
EXECUTIVE MEMBER FOR ENVIRONMENTAL SERVICES

A record of decisions made by the Executive Member with responsibility for Executive Member for Environmental Services on:-

26 FEBRUARY 2008

following consideration of the matters detailed below in the presence of:-

Councillor Peel	Executive Member for Environmental
Councillor Sherrington	Services
Councillor Shaw	Executive Member for Cleaner, Greener,
Councillor D. Wilkinson	Safer
Mr. M. Cox	Major Opposition Spokesperson
Mr. P. Molyneux	Minor Opposition Spokesperson
Mr. I. Taylor	Director of Environmental Services
Mr. D. Wagstaff	Assistant Director of Environmental
Ms. V. Mather	Services
Mr. D. Smith	Head of Car Parking
Mrs. S. Bailey	Public Rights of Way Team Leader
	Policy Officer
	Policy Accountant
	Principle Democratic Services Officer

64 MONITORING OF EXECUTIVE MEMBER DECISIONS

The Director of Legal and Democratic Services submitted a report which provided details of the progress of decision taken at previous meetings of the Executive Member.

The Executive Member NOTED the progress of decisions taken at previous meetings of this Executive Member.

Attached Reports:

[Monitoring of Executive Member Decisions](#)

65 HIGHWAY PROPOSALS ASSOCIATED WITH DEVELOPMENT AT GREENVALE WORKS, LOWERE LEIGH ROAD, DAISY HILL.

The Director of Environmental Services submitted a report which sought approval for proposed highway improvements to Lower Leigh Road made necessary by a proposed housing development at Greenvale Works, Daisy Hill utilising an agreement under

section 278 of the Highways Act 1980.

By way of background information, the report advised that planning permission for the erection of 78 dwellings on the site of the former Greenvale Works had been delegated to the Director of Development and Regeneration by the Planning and Highways Committee at its meeting on 10th January, 2008.

Conditions attached to the planning consent required the provision of a pedestrian refuge on Lower Leigh Road with associated footway links.

The proposed improvements were shown in principle on drawing number 317034/04, attached to the report.

The proposed access road to serve the southern part of the site would be the subject of a Section 38 Agreement.

The works would be implemented utilising an agreement under Section 278 of the Highways Act 1980 and would be funded by the Developer.

The Executive Member APPROVED -

The proposed highway improvements to Lower Leigh Road, as shown in principle on drawing LR-4883-02-15, utilising an agreement under Section 278 of the Highways Act 1980, subject to a satisfactory Safety Audit.

Attached Reports:

[Higway Proposals Associated with development at Greenvale Works, Lowere Leigh Road, Daisy Hill.](#)

66 NEW LANE, BRIGHTMET

The Director of Environmental Services submitted a report which commented on the responses received to a consultation exercise in respect of a proposed pedestrian scheme on New Lane, Brightmet.

By way of background information, the report advised the Executive Member that, as a result of the accident record and the perceived high risk to pedestrians crossing New Lane, Brightmet, the area had been identified for action and included in Local Safety Schemes programme 2007/2008.

Local residents and business people had been consulted on the proposals in December 2007 and responses were received from 93 people i.e. 20% of those consulted, and it was clear that the majority of those who replied were in favour of the scheme. A number of concerns had been expressed about some aspects of the scheme and these were detailed and commented upon in the report.

The main features of the proposed scheme included:-

- provision of refuges and right turning 'pockets' in the central hatching; - construction of a pedestrian island in the bellmouth of Thicketford Brow; - provision of on street parking spaces; and - kerb build out in the vicinity of the Pelican Crossing and provision of a bus boarder.

Representatives of Chief Constable, County Fire and Ambulance Officers and Director General of the Passenger Transport Executive had also been consulted and no objections had been received.

Ward members had also confirmed their support for the scheme. The cost of the works would be met from the Highway Capital (Local Safety Schemes) programme.

The Executive Member APPROVED -

The implementation of the measures referred to in the report in relation to the New Lane pedestrian scheme and as shown on drawing No. 932080/04.

Attached Reports:

[New Lane, Brightmet](#)

[New Lane, Brightmet](#)

67 PRINTERS LANE - CREATION OF A PUBLIC FOOTPATH

A report of the Director of Environmental Services was submitted which sought agreement to the creation of a public footpath along the route known as Printers Lane. by way of a Compulsory Creation Order pursuant to Section 26 of the Highways Act 1980. By way of background information, the report explained the importance to local people of the route known as Printers Lane and how a previous claim to add the route to the Council's Definitive Map of Public Rights of Way had previously failed. A report to the Planning and Highways Committee in October, 2007 had explained how public access could be re-instated in the future by way of Compulsory Creation Order.

The report went on to provide details the results of consultation that had occurred since October 2007 and that the issue had also been discussed at the South Turton Forum on 30th January. The following points were raised during the discussion and the local Ward Members collectively agreed that it would be in the local interest to pursue the making of an Order pursuant to Section 26 of the Highways Act 1980:-

- lack of access to Turton High School for pupils;
- lack of access to Bromley Cross Station for passengers;
- the closures of the path prevented people from walking to friends

and family; and

- the alternative route (Rigby Lane) involved a detour of more than a mile, and was an inferior alternative anyway due to the surface condition.

The issue of re-establishing public access was contained in the Council's Public Rights of Way Improvement Plan.

In considering whether or not it was appropriate to make a Compulsory Creation Order, the report raised the following points:-

- Printers Lane was currently an unadopted private road, but would, as public Footpath, become a highway maintainable at the public expense,

- the administrative costs of promoting such an Order were approximately £1200;

- some minor clearance work, along with the signposting of the footpath is expected to cost approximately £300; and

- pursuant to Section 28 of the Highways Act 1980, the landowner was entitled to claim compensation for any loss in the value of his land which was attributable to the making of the Order.

Additionally, the landowner was entitled to claim for any expense footpath. It was not known what the likely future costs in relation to criminal damage might be.

The Executive Member APPROVED -

The creation of a Public Footpath along the footway of Printers Lane, from its junctions with Turton Road, to the Kingfisher Trail on the eastern side of Bradshaw Brook, subject to limited security measures being put in place.

Attached Reports:

[Printers Lane - Creation of a Public Footpath](#)

68 PROPOSED DIVERSION AND STOPPING UP OF PUBLIC FOOTPATHS 12 AND 13, LITTLE LEVER

The Director of Environmental Services submitted a report which sought agreement to the diversion of a Public Footpath 12 Little Lever and the stopping up of Public Footpath 13 Little Lever to enable development to take place, pursuant to planning permission 74765/06

The report explained that the Council was in receipt of an application to divert and stop up footpaths which were currently located in the vicinity of the Bradley Mills site in Little Lever, pursuant to Section 257 of the Town and Country planning Act 1990. The purpose of the application was to divert Public Footpath 12 Little Lever and to stop up Public Footpath 13 Little

Lever to enable the development of a housing estate by Wain Homes.

A plan 301056/1 was attached to the report which showed the proposed layout of the housing estate and both the current, lines of Public Footpaths 12 and 13 Little Lever, and the proposed diversion line for public footpath 12.

The proposals had been discussed with, and had the approval of, the Ward Members for Little Lever, the Council's Footpath Liason Group and officers in both Highways and Engineering Delivery Services and Legal Services Sections.

The costs for promoting a Footpath Order were approximately £1,200. This sum had already been received from Wain Homes Ltd. Both the diversion of footpath 12, and the stopping up of footpath 13 could be done on the same Order Section 257.

The Executive Member APPROVED –

The Diversion of Public Footpath 12 Little Lever and the Stopping Up of Public Footpath 13 Little Lever to enable development to take place pursuant to Planning Permission 74765/06

Attached Reports:

[Proposed Diversion and Stopping Up of Public Footpaths 12 and 13, Little Lever](#)

[Proposed Diversion and Stopping Up of Public Footpaths 12 and 13, Little Lever](#)

69 PUBLIC RIGHTS OF WAY IMPROVEMENT PLAN 2007/2012

The Director of Environmental Services submitted a report which put forward the Public Rights of Way Improvement Plan 2007-2012.

The report advised the Executive Member that the Council, together with other Highway Authorities, had a duty under Section 60 of the Countryside and Rights of Way Act 2000 to publish a Rights of Way Improvement Plan.

Following a widespread consultation, the Council had produced a Draft Rights of Way Improvement Plan which had been the subject of a consultation exercise. Comments received had been assessed and, where suitable, incorporated into the final plan.

The 2007/2012 Plan was attached to the report which outlined the way in which the Council would manage its network of Footpaths, Bridleways and Restricted Byways to meet the current and projected future needs of the public. It was noted that in producing the document and planning for future needs, specific

regard had been given to the needs of people who were blind or partially sighted, or had mobility problems.

The key themes of the improvement plan included:-

- creating a safe joined up network of off road routes; - improving accessibility to the network; - encouraging greater use leading to better health and enjoyment; - improving accessibility to services and destinations; - improving publicity, public awareness and signage; and - improving communications with landowners.

The final plan, once approved, would be inserted into the Greater Manchester Local Transport Plan (LTP).

The estimated costs for implementing each of the proposals within the plan were contained in the tables at the back of the plan. It was envisaged that the majority of funding would come through a bidding process to the LTP, but where possible, other sources of internal and external funding will be investigated.

The Executive Member APPROVED -

The Rights of Way Improvement Plan 2007-2012, as now submitted, its submission for insertion into the Greater Manchester Local Transport Plan.

Attached Reports:

[Public Rights of Way Improvement plan 2007/2012](#)

[Public Rights of Way Improvement plan 2007/2012](#)

70 BURY ROAD, BOLTON ROUTE MANAGEMENT OBJECTIONS

A report of the Director of Environmental Services was submitted which outlined the response received to a consultation exercise undertaken regarding a proposal to introduce traffic management measures on Bury Road.

The report advised that a proposal to introduce traffic management measures on Bury Road, between Milnthorpe Road and Bradford Street was included in the Highways Capital (Local Safety Schemes) Programme. The scheme included the provision of central hatched markings and turning pockets, advisory cycle lanes and a number of pedestrian refuges.

Local residents and business people had been consulted on the proposals and, although the overall response was low, the majority of those who replied were in favour of the scheme. A number of concerns had been expressed about some aspects of the scheme and these were detailed and commented upon in the report.

Representatives of the Chief Constable, County Fire and

Ambulance Officers and Director General of the Passenger Transport Executive had also been consulted. The representatives of the Chief Constable, County Fire and Ambulance Officers and Director General of the Passenger Transport had no objections to the scheme. The representative of the Director General of the Passenger Transport Executive had, however, requested that the features should not interfere with the existing bus stops so that they would have to be re-located.

Ward Members had also been consulted on the proposals and full details of their views were provided in the report.

The scheme was intended to reduce traffic speeds to reflect the prevailing speed limit and enhance the safety of all road users. It was acknowledged that there could be some congestion during the peak periods due to the volume of traffic but overall there was expected to be an improvement in the current situation.

The total estimated cost of the scheme was £60,000 which would be funded from the Highways Capital (Local Safety Scheme) budget. If approved, the scheme would be implemented in conjunction with the major resurfacing scheme on Bury Road, which was programmed to begin towards the end of the current Financial Year.

The Executive Member APPROVED -

The implementation of the traffic management measures on Bury Road, as detailed in the report now submitted.

In accordance with Article 5 of the Council's Constitution this decision was called in by Councillor Shaw for consideration by the Environmental Services Scrutiny Committee.

Attached Reports:

[Bury Road, Bolton Route Management Objections](#)

71 TRAFFIC MANAGEMENT ACT 2004 - PART 6

A report of the Director of Environmental Services was submitted which:-

- a) outlined and introduced the new requirements in relation to parking enforcement by Part 6 of the Traffic Management Act 2004; and
- b) requested the Executive Member to approve various recommendations to enable the Council to implement the changes.

The report reminded the Executive Member that the Council had assumed responsibility for Decriminalised Parking Enforcement on 4th September 2000 and that parking enforcement was presently

governed by the road Traffic Regulation Act 1984 and the Road Traffic Act 1991.

The introduction of Part 6 of the Traffic Management Act (TMA) on 31st March, 2008 would result in a number of changes to the enforcement process, full details of which were provided in the report.

The objective of the TMA was to make parking enforcement more transparent and consistent throughout the country.

The report went on to summarise the main changes, issues and implications arising from Part 6 of the Act and sought to implement changes to current practices in order to comply with the Act.

The Executive Member APPROVED -

- **The implementation of the Traffic Management Act 2004, as detailed in the report now provided;**
- **the level of Penalty Charges in respect of Civil Enforcement be set at £70 for Higher Level Contraventions and £50 for Lower Level Contraventions, as per Appendix A to the report;**
- **the Director of Legal and Democratic Services to be authorised to take the necessary action to comply with the Traffic Management Act 2004;**
- **the Director of Environmental Services be authorised to consult with the Police regarding the proposal for Civil Enforcement Officers to commence enforcement of parking restrictions at Pedestrian Crossings;**
- **the enforcement of Double Parking following a suitable media campaign;**
- **the enforcement of Dropped Crossings following receipt of guidance from the DfT and endorsement by the Car Parking Policy Development Group;**
- **enforcement with approved devices by the enforcement contractor following the production and agreement to their Code of Practice;**
- **the issuing of postal PCNs following camera enforcement;**
- **the Director of Environmental Services be authorised to liaise with the enforcement contractor to set up and implement wheel clamping and removal of persistent offender vehicles; and**
- **the Authority's Scheme of Delegation be amended accordingly.**

Attached Reports:

[Traffic Management Act 2004 - Part 6](#)

72 ENVIRONMENTAL SERVICES PERFORMANCE AND FINANCIAL MONITORING REPORT - 3RD QUARTER 2007/08

The Director of Environmental Services submitted a report which outlined the performance and financial position of the Environmental Services portfolio for the third quarter of the 2007/2008 financial year.

With regard to revenue expenditure, the report stated that expenditure was anticipated to exceed the budget by £774,000, largely due to a reduction in income for car parking and pressures within the school meals service caused by rises in the price of food.

In relation to capital expenditure, the report stated that expenditure to the end of the third quarter was £6.1 million against an available allocation of £20 million. The Department's projected defect reserve position at 31st March 2008 was £4.9m. Detailed repayment plans were included within the report.

Cumulative Gershon savings totalling £3.047 million were anticipated to be achieved by 31st March 2008.

With regard to Capital Expenditure, the report sought Executive Member approval to exempt Standing Orders in respect of two separate purchases by the Transport Unit, both of which related to the purchase of specific machinery for which a tender procedure would be inappropriate, as follows:-

- Geesink Norba Vulture 22 cubic metre Bulky Item Refuse Compaction Body with Combi-Split bin lifter £116,970; and
- Terberg Triple bin lifts - the cost of the purchases would be £87,000 which was greater than the tender threshold within the Council Standing Orders.

The Executive Member NOTED -

(i) The projected financial outturn position of the Department, and APPROVED -.

(ii) The waving of Standing Orders as detailed in the report now submitted, to enable the purchase of machinery relating to bins.

Attached Reports:

[Environmental Services Performance and Financial Monitoring Report - 3rd Quarter 2007/08](#)

73 ENVIRONMENTAL SERVICES PERFORMANCE DASHBOARD - 3RD QUARTER 2007/08

A report of the Director of Environmental Services was submitted which provided an overview of the Environmental Services Quarter 3 2007/ 2008 performance, including areas of concern and actions being taken to address these.

The Executive Member NOTED the report.