

CLEANER, GREENER, SAFER

A record of decisions made by the Executive Member with responsibility for Cleaner, Greener, Safer on:-

MONDAY, 18TH JANUARY, 2010

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

Councillor Bashir-Ismail	Executive Member for Cleaner, Greener, Safer
Councillor Morgan	Major Opposition Spokesperson
Councillor J. Rothwell	Minor Opposition Spokesperson
Mr M. Cox	Director of Environmental Services
Ms S. Schofield	Assistant Director of Environmental Services
Ms D Ball	Assistant Director of Environmental Services
Mr M Russell	Head of Greenspace
Mr A. Bolan	Environmental Education and Enforcement Manager
Ms J. Pollard	Policy Accountant
Mrs S. Bailey	Principal Democratic Services Officer

53. MONITORING OF EXECUTIVE MEMBER DECISIONS

The Director of Environmental Services submitted a report which provided an update on decisions taken at previous meetings of the Executive Member.

The Executive Member NOTED the report.

54. DOG FOULING ENFORCEMENT POLICY

A report of the Director of Environmental Services was submitted which outlined proposals for the use of the various

options available to the Authority for the enforcement of dog fouling offences committed by owners of dogs.

The report reminded members of what constituted a dog fouling offence and the options open to an authority to prosecute offenders, namely by the Fouling of Land by Dogs (Bolton) Order 2007.

Under provisions introduced within the Clean Neighbourhoods and Environment Act 2005, local authorities were presented with the ability to introduce five offences which may be prescribed in a dog control order. The Fouling of Land by Dogs (Bolton) Order 2007 was a dog control order which came into force on 1st May 2007 and had enabled Bolton Council to widen the designated area of land to cover all areas of public space which was open to the air and to which the public were entitled or permitted to have access (with or without payment). The penalty for committing an offence under the above order was a maximum fine of level 3 (currently £1,000). Alternatively, the opportunity to pay a fixed penalty may be offered in place of prosecution which was currently set at £75.00. The report described the land that was subject to dog control orders.

The report also went on to describe the Enforcement process which involved:-

- (a) verbal advice – this option was available to Enforcement officers when carrying out enforcement/education, and had the option of issuing free dog bags;
- (b) Fixed Penalty Notices – this option was available to an authorised officer of primary or secondary authority who had reason to believe that a person had committed an offence under a dog control order by that Authority. The notice was currently set at £75.00 if paid within fourteen days (reduced to £50.00 if paid within ten days).

Appendix A to the report contained a flow chart which summarised the processes; and

(c)

power to require name and address – If an authorised officer of a primary or secondary authority proposed to give a notice in relation to this offence, the officer may require the person to give them their name and address. A person would commit an offence if he failed to give him his name and address or gave a false or inaccurate name and address when required to do so.

Over the last three years, the Environment Education and Enforcement Unit had issued approximately 80 Fixed Penalty Notices for the offence of failing to remove dog faeces. Out of the 80 Fixed Penalty Notices issued, there had been 9 prosecutions for none payment.

The Council had recently launched a campaign funded by the Area Based Grant highlighting to residents the importance of keeping the streets of Bolton litter free. Future phases of the campaign over the next few months would be focusing on dog fouling.

The Executive Member NOTED and APPROVED –

The Enforcement process in relation to dog fouling, as outlined in the report now submitted.

55. COMMERCIAL WASTE – OPTIONS APPRAISAL

A report of the Director of Environmental Services was submitted which outlined the current status of the Authority's Commercial Waste Service and detailed proposals regarding its future operation.

By way of background information, the report advised that the Commercial Waste Collections Service in Bolton was currently provided in house by the Environmental Services Waste and Fleet Management. The Service also collected Schedule 2 Household Waste.

The report went on to describe how the service had gradually become unpredictable as a large proportion of businesses now

used private sector waste management companies to collect their waste. Chart 3 within the report showed that the service was expected to collect approximately one third of the waste in 2009/10 that was collected in 2006/07.

The report further advised that the Commercial Waste Service had historically generated an income stream for the Department. However, there had been a significant reduction in income over the past two years as the number of contracts had reduced and the large value contracts had been lost. A summary of the budget and the actual performance against the budget since 2006/07 was provided in the report. Current budget projections revealed that the service was likely to make a loss of £194,374 in 2009/10.

In this regard, the report proposed to put forward a number of options regarding the future of the Commercial waste Services for submission to a future meeting this Executive Member.

The Executive Member APPROVED –

The submission of a number of options regarding the future of Commercial Waste Services being submitted to a future meeting of the Executive Member.

56. THE PROVISION OF CHRISTMAS TREES WITHIN THE BOROUGH OF BOLTON

The Director of Environmental Services submitted a report which reviewed the provision of Christmas trees across the Borough with a view to improving long term environmental and financial sustainability and rationalising provision for the future.

By way of background information, the report advised that there were currently 13 cut Christmas trees supplied throughout the Borough by Greenspace. Full details of locations and trees were provided in Appendix A to the report. This included two 45ft trees on the Town Hall Square and 11 25ft trees in the surrounding thirteen districts.

The budget held by Greenspace covered the cost of supply, erection and removal of all the 13 Christmas trees and the provision of lighting on the 11 trees outside the Town Centre.

In 2008, the expenditure incurred on Christmas Trees by Greenspace was £21,303.57, excluding staff time. A detailed breakdown was provided at Appendix B to the report.

The report explained that a review of provision had been undertaken in terms of each site's history, positioning and provision of the trees, with a view to considering sustainability, rationalisation where appropriate and costs of supplying, erecting lighting and the taking down of the trees each Christmas.

The two trees on Victoria Square had not been considered as part of the review as there was no potential alternative form of provision.

In considering how to improve the sustainability of future Christmas tree provision, there were a number of options, as set out below, with each site having been considered against these options:-

- cease/reduce provision – trees within the same town/district, where historical one-off, area forum or business sponsored trees had become an ongoing annual process. In some areas, two trees were located close to each other.
- cease provision and light surrounding trees – where there were existing trees within the proximity of the current electrical supplies – would provide festive lighting but not a traditional Christmas Tree.
- cease provision of a cut tree and replace with a permanent planted tree – removal of the tree pot and replacement with a permanent planted tree (approx 3-4 metres in height at time of planting).

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continue current arrangements – continue supplying under the current arrangements of disposable cut trees that would require yearly installation and processing and removal thereafter.

Following evaluation of each of the locations across the Borough against these options, the detailed recommendations for each site were set out in Appendix C to the report. A potential timetable for implementation of the recommendations was set out at Appendix D.

It was also proposed that once the ongoing locations for future Christmas Tree provision were confirmed, a future report would be submitted reviewing the future lighting options for those trees.

It was proposed that any savings arising from ceasing provision be used to fund permanent plantings and that the subsequent savings in not providing cut trees be used to rollout further permanent plantings in subsequent years. It was anticipated that the full roll out would take 3 to 4 years, commencing with the first plantings in early 2010.

There was the potential for some financial saving from 2013 but the extent of that saving could only be firmly established in conjunction with a review of the lighting provision once future tree locations were confirmed.

**The Executive Member for Cleaner, Greener, Safer
APPROVED -**

- (i) The review of the provision of Christmas trees across the Borough on the basis of environmental and financial sustainability; and**
- (ii) The individual recommendations for each location, as set out in Appendix C to the report.**

57 PETITION – GORSES ROAD, DARCY LEVER

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

- a) informed the Executive Member of the outcome of the Planning Appeal regarding Gorses Road, Darcy Lever; and
- b) sought approval to carry out significant repairs and improvements to part of the Gorses Road.

By way of background information, the report advised that a petition was received regarding the condition and maintenance of Gorses Road, Darcy Lever and reported to the Executive Member on 28th June, 2010. The Executive Member had agreed to note the current position pending the outcome of the Planning Appeal.

In this regard, the report stated that the Planning Appeal had been lost which meant that the road would not be improved as a planning condition linked to residential development of the adjoining land.

Subsequently, discussions had taken place with local Ward Members who had agreed to meet the cost of resurfacing the worst part of the road in the sum of £6720 from the Area Forum Budget for that area. This would address the worst part of the surface and bring the road up to a reasonable condition.

Future maintenance of the remainder of the road would continue on the current basis whereby the road would be inspected on an ad hoc basis by Greenspace staff, with minor repairs being carried out by filling in the larger potholes.

The Executive Member – NOTED the outcome of the Planning Appeal and APPROVED -

The proposal to carry out significant repairs and improvements to part of Gorses Road using Area Forum

monies, as detailed in the report now submitted.

58 MIXED PLASTIC RECYCLING BANKS – TRAIL INTRODUCTION

The Director of Environmental Services submitted a report which sought approval for the trial introduction of mixed plastic recycling banks at strategic locations throughout Bolton.

The report advised that under the current recycling arrangements with the Greater Manchester Disposal Contract, Bolton residents could only recycle plastic bottles on the kerbside collections and were unable to recycle rigid plastics. Although GMWDA were working on a solution for this, the report proposed the provision of facilities to recycle mixed plastic through the use of mixed recycling bank sites placed at strategic locations within Bolton.

The report advised that 28 bring sites were currently used in Bolton, however, only five of these were suitable or had the space to take the plastic recycling banks. The locations were:-

- Asda– Burden Park;
- Bolton Road car park – Westhoughton;
- Kearsley – Shopping Centre;
- Captain Street car park – Horwich; and
- Morrisons - Harwood

The five banks would be emptied once a month and would cost approx £12,000 overall per year.

The Executive Member APPROVED –

The introduction of a small number of mixed plastics banks in strategic locations on a trial basis, as detailed in the report now submitted.

