



Agenda

Environment and Enforcement Committee

Wednesday, 28 June 2017 at 7.00 pm
Council Chamber

Membership (Quorum – 3)

Cllrs Parker (Chair), Bridge (Vice-Chair), Barrell, Clarke, Cloke, Mrs Fulcher, Kendall, Mrs Middlehurst and Mrs Slade

Agenda Item	Item	Wards(s) Affected	Page No
1.	Apologies for Absence		
2.	Minutes of the Previous Meeting		5 - 12
3.	Performance Presentations		
4.	Essex Countywide Traveller Unit and Open Space Protection Measures	All Wards	13 - 16
5.	Enforcement in the Council	All Wards	17 - 22
6.	Update on Neighbourhood Action Team	All Wards	23 - 30
7.	Recycling Roadshows and Campaign Update	All Wards	31 - 34
8.	Traffic Regulation Orders - Byways	All Wards	35 - 38

9. Urgent Business

A handwritten signature in black ink, appearing to read 'P. L. Russell', with a large, sweeping underline.

Head of Paid Service

Town Hall
Brentwood, Essex
20.06.2017

Information for Members

Substitutes

The names of substitutes shall be announced at the start of the meeting by the Chair and the substitution shall cease at the end of the meeting.

Where substitution is permitted, substitutes for quasi judicial/regulatory committees must be drawn from Members who have received training in quasi- judicial/regulatory decision making. If a casual vacancy occurs on a quasi judicial/regulatory committee it will not be filled until the nominated member has been trained.

Rights to Attend and Speak

Any Members may attend any Committee to which these procedure rules apply.

A Member who is not a member of the Committee may speak at the meeting. The Member may speak at the Chair's discretion, it being the expectation that a Member will be allowed to speak on a ward matter.

Members requiring further information, or with specific questions, are asked to raise these with the appropriate officer at least two working days before the meeting.

Point of Order/ Personal explanation/ Point of Information

Point of Order

A member may raise a point of order at any time. The Mayor will hear them immediately. A point of order may only relate to an alleged breach of these Procedure Rules or the law. The Member must indicate the rule or law and the way in which they consider it has been broken. The ruling of the Mayor on the point of order will be final.

Personal Explanation

A member may make a personal explanation at any time. A personal explanation must relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate, or outside of the meeting. The ruling of the Mayor on the admissibility of a personal explanation will be final.

Point of Information or clarification

A point of information or clarification must relate to the matter being debated. If a Member wishes to raise a point of information, he/she must first seek the permission of the Mayor. The Member must specify the nature of the information he/she wishes to provide and its importance to the current debate, If the Mayor gives his/her permission, the Member will give the additional information succinctly. Points of Information or clarification should be used in exceptional circumstances and should not be used to interrupt other speakers or to make a further speech when he/she has already spoken during the debate. The ruling of the Mayor on the admissibility of a point of information or clarification will be final.

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The Chair of the meeting may terminate or suspend filming, photography, recording and use of social media if any of these activities, in their opinion, are disrupting proceedings at the meeting.

Private Session

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Evacuation Procedures

Evacuate the building using the nearest available exit and congregate at the assembly point in the North Front Car Park.



Minutes

Environment and Housing Management Committee Thursday, 9th March, 2017

Attendance

Cllr Hossack (Chair)	Cllr Mrs Fulcher
Cllr Poppy (Vice-Chair)	Cllr Russell
Cllr Cloke	Cllr Tumbridge
Cllr Mrs Coe	
Cllr Mrs Davies	

Apologies

Cllr Mrs Squirrell

Substitute Present

Cllr Kendall (substituting for Cllr Mrs Squirrell)

Also Present

Linda Skinner	Tenant Talkback
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Officers Present

Stuart Anderson	-	Deputy Operations Manager
David Carter	-	Environmental Health Manager
Mike Dun	-	Trade Waste Officer
Zoey Foakes	-	Governance & Member Support Officer
Stuart Morris	-	Housing Options Team Leader
Dawn Taylor	-	Business Support Services Manager
Angela Williams	-	Interim Head of Housing

308. Apologies for Absence

Apologies were received from Cllr Mrs Squirrell and Cllr Kendall substituted.

309. Minutes of the Previous Meeting

The minutes from the Environment and Housing Management Committee meeting held on 7 December 2016 were approved as a true record.

310. Verbal Update

Updates were received from Officers on:

Repairs Contracts

Stock Condition Survey

Appointments were continuing to be made and 27 surveys were outstanding. Officers were continuing to visit the remainder of the tenants to arrange appointments. The potential completion date was 22nd February with the draft report to be provided by the 10th March. The final report would be completed by the 24th March 2017.

Drake House

The system was at 99% practical completion. Snagging work was required. Completion from when the last piece of equipment and labour was removed from the site was the end of February.

Three Arch Bridge Estate

This was completed mid January. The contractors would review their own snagging and afterwards a joint snagging inspection would be carried out. Work was underway to agree the final account.

Development Programme

Fawtars Close/Magdalen Gardens

Site mobilisation date was 6 March 2017. Work was due to begin 13 March. A hand delivered resident newsletter was being distributed to provide an update on development.

Whittington Road development

The feasibility study for the Whittington Road sites had been prepared as previously distributed. The pre application was confirmed for the 27 February 2017. Positive feedback had been received with a consultation to be arranged.

New garage sites

A feasibility report was being prepared in relation to a further 6 garage sites with potential for redevelopment. The sites were located in the Pilgrims Hatch area and Three Arch Bridge Estate.

Estate Management

Parking at Gibraltar House, Mayflower House and The Keys

Enforcement would become active in March to allow time for residents to apply for the permits. Some complaints were received from a small number of residents in relation to the issue of visitors parking. As previously discussed with committee, this would be a 12 month trial and would be reviewed mid way through the trial to review whether it was possible to issue visitors permits in the future.

Rent Arrears Campaign – 1 March 2017

The next planned rent arrears campaign was scheduled for 1 March 2017 in Hutton South. The previous campaigns were targeted in Pilgrims Hatch and Hutton North.

Events

Services for the Seniors event

The Services for Seniors event was held on the 16 February 2017 at the Hutton Community Centre. The event was a Housing led Community event to raise awareness of the community alarms service, sheltered housing and other local groups/agencies that offer support to senior members of the community. There was over 200 people who attended the event and positive feedback was received with requests for future similar events to be planned.

Recycling and Litter Event Campaigns 2017

Presentations

From January to March 2017, 5 presentations on recycling/litter picks have taken place at 4 local schools.

Recycling Road shows

Two events had taken place in the High Street and William Hunter Way Car Park.

Keep Britain Tidy campaign encouraged Parish Councillors and Members to organise their own litter picks for the Spring Clean event.

Summer Fun Days organised by Community Services will also be attended by the Recycling Road Show with further dates to be arranged in June 2017.

Other events

Events took place in January for the WEE Event in Partnership with Essex County Council at St Georges Court, and a Recycling stall in February for the Services for the Seniors event at Hutton Community Centre.

Campaigns

Alongside other Essex Local Authorities as part of the Cleaner Greener Group, a campaign to raise awareness of Duty of Care for residents was running alongside the Keep Britain Tidy campaign.

Flyers had been produced on Duty of Care that would be delivered to householders with Council Tax Bills.

311. Performance Presentations

A presentation was given by Mr Carter on figures for litter and fly tipping from November 2016 – January 2017. There were 6 cases with evidence out of the 28 reports. Prosecution and FPNs had generally increased year on year from 2013/14 to 2016/17.

Mr Dun presented on recycling performance including household tonnage data April to December 2016-17.

A presentation on Key Performance Indicators within the Housing department was given by Mr Morris. This covered rent collection, re-let times of properties, temporary accommodation, gas servicing and repairs performance.

These presentations were noted by the Committee.

312. Housing Strategy

The current policy document "Housing Strategy 2013-16" had expired. To forward the aims of the Service and Council, a new document was required to outline in strategic terms proposed service provision.

A draft version of the "Housing Strategy 2017-2020" was put to Committee on the 7th December 2016 which was approved to move forward to public consultation prior to ratification.

The "Housing Strategy 2017-2020" outlined a transparent consultation for six weeks, ending on the 28th February 2017. The consultation was widely advertised and included representations from tenants, residents and professionals.

The public consultation strongly supported the new "Housing Strategy 2017-2020" and its implementation. Only some minor technical alterations had subsequently been made; no substantive changes were made to the draft version.

Cllr Tumbridge requested a change to the wording for "Section 106 agreements" on page 63 of the supplement agenda to read: "Requirements of developers as part of planning permissions. *Section 106 is part of the Town and Country Act. Agreements under it covers the planning application process, to provide contributions (usually financial) to develop facilities/amenities for the local community (e.g. education, open space)*".

A motion was **MOVED** by Cllr Hossack and **SECONDED** by Cllr Poppy to approve the recommendations in the report.

A vote was taken by a show of hands and it was **RESOLVED UNANIMOUSLY** that:

The Committee formally approve the final "Housing Strategy 2017-2020" for immediate adoption (Appendix A of the report).

Reasons for recommendation

The proposed Housing Strategy would allow the Council to:

- Meet its legal requirements
- Target housing solutions within the Borough
- Broaden the housing range for residents

- Highlight to tenants and residents the forthcoming challenges which both the council and they themselves would face.
- Support the implementation of the Welfare Reform agenda (which Brentwood Borough Council was committed to, particularly within existing written policy).
- Structure the Council's approach to housing, in particular as relevant to the Local Development Plan.

313. Empty Homes

At the meeting of the Environment and Housing Management Committee on 7th December 2016, Members resolved to request a report outlining the powers, measures and the associated costs that can be taken to effectively reduce the number of empty homes in the Borough.

The report sought to outline the powers available and to give an indication of likely costs and recommended actions for Member approval.

Cllr Hossack **MOVED** and Cllr Poppy **SECONDED** the recommendations in the report.

Cllr Tumbridge **MOVED** and Cllr Cloke **SECONDED** an **AMENDMENT** to recommendation 2.3: **To identify and prioritise the current properties which have been empty for over 2 years in the Borough and to approve initial contact with owners to seek resolution *and initial contact be approved by the Chairman in contact with Officers and for examples of that content to be brought back to the report created by recommendations 2.1 and 2.2.***

A vote was taken on a show of hands and the **AMENDMENT** was **CARRIED**.

A vote was taken by a show of hands and it was **RESOLVED UNANIMOUSLY**:

2.1 To produce a skeleton Empty Homes Strategy to provide direction of travel.

2.2 To produce a business case for i) in-house services, ii) a stand alone position, iii) team working – General Fund.

2.3 To identify and prioritise the current properties which have been empty for over 2 years in the Borough and to approve initial contact with owners to seek a resolution *and initial contact be approved by the Chairman in contact with Officers and for examples of that content to be brought back to the report created by recommendations 2.1 and 2.2.*

2.4 To seek to recover costs of enforcement action where possible.

Reasons for recommendations

To ensure that effective action was taken to reduce the number of empty homes in the Borough within existing resources where possible.

To seek to ensure that the costs of enforcement action was recovered where possible.

314. Street Care Updates and Actions

The report covered three areas within the Street Scene Department:

- Fly-tipping on Byways
- Little Warley Car Park (also known as Childerditch Common)
- Investment in Front Line Services to assist with the clearing of Fly-tips and an update on the Neighbourhood Action Team

Fly-tipping on Byways

There had been ongoing issues with fly tipping on byways which were proving expensive to deal with as well as being detrimental to the local environment.

It was therefore suggested as a trial that the byway (Horsemanside to Murthering Lane) had a temporary Traffic Regulation Order raised. The effect would be to limit access to specific users.

Little Warley Car Park (also known as Childerditch Common)

Officers received a representation from Little Warley & Childerditch Village Hall Association with regard to the permanent closure of the car park at Little Warley Common (also known as Childerditch Common). The reason for the request was outlined in more detail within Section 3 of the report where the recommendations outlined that officers consult statutory bodies to obtain their views on such a closure.

Investment in Front Line Services to help with Fly-tips and an update on the Neighbourhood Action Team

The front line investment of £80K would allow for an opportunity to support the NATs to work on requests from Members within their wards on a 15 week rota system. Three new staff would be deployed to undertake predominately the clearing of fly tips alongside the investment of new equipment such as a JCB to assist with the larger fly-tips ourselves rather than use contractors. It would be noted that any hazardous fly-tips would still need to be removed by specialist contractors.

Termination of Meeting

During the preceding item, in accordance with Rule 28 of Part 4.1. – Council Procedure Rules, the business of the meeting not having concluded by two hours after its start, Members voted to agree to continue with the meeting for a further 30 minutes.

Cllr Hossack **MOVED** and Cllr Poppy **SECONDED** the recommendations in the report and a vote was taken by a show of hands and it was **RESOLVED UNANIMOUSLY** that:

- 1. The Committee agreed to the Chief Executive writing to the ECC Cabinet Member for Highways and Transport requesting consideration for a temporary Traffic Regulation Order for the Byway Horsemanside to Murthering Lane.**
- 2. The Committee agreed to instruct officers to undertake a consultation exercise with identified public bodies (to be determined) to ascertain feedback on the requested closure of the car park at Little Warley Common (also known as Childerditch Common) and to report back to a future committee.**
- 3. Members noted the arrangements for the Neighbourhood Action Team going forward from 3rd April 2017 and actively participate in submitting tasks for the Neighbourhood Action Teams.**

Reason for recommendations

Fly-tipping in byways – the expense and difficulty in removing fly-tips was high and as such urgent measures were required to address the issue going forward.

Little Warley Car Park – reason for the recommendation was to allow Officers to obtain further comments from other public bodies associated with the site and to report the findings to a future committee for a final decision.

Investment into front line services to assist with clearing fly-tips including larger fly-tips, hence to allow Neighbourhood Action Team to work on the Members rota system within the wards.

315. Urgent Business

There was no urgent business to discuss.

The meeting ended at 21:05.

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28th June 2017

Environment and Enforcement Committee

Essex Countywide Traveller Unit and Open Space Protection Measures

Report of: David Carter

Wards Affected: All

This report is: Public

1. Executive Summary

- 1.1 This report provides an update on measures to protect Council owned land from unauthorised incursions and on the Council's membership of the Essex Countywide Traveller Unit (ECTU)

2. Recommendation

- 2.1 **Members approve the potential additional expenditure to maintain ECTU membership in 2017/18 due to increased enforcement costs of incursions.**

3. Introduction and Background

- 3.1 Essex Countywide Traveller Unit
Following increasing numbers of unauthorised incursions onto Council land in recent years the Council has joined the Essex Countywide Traveller Unit (ECTU) which was established to address issues across Essex relating to Gypsy and Travellers and to deal with unauthorised encampments on the partner local authority, Parish Council and Essex County Council land.
- 3.2 Brentwood Borough Council received a presentation from ECTU and agreed to join the partnership with effect from 1st October 2016.
- 3.3 The agreement with ECTU provides for unauthorised encampments on Brentwood Borough Council and Parish Council land within the Borough to be dealt with by the unit, including legal costs and bailiff removal where necessary.

- 3.4 Unauthorised encampments on private land are not covered by the terms of the agreement.
- 3.5 Since the Council joined the partnership ECTU have dealt with encampments at the Brentwood Centre, Weald Country Park and Navestock Heath. Essex Police have also been able to act directly at sites including Weald Park, Navestock, William Hunter Way, Warley Country Park and the Brentwood Centre and on private land at Wates Way and Ingrave Road.
- 3.6 Because of a significant increase in unauthorised incursions across Essex ECTU has exceeded its 2016/17 budget, particularly in legal fees which has resulted in an overspend of approximately £72k.
- 3.7 It is likely therefore that there will be an increase in member contributions to the unit this financial year in order to cover this and likely future expenditure, however the contribution from each District or Borough Council amounts to less than 2% of the total budget each and is substantially lower than our expenditure on legal and bailiff costs prior to joining.
- 3.8 Any increases in costs will be determined by the ECTU Joint Committee meeting on 15th June and a verbal update will be given.
- 3.9 **Open Space Protection Measures**
At the meeting of the Community, Health and Leisure Committee on 5th September 2016 Members received an update on works carried out to protect areas of Council land from unauthorised incursions.
- 3.10 Additional works were proposed to sites including Alexander Lane Shenfield, Seymour Field Ingatestone, Bishops Hall Park, Bannister Drive Hutton, Larkins Playing Field, Little Warley Common and the Brentwood Centre.
- 3.11 The works proposed were completed before the end of the financial year 2016/17. The budget total of £133,700 was under spent by a total of £21,374, final total actual expenditure was £112,325.

4. Issue, Options and Analysis of Options

- 4.1 The proposed increases in ECTU contribution will be reported verbally following the meeting of the Joint Committee.

5. Reasons for Recommendation

- 5.1 To continue to effectively deal with unauthorised incursions onto Council and Parish Council land in the Borough and to reduce the impact of additional expenditure.

6. Consultation

- 6.1 Increases in contributions are determined by the Joint Committee which is attended by Members from the District and Boroughs represented and approved by the Committee.

7. References to Corporate Plan

Environment and Housing Management

Develop effective partnership arrangements with key agencies to deliver services

Community and Health

Make Brentwood a Borough where people feel safe, healthy and supported

Work with partners to reduce anti-social behaviour and ensure that Brentwood is a safe place to live

8. Implications

Financial Implications

Name & Title: Jacqueline Vanmellaerts Financial Services Manager
(Deputy Section 151 Officer)

Tel & Email: 01277 312829 / jacqueline.vanmellaerts@brentwood.gov.uk

The financial implications have been cross checked with the Accountancy team and are set out in the body of the report.

Legal Implications

Name & Title: Daniel Toohey, Head of Legal Services and Monitoring Officer

Tel & Email: 01277 312860 / daniel.toohey@brentwood.gov.uk

While the Council has a broad duty to residents to ensure the safekeeping of its assets, which will include a robust but proportionate response to trespassing on Council property, it is also required to have appropriate regard to statutory requirements including human rights issues.

Membership of the ECTU will assist in assessing the appropriate response to traveller incursions and legal action where required.

Other Implications (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

None identified

- 9. Background Papers** (include their location and identify whether any are exempt or protected by copyright)

None

- 10. Appendices to this report**

None

Report Author Contact Details:

Name: David Carter Environmental Health Manager
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28 June 2017

Environment and Enforcement Committee

Enforcement in the Council

Report of: *Phil Ruck, Chief Executive*

Wards Affected: *All*

This report is: *Public*

1. Executive Summary

- 1.1 Members will be aware that the Council engages in a variety of Enforcement action across its services.
- 1.2 The purpose of this paper is to propose that a Corporate Enforcement Team (CET) be established, in order that the Council be in an improved position to respond when enforcement activity is required.
- 1.3 It should be made clear that Enforcement activity does not relate to the setting of fees or charges. The establishment of fees or charges being the responsibility of the relevant committee, or statutory instrument.

2. Recommendations

- 2.1 That the committee approve the appointment of a General Manager Corporate Enforcement, in line with Council HR policies and procedures. Such process and appointment to be managed by the Chief Executive.**
- 2.2 That the Chief Executive and the appointed Group Manager Corporate Enforcement bring back to the September Committee meeting, a workplan for Enforcement Activity.**

3. Introduction and Background

- 3.1 Brentwood Borough Council is undergoing a transformation, one that needs to ensure that its structure is constantly reviewed and is aligned with service delivery.

- 3.2 The Council has various enforcement tools ranging from informal approaches and advice through to statutory legal notices, prosecutions, evictions, licence suspensions and revocations. To bring these together in a more cohesive and responsive way would improve practices, generate income in some instances and ensure staff are competent and customer satisfaction is achieved.
- 3.3 Currently, the resources to effect enforcement are spread across many service areas and the Council needs to amend this to reduce the impact of the following:
- Silo working - Evidence of service areas working collaboratively can be improved. There needs to be a consistent approach and greater opportunities to share experiences to enhance the collective experience.
 - Competence - Staff not adequately trained or supported therefore providing an unsatisfactory service to complainants, victims, perpetrators, and partners.
 - Reputational Risk – The Council needs to reduce the risk of criticism for the way in which individual issues are handled, mistakes being made, appropriate action not being taken. All of which lead to poor service delivery, complaints going unanswered, risk assessment not being completed.
- 3.4 The 2017/18 Budget, allowed for the additional cost of this post (as an increment to an existing position holder) together with an increase in enforcement income (£20,000).
- 3.5 A Corporate Enforcement Team (CET) would be a valued resource which would not only improve communication between service areas, improve competence, improve efficiency, reduce pressure on service areas, improve outcomes for staff, victims and perpetrators but have the potential to generate income.
- 3.6 A CET would be established through existing staff without the need to change management structures or individual job roles and responsibilities. There is already a structure in place which could facilitate the way in which the CET is tasked. Where possible the team would be located in close proximity, but would recognise other service commitments/obligations of the members of the CET.

3.7 The CET would cover the following key service areas:

- Community Safety
- Housing
- Environmental Health
- Street Inspections (incorporating early presentation and fly-tipping)
- Planning Enforcement
- CCTV.

3.8 All members of the CET would receive appropriate training, which has already commenced in some areas. They would remain under their current management arrangements but would work closer together with other officers in the CET. Where practicable all Enforcement officers would be located within the same area to facilitate learning.

3.9 The benefits of the CET are as follows:

- a more targeted use of resources,
- better information sharing,
- potential to generate income,
- improved customer service,
- better outcomes for victims,
- more support and development of staff,
- a reduction in Crime, Disorder, ASB and other community safety issues,
- effective partnership working with both internal and external partners,
- Improved fear of crime and community tensions
- reduced reputational risk to the Council

3.10 Key to early success will be Community Safety Accreditation – with officers being able to issue FPNs for a range of offences including Community Safety, Housing, EH, Depot, CCTV, and Community Services.

3.11 The General Manager Corporate Enforcement, would report directly to the Chief Executive.

4. Issue, Options and Analysis of Options

- 4.1 To do nothing is not an option and the option proposed provides the best outcome for the Council and its residents.

5. Reasons for Recommendation

- 5.1 The organisation needs to adapt its structure to support changes in circumstances and its aims.

6. Consultation

- 6.1 None.

7. References to Corporate Plan

- 7.1 The vision of Transformation includes an action to improve the Council's structural arrangements, leading to faster, more effective decision-making.

8. Implications

Financial Implications

Name & Title: Jacqueline Van Mellaerts Financial Services Manager (Deputy S151 Officer)

Tel & Email: 01277 312 829 / Jacqueline.vanmellaerts@brentwood.gov.uk

- 8.1 The financial implications have been set out in the report. The 2017/18 budget has allowed for any additional costs required, and creating a Corporate Enforcement Team will help reach the projected savings of Enforcement income of £20,000 included in the 2017/18 budget.

Legal Implications

Name & Title: Daniel Toohey, Monitoring Officer & Head of Legal Services

Tel & Email: 01277 312500 / daniel.toohey@brentwood.gov.uk

The setting up of a coordinated team of officers managed by a dedicated manager will greatly improve the effectiveness of enforcement activity and the consistency of instructions to the Council's Legal Service when taking enforcement action. Generally, this will enhance the Council's ability to meet and/or police the relevant statutory standards.

9. Background Papers

- 9.1 None

10. Appendices to this report

None

Report Author Contact Details:

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28th June 2017

Environment & Enforcement Committee

Update on Neighbourhood Action Team

Report of: Dawn Taylor – Business Support Services Manager

Wards Affected: All wards

This report is: Public

1. Executive Summary

- 1.1 At the Environment & Housing Management Committee on 9th March 2017, it was reported that there had been an investment in Front Line Services to resource a team to assist with clearing fly-tips and hence allowing the Neighbourhood Action Team to return to working on requests from Members within their wards on a 15-week cycle.
- 1.2 The Neighbourhood Action Team has been working on Members ward requests since 3rd April 2017, and has nearly completed the first 15 week rota. The new rota commences Monday 17th July 2017 in Brentwood North (see Appendix A).

2. Recommendations

- 2.1 **Members to agree the arrangements for the Neighbourhood Action Team, and agree to actively participate in submitting on the request template to nats@brentwood.gov.uk two weeks prior to the team being in their ward.**

3. Introduction and Background

- 3.1 The work is on top of the daily scheduled work currently carried out by the Grounds and Street cleansing teams, and will enhance existing features and assets.
- 3.2 The new Rota will be circulated to all Members and Parish Clerks for them to note the week that the team will be in their ward. Parish Councils, resident groups, and residents should highlight any areas that they feel need attention to their Ward Member who will then collate and forward their requests to Officers.

- 3.3 Work schedules for the Wards will need to be forwarded to the Depot team two weeks prior to the team being in that ward in order for works to be scheduled in as they will involve a Supervisor checking requests, i.e. ensuring not on private land etc. Members will be advised of any tasks that are unsuitable for the team. Depending on the work load of the team please list your requests in order of priority. Ward Members within larger wards will need to liaise with each other on the requested work for their ward.
- 3.4 The Members Request system will still be available for requests that need to be dealt with prior to a wards scheduled week where appropriate, i.e. reporting of fly-tips, issues with collections, graffiti removal etc.
- 3.5 Members are requested to forward their requests to nats@brentwood.gov.uk email address and use the request template to advise officers of tasks they would like the team to undertake (see Appendix B).

4. Issue, Options and Analysis of Options

- 4.1 By Members submitting tasks on the request template to Officers in a timely manner will ensure that officers are able to check the tasks fully, and schedule them into the work rotas. This will then enable the Neighbourhood Action Team to undertake tasks/jobs within specific wards as requested by Members.

5. Reasons for Recommendation

- 5.1 The Neighbourhood team will enhance the work of the operational teams, and it will be an opportunity for Ward Members to liaise with Officers giving them details of hotspots that need attention within their wards. The work carried out should create a visual impact within wards making Brentwood a cleaner and greener place for all to enjoy.

6. References to Corporate Plan

- 6.1 The approval of the recommendations will benefit the street scene and environment. The Council is committed to providing an efficient, cost effective and responsive Street care service to residents aimed at keeping our street clean and creating a clean, green and sustainable environment to make the Borough an even better place to live, work and visit.

7. Implications

Financial Implications

There are no direct financial implications arising from this report. Members should note that in the Budget report 1 March 2017, an £80,000 growth was included in the base Budget for 2017/18 and future years for the Neighbourhood Action Team.

Name & Title: Jacqueline Van Mellaerts, Financial Services Manager
Tel & Email: 01277 312 829 jacqueline.vanmellaerts@brentwood.gov.uk

Legal Implications

Name & Title: Daniel Toohey, Head of Legal Services and Monitoring Officer
Tel & Email: 01277 312860 daniel.toohey@brentwood.gov.uk

There are no legal implications arising from this report.

Other Implications (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

7.1 None

8. **Background Papers** (include their location and identify whether any are exempt or protected by copyright)

None.

9. **Appendices to this report**

- Appendix A - Neighbourhood Action Team Rota (Commencing Mon 17th July 2017 to week ending Fri 27 October 2017)
- Appendix B – NATs work request form

Report Author Contact Details:

Name: Dawn Taylor, Business Support Services Manager
Telephone: 01277 312668
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Appendix A

Neighbourhood Action Team

Rota (Commencing Mon 17th July 2017 to week ending Fri 27 October 2017)

Ward Rota	Member	Member	Member
Brentwood North (Week 1) Mon 17 July – Fri 21 July	Cr Mynott	Cr Fulcher	Cr Slade
Brentwood South (Week 2) Mon 24 July – Fri 28 July	Cr Morrissey	Cr Barrett	Cr Wiles
Brentwood West (Week 3) Mon 31 July – Fri 4 August	Cr Chilvers	Cr Newberry	Cr Russell
Brizes & Doddinghurst (Week 4) Mon 7 August - Fri 11 August	Cr McCheyne	Cr Parker	Cr Poppy
Herongate, Ingrave & West Horndon (Week 5) Mon 14 August - Fri 18 August	Cr Squirrell	Cr Murphy	
Hutton Central (Week 6) Mon 21 August - Fri 25 August	Cr Faragher	Cr Kerslake	
Hutton East (Week 7) Tues 29 August - Fri 1 September (Bank Hol Mon 28 August)	Cr Sanders	Cr Hossack	
Hutton North (Week 8) Mon 4 September – Friday 8 September	Cr McKinlay	Cr Trump	
Hutton South (Week 9) Mon 11 September – Friday 15 September	Cr Hirst	Cr Reed	
Ingatestone, Fryerning & Mountnessing (Week 10) Mon 18 September – Fri 22 September	Cr Hones	Cr Bridge	Cr Cloke
Pilgrims Hatch (Week 11) Mon 25 September – Fri 29 September	Cr Aspinell	Cr Davies	Cr Kendall
Shenfield (Week 12) Mon 2 October – Fri 6 October	Cr Pound	Cr Rowlands	Cr Tumbridge
South Weald (Week 13) Mon 9 October – Fri 13 October	Cr Coe		
Tipps Cross (Week 14) Mon 16 October – Fri 20 October	Cr Middlehurst	Cr Keeble	
Warley (Week 15) Mon 23 October – Fri 27 October	Cr Barrell	Cr Clarke	Cr Hubbard

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Nat's works request form

Ward
Date

Job No (office)	Location	Description of works	Highway Yes/No	Parish Land Yes/No	Photo attached Yes/No	Approved Yes/No

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28th June 2017

Environment & Enforcement Committee

Recycling Road Shows and Campaign Update

Report of: Dawn Taylor – Business Support Services Manager

Wards Affected: All wards

This report is: Public

1. Executive Summary

- 1.1 This report is to notify Members of the forthcoming Recycling events planned for the summer period. Officers will raise awareness of recycling by answering questions, providing advice and handing out rolls of recycling sacks and food waste bags to residents.
- 1.2 To support the Love Essex 2017 campaign (made up of representatives from 14 Local Authorities from Essex and Essex County Council - (Cleaner Greener Group). Previously the group has undertaken successful Litter Awareness Campaigns working alongside their partners such as MacDonald's, Dominos, Keep Britain Tidy and Essex County Council. This year the group's focus will be on fly-tipping; and primarily regarding raising awareness about the Duty of Care for householders when disposing of their household waste.

This campaign further complements the 'Stop Fly-tipping' flyer produced by Environmental Health, which was delivered earlier this year to every resident with their Council Tax letter.

2. Recommendations

- 2.1 **Members to agree the arrangements for the forthcoming Recycling Road Show events to be held during the summer months of 2017.**
- 2.2 **Members to agree to actively participate in supporting the events and the Duty of Care Campaign.**

3. Introduction and Background

3.1 Officers from Street Scene regularly take their Recycling and Litter Awareness Road Shows to venues within the Borough to promote and raise the profile of recycling as well as encouraging people to take responsibility for reducing litter. The events planned for this summer season are detailed below: -

- Friday 16th June 2017 – 11am – 1pm adj to Chapel High Ruins, High Street, Brentwood
- Friday 14th July 2017 – 11am – 1pm adj to Chapel High Ruins, High Street, Brentwood
- Friday 4th August 2017 - our Recycling stand will be at the Community Services Fun Day at West Horndon – between 11am – 2pm
- Friday 18th August 2017 – our Recycling stand will be at Community Services Fun Day at King Georges Playing Fields – between 11 am – 2pm
- Friday 1st September 2017 - our stand will be at Community Services Fun Day at King Georges Playing Fields between 11am – 2pm

The Love Essex campaign is in the process of being finalised and will run alongside the national Keep Britain Tidy campaign “Crime not to Care”, with a launch date planned for early September 2017. Full details of the campaign and Brentwood Borough Council’s involvement locally will be circulated once finalised.

4. Issue, Options and Analysis of Options

4.1 Through the personal approach of face to face engagement at road shows with residents it is possible to give more targeted information and receive useful feedback from residents, which other communication techniques such as leaflet drops cannot achieve on their own. It gives Officers an opportunity to ensure residents fully understand the Council’s recycling and waste collections and services, and to address any barriers to recycling. It is also an opportunity for residents to stock up on orange sacks and food waste bags to enable them to continue recycling.

- 4.2 The Fly-tipping awareness campaign aims to raise householders awareness that everyone has a “Duty of Care” by law to ensure that only those with an authorised Environmental Agency permits can dispose of your unwanted waste, and that the owner of the waste could be fined up to £5,000 if they have not complied with the “Duty of Care” obligations.
- 4.3 By joining forces with the other Local Authorities in Essex in supporting the Crime not Care Campaign that Keep Britain Tidy are promoting nationally it is hoped that the message will reach more people than undertaking individual campaigns within each area.

5. Reasons for Recommendation

- 5.1 Holding road shows can assist in helping to increase recycling and to encourage a change of behaviour for those who think it is acceptable to drop litter; as well as answering questions residents may have.
- 5.2 To raise residents awareness about Householders “Duty of Care” for disposing their rubbish responsibly.

6. References to Corporate Plan

- 6.1 The approval of the recommendations will benefit the street scene and environment: -
- Focus on reducing waste of all kinds by promoting either re-use or recycling.
 - Run Community clean campaigns to improve neighbourhoods.
 - In partnership with the whole community, we aim to make the Borough an even better place to live, work and visit.

7. Implications

7.1 Financial Implications

Name & Title: Jacqueline Van Mellaerts, Financial Services Manager
Tel & Email: 01277 312 829 jacqueline.vanmellaerts@brentwood.gov.uk

The costs of holding the roads shows will be utilised within existing budgets allocated to the Street Scene Services.

The road shows will potentially reduce the amount of Fly Tipping that occurs in the Borough, therefore reducing the costs and time incurred in responding to the Fly Tips.

The promotion of recycling will also help to reduce the costs of recycling by potentially increasing the income it receives from collecting it.

7.2 **Legal Implications**

Name & Title: Daniel Toohey, Head of Legal Services and Monitoring Officer.

Tel & Email: 01277 312860 daniel.toohey@brentwood.gov.uk

There are no legal implications arising from this report.

7.3 **Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

No additional Health & Safety risks above normal working operations.

8. **Background Papers** (include their location and identify whether any are exempt or protected by copyright)

8.1 None.

Report Author Contact Details:

Name: Dawn Taylor, Business Support Services Manager, Street Scene,

Telephone: 01277 312668

E-mail: dawn.taylor@brentwood.gov.uk

28 June 2017

Environment & Enforcement Committee

Traffic Regulation Orders - Byways

Report of: Dawn Taylor – Business Support Services Manager

Wards Affected: All wards

This report is: Public

1. Executive Summary

- 1.1 At the Environment and Housing Management Committee 9 March 2017, it was recommended that Essex County Council (ECC) was contacted with a view to imposing a temporary Traffic Regulation Order (TRO) on Public Byway 55 – Navestock, Brentwood.
- 1.2 Essex County Council have responded – letter 9 June 2017- and indicated that this option would only be considered to facilitate the removal of fly-tips.

2. Recommendation(s)

- 2.1 That the Committee continue to liaise with Essex County Council in order to seek closure or the regulation of byways.**

3. Introduction and Background

- 3.1 The Chair has requested that the issue of seeking closure or TROs for byways is brought to the attention of the Committee.
- 3.2 ECC were contacted concerning the request for a TRO to be considered for Byway 55. This was as a result of ongoing fly-tipping issues.
- 3.3 Cllr Ian Grundy – Cabinet Member for Highways – responded 9 June 2017 and has indicated that a temporary TRO would be perfectly reasonable for the purpose of ensuring the safety of the public whilst fly-tipping is there and to allow for the safe removal of the material. The duration of the Order would only extend for the period of time it would take

to assess the type of material, what is needed to remove it and the actual removal process.

- 3.4 Further the ECC Highways team has confirmed that the statutory basis for making a TRO to temporarily close a byway is limited to specific provisions contained in the Road Traffic Regulation act 1984. In meeting these conditions, the reasons for the closure must be without any ambiguity and must satisfy entirely the relevant material grounds, in particular the reasoning in relation to S122 of the Act.

4. Issue, Options and Analysis of Options

- 4.1 Fly-tipping is an issue on many of Brentwood's byways, which are proving expensive to deal with as well as being detrimental to the local environment.
- 4.2 The letter from Cllr Ian Grundy – Cabinet Member for Highways – acknowledges that fly-tipping is an increasing problem, which has become particularly apparent at various byways on the Brentwood Borough.
- 4.3 ECC have indicated that the issue of a temporary, or permanent closure, is complex and there would be a number of issues of law to address.
- 4.4 ECC have indicated that they will discuss the feasibility of an Order, which will facilitate the removal of fly-tips, that restricts motorised axled vehicles, without restriction on motor bikes and non-motorised users with the Trail Riders Fellowship in July 2017. ECC Officers will provide further advice after this meeting.

5 Reasons for Recommendation

- 5.1 Members are reminded that fly-tipping is an issue along the rural byways of Brentwood and despite the complications of meeting the legal requirements of regulating byways, Brentwood Borough Council should continue to liaise with ECC, and other groups, to seek resolutions to the abuse of the byways.

6 References to Corporate Plan

- 6.1 The approval of the recommendations will benefit the street scene and environment. The Council is committed to providing an efficient, cost effective and responsive Street care service to residents aimed at keeping our street clean and creating a clean, green and sustainable environment to make the Borough an even better place to live, work and visit.

7 Implications

Financial Implications

Name & Title: Jacqueline Van Mellaerts, Financial Services Manager
Deputy S151 Manager)

Tel & Email 01277 312 829 jacqueline.vanmellaerts@brentwood.gov.uk

7.1 No direct financial implications.

Legal Implications

Name & Title: Surinder Atkar, Planning Solicitor

Tel & Email 01277 312 500 surinder.aktar@brentwood.gov.uk

7.2 A temporary closure order may be made under section 14 (1) Road Traffic Regulations Act 1984 which enables a local authority to make such an order in certain circumstances. In this instance section 14 (1) (c) would apply as it enables such an order for the purpose of enabling the duty imposed by section 89 (1) (a) or (2) of the Environmental Protection Act 1990 (litter clearing) to be discharged.

Other Implications (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

7.3 None

8 Appendices to this report

- None

Report Author Contact Details:

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Members Interests

Members of the Council must declare any pecuniary or non-pecuniary interests and the nature of the interest at the beginning of an agenda item and that, on declaring a pecuniary interest, they are required to leave the Chamber.

- **What are pecuniary interests?**

A person's pecuniary interests are their business interests (for example their employment trade, profession, contracts, or any company with which they are associated) and wider financial interests they might have (for example trust funds, investments, and asset including land and property).

- **Do I have any disclosable pecuniary interests?**

You have a disclosable pecuniary interest if you, your spouse or civil partner, or a person you are living with as a spouse or civil partner have a disclosable pecuniary interest set out in the Council's Members' Code of Conduct.

- **What does having a disclosable pecuniary interest stop me doing?**

If you are present at a meeting of your council or authority, of its executive or any committee of the executive, or any committee, sub-committee, joint committee, or joint sub-committee of your authority, and you have a disclosable pecuniary interest relating to any business that is or will be considered at the meeting, you must not :

- participate in any discussion of the business at the meeting, of if you become aware of your disclosable pecuniary interest during the meeting participate further in any discussion of the business or,
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

- **Other Pecuniary Interests**

Other Pecuniary Interests are also set out in the Members' Code of Conduct and apply only to you as a Member.

If you have an Other Pecuniary Interest in an item of business on the agenda then you must disclose that interest and withdraw from the room while that business is being considered

- **Non-Pecuniary Interests**

Non –pecuniary interests are set out in the Council's Code of Conduct and apply to you as a Member and also to relevant persons where the decision might reasonably be regarded as affecting their wellbeing.

A 'relevant person' is your spouse or civil partner, or a person you are living with as a spouse or civil partner

If you have a non-pecuniary interest in any business of the Authority and you are present at a meeting of the Authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest whether or not such interest is registered on your Register of Interests or for which you have made a pending notification.

Terms of Reference

Environment & Enforcement Committee

The functions within the remit of the Environment and Enforcement Committee (including the operational management of assets which for the sake of clarity also comprises maintenance) are set out below:

- 1) Waste management, refuse collection and recycling.
- 2) Environmental improvement schemes.
- 3) The quality of the public realm, including street services and grounds maintenance.
- 4) Highway matters that are the responsibility of the borough Council (including highway closures under the Town Police Clauses Act 1847) and drainage.
- 5) Public conveniences.
- 6) Cemeteries and closed churchyards.
- 7) Unlawful incursions.
- 8) Operational facilities management (including maintenance) of the Town Hall and the Depot.
- 9) Oversee and monitor the enforcement activities of the Council.
- 10) Environmental nuisance and pollution controls.
- 11) Other miscellaneous powers enforced by Environmental Health.
- 12) Food Safety and Health and Safety.

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