

Report to the Council

Committee: Cabinet

Date: 20 December 2016

Subject: Environment

Portfolio Holder: Councillor W Breare-Hall

Recommending:

That the report of the Environment Portfolio Holder be noted.

Waste Management

The new recycling scheme for the Civic Offices is now up and running. Collections of waste, recycling and, separately collected, food waste is now taking place. Over the next month any operational collection difficulties will be ironed out. It is expected that in the New Year the scheme will be extended to the Council's depots in Oakwood Hill, Loughton, and Townmead, Waltham Abbey.

I have previously reported that the Council has been successful in a funding bid to the Department of Communities and Local Government (DCLG). Some of this funding has been used to employ two new members of staff in the Waste Management Team. This has enabled a district-wide survey and evaluation of all blocks of flats, and reviews of collection schedules and types of, and storage arrangements for, waste and recycling containers used in the blocks. These new officers, in conjunction with existing waste officers and Biffa colleagues, have completed the necessary arrangements for the role-out of a Recycling Rewards scheme in 60 flat blocks consisting of circa 1100 flats. The scheme will assist in reducing contamination and increasing recycling. The managing agents of the flat blocks will be contacted, as will local businesses and shops who will work with companies who specialise in "recycling rewards" programmes. I have asked officers to provide more information in the Council Bulletin.

Since vacating Langston Road Depot Biffa have struggled to find temporary storage space for furniture and white goods that are in good condition and could be used by Epping Forest Reuse. I am pleased to inform Members that, in collaboration with Biffa, a new covered storage area for white goods will be established at Biffa's depot in Waltham Cross and, additionally, Biffa is investigating possible storage space for good reusable furniture. Discussion will be held with Epping Forest Reuse to establish a collection regime from these new facilities once the necessary arrangements are in place. To remind residents of the opportunities available for the reuse of items, officers are liaising with Essex County Council and Epping Forest Reuse to arrange a local campaign next year to promote the reuse/recycling of household items that may otherwise end up being disposed of in landfill.

Leaf clearing, including the deployment of additional resources by Biffa, is now underway across the District. If a Member has concerns around heavy leaf fall or would like further information then please contact the Waste Management Team.

Flooding and Drainage

Further to my last report, officers from the Engineering Drainage and Water Team (EDWT) have been successful in their application for an Essex County Council Community Flood

Improvement Grant. In addition, a subsequent grant application was also approved for a site in North Weald where surface water run off affected a number of properties during the recent wet winters. With the funds for both sites totalling over £21,000, work on the design phase can now commence with construction delivery by the Council's Watercourse and Drainage Assets Contractor expected to take place in the fourth quarter (weather permitting!).

The number of new planning applications needing to be responded to from a drainage and flooding perspective continues to increase and forms a significant part of the Team's workload. In line with best practice, officers continue to push for sustainable drainage solutions where appropriate and often need to enlighten agents and architects as to what solutions are currently available. The key to securing long term drainage benefits from new developments lies with early engagement with the professionals involved in the design process, so officers of the team are also involved with the emerging Draft Local Plan.

Pollution at Duck Lane, Thornwood Common

Over a number of years, the EDWT has been liaising with residents living near a scrap yard in Thornwood Common. Residents have complained of strong smells and visual discolouration of the ditch adjacent to Duck Lane that drains into the Cripsey Brook.

The site is licensed under the Environmental Permitting Regulations by the Environment Agency (EA), who is the primary regulator. However, for various reasons the EA has been unable to effect improvements in the operating systems on site and pollution incidents have persisted. Petitions and ongoing complaints have been received by both the Council and the EA. In September this year, on witnessing a Statutory Nuisance, despite the EA being the primary regulator of the site, the Council served a Section 80 Abatement Notice, under the Environmental Protection Act 1990, on the offending company. The company has been given four months to carry out works to ensure the nuisance does not recur. Although the Council will continue to work with both the EA and the company with regards to this matter the Council must be mindful of its statutory responsibilities if a breach of the notice is witnessed after the time given in the Notice for Compliance.

Get Ready for Winter Week

As part of the Government-led Get Ready for Winter Initiative, during the week of 24th October officers from the EDWT and Emergency Planning managed a mobile information point in order to raise the awareness of flooding in certain areas of the District. Like a lot of issues, flooding flows, if you'll excuse the expression, in and out of the public consciousness but the residual risk to communities needs to be continually pushed home in order to make residents as ready as they can be in the event of prolonged wet weather. Members of the public who attended the session welcomed the information that officers were able to impart and it was also a good opportunity to publicise the help and advice that the Council as a whole can offer during times of severe weather and other significant events.

Unauthorised caravan encampments

Without wishing to tempt Fate, at the time of writing there are no unauthorised encampments in the District after a series of encampments in Waltham Abbey, Loughton and Chigwell earlier in the year. A group of traveller caravans that moved from sites in Waltham Abbey and then on to a number of sites in Loughton have moved out of the area after the Environment & Neighbourhoods team obtained possession orders and an interim injunction. A full injunction hearing has been set for March 2017. If the group have not returned in the interim period the Council will not pursue a full injunction.

The Wood Yard, Hoe Lane, Nazeing

JSJ Wood Recycling has stopped operating on the site. However, there is now a new occupier who appears keen to start a new wood recycling operation in the near future. A new waste exemption has been registered with the Environment Agency.

Environment & Neighbourhood Officers are closely monitoring the site and liaising with the EA regarding compliance with waste regulations. The EA are still investigating potential waste offences regarding the use of the site prior to the fire in August 2016, based on evidence obtained by EFDC officers.

Fly-tipping

There has been a noticeable increase in large scale industrial size fly-tipping across Essex, but particularly in Chelmsford, Brentwood and the border of our district with these authorities. Environment & Neighbourhood Officers have recently been investigating multiple skip lorry fly-tips in Willingale. Officers are following up evidence that will hopefully lead to a successful prosecution in due course.

The EA are leading on the investigation of industrial sized fly-tips across Essex, but their resources are extremely stretched with five officers covering this aspect of their work across Suffolk, Norfolk and large parts of our county.

Limited EA resources impacts on the Council's Environment & Neighbourhood team who become involved in the investigation of more serious organised fly-tipping cases and the inspection of sites that have an exemption registered with the EA.

Fly-tipping prosecutions

Mr. Scott Tait was fined £560 and ordered to pay the Council's prosecution costs of £1086.16 (which included the cost of clearing the fly-tipped waste of £477.47) together with a Victim Surcharge of £56, after pleading guilty to failing to comply with his duty of care with regard to some waste he produced whilst renovating a property. The waste was found fly-tipped on a bridleway in Roydon. At a hearing on 13 October 2016 in Chelmsford Magistrates Court Mr. Tait pleaded guilty to failing in his duty of care. He had carried out renovation work at a property in Buckhurst Hill which included the responsibility of disposing of the resulting waste. He had employed a person who had put an advert for clearance services through the door but without checking that the person taking the waste was a registered waste carrier. He also failed to exchange a written description of the waste (a waste transfer note).

Mr. Michael Maughan of Standard Road, Enfield, was fined £150 and ordered to pay a contribution towards the Council's prosecution costs of £150 together with a Victim Surcharge of £20 after he pleaded guilty to depositing several boxes of items in commercial waste bins belonging to a St. Clare's Hospice Charity shop in Loughton. Evidence gathered by the Council's Environment & Neighbourhood team led to a prosecution in Chelmsford Magistrates Court on 27 October 2016. Mr. Maughan pleaded guilty to depositing the waste after the shop had closed.

Retrospective Scooters Limited of Walthamstow was fined £500 and ordered to pay the Council's prosecution costs of £802.48 (which included the cost of clearing the fly-tipped waste together with a Victim Surcharge of £50) after a hearing on 10 November 2016 in Chelmsford Magistrates Court. The director of the company, Mr. Niall McCart, pleaded guilty to failing to comply with the waste duty of care. Fly-tipped waste found on the pavement in

The Meadway, Loughton, led back to the company. The company had carried out some renovation work to their new premises in Walthamstow in early 2016. Prior to arranging a contract with a fully licensed waste removal company Mr. McCart had employed a number of persons to take away the resulting waste but failed to check that the persons taking the waste were registered waste carriers and did not exchange a written description of the waste.