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**MINUTES OF A MEETING OF THE
ENVIRONMENT OVERVIEW & SCRUTINY COMMITTEE
Town Hall, Main Road, Romford
12 March 2013 (7.30 - 9.20 pm)**

Present:

Councillors Jeffrey Brace (Chairman), Barbara Matthews and Linda Trew

Apologies for absence were received from Councillor John Mylod, Councillor David Durant and Councillor Billy Taylor

22 MINUTES

The minutes of the meetings held on 24 January 2013 (Special Joint meeting) and 29 January 2013 were agreed as a correct record and signed by the Chairman.

23 REUSE AND RECYCLING CENTRE CONTROLS

The Committee received a presentation from the Head of Operations at ELWA. The background to how ELWA was set up was explained. The Committee noted that ELWA was established in April 1986 following the abolition of the GLC. There were two elected members from each borough who sat on the board. Councillor Tebbutt and Kelly represented Havering.

ELWA was responsible for the Reuse and Recycling Centres (RRCs) throughout the region and for the disposal of the waste. This was delivered through a 25 year PFI. Shanks Waste Management was contracted to carry out the operation.

The officer outlined the contract arrangements and the committee had a lengthy discussion as to why ELWA Ltd and John Laing Plc. sat between ELWA and Shanks Waste Management. Officers informed the Committee that it was necessary for the limited company to exist, as there was an outstanding debt that sat with them, which included the investment to build the new facilities at the RRCs. With the banking rate as it was, there was no scope for the boroughs to buy out ELWA Ltd and to take on the debt.

Officers explained that the ELWA Board was a legal body and held Shanks to account should there be any breach, with financial penalties and deadlines to put things right if necessary.

The Committee discussed the cost of the disposal of waste and that landfill tax was increasing. In 1996 the cost of landfill tax was £8 per tonne; this went up on average by £1 a year. In 2006 the Government decided that this would increase by £8 a year with a ceiling price of £80. It was noted that the current tax was set at £64 per tonne.

The Committee was informed how the new processes were put in place so that people using the RRCs who did not live in the ELWA region were charged. These charges covered any additional costs of disposal of the waste. It was also explained that as long as people could prove (with either a driving license or council tax bill) that they resided in the ELWA region then they could dispose of their waste at the RRCs free.

Officer stated that following the changes in process there had been a decrease in the waste tonnage of 25% at the RRCs. This equated to almost £1.2 million saving in disposal costs.

The Committee noted that on-going monitoring of how the sites were being used had been carried out. This included more interaction with the public, better signage and improved waste segregation.

24 COLD CALLING CONTROL ZONE

Following a previous meeting of the Committee, the officer had been asked to provide details to the Committee on the Cold Calling Control Zones in Havering.

The officer explained that in 2006 Cold Calling Control Zones and the Cold Calling Protocol were adopted in Havering to encourage agencies to work together to combat doorstep crime and artifice burglary.

The zones were limited to six areas; these were as follows:

- 2 in Gooshays Ward
- 1 in Heaton Ward
- 1 in Elm Park Ward
- 1 in Wennington Ward
- 1 in Mawneys Ward.

The zones were popular with residents within them, the Police and the Safer Neighbourhood Teams (SNT). However the zones had no legal basis and therefore were just a preventative measure.

The Committee was informed that the SNTs would investigate all cold calling regardless as to whether there was a zone or not. The Office of Fair

Trading (OFT) considered that the issue of proportionality was key to determining whether the acts of local authority in relation to Cold Calling Zones are lawful; under the Human Rights Act 1988.

The OFT recommended that the objectives of a No Cold Calling Zone would assist in achieving a crime reduction objective; an identified problem in relation to crime existed, in particular there was evidence of high levels of doorstep crime in relation to a specific geographic area in question; the size of the zone was limited; there was a high concentration of consumers who were particularly vulnerable to exploitation and there needed to be consultation with householders within the area of the proposed No Cold Calling Zone.

The officer explained that often following only one crime, the SNTs ask for a zone to be set up, however since the levels of crime were low, it was difficult to justify their effectiveness. The Committee was informed that each zone cost £3000 to set up, this included signage and staff resource, therefore the zones were not good value for money.

The Committee were informed of other developments that had been successful. These included the Banking Protocol, the Buy with Confidence Scheme, the Bogus Callers Working Group and assistance in the Operation Scaffold with the police. This was operated twice a year, checking on 2-3 wards each day to ensure that all builders working at the time to were properly registered.

In 2008, the Consumer Protection for Unfair Trading Regulations established an offence of “conducting personal visits to the consumer’s home ignoring the consumer’s request to leave or not to return”. Many trading standards services have used this legislation as backing for a door sticker, referred to as a “super sticker”. The sticker would be available to anyone, and it instructed cold callers to leave and not return.

The Committee was informed of future proposals, these included adopting the “super sticker” and distribute as widely as possible. Members asked that they all be sent some to distribute within their own wards. It was proposed that if this scheme was effective then the extension of cold calling zones would be dropped.

The Committee thanked the officer for a very informative presentation.

25 CONSUMER LANDSCAPE PROJECT

The Committee received a presentation from the Chief Executive of Havering Citizens Advice Bureau. In 2011 the Department for Business, Innovation and skills issued a consultation paper on the future of the “Consumer Landscape” in England. The intention was to “transfer National

responsibility for consumer advice, information and advocacy to Citizens Advice (backed by local Citizens Advice Bureaux), with the handover of the Consumer Direct national advice service to Citizens Advice from April 2012”.

In anticipation of these proposals in December 2012, Havering CAB entered into an agreement with Havering’s Trading Standards service to provide consumer advice, information and education. The project had been recognised as an excellent example of a local response to the national policy.

The Committee was informed that the funding came from Trading Standards to set up the joint working, and it was hoped that other boroughs would also carry out the same partnerships. This allowed Trading Standards to carry out more enforcement work and for the CAB to provide a more ‘holistic’ service.

A member asked if Havering worked with other boroughs to share information. The Committee was informed that they looked for the criminal element and would share the intelligence with other Trading Standards and CABs.

The change involved the Havering CAB taking on responsibility for:

- Front line, face to face consumer advice
- Consumer case work (including case work alongside enforcement case) in partnership with Trading Standards
- Co-ordination of local provision for consumer education (including liaison with schools).
- Enhanced liaison and cooperation with trading standards and the local consumer advice partnership

The Committee was informed that the National Citizens Advice consumer service referred cases to Trading Standards if they believed that the consumer was vulnerable, or if the case was too complex for telephone advice. If the case was of a civil nature then it was passed to the CAB Consumer Advice team to deal with it. Any cases received by the CAB with a criminal element were referred to Trading Standards to investigate.

The Committee was shown a number of case studies and how the service had dealt with each case. These included an elderly resident who had contacted the CAB for support in retrieving a £1,128 refund from a large electrical retailer for a TV that was not delivered and installed as promised. The Committee learned that previously Trading Standards would have been unable to support this consumer. The CAB specialist consumer officer was able to look at the case and obtain a full refund for the resident.

The Committee was informed that there was a North East London Project, however officers were awaiting confirmation on the establishment of a Pan London project.

A member asked if companies investigated were ever put on a “black list”. Officers stated that it was very difficult as most people were too vulnerable to act as a witness, however companies were put on a list to investigate and action could be taken against them.

Officers stated that since the partnership was the first in London, they were entering the Consumer Landscape Project into the MJ Achievement Awards 2013.

The Committee thanked the officers for a very interesting presentation.

26 **ADOPTION OF THE LONDON PERMIT SCHEME FOR ROAD WORKS AND STREET WORKS**

The Committee were updated on the cabinet report which had been agreed at Cabinet on 21 March 2012. This was in line with the Council Continuous Improvement Monitoring.

The Committee was informed that the Council had entered into the London Permit Scheme for Road Works and Street Works with a starting date of 1 April 2013. This scheme allowed for greater control over roadworks across the borough and would reduce congestion. Havering were one of the last boroughs to sign up to the scheme however, all London Boroughs had now joined the scheme.

The London Boroughs who had joint the first tranche of the scheme had reported a 10% reduction in the number of roadworks undertaken by utility companies. It was estimated that the scheme had saved £2.7 million in congestion costs across London as a result of better collaboration and more joint working.

The Committee were informed that emergency works still need to be managed, as required.

27 **SERVICE PERFORMANCE AND BUDGETARY INFORMATION**

Following a request by members of the Committee, details of the budget and performance information that were presented to Cabinet was brought to the Committee for members to raise any matters of concern within the Committee's remit.

The officers explained that the indicator on the total number of fly tip incidents fluctuated due to seasonal variances. As the spring was approaching, this figure was expected to be better in quarter three.

The Committee noted the Performance information.

28 **FUTURE AGENDAS**

The Committee discussed the work programme for the future meetings and following an issue raised regarding footway parking, it was agreed that an update on this issue would be brought to the next meeting.

Chairman