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PUBLIC PROTECTION COMMITTEE

1 August 2011

Present:- Councillor Matthews in the Chair

Councillors Bailey, Mrs Hailstones, Hailstones, Mrs Heesom, Miss Walklate, Welsh, Wemyss and Mrs Williams

Apologies were received from Councillors Barber, Kearon, Olszewski and Robinson.

219. * **MINUTES OF PREVIOUS MEETING**

Resolved:- That the minutes of the meetings of this committee held on 7 June and 14 July 2011 be agreed as correct records.

220. * **AIR QUALITY PROGRESS REPORT 2011**

Consideration was given to a report advising the committee of the findings of the latest Air Quality Progress Report as required by Part IV of the Environment Act 1995.

It was indicated that an assessment of compliance with all statutory air quality objectives for the 2010 calendar year had been undertaken and submitted to DEFRA for appraisal.

The diffusion tube monitoring had shown a general increase in nitrogen dioxide concentrations at all sites where monitoring had been carried out for a number of years. Similar increases had been recorded in neighbouring local authority areas and this was thought, in part, to be due exceptional weather conditions during the winter months which saw increased use of fossil fuels and slower vehicle speeds which affected the dispersion of pollutants.

Exceedences of the nitrogen dioxide annual mean objective had been identified at the following sites:-

- (i) Newcastle Town Centre (including Queen's Gardens)
- (ii) Kidsgrove
- (iii) Madeley
- (iv) Porthill

It was indicated that following approval by DEFRA of the Air Progress Quality Report, a detailed assessment for nitrogen dioxide for the above areas would be undertaken based on data collected for the 2010 Progress Report.

Exceedences of the air pollution objective levels had previously been identified in Newcastle Town Centre and Kidsgrove with the 2010 detailed assessment concluding that it was necessary to declare Air Quality Management Areas (AQMA) in those areas. DEFRA had recommended that the proposed boundaries of the AQMA's be clearly defined by robust methods in response to

which the Council was looking to employ consultants to carry out the necessary works to determine the minimum boundaries of the AQMA's before consultations about their geographical extent started.

Resolved:- (a) That the information be received.

(b) That reports be submitted to subsequent meetings of this committee on the:-

- (i) Final assessment by DEFRA of the Borough Council's 2010 Progress Report.
- (ii) Findings of the Detailed Assessments for areas within Newcastle Town Centre, Kidsgrove, Madeley and Porthill with recommendations for further action.

221. * **ENVIRONMENTAL PROTECTION ACT 1990 SECTION 34 (2A) AS AMENDED BY THE WASTE (HOUSEHOLD WASTE DUTY OF CARE) (ENGLAND AND WALES) REGULATIONS 2005
FLY TIPPING AT THE HULSTONE PUBLIC HOUSE, CHESTERTON**

Consideration was given to a report seeking authorisation for legal proceedings to be instituted in respect of fly tipping on land at The Hulstone Public House, Chesterton by Mr BJG.

Resolved:- That legal proceedings be instituted in respect of the above case of fly tipping.

222. * **CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005 – FIXED PENALTY NOTICES FOR LITTERING**

Consideration was given to a report (and supplementary report) seeking authorisation to institute legal proceedings in respect of littering offences within the Borough.

Resolved:- That legal proceedings be instituted in respect of those case outlined in the officer's report to this committee.

223. * **PROSECUTION OF MT PM OF RESTAURANT S, NEWCASTLE FOR NON-COMPLIANCE WITH THE FOOD SAFETY ACT 1990, FOOD HYGIENE (ENGLAND) REGULATIONS 2006 AND REGULATION (EC) 852/2004**

Consideration was given to a report seeking authorisation for legal proceedings to be instituted against Mr PM of Restaurant S following a routine food hygiene inspection of the premises that revealed a number of contraventions of food safety legislation.

Resolved:- That legal proceedings be instituted against Mr PM in respect of the contraventions of food safety legislation at Restaurant S as detailed in the officer's report.

224. * **STONEBANK LANDFILL SITE INVESTIGATION**

The committee considered a report outlining the findings of an environmental site investigation carried out at Stonebank Tip, Kidsgrove during 2009 under Part 11A of the Environmental Protection Act 1990.

The site investigation work and subsequent assessments had identified contamination although the risk posed to human health from the contaminants across the site was low. No significant works were required to deal with the contamination and the situation was being adequately controlled and managed by the Council.

The work formed part of an ongoing programme of investigations that were taking place on former landfill sites within the Borough.

Resolved:- (a) That the information be received.

(b) That a formal scheme of works be put in place to maintain the vent trench located around the periphery of the Stonebank Landfill Site and that routine inspections be undertaken by Operational Services to ensure compliance.

225. * **DISCLOSURE OF EXEMPT INFORMATION**

Resolved:- That the public be excluded from the meeting consideration of the following item by reason of the likely disclosure of exempt information as defined in paragraphs 1, 2 and 7 in Part 1 of Schedule 12A of the Local Government Act 1972.

226. * **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 – PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS**

(a) Mr CGP

Resolved:- That a formal written be issued regarding future conduct.

(b) Mr II

Resolved:- That a formal written warning be issued regarding future conduct.

**I MATTHEWS
Chair**