

Report to the Council

Committee: Cabinet

Date: 29 September 2015

Subject: Environment

Portfolio Holder: Councillor W Breare-Hall

Recommending:

That the report of the Environment Portfolio Holder be noted.

Waste Management

I am pleased to report that the performance of the Council's waste and recycling contractor, Biffa Municipal, has significantly improved and the number of missed collections and customer complaints has fallen. Street cleansing standards are also much better, and we are now concentrating on ensuring that litter bins and relevant street furniture are cleansed to the frequency and standard we require.

As some issues remain to be resolved, for instance with a small number of Assisted Collections, I continue to put pressure on senior Biffa management, specifically the Managing Director and the Commercial Director, to improve their performance further. These efforts will continue until I am satisfied that the service is operating at the standard the Council and our residents expect.

Flooding and Water

Despite the recent inclement weather, there have only been a small number of flooding incidents and these have generally been associated with foul and surface water sewer surcharging. Officers have, however, responded to residents' requests for technical assistance and guidance, as Thames Water's inconsistent and vague policy on addressing habitual sewer flooding is causing immense frustration.

Further to my last Portfolio Holder Report, the resurrected Thames Water liaison meeting, with other local authorities in Essex and Hertfordshire, took place on 20th August. The meeting provided officers with an opportunity to convey to Thames Water the frustration felt by those affected by sewer flooding. Thames Water were able to provide clearer insight into their priorities, and officers are currently waiting for tangible feedback that can be passed on to residents and Members alike.

The number of planning applications being referred to the EDW Team for consultation remains high and, where these involve the discharge of previously stipulated planning conditions, discussions to achieve the desired outcome can be lengthy and convoluted. However, when agreements are reached, especially with those sites that involve the EDW Team needing to grant Land Drainage Consent, the positive impact on the long term reduction of flood risk posed by a new development is very significant.

Private Water Supplies

The first set of statutory notices under the Private Water Supplies Regulations 2009 has been served on the owners/occupiers of one of the horticultural nursery sites. As inspections

continue on these sites, it's likely further notices will be issued. It is hoped that the recipients of the notices will comply but there is a strong possibility that prosecution for failure to carry out the works will have to be taken. This is the first time formal action under these regulations has been taken.

Grounds Maintenance

Work commenced this month on the construction of a new operations depot at Oakwood Hill, Loughton. This facility is designed to house, amongst others, the Grounds Maintenance Service. It is anticipated that Grounds Maintenance will vacate their existing depot at Langston Road early next year, which will allow for the redevelopment of the site for the Epping Forest Shopping Park.

The Summer grounds maintenance programmes have progressed well, meeting the high standards expected by our residents. With the autumn fast approaching, preparations are being made to carry out various landscaping and general estate enhancement schemes across the district, including numerous tree plantings - the Grounds Maintenance Service aims to plant 200 new trees each year to replace those lost, but also to increase the total number to help ensure the special character of the district is maintained.

Community Protection Notices

Environment and Neighbourhood officers have started to issue Community Protection Warnings (CPW) leading to Community Protection Notices (CPN). These new powers were brought into force by The Anti-Social Behaviour Act 2014. CPW/CPN are available for a range of issues that cause a detrimental effect, of a persistent or continuing nature, on the quality of life of those in the locality. If the conduct in question does not change after a CPW has been served, a CPN can be issued that if not complied with can result in a fixed penalty notice (£75) or maximum penalty of £2500 for an individual or £20,000 in the case of bodies.

This new sanction was brought in to replace Litter Clearance Notices, but has potentially much greater breadth of control over a number of issues that cause residents problems, such as the impact from neighbours smoking drugs, noise in the street, waste in gardens, anti-social behaviour, etc. In common with all formal legal action, evidence is required to substantiate the detriment to quality of life, and that this is attributable to the conduct of a specific person or body, but the new law appears to provide greater control over some issues that have been difficult to address under existing laws.

Essex Litter Campaign

Environment and Neighbourhood Officers have been out on litter patrol in High Road, Loughton, as part of a wider Essex litter campaign. Officers handed out cigarette butt pouches to members of the public smoking in the street, but three members of the public were caught littering cigarette butts before officers had an opportunity to warn them. These incidents are currently being followed up, with the offenders being offered the opportunity to pay a FPN to avoid prosecution. Cigarette related litter makes up the majority of littering that officers witness whilst on patrol.

Littering

On 9th July the Council commenced prosecution proceedings against Mr. Mick Drew of Paradise Road, Waltham Abbey, for littering till receipts and a cigarette packet out of his vehicle before driving off. Mr. Drew was sent a Fixed Penalty Notice (FPN) which he failed to pay. Mr. Drew failed to attend at Chelmsford Magistrates Court and the offence of littering

was proved in his absence. The Magistrates imposed a fine of £400 and ordered that he pay the Council's prosecution costs of £256.87 and a victim surcharge of £40.

Noise Nuisance

At a hearing in Chelmsford Magistrates Court on 9th July, Ms. Hines of Caneland Court, Waltham Abbey, pleaded guilty to breaching a noise abatement notice served on her in April 2015. The Magistrates were informed that a complaint of noise nuisance had been received by the Council on 26 April 2016 at about 01.25 hours. The complaint was passed through to the duty noise officer who visited the complainants and between 01.47 and 02.40 hours he heard shouting, screaming, swearing, singing and banging, which was at a level that would have prevented sleep. Ms. Hines was fined £110 and ordered to pay a contribution towards the costs of the prosecution of £200. She was also ordered to pay a Criminal Court Charge of £150 and a victim surcharge of £20.