impact on us all. Engaging staff, our partners and residents in the effort to reduce the greenhouse gases that cause climate change rests in large measure on public awareness. We are very concerned that climate change must not be pigeonholed as an 'environmental' problem. We strongly believe that tackling this issue is of central and mainstream importance.

Using an alliance-building approach, Maidstone Borough Council must show community leadership and involve other tiers of government, businesses, environmental groups and others (particularly the press and media) in reaching out to local people perhaps using the new power of 'Community Wellbeing'"

#### *Outcomes*

The Climate Change report was viewed as very positive one, the Council's investigation into climate change, which the Scrutiny report had fed into, was seen as best practice. Both Cabinet and officers were very proactive in taking the report's recommendations forward, and Cabinet was initially provided with six monthly updates on the implementation of the report. Most targets in the report were achieved.

One of the key outcomes was the development and implementation of the Council's climate change strategy. We now have a robust green corridor policy in place and a flood management action plan. Some habitat surveys have been completed and the Council is now aiming for carbon reduction rather than carbon neutrality. The council adopted its climate change plan in July 2005. Three update reports have since been submitted to Cabinet. The Council was short-listed (results 28<sup>th</sup> March 2007) for the LGC Sustainable Communities Awards for Tackling Climate Change.

The Council worked jointly with 12 businesses in Maidstone and the Kent Sustainable Business Partnership to run a course taking them through the first stages of achieving the European Environmental Management Standard ISO14001.

#### Action Required:

Whilst this report can be signed off, there are still many issues outstanding with regard to climate change, ELOSC should consider a further update review to look at how the Council is addressing these issues.

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### Fly Tipping

#### *Summary*

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This was a wide ranging report, which achieved national acclaim, with 54 major comments and recommendations. Many of the proposals have been taken up by this Council, the KCC and at Government level. This report was recognised at Government level and led to a number of Government initiatives supporting and leading those taken by local authorities.

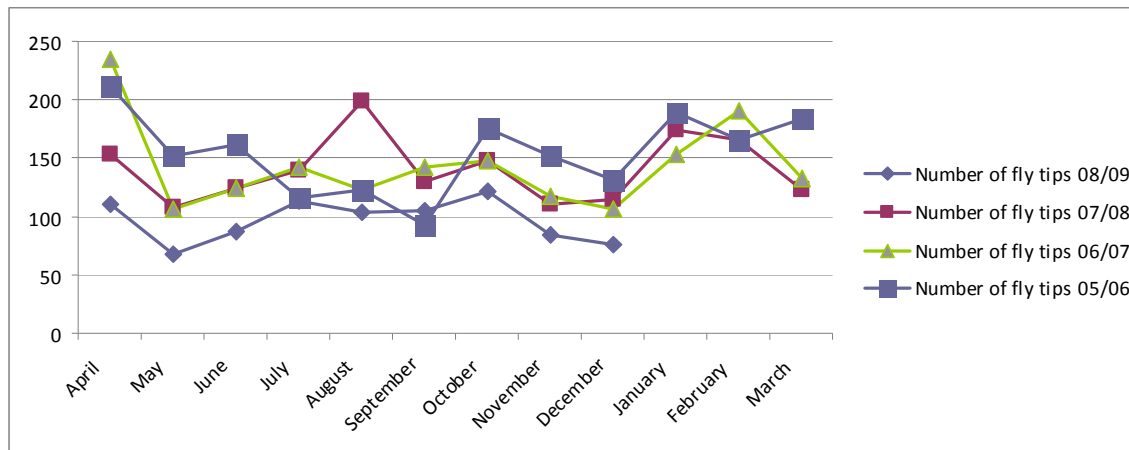
### *Outcomes*

There has been significant progress since 2002 in tackling fly-tipping, its causes and associated problems, both working alone and in many cases working in partnership with KCC and other agencies. New regulations dealing with the management of waste and to encourage recycling have helped this improvement.

- **Lack of national statistics on fly-tipping** – A national base for statistics relating to fly-tipping has now been set up requiring that all Councils input their local information.
- **Local, Regional and national fly-tipping strategies should be developed** – This recommends that more should be done to provide waste minimization, re-use of waste materials and recycling. Ongoing improvements include:
  - Maidstone Borough Council have now introduced a new recycling system throughout the Borough for plastic bottles, paper, Cardboard and tin cans, which as it is extended borough wide is substantially increasing % of waste going for recycling.
  - Officers also report a large increase in the hire of green waste bin. Previously green plastic bags were used which could be purchased, but previously, substantial green waste appeared in the normal waste discharged to tips.
  - KCC have made major changes to the tip at Tovil concentrating on recycling including metal, cardboard and paper, green waste and dealing with more difficult products such as oil, asbestos, glass and safe disposal for fridges and freezers. The Incinerator site at Allington is also available for recycling, and officers advise that at the present time, all recycled goods are going to known destinations
  - Government initiatives have included the setting of targets for improvements to recycling, the imposition of heavy taxes for waste disposed of in tips, stronger regulation of licenced tips and the control of commercial vehicles permitted to carry commercial waste.
- **Improve response times in relation to reports of fly tipping and rubbish accumulation, and greater efforts to stamp out fly-tipping** – The Borough Council now has 3 'hit' squads' in place to deal with fly-tipping and other waste problems, and most reports are dealt with within 24 hours. The 'Cleankent' campaign, in conjunction with KCC and other agencies is ongoing. This was launched in 2004 in a bid to combat littering, graffiti and fly-tipping. The use of '**covert**' cameras has proved successful and there have been a number of successful prosecutions resulting in heavy fines with culprits named and shamed.
- Penalties for fly-tipping reflect the seriousness of the offence, its impact on the environment and the cost of cleaning up and dealing with the resulting pollution. Fixed penalty notices of £100 are available for minor

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offences or £300 for less serious offences committed by small businesses. For repeated fly-tipping offenders an ASBO and/or vehicle confiscation may be appropriate. Serious offences committed on a commercial and industrial scale can attract fines ranging from £5000-£50,000 or unlimited fines in combination with prison sentences. These are the penalties set centrally, recently updated by the Clean Neighbourhoods Act



- Conduct Annual 'Spring Clean' campaign**-This was started in Maidstone as a result of the scrutiny recommendations, and has been ongoing either once or twice a year since then, with strong support from the public and from Parish's, Schools and other local organizations. A number of Parishes conduct their own local campaigns in parallel.
- Maidstone Council, in conjunction with other agencies should put in place an operation to check on unmarked vans and lorries to check if they are carrying trade waste, they are licensed to do so**-Government have introduced legislation requiring all commercial vehicles of any size that carry commercial waste to be licensed. Maidstone Council regularly runs **Operation Lasso** in conjunction with the police and other agencies to crack down on fly-tipping and vehicles carrying waste illegally.
- Late night opening of Tovil tip.** -The committee's recommendation was taken up by KCC, and the tip now opens from April to September until 8.00pm for one day a week.
- Access by 4x4 vehicles to Tovil tip**-This argument has been ongoing with concern that this would open up the tip to vans and commercial vehicles.
  - The current level of the height barriers at KCC's recycling centres (eg Tovil) is 185cm (6'). A report is currently on its way to KCC's Scrutiny committee recommending that:
    - (a) all KCC site height barriers be raised to 200cm (approx 6'6")
    - (b) Barriers at selected sites are opened at certain times of day to allow larger vehicles carrying domestic waste into the facilities. We don't know if Tovil will be included
  - If this report goes through, time will have to be allowed for the appropriate work to be carried out on the barriers and the changes to be publicised.

- **The Borough Council should enforce litter control around fast food outlets.**—These outlets are responsible for their own waste for a limited area around the outlet, and the issue of Litter Control notices is ongoing. Current and previous campaigns have concentrated on litter control around outlets in the town centre and in some cases, on 'out of town' food retail centres.
- **ACTION NOTE - Since 2003, 49 street litter control notices (section 93 of the EPA 1990) have been issued, mainly in the town centre area on food outlets, banks and building societies with ATMs, etc – This is less than 10 per year. This is clearly unacceptably low and should be reviewed in light of successes in other areas.**
- **Free collection of disposal of fridges and freezers** – This is one of the few recommendations not taken on board. A separate collection centre is now available at Tovil tip and fridges and freezers can be collected at a small cost under the bulky waste system.
- **Proposal to put tax on plastic bags** – Now being taken up nationally by many authorities and have challenged the need for plastic bags and encouraged the use of re-usable bags. This has now been taken up by a number of major retailers. The Borough Council instigated a Campaign in 2007, and this year it has been taken up by the Town Centre management. On a personal note, there now seems to have been a significant reduction in the number of bags blowing around causing litter waste.

Action required: Since 2003, 49 street litter control notices (section 93 of the EPA 1990) have been issued, mainly in the town centre area on food outlets, banks and building societies with ATMs, etc – This is less than 10 per year. This is low and should be reviewed in light of successes in other areas. The Environment and Leisure OSC is due to receive a briefing on details of the current programme in relation to Litter Control Notices and issues relating to it, including current or planned initiatives and finances to support them, and officers involvement including street patrols.

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### **Rural Roads: Safety and Sustainability**

The majority of recommendations concern the LDF so will need to be considered as that is developed.

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### **Image of Maidstone Town Centre**

#### *Summary*

This review looked at the image of Maidstone's town centre and made a number of recommendations for improvement. The major recommendation concerning the provision of public toilets was taken forward by the Environment and Leisure OSC as part of its work programme in 2008-09. The other major issues raised were congestion and displaying artwork in the town centre.

#### *Outcomes*

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Concern was expressed regarding public toilets in the town centre since the review ELOSC has reviewed public conveniences in detail resulting in substantial savings and a new community toilet scheme has been introduced.

Action required: A report was promised in early 2009 together with 6 monthly updates. The next Environment and Leisure Overview and Scrutiny committee should ask for a report and update covering mitigation of traffic congestion, the Southern Relief Road, traffic plans, and other related issues, as well as following up other areas from the report.

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### Memorial Safety

#### *Summary*

The review was initiated following a national report from the Health and Safety Commission which identified 25 serious accidents involving unstable memorials over a five year period. The review considered safety, public involvement and understanding and finance issues.

#### *Outcomes*

The Environment and Leisure OSC has kept a watching brief on the report and agreed recommendations since its completion in 2007. In 2008 they were informed that the recommendation to move to a rolling 5 year programme of testing had resulted in savings for the Council. Whilst they have been progressed, it is not clear that all of the recommendations made have been implemented.

Action required: Environment and Leisure Overview and Scrutiny Committee receive a further update from officers on the outcome of recommendations.

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### Motorways

#### *Summary*

This report looks at two separate but related issues: noise pollution and environmental pollution.

#### *Outcomes*

As many of the recommendations are outside of the Borough's control these have not been implemented. It should be noted that the report received local media attention including television.

Action Required: Regeneration and Sustainable Communities Overview and Scrutiny Committee to hold a follow up meeting with all involved agencies on how to progress the recommendations made in the report.

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### Tree Coverage in the Borough

#### *Summary*

The review considered the benefits of tree coverage and the role of the Council and other agencies.

#### *Outcomes*

The 24 recommendations covered:

- Funding for an audit on MBC trees, maintenance as well as meeting expectations from external agencies and sources for sourcing alternative funding.
- Ensuring that MBC has a co-ordinated policy across departments on planting trees and care from contractors working near trees. Ground staff should receive adequate training.
- Planting of new trees should follow the Landscape Character Assessment Document, appropriateness of tree species and location. The principles should subsequently be incorporated in the Local Development Framework.
- Strength 106 agreements and ensure subsequent enforcements where necessary.
- Ward members should be engaged to ensure actions taken in regard to 'tree works'.
- An audit on trees in the aegis of MBC should determine those requiring TPOs and should be extended by working with partners in the Borough.
- Community woodlands should be developed and consideration be given to furthering tree coverage as both a landowner and as part of the Green Spaces Strategy.
- Residents should be attracted to schemes that enhance the presence of trees in the Borough including providing information on how to manage their trees as well as expanding help to local tree wardens.

Responses received on 9<sup>th</sup> March 2009:

- Priority given to backlog of outstanding Health & Safety works, now complete.
- All MBC tree stock to be inspected in 2009/2012 involving GIS.
- All work with trees carried out by Jacobs Baptie (as KCC) with possible cost savings through KCC WAMS
- Revenue budget should cover required work for maintenance.
- All 106 agreements were covered by "Parks" and could be lost in negotiations.
- Compliance officer has been added to Enforcement team.
- Community woodland projects are being considered in the draft Biodiversity Action Plan.
- Tree sponsorship has resulted in over 8000 additional trees in the borough.
- The tree forum may be formed as a result of the Biodiversity Action Plan.
- Best practise leaflets are available from the Arboriculture Association web-sites.

Action required: As many of the actions considered in this report relied heavily on financial considerations it would be appropriate for ELOSC to meet with the Cabinet Member and Officers to see how and if recommendations can be progressed.

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## Water Shortages

### *Summary*

The committee considered water shortages in the Borough and identified possible solutions see report extracts below:

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“Many of the solutions to the area’s water shortages discussed at the Committee, such as increasing the height of the dam at Bewl Water, building a new reservoir at Broad Oak or improving connectivity between water companies, are largely beyond the Borough Council’s sphere of influence aside from lobbying the relevant bodies. These are generally matters related to the *management* of water supplies and are the responsibility of the water companies and Environment Agency. The Committee were clear that there was not one clear solution to the problem but that a combination of solutions would need to be identified.”

The Committee identified “two broad areas related to the *consumption* of water in which the Council can play a role:

- Enabling more sustainable use of water through the planning function;
- Engendering and enabling behavioural change amongst residents to take a more sustainable approach to water usage.”

The Committee interviewed a number of witnesses to identify recommendations.

### *Outcomes*

The Committee made a number of recommendations:

- (a) The Committee lobby Government for:
  - (i) the development of a reservoir at Broad Oak as soon as possible;
  - (ii) amendment to the planning system to enable the commissioning and building of new water storage facilities to take place more quickly;
  - (iii) amendment to building regulations to enable local authorities to take a firmer line in insisting that new developments include water efficiency measures; and
  - (iv) the introduction of a water supply levy on new developments.
- (b) The Committee lobby the Kent Partnership to encourage them to co-ordinate a Kent-wide publicity campaign to highlight the parlous state of the County’s water supplies and encouraging more sustainable approaches to water usage.
- (c) The Committee’s letters in (a) and (b) above be copied to the Chairman of the Local Government Association, the Borough’s Members of Parliament and the Borough’s Kent County Council division representatives.
- (d) The Local Development Document Advisory Group be recommended to:
  - (i) Consider whether the *Sustainable Construction Supplementary Planning Document (SPD) Part 1 – Using Water* document is sufficiently strong to ensure the necessary water efficiency measures are included in new buildings by developers.
  - (ii) Monitor the success of the Hillreed Homes initiative in Ashford.
- (e) The Council’s website be developed to include information on how residents could use water more efficiently.



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- (f) The Cabinet Member for Regeneration be recommended to investigate the possibility of offering residents water efficiency products (such as water butts or displacement devices) at a reduced price via the Council's website, perhaps in conjunction with the local water companies
- (g) That Southern Water and Mid-Kent Water be requested to submit their Water Resource Plans to the Committee for consultation.

### Action required:

It is not clear what action has been taken as a result of the report the following action is suggested:

- Invite Southern Water, and Mid Kent Water to brief the Scrutiny Committee on their current Water Resource Plan.
- Ask the Cabinet member for Regeneration for a brief on Borough Council initiatives based on the recommendations in the report."