

## COUNCIL MEETING - 24 JANUARY 2017

### AGENDA ITEM 6 - QUESTIONS FROM COUNCILLORS

#### 1. Councillor Duveen to ask the Lead Councillor for Neighbourhoods: Green Bin Collections

A number of residents have contacted me about the legality of the Council introducing a charge for green bin collections. They make the point that when green bins were introduced for garden rubbish they were told in letters from the council that they just needed to pay a fee for the actual bin and the collections would be fortnightly without any additional charge.

Can the Lead Councillor confirm that she has taken a legal opinion on whether the introduction of this new charge is actually legal and is not a breach of contract. Can she share the legal opinion with us.

**REPLY** by Councillor Terry Lead Councillor for Neighbourhoods.

The Green Waste Collection service is a discretionary one. RBC is entitled to charge for the collection of certain types of household waste including garden waste under the Environmental Act 1990 and Controlled Waste (England and Wales) Regulations 2012. Charges for collection should be reasonable. The proposal to introduce a charge for the Service is lawful.

Breach of contract:

An existing resident in receipt of the Service may challenge RBC's decision to introduce a charge for the Service having previously represented that there would be single one-off payment for the container only. However, it is the opinion of our Legal Department that RBC would be able to defend any such challenge on the basis that the power to charge for the Service may not be improperly fettered through the terms of letter of 9/8/2006 (Letter); RBC is entitled as a matter of law to charge residents for the provision of the Service.

Further, the letter is ten years old, and change to the Service during this period is inevitable, particularly in light of the current budgetary pressures on RBC, albeit the Letter does not expressly reserve the right to change the Service.

#### 2. Councillor McGonigle to ask the Lead Councillor for Culture, Sport and Consumer Services:

##### Expanded Polystyrene

Styrofoam is expanded polystyrene (EPS) a petroleum based product. EPS is a probable carcinogen showing links with some cancers and kidney, liver and respiratory diseases.

Many of the chemicals, including Benzenes and Dioxins used in the manufacturing process are highly toxic and leach into food and drinks.

When EPS is burnt for energy or disposal these toxins are released into the environment leading to air pollution inhaled by humans and animals.

Studies on decomposition of EPS state it takes more than 1 million years. Styrofoam containers also contribute greatly to landfill.

The Green Party urges this authority to ban any further use of Styrofoam food and drink containers in all new and existing take-away establishments across the Borough, subject to left-over stocks being used up.

As there are adequate, safer alternatives already in use, would the Council consider implementing this ban.

**REPLY** by Councillor Gittings Lead Councillor for Culture, Sport and Consumer Services.

A review of Street Trading and premises licences in 2016 introduced a standard condition which required "All packaging and utensils for use by customers shall be made of biodegradable or recyclable materials".

The new condition can only be applied to new licence applicants and to date, only two late night refreshment premises have been required to meet it.

Styrofoam whilst recyclable, is not currently recycled by any local waste authority.

The law only allows the Council to vary existing licence conditions where one or more of the licensing objectives are not being met or where the council has the premises' prior consent.

**3. Councillor Pearce to ask the Lead Councillor for Health:  
South Reading CCG**

With the crisis in the NHS deepening and the Government seemingly ignoring it, on a more local level it was reported last year that South Reading CCG was the lowest funded in the UK. Can the Lead Councillor for Health please update me on whether this is still the case and what can this Council and the 2 local MP's do to change this ?

**REPLY** by Councillor Hoskin Lead Councillor for Health.

We are not aware of plans to review the funding formula.

Funding allocations to Clinical Commissioning Groups are calculated nationally using a national formula. The national formula places considerable weighting on the older age group as one of its criteria. The South Reading CCG area has a population which is predominantly young in age and a much lower number of older people when compared with the rest of the country, consequently South Reading receives a lower level of funding than other areas. In my opinion the funding formula takes far too little account of the additional health needs as a result of deprivation. This problem is exacerbated by government cuts of around 10% over three years to the council's public health budget, severely restricting resources available to us to invest in work we would like commence to help prevent ill-health in the most health deprived parts of the town.

This problem of comparative low funding of Reading's health services has been a significant problem for some time but is fast developing into a major crisis for local health services as a result of an unprecedented and sustained spending squeeze on the NHS spending. NHS spending as a proportion of national income (GDP) has fallen from 8.8% in 2009, to 7.5% in 2015 and on current plans will fall to 6.6% by 2021 (source: The King's Fund). This doesn't even consider the impact of the huge government cuts to social care.

It is no surprise then that our local NHS planning area calculates its underfunding by 2020 to approximately half a billion pounds and is currently, largely behind closed doors, planning how to cut health spending when we have already have an NHS in crisis.

Conservative colleagues are fond of explaining in this chamber that there is no choice and that these regrettable spending decisions must be made to balance the books. But this isn't true. The scale of NHS underfunding nationally is considered to be somewhere between £22 and £30 billion pounds by 2020. In contrast the cost of tax cuts (income tax, corporation tax

and fuel duty) will be £41 billion by 2020. Of the £2 billion of income tax cuts planned up to 2020 £1.7 billion will go to the richest half of households with £0.8 to the richest 10% (SOURCE: The Resolution Foundation).

At our October meeting all members of this council, except Conservative councillors, voted for a motion opposing cuts to Reading's NHS services and calling upon Reading's two MPs to join us in that opposition. Furthermore, since that meeting many members of Reading Labour party, including many Labour councillors, have been out and about across our town campaigning for adequate funding for our NHS and calling on our MPs to join this fight. These actions are right and necessary but ultimately we need Reading's MPs and the national government to change direction and put the NHS ahead of tax cuts for big business and high earners.

#### 4. WITHDRAWN

#### 5. Councillor White to ask the Lead Councillor for Children's Services and Families: Children's Services

As everyone knows Reading Council's Children Services were rated inadequate by Ofsted recently. Can the Lead councillor update residents on the letter we have received from Edward Timpson MP, Minister of State for Vulnerable Children and Families, Department of Education, following the review of Children's Services by the Commissioner, Nick Whitfield ?

**REPLY** by Councillor Lovelock, Leader of the Council, on behalf of Councillor Gavin Lead Councillor for Children's Services and Families.

I received a letter from the Minister dated 21 December 2016, to confirm that he had received the Commissioners report from his three-month review on the future of Reading's Children's Social Care Services.

The Minister confirmed that Mr. Whitfield had recommended an extension of the review period until the end of April 2017, which he has accepted, and confirmed that the Direction will remain in effect for that period.

The Minister welcomed the fact that the Council had taken decisive action to appoint a new Acting Director of Children, Education and Early Help Services, on Mr. Whitfield's advice.

Mr. Whitfield will continue to provide support to the Acting Director of Children, Education and Early Help Services and her team over the next four months, and will assess the Council's capability and capacity to sustain improvements in the long term and look at possible alternative delivery arrangements.

At the end of the period, Mr. Whitfield will provide the Minister with his final recommendations on the best way to ensure sustainable improvements in Reading's Children's Social Care Services.

#### 6. Councillor White to ask the Lead Councillor for Strategic Environment, Planning and Transport: Air Pollution Deaths

Air pollution is an invisible killer. In Reading levels of air pollution are too high. Reading's Corporate Plan includes a key action to reduce the number of deaths in over 25s linked to air pollution (PM2.5) to the national average (5.3%). What proportion of such deaths does the Council think acceptable, and when will this figure be reached ?

REPLY by Councillor Page Lead Councillor for Strategic Environment, Planning and Transport.

I thank Councillor White for his question.

The 5.3% figure relates to premature deaths due to air pollution across the country and is from statistics\* published by Public Health England. It is an average for the country including urban and non-urban areas. The figure given for Reading is 5.9%.

Clearly any premature death from poor air is unacceptable but the reality is that Reading, as a built up urban area, has a higher figure than the national average.

Our aim, as set out in our Air Quality Action Plan, is to improve air quality in Reading and in so doing reduce this figure. As the figures were calculated by the Committee on the Medical Effects of Air Pollution, we are reliant on them doing an update on this to be able to track our progress in these terms. We are monitoring air quality, including air particulates at key sites in Reading, so what we are able to say is that reductions in air pollution will reduce the health burden on the local population.

Emissions from transport have been identified as being the main source of air pollution and in response to this a number of measures have been implemented including encouraging people to cycle and walk and the greater use of public transport with the most recent developments being the Mere oak and Winnersh Triangle park and ride facilities, and the Christchurch Bridge.

We are about to deliver the next phase of a dedicated bus route to the south of the town which will eventually link Mere oak with the town centre, and funding has been secured for schemes which will significantly enhance public transport provision in Reading including Thames Valley Park park and ride, East Reading Mass Rapid Transit and Green Park Station.

Reading Buses, which is wholly owned by the Council, has and continues to be at the forefront of technology using low emission buses. The reports to last week's Policy Committee contain an impressive list of Reading Buses's achievements.

Further initiatives have been announced recently by the Council, including a campaign to discourage idling and securing agreement as to the standards of our licenced taxis via the adoption of a new taxi emissions policy.

The Council's Air Quality Action Plan was updated in 2016. There is clearly more we can do to improve and we need partners such as central government, Network Rail and the Highways Agency to help us.

For example, until electrification of the western mainline has been completed, many train services into and out of Reading will continue to rely on polluting diesel trains, the majority of which will be serviced in our local depot with continuing adverse air quality and noise impacts.

This Administration remains committed to implementing a Low Emission Zone (as originally scoped in the Council's Transport Innovation Fund Bid of 2009) but, in the absence of any financial support from this or the previous coalition government, it has proved impossible to take forward.

*\*The Public Health England, (2014). Estimating local mortality burdens associated with particulate air pollution.*  
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7. Councillor Brock to ask the Lead Councillor for Adult Social Care:  
Help for Residents to get Home from Hospital

With the squeeze on NHS and social care funding having an increasing impact on Reading please can the Lead Councillor for Adult Social Care explain what is being done to help residents get home from hospital when they are ready ?

**REPLY** by Councillor Eden Lead Councillor for Adult Social Care.

The best way to stop people being in hospital is for them not to need to go in at all. However, there has been a big increase in the number of people admitted to hospital this year. This is something that Reading Borough Council is working hard to support our town's GPs and the Clinical Commissioning Groups in understanding and tackling. Whether it is a result of changes in the population, the squeeze on health budgets or any other reason it is important to work closely together despite the government's lack of action.

In addition the Council is working with all of its partners in getting people home from hospital as early as possible. The Council has recently allocated additional support from the Occupational Therapy team and reviewed how it operates. The Council and the local health service are in the process of developing plans for an integrated hospital discharge team, which will bring about further improvements.

Reading is not immune from the national scandal that is the neglect of our NHS by this government. The priority is to ensure people do not remain in hospital any longer than they need to and are helped to be supported through our excellent Community reablement team and use of The Willows as a step down alternative to remaining in Hospital. In addition the underfunding of Reading's NHS - such as the fact that South Reading CCG is the least funded in the country - has an impact. It is vital that everyone in this town lets the government know that we've had enough of this and supports our health and care services receiving fair funding.