

## **Minutes of the Meeting of the Cleaner, Greener and Safer Overview and Scrutiny Committee held on 6 December 2016 at 7.00 pm**

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**Present:** Councillors Oliver Gerrish (Chair), Russell Cherry (Vice-Chair), Gary Collins, Roy Jones, Terry Piccolo and Michael Stone

**In attendance:** Steve Cox, Corporate Director of Environment and Place  
Julie Rogers, Head of Environment  
Sue Harper, Interim Head of Environment  
Paul Adams, Principal Licensing Officer  
Grant Greatrex, Sport and Leisure Policy Development Manager  
Luke Love, Strategy, Projects & Operations Manager  
Jim Nicolson, Community Protection Manager  
Daren Spring, Environmental Frontline Services Manager  
Beau Stanford-Francis, Contacts & Business Development Manager  
Carl Tomlinson, Finance Manager  
Charlotte Raper, Senior Democratic Services Officer  
Emma Harrington, Development Manager, Thames21  
Clive Webster, Warden, River Thames Society

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Before the start of the Meeting, all present were advised that the meeting may be filmed and was being recorded, with the audio recording to be made available on the Council's website.

### **18. Minutes**

The minutes of the Cleaner, Greener and Safer Overview and Scrutiny Committee meeting held on 11 October 2016 were approved as a correct record.

### **19. Items of Urgent Business**

The Chair thanked the Interim Head of Environment for her service over the past few months and wished her well for the future as this was to be her last meeting of the Committee. He welcomed the Head of Environment to the role and expressed the hope that the Committee would see lots of her moving forward.

Members were reminded that in March 2016 the Committee had proposed a Members' Working Group be set up to monitor the work undertaken regarding the PREVENT agenda. It had been recommended that the group should consist of a minimum of one Member per Political Group and at present this had not been met. Members were encouraged to contact Democratic Services outside of the meeting if they felt they could take part.

## **20. Declaration of Interests**

There were no declarations of interests.

## **21. Clive Webster and Thames 21 Presentation**

The Warden from the River Thames Society and the Thames21 Development Manager gave their presentation to the Cleaner, Greener and Safer Overview and Scrutiny Committee regarding the efforts of partner organisations and volunteers within Thurrock. The Committee heard what had taken place over the past year and what the aims should be for the year ahead.

The Committee thanked both Clive Webster and Emma Harrington for their presentation, and for the work they have done in Thurrock. The Chair asked what the Council could do to be of most help and how residents could get involved. It was suggested that the Council could employ staff to monitor littering activity on the ground and a network of intelligence could be developed. Local residents could get involved through a number of organisations but Grays Phoenix were especially keen. Thames21 were happy to invest time training local residents but there needed to be a longer term plan; the reality was it was hoped more could be done.

Councillor Jones was keen to learn what response had been received from their work with schools. Members were advised that sessions were run on the water cycle as well as the flow of litter, and as children always seemed fascinated it was hoped they might go home and influence their families. The reality was however that children could only do so much and older generations needed to be involved as well.

Councillor Collins referred to comments around water sampling and queried who was responsible for analysing samples and what the water quality in Thurrock was. The Committee was informed that Thames21 trained Citizen Scientists to test water samples for temperature, turbidity, phosphorus and other chemicals. These trained volunteers were given testing kits and it was their responsibility to take readings and upload the data. The Committee heard that the Thames Tideway Tunnel would make a big difference but the contributory rivers were influential. The situation was improving and there seemed to be increased awareness but there was still far more to be done.

Councillor Piccolo suggested that sometimes local residents could be the best at monitoring their local area so perhaps the Council could introduce a hotline or some option on the website to report issues, but the Committee heard that certain areas with build-up were unseen by the public as they were along tidelines. It was suggested that the Environmental Enforcement teams might be utilised to monitor areas with high levels of food waste. The Thames 21 Development Manager sought clarity regarding the Environmental Enforcement team and whether they were responsible solely for penalty notices or whether they would be responsible for clearing the litter too. Enforcement Officers were responsible for issuing Fixed-Penalty Notices and the clearing of rubbish fell to the street cleaning teams.

The Vice-Chair informed the Committee that he had taken part in one of the litter pick days and had found the experience very rewarding. As he had previously been an unpaid work supervisor for the probation service he wondered whether it had ever been considered to work with probation groups. The Committee heard that it had been an idea once but never happened, however there was also the issue of how to enthuse local residents to get involved; if there were probation groups there it may seem punitive. The Vice-Chair reiterated how rewarding he had found the experience and that it might also be beneficial for those on probation to be working alongside “decent people”, for want of a better expression.

The Chair asked, in terms of hopes to change behaviour, whether there were any particular schemes to link into the work of the Council. It was advised that fixed campaigns would be the best way. The Corporate Director for Environment and Place agreed that the Council should synchronise with organisations such as the River Thames Society and Thames 21, the recent “Bin it” campaign had been a success so there was no reason it should not be broadened to cover the riverfronts and shorelines.

The Committee heard that there was an issue of where to prioritise when arranging picks, as it was important not to spread resources too far. As there was a roughly 50:50 split between tidal deposits and domestic litter the Council would have to focus on littering within Thurrock, as very little could be done to influence the deposits from contributory rivers to the Thames.

## **22. Grays Beach Report**

The Strategy, Projects and Operations Manager presented the report which had been requested by Members following the flooding at Grays Beach over the summer months.

The Chair acknowledged that it was reassuring that action had been taken by Anglian Water, but asked whether Members should be confident that a recurrence at that site was unlikely, and whether there were any other sites which could be at risk that should be monitored. Members were assured that a recurrence would be very unlikely and there were now secondary and tertiary fail safes in place.

Councillor Jones recalled that aside from the technical breakdowns, part of the issue had been the build-up of fly-tipping. He asked whether there were measures in place to prevent similar build ups in future to cause the same problems. The Committee was advised that the site was solely the responsibility of Anglian Water, but the Council would actively monitor the situation in future.

Councillor Stone referred to section 3.4.1 of the report and asked for clarity as to the purpose of the tidal flap. The purpose of the flap was predominately to prevent tidal water entering the facility and coming into Grays Beach. It had been faulty but had since been replaced and additional fail safes added, which meant there were now three tidal flap valves in place.

Councillor Collins enquired what lessons had been learnt, and whether systems were now in place to ensure a faster response in future. The Council now had direct links with colleagues at Anglian Water to liaise with in future in the event of problems arising.

Councillor Piccolo noted the delay in obtaining the Marine Management Organisation (MMO) license and asked whether the Council had looked to the Port of London Authority to speed up the process? The Corporate Director for Environment and Place advised Members that the Council had been under the impression that Anglian Water should obtain the MMO; the lesson had been learnt that the Council should contact the Port of London directly in future as the process was far smoother. He also added that one failing Anglian Water would accept is that there had been no proper inspection / maintenance regime, or the issue would have been spotted sooner. This had been rectified and a regime was now in place.

**RESOLVED:**

**The Committee noted the report.**

**23. Active Place Strategy Update**

The Sports & Leisure Policy & Development Manager introduced the report which gave Members an update of the work undertaken so far and the key findings. The Committee heard that further updates would be brought back as the Strategy evolved.

The Chair referred to the open space assessment in terms of the progress of the Local Plan and highlighted that residents were, quite rightly, protective of the open spaces within the borough. He hoped there would be some commentary on how open spaces might be protected with the Local Plan and future development plans. The Committee was advised that a key issue within the Local Plan was maintaining open spaces, both in terms of green belt and the urban environment.

Councillor Piccolo noted that there was no mention in the report of facilities for off-road bikes, scrambles and the like. This had become a major issue within Thurrock, with two serious accidents and a fatality within the past six months and he felt there should be a suitable place for a bike track identified and put forward within the Local Plan, even as a commercial venture. The idea would be taken on board and the Planning Department were already looking at finding a suitable task. There were issues however as it was considered that many of these individuals who were currently riding these bikes across fields did not have suitable bikes, the appropriate safety equipment or access to trailers to access a commercial site.

The Vice-Chair hoped more footpaths which had become overgrown would be opened up and perhaps the new development at Stanford-le-Hope would allow for these paths to join up to the Country Park. Similarly motorbikes should be kept off these paths to ensure safety. The Vice-Chair also highlighted that boxing was not mentioned within the report. There was a very successful boxing club in

Chadwell-St-Mary which was struggling to stay open and he asked whether the Council might support it. The Committee heard that Thurrock Sports Council ran sessions regarding fundraising and there was also the Amateur Boys' Boxing Association, the Sports & Leisure Policy & Development Manager would happily put the boxing club in contact with the necessary organisations.

Councillor Collins noted his surprise that the twenty-five year lease was coming to an end for Thurrock Harriers and asked whether there were likely to be any problems regarding renewal. Members heard that the Council was working closely with the Harriers to ensure a lease which suited both parties. The bigger issue would be the plan for the Blackshots site as a whole moving forward; but the Council had every intention of supporting athletics moving forward.

Councillor Jones asked what more could be done to encourage communities to transfer assets to charities, and what measures were in place with regards to the future of swimming pools within Thurrock. There was a long and proud tradition of clubs being run by volunteers within Thurrock, but with any volunteer opportunity these volunteers would need support and it was essential to ensure the transition from Local Authority management was as smooth as possible. There was also a need to ensure that if assets were transferred it would not be in favour of one sport to the exclusion of another. The matter of swimming pools within the borough was a far bigger issue; Blackshots pool was fifty years old, and Belhus and Corringham were forty years old. Looking to the future, they would no longer be the type of facilities which encouraged increased participation for families and residents. Swimming pools were a big investment, a 25m, six-lane pool, sports hall and fitness facility would cost in the region of £15,000,000 to build.

Councillor Stone expressed his alarm that Thurrock was in need of swimming pool provisions and could be left with none in the borough. Members were advised that the plan ran until 2035, and there was therefore a need to be looking to the long-term future, to promote and develop facilities. The Active Place Strategy was a real opportunity for step change, whilst the Local Plan was one route for development items would be brought back to Overview and Scrutiny Committees, particularly around the issue of swimming pools in the borough.

The Chair agreed that high aspirations for the borough in the future were important and would welcome reports moving forward.

**RESOLVED:**

**The Committee noted progress on the Active Place Strategy.**

**24. Responding To Unauthorised Traveller Encampments (U/Es) in Thurrock**

The Community Protection Manager presented the report outlining Thurrock's current response to unauthorised traveller encampments and ways to reduce the number thereof.

The Chair welcomed all measures outlined within the report. The Vice-Chair noted that there was no mention of monitoring groups once they had moved onto a site, despite the fact that sites were being filled with rubbish on a daily basis. It appeared nothing was done and then groups moved on with rubbish left for the Council to clear. It was necessary to ensure iconic sites were properly targeted and hardened as groups tended to move on from one site to another in Thurrock.

The Committee was advised that if there were an injunction in place on a site there could be punitive penalties for individuals or groups who set up encampments there. The issue of fly-tipping remained that the Council's service was not 24-hour and it was difficult at times to know how best to respond. The reality was the speed at which encampments were dispersed was crucial. The Community Protection Manager added that there were sites which were left in a reasonable condition and that should be noted. Successful prosecutions were also difficult unless someone was caught in the act of fly-tipping. There was now a more robust approach to the use of Section 61 powers and the Deputy Police and Crime Commissioner was chairing a task and finish group to address the issue directly.

The Vice-Chair referred to the sums of money spent to identify those responsible for fly-tipping at 3am on country lanes and questioned why nothing could be done when the responsible parties were camped on the site where the fly-tipping had taken place. Those responsible had to be held accountable and should not get away with such behaviour. He suggested employing security companies to observe the site to catch them dumping waste.

Councillor Piccolo sought clarity as to whether the use of a Public Space Protection Order (PSPO) would weaken Section 61 powers. Members were assured that a PSPO allowed for Fixed Penalty Notices (FPN) but would not compromise the use of Section 61.

Councillor Piccolo referred to proposals to collect court costs and asked whether, since the date of a court appearance would be known, it would be possible to include an estimate of the clean-up costs too. He also asked whether, if it could not be proven that an individual on an unauthorised encampment was responsible for fly-tipping, they could be challenged regarding a waste-transfer notice, as failure to comply allowed for penalties and seizure of vehicles.

The court cost recovery allowed no dispute about the figure as costs were set and it was necessary to minimise the ability of parties to haggle. The proposal was less about recovering the costs, as the money would not go to Thurrock Council, and more about making Thurrock unattractive to travellers looking to set up unauthorised encampments.

Councillor Jones expressed his opinion that Thurrock had been viewed as a soft touch for too long and he was glad to see this was changing. He recalled an unauthorised encampment at Belhus Park / Lakeside where there was blatant damage upon entry to the site, and those responsible had threatened people then they moved on and continued to do the same. He expressed disgust at how the borough had been treated, especially with human and animal waste left at the

Springhouse Road site. It was good that Section 61 powers were being used more effectively as six or seven days at a site was too long. It was crucial to deliver the message that Thurrock was no longer a soft touch and he expressed appreciation for the efforts made thus far.

The Committee heard that the site at Lakeside had been private land which made it difficult for the Council as they had to work with the landowners, though land owners had far greater powers than Local Authorities. Local Authority timescales were not negotiable; they were set out in legislation. It was also advised that human waste would justify the use of Section 61 and there was now far more clarity surrounding the matter.

Councillor Collins suggested entering registration numbers into the DVLA / police database to see whether vehicles at unauthorised encampments were taxed and/or insured which may make them less likely to continue. He noted that this was a county wide issue and there had been talk of fixed sites and wondered whether anything was being done about this. The Committee heard that the Police had been urged to use their database and more was being done. In terms of the fixed transit sites however encampments being moved on in Thurrock could only be referred to a site within the Borough.

**RESOLVED:**

- 1) That work in hand to seek a number of legal deterrents to those travellers who are responsible for multiple U/Es is expedited.**
- 2) That scope for further cost-effective, proportionate target-hardening, subject to funding, is undertaken.**
- 3) That the contents of this report be noted.**

*Councillor Stone left the meeting at 8.26pm.*

## **25. Environmental Enforcement Report**

The Interim Head of Environment presented the report which gave Members an update on progress since the issue was last brought before Cleaner, Greener and Safer Overview and Scrutiny Committee.

The chair welcomed the fact that the recommendations at the last meeting were being taken forward to Cabinet. He added that he would still like to see a review as to whether the service could be run in house but welcomed the 12 month pilot. Councillor Collins echoed this sentiment.

Councillor Piccolo noted that fines would not be issued to under 18s and asked whether that was a legality issue or a Council made decision, as the college in the town centre might prove an issue in terms of litter. He also referred to section 3.2.4 of the report and the fact that reference to "Grays High Street" should read "Grays Town Centre". He asked for clarity on the 14 day appeal timescale and it was confirmed that anyone who appealed within 14 days would receive extra

time to pay the penalty. He asked whether it would be possible for young children to be rewarded by enforcement officers for putting rubbish in the bin, not only to encourage children but also to add a positive side to enforcement officers, not only FPNs.

The Committee heard that working with young people was very important and it could be possible for such a system to be put in place. The decision not to fine under 18s was not a legal requirement but a Council decision, though it was possible to be reworked in future. It was agreed the report should refer to the town centre as a whole, not just the high street.

The Vice-Chair agreed the decision not to issue FPNs to under 18s did seem to let 17 year olds “off the hook”. He also asked how plans for education would work. Members were advised that the “Bin it” campaign had been successful and it would be similar moving forward. It would be a question of communication, highlighting the work being done and letting people know that they could be penalised.

The Chair agreed that the Committee’s comments regarding ages had been to defend toddlers rather than sixth formers and he was happy to include comments that perhaps 15-17 year olds should be considered.

Councillor Piccolo suggested a trial period whereby the younger groups could be approached and advised that they could be penalised for such behaviour, to make them aware that the Council was conscious of their behaviour and it wasn’t acceptable.

The Chair summarised that there were a range of views so the Committee would advise Cabinet to review alternative options in terms of the ages covered by the policy.

#### **RESOLVED:**

**The Committee noted the report and commented, particularly around the fining of under 18s.**

#### **26. Council Spending Review Update**

The Finance Manager presented the report which gave the Committee an update on the proposals being considered which would affect the environment budget. The Chair addressed the individual proposals which were relevant to the Committee at section 4.2 of the report for clarification:

Trade Waste Year on Year Growth would bring more revenue. Trading grounds maintenance services would bring more revenue. Waste disposal contract negotiations were to obtain the same services at a cheaper rate and not about cutting services.

The Chair then asked, as there was a remaining gap of £1.3million, whether the Committee should expect any further proposals. Members were assured



they should not expect any further proposals at this point in time in respect of 2017/18; but discussions would continue to identify ways to manage potentially through one-off savings. Budget planning would be an ongoing process and there would be further savings in respect of future years but none were coming forward at this point. The Chair expressed that the news was encouraging in terms of the Committee's ability to assess the current proposals.

Councillor Jones asked how the Council compared, in terms of price, with its competitors regarding trade waste offers. Members were advised that the Council's rates were very competitive, that smaller businesses need not pay V.A.T. and the Council had the ability to offer longer contracts than many commercial companies. It was important that the Council remained commercially minded moving forward.

Councillor Jones asked whether there was a timeframe for Business Rate Appeals. The Committee heard that this information was not available to hand, but officers would send a response outside of the meeting.

**RESOLVED:**

- 1) That Cleaner, Greener and Safer Overview and Scrutiny Committee note the revised MTFs position and the Council Spending Review approach and timetable.**
- 2) The Committee commented on the proposals currently being considered within the remit of this committee as generally favourable.**

**27. Fees and Charges Pricing Strategy 2017/18**

The Finance Manager introduced the report which outlined the charges which fell within the remit of Cleaner, Greener and Safer Overview and Scrutiny Committee and would take effect from 1 April 2017.

The Chair sought clarity regarding increased charges surrounding Hackney Carriage Licences, listed on pages 149 and 150 of the Agenda, and the Committee heard that after the original Council Fees and Charges list had been published the Council moved from an annual licence fee to a five-yearly fee in those areas. There had previously been no five-yearly fee and it was agreed that the table should be amended to give an explanation.

The Chair referred to section 12.7 of the report and noted the 60% increase in performance charge at Thameside Theatre and asked what it was likely the impact would be, and whether other options had been explored or whether a phased implantation would be feasible. Members were advised this increase attempted to reflect the actual cost to the theatre and came after comparison with other theatres to bring the Council's rate in line with its competitors. The change would give an increase but not a huge proportion. The Chair expressed his wish that Cabinet think carefully on the matter and if other options were available that

would be favourable to ensure the Council did not “shoot itself in the foot” over what might not be a significant proportion of revenue.

Councillor Collins asked what criteria the charges were based upon. The Committee heard that some areas fell under statutory set figures, prescribed by legislation. Where the Council had discretion it followed a cost recovery model and case law which generally stated that Councils could not charge more than it cost to administer schemes for licenses. Alcohol and Entertainment licensing charges were set within legislation and the Council did not currently recover its costs for providing the service. It was hoped the Government would change this in the future giving Local Authorities greater discretion for cost-recovery.

Councillor Piccolo referred to section 12.4 of the report and stated he was pleased to see that only the middle tariff had been removed and that he appreciated the distinction between commercial and non-commercial operations had been maintained.

**RESOLVED:**

- 1) That Cleaner, Greener and Safer Overview and Scrutiny Committee note the revised fees and charges proposals including those no longer applicable.**
- 2) That Cleaner, Greener and Safer Overview and Scrutiny Committee comment on the proposals currently being considered within the remit of this committee.**

**28. Work Programme**

The Chair advised that a report on Libraries would be added to the Work Programme and asked if Members were satisfied. Members agreed the proposed amendment.

**The meeting finished at 8.59 pm**

Approved as a true and correct record

**CHAIR**

**DATE**

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Democratic Services at [Direct.Democracy@thurrock.gov.uk](mailto:Direct.Democracy@thurrock.gov.uk)**