

Report to the Council

Subject: Environment Portfolio

Date: 26 September 2013

Portfolio Holder: Councillor W Breare-Hall

Recommending:

That the report of the Environment Portfolio Holder be noted.

Waste Management

The procurement of the next waste management contract has now passed through the first stage of competitive dialogue. This process took in excess of a week since each contractor participated in a half day interview session with the Council's Project Team. Since then the Team have been answering very large numbers of clarification questions. The deadline for the submission of the first set of bids was 17 September, and the Project Team are now hard at work undertaking a detailed assessment of those bids in order to be able to recommend to Cabinet, at its next meeting, the contractors who should go forward to the next stage. Cabinet will also be asked to consider at that meeting the very important issue of whether the Council's in-house Grounds Maintenance Service should remain as part of the procurement exercise or whether it should be retained in-house.

My Portfolio Holder Advisory Group has been kept fully informed of the status of the procurement and I have welcomed their input into the process to date.

In early October I am scheduled to meet with Essex County Council colleagues in respect of reviewing the Inter Authority Agreement. This is the process by which the Council receives recycling credit and avoided disposal costs in respect of the material our residents recycle. In previous years this has been a relatively low key overview, but with possible changes to collection systems arising through the new waste contract, the review meeting this year is particularly important. I will report back to Members through my next Portfolio Holder report.

Grounds maintenance etc

I was delighted to be invited to lead the award ceremony at the Bobbingworth Nature Reserve (the former Bobbingworth landfill site) on 11 September, when the Nature Reserve celebrated receiving the "Queen Elizabeth II Fields Challenge Award" and also the 2013 "Essex Wildlife Trust Living Landscapes Award". The site has been through an amazing transformation from a landfill site that was causing considerable local environmental damage, to one which residents can use and enjoy and where wildlife has been nurtured and encouraged to develop. I would like to offer my congratulations and thanks to all those officers of this Council, the scheme contractors Veolia, and the other agencies involved in delivering the original clean up and the subsequent development and management of the Reserve.

Environmental Health & Neighbourhoods

I set out below a description of some of the enforcement activity undertaken by the Council's Environment and Neighbourhoods Enforcement Team. This demonstrates

the range and effectiveness of the enforcement activities that the Team undertakes on a day to day basis to protect residents from unreasonable behaviour and the environment from harm.

Noise

At a hearing on 24 July 2013, Ms. Chrissie Holyoak, of 36 Boxted Close, Buckhurst Hill, was fined a total of £150 and ordered to pay a contribution towards the Council's prosecution costs of £500 after being convicted of eight breaches of a Noise Abatement Notice served on her on 4 April 2013. She had pleaded not guilty to all eight offences in relation to playing music at her property on various occasions between 8 April and 20 May 2013, witnessed by the Council's Environment and Neighbourhoods Team. The Magistrates also made a forfeiture order in respect of the equipment used by Ms. Holyoak to breach the noise abatement notice, which had been seized at the property by Council officers on two previous occasions. An Anti-Social Behaviour Order (ASBO) on conviction was also made against Ms. Holyoak, prohibiting her from causing harassment, alarm and distress to others by playing loud music and amplified sounds and from bringing any equipment onto her property capable of causing the statutory nuisance. An interim ASBO had been made by the Court at an earlier hearing. Officers have now witnessed a further four breaches of the noise abatement notice and ASBO. Ms. Holyoak is due to attend court on 22 October 2013 to enter a plea for these incidents. The Council's Housing Management Team are also pursuing proceedings against Ms. Holyoak.

The Kings Oak Hotel in High Beach, Sheesh in Chigwell, and The Sultan in Waltham Abbey have all recently been served with noise abatement notices requiring them to control music and amplified sound at reasonable levels. All these premises had been given warnings and advice in the recent past to avoid causing a noise nuisance. Notices were served after the duty noise officer responded to complaints and witnessed loud music coming from the properties. Similarly, a resident of Fairways, Waltham Abbey, was served with a noise abatement notice on 11 September 2013. The noise team aim to resolve complaints informally where possible, but are statutorily required to serve an abatement notice when satisfied that a nuisance exists or is likely to occur.

Finally, earlier this month the Environment and Neighbourhood Team applied to extend an ASBO served on Mr. D Bicker, of 5 Clifton Road, Loughton. After consideration the Magistrates found that there had been no significant change in behaviour and that all three elements of the original ASBO had been breached since its imposition two years ago. They extended the current ASBO for a period of two years until 13 September 2015. Mr. Bicker is currently being held at Chelmsford Prison after being arrested by the police for allegedly breaching the ASBO. He is due to attend court on 7 October 2013.

Fly-tipping

The Environment and Neighbourhood Team continue to pursue fly-tippers through the courts. Evidence gathered by the Team led to a prosecution in Chelmsford Magistrates Court on 9 July 2013. Mr. Raymond Tunstall, of Fairview Close, Walthamstow, pleaded guilty to an offence of knowingly causing waste to be fly-tipped on land at Burton Road, Loughton. He was fined £300 and ordered to pay the Council's prosecution costs of £1210.

On 16 July 2013 Mr. Andrew Way, of Belvedere Road, Leyton, was fined £250 and ordered to pay the Council's prosecution costs of £1843, which included clear up

costs of £300, after pleading guilty to eight offences in relation to fly-tipped waste on land at the rear of the shops in Loughton Way, Buckhurst Hill.

On 13 August 2013, Ms. Moji Allison, of 472 Limes Avenue, Chigwell, pleaded guilty to the offence of fly-tipping approximately 34 black bin bags of waste on land next to the Yellow Block of flats on the Limes Farm Estate, Chigwell. The Magistrates gave her a 12 month conditional discharge and, taking into account her financial position, awarded a contribution towards the Council's prosecution costs of £150.

Household duty of care

On 23 August 2013 a resident of Higham View, North Weald, received a formal caution for failing in her household duty of care, which led to a small amount of her waste being fly-tipped in a car park in Greensted Road, Ongar.

Failure to co-operate with an investigation into a fly tipping incident led to a prosecution in Chelmsford Magistrates Court on 3 September 2013. Karen Booth, of Winters Way, Waltham Abbey, was fined £400 and ordered to pay the Council's prosecution costs of £184 for failing to respond to a statutory notice served on her under section 108 of the Environment Act 1995, requiring her to supply information in relation to a large quantity of fly-tipped waste on land at the rear of her property. The investigation is on going.

Taxi & Licensing checks

On Saturday 7 September 2013, officers carried out evening checks on taxis and visited a number of licensed premises in Waltham Abbey to check on licence conditions. In general the licensed premises were complying with conditions, but one was found to have an excessive number of gaming machines without the necessary permit. This is currently being followed up.