
PETITION – ENVIRONMENTAL ISSUES – LINDEN AVENUE, BROADSTAIRS

To: **Cabinet – 7th February 2006**

Main Portfolio Area: **Commercial Services**

By: **Head of Commercial Services**

Classification: **Unrestricted**

Ward: **Bradstowe Ward**

Summary: **To consider the petition submitted and signed by 46 residents of Linden Avenue, Broadstairs in relation to lack of street sweeping and the condition of the highway surface.**

For Information

1.0 Introduction and Background

1.1 A petition was submitted by 46 residents of Linden Avenue on 3rd December 2005 for consideration by the Council. Due to the timing of Council meetings it has been decided to take the petition directly to Cabinet rather than waiting for the next Council meeting on 23rd February (see Annex 2).

1.2 The text of the petition is as follows:

“The undersigned residents of Linden Avenue, Broadstairs, submit this Petition to Thanet District Council as a last resort to demand the provision of environmental services and attention to highways that we pay for in our annual Council Tax charges.

1. The gutters and pathways have not been swept this year. Neither motorised road sweeper nor pedestrian road sweeper has entered the road at all. Weeds abound, litter loiters and we now have the added joy of carpet dumping on the roadside.
2. A request for resurfacing has met with “patching from the Highways Department. Sadly they are not only bad workmen but also short sighted: having completed some poor standard patching they were very choosy in the potholes they worked on.”

1.3 In addition, the covering letter with the petition (see Annex 1) makes reference to the following:

- The lack of a green waste collection for the road
- Decisions made by Kent Council in relation to the choice of other resurfacing schemes
- The call for suggested work to be undertaken by the Environmental Action Programme in August 2005

2.0 The Current Situation

2.1 As the petition and accompanying letter contain details in relation to the management of highways, which was removed by Kent County Council from this authority in April 2005, copies of these have been sent to the Area Manager for Highways in East Kent who is based at Canterbury (see Annex 4). A letter advising that this action has been taken has been sent to the organiser of the petition (see Annex 5). These aspects of the petition are not covered further within the report, except in relation to the comment about the EAP.

3.0 Discussion

3.1 Following the receipt of the petition a detailed inspection of the road has been undertaken. This was undertaken randomly and involved no pre-warnings to the contractor to ensure that normal standards of cleaning were observed.

3.2 At the time of the inspection the street was found to be clean almost completely litter free, and there were clear signs that the road is swept by the contractor on a regular basis. There were signs of small weeds growing in the rougher areas at the edges of the road, and these can sometimes act as a trap for litter, though this was not evident at the time of the inspection. There were signs of detritus arising mainly from the condition of the road, and the loss of small grit from its surface, but this was not excessive. On this basis no urgent action was necessary. However, the inspector made arrangements with the contractor's supervisor to undertake additional cleaning of the road and remove any remaining weeds. To ensure that the observed condition is being maintained, further inspections will take place prior to the date of Cabinet, and if necessary the results of these will be relayed verbally to Cabinet.

3.3 Although this was not mentioned specifically on the petition, the accompanying letter refers to the lack of a green waste collection in Linden Avenue. The green waste collection service covers approximately 26,000 properties in Thanet, out of a total of nearly 60,000 separate households. The Council runs 2 vehicles through SITA and this will be retained once the service is back in-house. However, the vehicles are currently running at capacity and it is not possible to add extra roads to the rounds. On this basis the Council will not be able to extend the service to Linden Avenue without the input of additional funds for a new round to be set up.

3.4 The covering letter also refers to the lack of action to resurface the road under the Environmental Action Programme, following the Council's call for proposals in August 2005. There are a number of factors relating to this that are set out below:

- Linden Avenue does not fall within one of the main focus areas of the EAP. Highway repairs have been undertaken by the EAP but these have primarily been in the Margate and Ramsgate town centres, on the main A road accesses and in Northdown Rd associated with the focus on West Cliftonville. Linden Avenue would not be seen as a prime location for the Council to supplement KCC's highway maintenance function.
- With the removal of the highways partnership some of the emphasis of the EAP has shifted away from highway surface repairs, although collaborative work still occurs with KCC on this. However, investment of EAP funding on this issue is only likely to occur in specific high use and high priority areas.

3.5 On the basis of the above the Council is not proposing any urgent action on cleaning as a result of the petition, but has made arrangements for additional cleaning and weed removal, and will monitor the standards of the work more closely over the next month. The green waste collection cannot be extended to the road under current funding limitations. No specific proposals for resurfacing the road under the EAP will be taken forward, and the highway concerns raised in the petition and letter have been forwarded to Kent County Council.

4.0 Corporate Implications

4.1 Financial

4.1.1 None arising from the discussion above.

4.2 Legal

- 4.2.1 The Council has duties under the Environmental Protection Act 1990 to deal with litter and refuse on streets and other public open spaces. The observations carried out in Linden Avenue do not indicate that this duty is being breached and that a decision not to take immediate action is unlikely to be challenged legally.

4.3 Corporate

- 4.3.1 The issues raised in the petition and letter reflect potentially on the corporate image of the Council, and its wish to provide a good standard of service to residents in Thanet. The Council could take action to supplement work by KCC in relation to highway conditions, but it is considered inappropriate for it to single out Linden Ave for specific attention, without some other factor (such as its importance within the local economy) being present.
- 4.3.2 Similarly with the green waste collection, the basic situation is that we would have to remove a road elsewhere from the scheme to allow Linden Ave to be covered, and it is not considered that this action would be acceptable.
- 4.3.3 Of most concern is the standard of cleaning in the road, as this is a specific statutory duty of the Council. There were problems in Broadstairs more generally over the summer, which are addressed in a separate report, and led to the dismissal of cleaning staff operating in the area. However, the situation is much improved now, and the observed conditions do not warrant urgent or special action on this road, which does not stand out in terms of condition from any other road in the area. However, in the short term the contractor has been instructed to carry out additional work in the road.

5.0 Recommendation

5.1 That Cabinet notes the discussion and actions in the report.

6.0 Decision Making Process

- 6.1 All of the actions within the report fall within the policy and budgetary framework of the Council and do not require to be ratified elsewhere.

Contact Officer: Mark Seed, Head of Commercial Services – 01843 577742
mark.seed@thanet.gov.uk

Background Papers

Petition from residents of Linden Ave 3rd December 2005

Attachments

- Annex 1 Letter from Mr & Mrs Wren accompanying petition (hard copy only)
Annex 2 Letter to Mr & Mrs Wren from the Corporate Programme Manager acknowledging petition
Annex 3 Response from Mr & Mrs Wren to the Corporate Programme Manager (hard copy only)
Annex 4 Letter to KCC from the Head of Commercial Services
Annex 5 Letter to Mr & Mrs Wren from the Head of Commercial Services
Annex 6 Letter to Mr and Mrs Wren from the Corporate Programme Manager

Date: 20 December 2005
Our ref: SJC/council/petitions/linden
Your ref:
Ask for: Miss Sharon Corke
Direct Dial: (01843) 577203
Direct E-mail: sharon.corke@thanet.gov.uk

Mr & Mrs Wren
Linden Cottage
11 Linden Avenue
BROADSTAIRS
CT10 1HR

Dear Mr and Mrs Wren

**PETITION: ENVIRONMENTAL AND HIGHWAY SERVICES – LINDEN AVENUE,
BROADSTAIRS**

I acknowledge receipt of the petition in connection with environmental and highway issues in Linden Avenue, Broadstairs which has been passed to me by the Chairman of the Council to respond on his behalf. Please accept my apologies for the delay in replying.

It is usual practice for petitions to be presented at meetings of the full Council when there is provision for a verbal statement to be made in support of the petition. Unfortunately however I received your petition too late to be included on the agenda for the meeting held 15th December 2005.

The next meeting of the Council will not be held until 23rd February 2006 and in view of this timescale I wonder if it would be preferable to present the petition direct to the next meeting of the Cabinet on 7th February 2006, although the provision to speak on the petition will not apply.

If I do not hear otherwise from you by 6th January 2006, I shall proceed with this course of action and advise you of progress in due course.

Yours sincerely

Corporate Programme Manager

COMMERCIAL SERVICES

Date: 23rd December 2005
Our Ref: MS/ Members
Your Ref:
Ask For: Mark Seed
Direct Line: (01843) 577742
E-mail: mark.seed@thanet.gov.uk

Mr Matthew Sims
Area Manager
Kent Highway Services
Beer Cart Lane
Canterbury
CT1 2NN

Dear Matthew

Petition from Residents of Linden Ave, Broadstairs

I have enclosed a copy of a petition that the Council has received from the residents of Linden Avenue.

The Council is addressing the issues in relation to street sweeping and green waste collections, and I attach a copy of the draft report to go to Cabinet on the 4th February on this.

The report has not addressed the issue of highway repairs, and I have advised the organizer of the petition that this element has been transferred to yourself for action and a response.

Please can you advise the residents of how the petition will be dealt with and what action, if any, is proposed.

Yours sincerely

Mark Seed
Head of Commercial Services

Thanet District Council
P.O.Box 9
Cecil Street, Margate
Kent, CT9 1XZ.

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Head of Commercial Services – Mark Seed

COMMERCIAL SERVICES

Date: 23rd December 2005
Our Ref: MS/ Members
Your Ref:
Ask For: Mark Seed
Direct Line: (01843) 577742
E-mail: mark.seed@thanet.gov.uk

Mr and Mrs Wren
Linden Cottage
11 Linden Avenue
Broadstairs
CT10 1HR

Dear Mr and Mrs Wren

Petition - Linden Ave, Broadstairs

I have been forwarded a copy of the petition that you have submitted on behalf of 46 residents of Linden Avenue, and I am currently preparing a report to go to the 7th February Cabinet as indicated in the recent letter from Sharon Corke.

However, the petition makes significant mention of highway concerns and the need for resurfacing the road. Your covering letter acknowledges that the County Council is responsible for this service, and though we do administratively collect the Council Tax on their behalf we have no role in providing the highway service and are certainly not answerable for the standards of their work. KCC made a specific decision to remove this service from all district council's in Kent, and Thanet has not retained any staff to provide or monitor highway services. This is the same as for other KCC services such as education or social services.

On this basis the draft report mentions the highway element of your petition but only to indicate that this element of your concerns has been forwarded to KCC for action and response. On this basis I have already sent a copy of your petition to:

Mr Matthew Sims, Area Manager, Kent Highway Services, Beer Cart Lane, Canterbury, CT1 2NN

I am afraid that any further issues on the subject of highway repairs should be raised directly with KCC as Thanet is not in a position to respond on their behalf.

Yours sincerely

Mark Seed
Head of Commercial Services

Thanet District Council
P.O.Box 9
Cecil Street, Margate
Kent, CT9 1XZ.

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Head of Commercial Services – Mark Seed

Date: 3 January 2006
Our ref: SJC/council/petitions/linden
Your ref:
Ask for: Miss Sharon Corke
Direct Dial: (01843) 577203
Direct E-mail: sharon.corke@thanet.gov.uk

Mr & Mrs Wren
Linden Cottage
11 Linden Avenue
BROADSTAIRS
CT10 1HR

Dear Mr and Mrs Wren

PETITION: ENVIRONMENTAL AND HIGHWAY SERVICES – LINDEN AVENUE, BROADSTAIRS

I refer to your letter dated 29th December 2005 and am sorry that you have felt the need to write and complain about the way your petition has been dealt with by the Council.

I fully appreciate that you may not have been aware of the procedures available to you to present your petition verbally to the Council. Had I been aware of your petition at an earlier stage I would have advised you of this and explained the procedure to you.

However, petitions must be received by the Council at least ten working days prior to the date of the meeting which in this case would have been Thursday, 1st December; your letter was received by the Chairman on Monday, 5th December following which it was drawn to my attention.

Therefore my letter to you of 20th December offered the most expedient way of dealing with your petition and I am sorry that you feel let down by this course of action.

Mr Mark Seed, the Council's Head of Commercial Services, is preparing a report to the Cabinet meeting on 7th February (not the 6th February as stated in your letter) and I will advise him of your offer to meet at Linden Avenue if he feels this is necessary.

The Cabinet meeting commences at 7 o'clock in the evening and consideration of the matters raised in your petition will be the second item of business on the agenda (after the minutes of the previous meeting). You are welcome to attend the meeting which will be held in the Council Chamber on the Third Floor of the Council offices (next to the Committee Rooms).

The agenda for this meeting will be published on Monday, 30th January and I will send you a copy of the report to be considered by the Cabinet in due course.

Yours sincerely

Corporate Programme Manager

c.c. Mark Seed, Head of Commercial Services