

**MINUTES OF A MEETING OF THE
ENVIRONMENT OVERVIEW & SCRUTINY COMMITTEE
Town Hall, Main Road, Romford
5 December 2011 (7.00 - 9.00 pm)**

Present:

Councillors Jeffrey Brace (Chairman), John Mylod (Vice-Chair), David Durant, Peter Gardner, Barbara Matthews, Garry Pain and Frederick Thompson

Apologies for absence were received from Councillor Dennis Bull

Councillor Deon-Burton was also present.

Councillor Deon-Burton declared an interest as the site mentioned in the requisition was within his ward.

The Chairman reminded Members of the action to be taken in an emergency.

18 REQUISITION OF CABINET REPORT - HORNCHURCH COUNTRY PARK, SOUTH END ROAD, RAINHAM - PROPOSED INGREBOURNE HILL EXTENSION

The Committee were informed that at its meeting on 16 November 2011, Cabinet had considered a report concerning the proposed extension of Ingrebourne Hill northwards on 32 acres/12.95 hectares of Council owned land within Hornchurch Country Park. The site was just south of Albyns Farmhouse and the extension was in order to provide a more interesting profiled and managed forested/wetland landscape. The extension would generate an income receipt to the Council from a pre-agreed share of the revenues from the deposit of inert material on the land, in association with Ingrebourne Valley Limited (the company), and a saving in Parks Service maintenance.

Cabinet resolved:

1. To agree in principle to the Council:

- Entering into a conditional Option Agreement with Ingrebourne Valley Limited to allow them a secure period within which to seek planning consent and the necessary environmental permits for the proposed inert waste depositing to form the Ingrebourne Hill extension; and within which,
- The Council to undertake public consultation under the requirements of S.123 (2A) of the Local Government Act 1972 concerning interests being granted in respect of public open space.

- The agreement would include an income share between the company and the Council for the deposit of inert waste.
2. To agree in principle that the Option Agreement include a right for the company, once satisfactory planning permission and environmental permits had been obtained and statutory concluded, thereafter within a defined timescale to take a pre-agreed form of short lease for the depositing of the inert waste, together with an obligation to take a pre-agreed form of a 99 year lease from the Council for forestry planting and wetland management obligations when the depositing works are complete.
 3. To agree in principle to the Option Agreement giving the company the right to pass on the forestry planting and wetland management obligations by way of a co-terminus Management Agreement with DEFRA/the Forestry Commission on the payment to it of an agreed dowry from the company, subject to the acceptance of the scheme by the Forestry Commission.
 4. To agree that, once a planning permission has been applied for by the company, the Council initiate statutory consultation in accordance with S.123 (2A) Local Government Act 1972. Any objections received to be reported on at the earliest opportunity for consideration by Cabinet.
 5. To delegate to the Assistant Chief Executive – Legal & Democratic Services, in conjunction with the Property Strategy Manager, the responsibility for the completion of all necessary contractual documentation.

The decision was requisitioned for the following reasons:

- A. To give Members of the Council the opportunity to give detailed consideration of the reasons, rationale and conclusions as advanced in the above proposal.
- B. There were concerns as to the probity of the information presenting in support of logistics, enforcement of agreements and ideology.

A Member commented that the information provided in the Cabinet report regarding insurance would only be valid as far as the company (Ingrebourne Valley Limited) was in existence. This would be a concern if the company was to go into liquidation, and where this would leave the proposed extension and development. Officers explained that Ingrebourne Valley Limited was a reputable company, and had carried out the work on the original Ingrebourne Hill. They had completed work elsewhere and insurance requirements would be met through a policy with an insurance provider.

Officers explained that once the site was completed, it would be handed over to the Forestry Commission to manage on a 99 year lease and would also provide community benefit.

A Member commented that the information which had been provided to Councillors should have been available to the public. Officers explained that the information provided as exempt information within the Cabinet Report, included details relating to the financial or business affairs and in line with the Local Government Act 1972, this could not be disclosed to the public.

The timings of the deposit of inert waste was raised and a Member asked about inspections of the site. Officers explained that geometric surveys would be carried out on the land, on a yearly basis, however this was to assess the volume for the royalty that would be paid to the Council. Other inspections could be carried out at any time; these would include noise conditions, environmental waste permits and the code of practice as set out by the Mayor of London in relation to plant and noise. The Committee were informed that the Environmental Health officers had the powers to impose and enforce decibel ratings on any site.

Members raised concerns about the hours of work and the effect this would have on residents in the area. Officers explained that conditions could be imposed to include that work is carried out over a 5 day week, with timings of 8am to 6pm Monday to Friday. Officers added that the Ingrebourne Hill extension was more remote and that the existing hill was between residents and the proposed extension.

The Committee asked if there were existing relationships with Ingrebourne Valley Ltd. Officers explained that they had contact with the Project Manager, the Clerk of Works and the Site Foreman. Officers added that the company were carrying out building works at the new golf course in Rainham, therefore relationships were in place. The company was very approachable and had provided all information that had been requested. Members discussed at length the details on inert waste and the transportation issues. A Member raised that the current road system around the site was already congested and the increased number of lorries carrying the materials to the site would only cause more congestion.

A member asked if, should the requisition be upheld, conditions be included to take account of the traffic issues around the site. The Committee were informed that they could only determine whether to uphold the requisition or not.

Officers informed the Committee that the possible need for a Traffic Impact Assessment would be considered at the Planning consent stage. Officers agreed that they were happy to pass on the concerns of the Committee to the Head of Development and Building Control.

The Committee discussed the issue of wheel washing of vehicles as they left the site, to prevent the dirt from coming off of the site. Officer explained

that wheel washing was a standard installation. The Environment Agency's contract specified that a wheel wash should be in place at all building sites. It was explained that the company hoped to use any existing equipment that was used for the first part of the Ingrebourne Hill works, including the wheel wash.

After further discussions, the matter was put to the vote.

The proposal that the requisition be upheld (and therefore that the matter be referred back to the Cabinet for further consideration) was LOST (by 6 votes to 1), and it was therefore **RESOLVED**:

That the requisition of the Cabinet decision held on 16 November 2011 not be upheld.

The voting was as follows:

Councillor Durant voted for the upholding of the requisition.

Councillors Brace, Gardner, Mylod, Matthews, Pain and Thompson voted against upholding the requisition.

Chairman