

## **MID DEVON DISTRICT COUNCIL**

### **MINUTES of a MEETING of the MANAGING THE ENVIRONMENT POLICY DEVELOPMENT GROUP held on 22 September 2015 at 2.00 pm**

#### **Present**

##### **Councillors**

R F Radford (Chairman)  
Mrs A R Berry, D R Coren, R Evans,  
Mrs E J Slade, J D Squire, Mrs N Woollatt  
and R Wright

#### **Apologies**

##### **Councillor(s)**

Mrs C P Daw

#### **Also Present**

##### **Councillor(s)**

N V Davey and Mrs G Doe

#### **Also Present**

##### **Officer(s):**

Andrew Jarrett (Head of Finance), Stuart Noyce (Waste and Transport Manager), Gareth Evans (District Officer) and Julia Stuckey (Member Services Officer)

## **24 APOLOGIES AND SUBSTITUTE MEMBERS**

Apologies were received from Councillor Mrs C P Daw.

## **25 PUBLIC QUESTION TIME**

There were no questions from the members of the public present.

## **26 MINUTES OF THE PREVIOUS MEETING**

The minutes of the last meeting of the Group were approved as a true record.

## **27 CHAIRMAN'S ANNOUNCEMENTS**

The Chairman informed the Group that an update from the Car Parking Working Group would be presented to the next meeting.

## **28 MEETING MANAGEMENT**

The Chairman indicated that he intended to take item 10 on the agenda before item 5.

## **29 UPDATE ON THE CHANGES TO THE WASTE AND RECYCLING SCHEME**

The Group had before it a report \* from the Head of Finance updating it on progress with the roll-out of the new collection scheme for the waste and recycling service.

The Waste and Transport Manager outlined the content of the report, explaining the roll-out of boxes and leaflets that had taken place and the reception the scheme had received from the public.

Increases had been seen in the collection of dry recycling and this would have benefits both financially and environmentally.

He further explained that the roll out of the second phase of the scheme had started. A six page leaflet was being delivered to all households along with a blue container for the collection of food waste. The roll out would take eleven weeks to complete.

Discussion took place regarding:

- The landfill site at Broadpath and the longevity of its use;
- Round rescheduling had so far proved successful but further changes may be required when food waste was added to the collection;
- Tonnage was recorded when recyclable materials were sold, rather than on collection;
- To date, recycling tonnages were up and landfill tonnages had decreased;
- The last free collection of garden waste would take place when the blue food waste container had been delivered;
- The value of recyclable materials fluctuated.

The Chairman thanked the officer for the report and requested that a further update be provided in March 2016.

Note: - \* Report previously circulated and attached to the minutes.

### 30 **WASTE EDUCATION AND ENFORCEMENT POLICY (00:22:00)**

The Group had before it a report \* from the Head of Finance regarding a proposed Waste and Recycling Enforcement Policy.

The Waste and Transport Manager introduced the new District Officer to the Group, explaining that this officer had been appointed to assist with the draft and implementation of the policy. He explained that the main aim of the policy was to improve education regarding recycling so that as much material as possible could be recycled.

He informed the Group that every effort would be made to educate the public and that enforcement would only be used as a last resort when people were not recycling at all. A specific procedure had been put in place, including the issue of leaflets, letters and formal notices before a fixed penalty notice would be issued. Legislation to allow this had been in place since 1990 but had not been used by the Authority.

The Officer explained that just a 1% increase to tonnage recycled could generate savings of up to £10k, at no cost to the authority and with benefits to the environment.

Discussion took place regarding:

- Previous research had shown that up to 50% of waste in black sacks could have been recycled;
- Officer time spent dealing with enforcement of recycling would result in less officer time being spent dealing with dog fouling and littering issues;
- Care providers and housing associations should be contacted in order that carers were educated on waste and recycling.

It was **AGREED** that the draft policy be amended to show that:

1. Waste and recycling should not be put out for collection any earlier than 6.00pm the evening before collection and no later than 6.00am on the morning of collection;
2. Cut flowers and house plants could be disposed of in the blue food waste container;
3. Removal of the statement that waste could be put out for collection in 'black sacks provided by the council'.

It was **RECOMMENDED** to cabinet that:

Council approve the following:

- a. That the Waste and Recycling Enforcement Policy, with the following amendments, be adopted -
  - i) Waste and recycling should not be put out for collection any earlier than 6.00pm the evening before collection and no later than 6.00am on the morning of collection;
  - ii) Cut flowers and house plants could be disposed of in the blue food waste container;
  - iii) Removal of the statement that waste could be put out for collection in 'black sacks provided by the council'.
- b. That the level of Fixed Penalty Notice for not recycling be set at £75 with a reduction to £50, if paid within 14 days and where fixed penalty notices were not paid prosecution would be pursued
- c. That power to serve s46 Environmental Protection Act notices be delegated to the Head of Finance.

(Proposed by the Chairman)

Note: - \* Report previously circulated and attached to the minutes

### 31 **PLAY AREAS - RE CONSULTATION AND CLOSURE (00:55:45)**

The Group had before it a report \* from the Head of Housing and Property Services informing members of the latest consultation with parishes, town council's and the public on-line consultation on the future provision of play areas.

The Open Spaces Manager informed the Group that a report had been presented to them on 10 March 2015, informing them of planned consultation with parish and town councils on the future provision of play areas and offering them the opportunity to take ownership. As a result of that report the Group had requested that officers

consult with town and parish council's regarding the future of 27 play areas listed in annex 5 of the report and set up a questionnaire on survey monkey to allow the public to comment on the future of the identified play areas.

The officer explained that 90 of Mid Devon's play areas were located within the parishes of Tiverton, Cullompton, Crediton and Willand; which accounted for 84% of the total number. Taking this into account, arrangements to meet with each of these councils had been made. Consultation with the remaining parishes had been through letters and emails.

Officers had met twice with the Tiverton Town Council's Finance Committee. The Town Clerk had confirmed that at a meeting of the Finance Committee on the 14 September the Town Council had agreed to make a contribution of £18,000 for the maintenance of Tiverton's play areas.

Officers had also met with Cullompton Town Council on one occasion and had received the following points in a letter from the clerk.

- Cullompton Town Council had no objections to the closure of the play areas at Ash Drive and Conifer Close.
- The Council's preference was that the play areas at Cross Parks and Swallow Way should remain open but it had no objections to the closure of any three of the following play areas: Spindlebury, Siskin Chase, Starlings Roost, Chaffinch Drive, Dove Close or Bullfinch Close.
- That Tufty Park and Headweir Road were protected from closure and that the Town Council would work with the authority to upgrade these play areas using Section 106 and Public Open Space monies and grant funding, with the proviso that Mid Devon kept the Town Council informed of what it intended to do.

The Officer confirmed that a meeting had taken place with Willand Parish Council and that clarification had been sought with regard to the lease or ownership of the play areas.

Crediton Town Council had yet to confirm their intentions.

Further feedback had been received from other parishes.

Information regarding the online survey, which had resulted in 490 responses, was provided within the report.

Discussion took place regarding:

- Further consultation was ongoing;
- The legal situation regarding sites that had been funded from Section 106 monies needed to be clarified;
- Possible covenants on land which meant it must be used as open space;
- The future use of land if play areas were decommissioned;
- The length of future lease agreements.

It was **AGREED** that a report be prepared for the next meeting of the Group with recommendations for proposed closures.

Notes: - \* Report previously circulated and attached to Minutes.

### 32 **CYCLING IN THE PARK (01:23:40)**

The Open Spaces Manager informed Members that a complaint had been received from a member of the public stating that signs indicating that cycling was not allowed in People's Park had been removed when the gates were painted and not replaced. Officers were not aware that this was the case but on checking the bylaws had discovered that there was one which stated that 'no person shall ride a bicycle in the park without reasonable excuse'. A sign had subsequently been erected. However since then a number of complaints had been received, as well as some social media coverage, from parents objecting to the fact that they could no longer teach their children to ride a bike in the park.

The Officer asked for Members views on this. Discussion took place regarding:

- The difficulty in enforcing a bylaw;
- The possibility of allowing children to learn to ride by amending the sign;
- If an age range was specified the difficulty in knowing the actual age of a child;
- The fact that the sign must have been missing for up to nine years and only one complaint had been received.

It was **RESOLVED** that Officers be requested to erect signage stating 'no cycling except for young children'.

(Proposed by the Chairman)

### 33 **WILD FLOWER SEEDS (01:37:00)**

The Group had requested that the Open Spaces Manager update them on the possibility of using wild flowers within Mid Devon.

The Officer informed the Group that wild flowers grew best in poor soils and that Mid Devon had very good soil. He explained that grass was very dominant and grew well in good soil, stifling the growth and seeding of wild flowers. In order to sow wild flowers in Mid Devon it would be necessary to remove the top soil from the flower bed which would be labour intensive and would not save money.

It was **RESOLVED** that the Open Spaces Manager investigate the possibility of setting aside land within each of the authorities main public parks for a wild flower bed.

(Proposed by the Chairman)

### 34 **GRASS CUTTING CONSULTATION (01:45:52)**

The Property Services Manager informed the Group that consultation was currently taking place with Town and Parish Councils regarding grass cutting. Devon County Council had previously contracted the Authority to undertake the cutting of grass

verges in the towns and parishes but had removed the funding for the current financial year. It had been agreed that the authority would undertake the cutting for the current year at its own expense but that consultation would take place regarding future years.

Letters \* had been sent to the Town and Parish Councils and some responses had been received.

Final results of the consultation would be reported to the next meeting of the Group.

Note: - \* letter previously circulated and attached to Minutes.

### 35 IDENTIFICATION OF ITEMS FOR THE NEXT MEETING

Fixed Penalty Notices Update  
Performance and Risk  
Draft Budget  
Financial Monitoring  
Play Area Closures  
Grass Cutting Consultation  
Corporate Asbestos Policy  
Car Parking Working Group  
Planning – Waste Storage

(The meeting ended at 4.00 pm)

**CHAIRMAN**