
Environment and Climate Change Committee

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT on Tuesday, 16 July 2024 from 7.00 pm - 8.20 pm.

PRESENT: Councillors Charles Gibson (Substitute for Councillor Hannah Perkin), Carole Jackson, Rich Lehmann (Chair), Charlie Miller, Chris Palmer, Ashley Shiel, Julien Speed, Paul Stephen, Sarah Stephen, Angie Valls, Ashley Wise and Dolley Wooster (Vice-Chair).

OFFICERS PRESENT: Martyn Cassell, Philippa Davies, Steven Gale and Graeme Tuff.

OFFICERS PRESENT (VIRTUALLY): Janet Dart.

APOLOGIES: Councillors Claire Martin and Hannah Perkin.

92 **Emergency Evacuation Procedure**

The Chair outlined the emergency evacuation procedure.

93 **Minutes**

The Minutes of the Meetings held on 13 March 2024 (Minute Nos. 761 - 768) and 15 May 2024 (Minute Nos. 23 - 24) were taken as read, approved and signed by the Chair as correct records.

94 **Declarations of Interest**

No interests were declared.

95 **Tree Maintenance Policy 2024 - 2028**

The Green Spaces Amenities Officer introduced the report as set out in the agenda papers. He outlined the proposed changes to the Tree Maintenance Policy 2024 – 2028 as highlighted in Appendix I to the report. The Green Spaces Amenities Officer explained that Appendix II to the Policy had been removed (this had been a blank tree inspection template).

The Chair invited Members to ask questions and make comments and these included:

- Welcomed the increased tree stock but it was important to consider where the trees were planted, especially in residential areas;
- needed to take into account any pruning that needed to be carried out when trees were protected by a Tree Preservation Order (TPO);
- not happy with the cost implications for residents for any maintenance of trees which impacted their property and which the Council were not proposing to maintain, as set out in section 10 of the Policy;
- more clarification sought on the value of trees as set out on page 13 of the report, and the onus on residents on the maintenance of Council-owned trees when the trees had an impact on the resident's property, such as encroaching roots and overhanging branches;
- welcomed the inclusion of hedgerows within the Policy, as too many had been

destroyed;

- clarification sought on the blocking of sunlight/daylight;
- welcomed the section on what residents could do to help, but also considered that officers should engage with Ward Members in respect of any planned tree planting and tree-related actions within their ward;
- suggested a live tree audit section be added to the Members' Teams channel;
- clarification sought on how the Policy worked with contractors and how work was prioritised, and how the Policy worked with CCTV when issues with trees impacted the effectiveness of CCTV;
- suggested other useful links be added to the end of the document, such as other Swale Borough Council (SBC) policies/strategies; and
- considered there should be more enforcement action against people who took down trees and hedgerows illegally, especially when a new development was being built.

In response, the Green Spaces Amenities Officer said that residents were permitted to prune trees that encroached onto their property, but they needed to be aware of any TPO/Conservation Area restrictions that were in place. He referred to residents' common law right to cut back vegetation encroaching onto their property. He explained that the capital asset value for amenity trees assessment system was used to calculate the monetary value of the Borough's tree stock. The Green Space Amenities Officer spoke on the sunlight/daylight issue and explained that there was information on the Internet on how close a tree should be to a building.

The Greenspaces Manager agreed that more SBC-owned tree information could be made available to Members, and he explained that in the past if there had been an issue with CCTV effectiveness due to overgrown trees, the teams worked together to resolve the issues. Work was prioritised as per the policy, and he added that further links to other useful information could be added to the end of the document.

Councillor Ashley Shiel moved the following amendment: That going forward, officers involved Members in matters relating to trees throughout the borough, such as tree planting (tree location) and consultations, so that Members were engaged with the processes. This was seconded by Councillor Sarah Stephen and on being put to the vote was agreed.

Resolved:

(1) That the Tree Maintenance Policy 2024 – 2028 be approved, with delegation given to the Head of Environment and Leisure to make minor amendments to the policy as discussed and agreed at the meeting.

(2) That going forward, officers involved Members in matters relating to trees throughout the borough, such as tree planting (tree location) and consultations, so that Members were engaged with the process.

96 **Swale Waste and Street Cleansing Mobilisation - agreeing a scope for Scrutiny**

The Head of Environment & Leisure introduced the report as set out in the agenda papers.

The Chair invited Members to ask questions and make comments, and to focus on the

scope and the proposals within the report. Comments included:

- Street cleansing should be included within the waste scrutiny process as there had been an impact on this due to the failure of residential waste collections;
- the scope should be wide, and the timescale should go right back to the tendering/procurement process;
- agreed that there should be no substitutes (for continuity), but concerned about the timeframe of the scrutiny process as it was during the holiday period;
- the scope of the review should be set, but delegation given to the panel to expand it if appropriate;
- a transparent scrutiny process was important, and Members needed to ascertain what went wrong, plus what also went right; and
- suggested votes be recorded when the review was brought back to the Committee.

The Chair requested a show of hands to gauge Members views on whether, instead of the scrutiny review being presented to the 3 October 2024 Environment & Climate Change Committee meeting, an extraordinary meeting be arranged for November 2024 instead. Members agreed with this approach.

The Chair referred to Appendix I to the report – the Waste and Street Cleansing – Scrutiny Review Scope and Members’ comments are set out below:

- It was important to include vulnerable users/assisted collections, how the vulnerable were categorised and how this suited residents’ needs and suggested this was set out under ‘Resources/Staffing’ and ‘Data and rounds’;
- communications on all levels needed to be included;
- information on how well the waste contract staff were trained should be included in the scope;
- it was important that the scrutiny process was cross-party and the process was not a ‘blame game’; and
- suggested there be a dedicated section on the Members’ Team channel for shared documents/information on the scrutiny review.

The Head of Environment & Leisure explained that support would be available to Members during the review from the Policy & Engagement Officer.

The Chair summarised and Councillor Dolley Wooster moved the following amendments:

- That it be agreed that a scrutiny review be carried out that it would be presented to an extraordinary meeting in November 2024;
- that the timescale of the review commenced at the start of the tendering process for the waste contract;
- that the review included both the waste contract **and** street cleansing; and
- that amendments to the scope of the review be permitted as appropriate.

These were seconded by Councillor Julien Speed and agreed.

Resolved:

- (1) That a scrutiny review be carried out and it be presented to an Extraordinary Environment & Climate Change Committee (not the 3 October 2024 meeting).** Post meeting note: the extraordinary meeting would be held on Wednesday 20 November 2024.
- (2) That the scope of the review be agreed and amendments to the scope of the review be permitted as appropriate.**
- (3) That the timescale of the review commenced at the start of the tendering process for the waste contract.**
- (4) That the review included both the waste contract and street cleansing.**
- (5) That the following five members (one from each political party) of the Environment & Climate Change Committee be nominated to form the Scrutiny Panel:**

Councillor Rich Lehmann (Green)
Councillor Dolley Wooster (Labour)
Councillor Julien Speed (Conservative)
Councillor Chris Palmer (Swale Independents Alliance)
Councillor Hannah Perkin (Liberal Democrats)

97 **Forward Decisions Plan**

In response to a question about recommendation (3) in Minute No. 563/01/24 (That moving forward, the Environment Committee goes paperless, with no agendas and minutes, unless a paper copy was requested by a Member, and it be recommended to the Policy and Resources Committee that other committees within the Council did the same.), the Head of Environment & Leisure explained that a report was in draft form and the issue would be added to the next Forward Decisions Plan (FDP). He added that going forward, Work Programmes based on the Corporate Plan and Environment and Leisure Service Plan would inform more of the items on the FDP.

Resolved:

- (1) That the Forward Decisions Plan be noted.**

Chair

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All minutes are draft until agreed at the next meeting of the Committee/Panel