

## **EXECUTIVE CABINET MEMBER FOR ENVIRONMENTAL SERVICES**

A record of decisions made by the Executive Cabinet Member with responsibility for Environment, Regulatory Services and Skills:-

**MONDAY, 3<sup>RD</sup> MARCH, 2014**

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

Councillor Peel	Executive Cabinet Member for Environmental Services
Councillor J. Byrne	Cabinet Member for Neighbourhood and Community
Councillor Chadwick	Cabinet Member for Highways and Transport
Councillor Sherrington	Cabinet Member for Waste, Recycling and Housing
Councillor Allen	Major Opposition Spokesperson, Environmental Services
Councillor Wild	Major Opposition Spokesperson, Highways and Transport
Councillor Radlett	Minor Opposition Spokesperson

### **Officers**

Mr. M. Cox	Director of Environmental Services
Mr. T. Hill	Chief Planning and Housing Officer
Mr. M. Russell	Head of Service Neighbourhood Service

## DD2

Ms. L. Swann	Assistant Head of Waste and Fleet Management
Mr. J. Davies	Senior Engineering Manager
Ms. J. Pollard	Head of Strategic Finance and Accountancy
Mr P. Tomkies	Principal Officer Licensing
Ms. C. Conniffe	Head of Community Housing Services
Mr. I. D. Mulholland	Principal Democratic Services Officer

### **75. MONITORING OF EXECUTIVE MEMBER DECISIONS**

The Deputy Chief Executive submitted a report which set out details of the decisions made at previous meetings and the progress on each to date.

**The Executive Cabinet Member NOTED the report.**

### **76. HORWICH PARKING**

This item was withdrawn by the Executive Cabinet Member.

### **77. CORNERSTONE CHURCH, BROMLEY CROSS – DIRECTION SIGNS**

The Director of Environmental Services submitted a report which advised of a request which had been received through a petition / letters for direction signing to the Cornerstone Baptist Church, off Lord's Stile Lane, Bromley Cross, Bolton.

By way of background information the report explained that twenty two identical letters had been received from members of the Local Women's Institute in Bromley Cross. Due to the number and content of the letters they were being treated as a petition.

The letters were complaining that there were no longer direction signs to the Cornerstone Baptist Church. The letters were supported by the Pastor of the Church and also by a parishioner, both of whom considered that the decision to refuse the erection of new signs was wrong and that the recently approved policy relating to the, Provision of signs to Individual Premises and Tourism Signing, was flawed and not fit for purpose.

The Executive Cabinet Member was advised that all the complainants would wish the decision to refuse signing to be reconsidered and approval granted for the installation of new direction signs to the Church.

The report went on to provide a detailed response from officers on the request.

**Following a recommendation from the Cabinet Member for Highways and Transport the Executive Cabinet Member AGREED that –**

- (i) The request for signing to the Cornerstone Baptist Church in Bromley Cross is not approved; and**
- (ii) The policy for, Signing of Individual Premises and Tourism Signing, is referred back to the Environment and Housing Policy Development Group to consider revising the information within the policy relating to places of worship.**

#### **78. APPROVAL TO TENDER FOR THE SUPPLY OF TYRES AND ASSOCIATED SERVICES TO FLEET MANAGEMENT**

The Director of Environmental Services submitted a report which sought approval to tender for the supply and fit of tyres and associated services to Vehicle Fleet Management.

By way of background information, the report explained that the Council's Vehicle Fleet Management Service currently sourced tyres from a number of local suppliers in Bolton. The total expenditure for 2013/14 had to date exceeded the limit for

three quotes and permission was subsequently required to tender for the supply and fit of tyres and associated services to Vehicle Fleet Management from April / May, 2014.

The report advised that the service required a range of tyres and associated for the Council's vans and trucks. Each tyre and associated service was specified in Appendix one to the report.

The report also explained that the total expenditure in 2013/14 for tyres and associated services currently stood at approximately £105,000 and therefore a tender exercise had to be commissioned via the Chest and managed by Corporate Procurement.

The tender would be for three years with an option to extend for up to another two years, subject to performance.

**Following a recommendation from the Cabinet Member for Waste and Recycling the Executive Cabinet Member AGREED to grant approval for Vehicle Fleet Management to tender for the supply and fit of tyres and associated services to Vehicle Fleet Management using the specification provided and allow the Council to award the tender on a best value basis.**

## **79. REVIEW OF PROVISION OF BOWLING GREENS AND ASSOCIATED FACILITIES**

The Director of Environmental Services submitted a report which advised members of the outcome of a review of the provision of bowling greens and associated facilities owned and managed by Bolton Council.

The report also sought views on proposed criteria for determining which facilities should be closed and be removed in order to achieve identified savings.

By way of background information, the report explained that until recently the Council managed and maintained 29 crown green bowling greens. In recent times the green at Rumworth

Park had not been used over the summer but had been maintained for winter use, for the 2013 season, Ellesmere Park had not been in use due to lack of demand but had been maintained and one green at Heywood Park was removed as part of the project to construct a new school. At the present time the Council was maintaining 28 greens and associated buildings.

The report went on to explain matters around general maintenance and security and also highlighted that the savings required from the bowling green element of the Asset Management Budget was £20,000.

The report went on to set out matters around the usage and revenue budget and proposed criteria for prioritising future retention of facilities.

**Following a recommendation from the Cabinet Member for Neighbourhood and Community Services the Executive Cabinet Member –**

- (i) APPROVED the criteria set out in the report for prioritising the retention of bowling greens and associated facilities;**
- (ii) Authorised the Director of Environmental Services to utilise the criteria to identify sites for potential closure to achieve the savings required by the approved Neighbourhood and Regulatory Services and any subsequent budget reductions; and**
- (iii) Authorise the Director of Environmental Services, in consultation, with the Executive Cabinet Member, to implement the closure and removal of greens and associated facilities identified by the application of the approved criteria to achieve the savings required by the approved Neighbourhood and Regulatory Services and any subsequent approved budget reductions.**

## **80. PROCUREMENT OF FRESH AND FROZEN MEAT**

The Director of Environmental Services submitted a report on matters around ensuring the Council was complying with

Standing Orders in relation to the purchasing of fresh and frozen meats.

By way of background information, the report explained that in 2012/13 the Council purchased meat at a cost of £320,000. This included growth in volumes associated with the introduction of Universal Free School Meals in September, 2014.

Fresh and frozen meat was purchased through Clifton Meats via a YPO framework agreement since April, 2011. The framework contract expired on 31<sup>st</sup> March, 2014.

It was expected that the new contract would be awarded before the expiry date but this was now expected to be live at the end of June, 2014. There was also an AGMA framework agreement due to commence at the same time.

The report sought approval to exempt Standing Orders in order for Clifton Meats to continue to provide the service until the new Framework was in place.

**Following a recommendation from the Cabinet Member for Neighbourhood and Community Services the Executive Cabinet Member gave approval to continue to purchase fresh and frozen meats through Clifton Meats via YPO until the new YPO/AGMA framework is in place to ensure best value is attained and noted that a mini competition will be required once the new YPO/AGMA framework is in place and gives approval for this to go ahead when required.**

#### **81. APPROVAL TO TENDER THE BULKY WASTE COLLECTION SERVICE**

The Director of Environmental Service submitted a report which sought approval to tender the bulky waste collection service.

By way of background information, the report explained that the Council had a statutory duty to provide a bulky waste collection service to residents, however, the Controlled Waste Regulations 1992 permitted councils to make a charge for the

collection of bulky waste.

The charge to the customer for a bulky waste collection in 2013/14 was £28.00 for the removal of up to five items. In terms of service developments the report explained that to reduce the cost of the disposal of bulky waste there was a need to increase the amount of bulky waste that was reused or recycled.

The report advised that the Council was required to put this service out to tender and it intended to issue a contract for two years with the option to extend for a further two years, subject to performance.

The proposed tender specification was attached at Appendix one to the report.

**Following a recommendation from the Cabinet Member for Waste and Recycling the Executive Cabinet Member APPROVED the tendering of the Bulky Waste Collection Service using the specification provided.**

## **82. MISSED GREY BIN AND FOOD WASTE CONTAINER REPORTING TIME**

The Director of Environmental Services submitted a report which sought approval to amend the missed grey bin and food waste container reporting time.

By way of background information, the report explained that the Waste Review final report was agreed in January, 2013 and detailed the new missed grey bin and food waste container reporting policy.

The report stated that residents had to report a missed grey bin or food waste container by 5.30pm the next working day after the collection was due to take place. The crew would then return within the following two working days.

The Executive Cabinet Member was advised that the information contained in the report was incorrect and should

have stated that the missed grey bins and food waste containers should be reported by 5.00pm the next working day.

In reality the cut off time used by the Contact Centre was 5.00pm and this was the time published on the web site.

Each day at 5.00pm the missed grey bins and food waste containers needed to be downloaded and printed so they were ready to be given to the collection crews the following morning.

**Following a recommendation from the Cabinet Member for Waste and Recycling the Executive Cabinet Member APPROVED that the cut off time for the reporting of missed grey bins is amended to 5.00pm the next working day after the collection was due to take place.**

### **83. SEX ESTABLISHMENT POLICY**

The Director of Environmental Services submitted a report which set out details of the final Sex Establishment Policy following the completion of the consultation exercise.

By way of background information, The Executive Cabinet Member was reminded that in April, 2010 section 27 of the Policing and Crime Act, 2009 came into force. This legislation amended Schedule 3 of the Local Government Act, 1982 to give local authorities the powers to licence lap dancing clubs and similar premises as, sexual entertainment venues.

The powers were not mandatory and only applied where they were adopted by the local authority. However, if a local authority had not made a resolution to adopt the provisions within one year of their introduction (by April, 2011) it had to do so as soon as practicable, consult local people about whether they should make such a resolution.

In terms of adopting the provisions, the report explained that Bolton Council had already adopted Schedule 3 of the Local Government Act for the licensing of sex shops and sex cinemas. However, a further resolution was necessary before



the new provisions introduced by the Police and Crime Act, 2009 would have effect in Bolton.

Firstly the Local Authority would have to pass a resolution specifying that the amendments to Schedule 3 would apply in Bolton and the day they would come into force. The local authority then had to publish a notice that they had passed a resolution under paragraph 2(2) of Schedule 3 to the Policing and Crime Act, 2009 for two consecutive weeks in a local newspaper that was circulated in the area.

Currently Bolton had only two premises which would require to be licensed under the new provisions. Adopting the provisions gave the Council greater powers to regulate the sex establishments.

The report went onto provide details of the consultation exercise undertaken which included the finding that 87% of respondents agreed that the Council should adopt the Policy.

A copy of the revised Policy was appended to the report. A further report would be submitted to a future meeting on matters around fees for the grant, renewal, variation or transfer of a sex establishment licence.

**The Executive Cabinet Member for Environmental Services agreed that the final Sex Establishment Policy, post consultation, be submitted to full Council in order to adopt the provisions of Section 27 of the Policing and Crime Act, 2009.**

#### **84. ENVIRONMENTAL SERVICES FINANCIAL REPORT, QUARTER THREE**

The Director of Environmental Services and the Borough Solicitor submitted a report which outlined the financial quarter three position in respect of the Environmental Services portfolio.

In terms of revenue expenditure, it was explained that there was an underspend against the budget of £396,000 after

planned reserve movements. The main variances were in Neighbourhood Services, Albert Halls and School Meals.

The Executive Cabinet Member was also notified that capital expenditure so far this year was £10.320m against a programme of £25.576m.

The Department had a projected general reserve of £620,000 for the end of the year.

Budgeted efficiency savings for the Department were £1,795,000 and all planned efficiencies were being achieved.

Specific areas of financial risk identified for the year related to loss of income due to the economic downturn, energy prices for street lighting and business continuity risk related to the market redevelopment.

**The Executive Cabinet Member NOTED the financial quarter three position for the Environmental Services Department.**

## **85. HOUSING FINANCIAL REPORT, QUARTER THREE**

The Director of Development and Regeneration submitted a report which provided the Executive Cabinet Member with information relating to the financial quarter three position for Housing Services, 2013/14.

In terms of revenue expenditure, it was explained that there was a projected underspend of £131,000 after reserve movements.

With regard to capital expenditure, the position was £3,015,000 against a budget of £4,267,000.

The Department had a projected year end general reserve of £1,338,410.

The budgeted efficiency savings for the Department were £443,000. All planned efficiencies had been achieved.

In conclusion, it was indicated that specific areas of financial risk related to loss of grants and occupancy within the accommodation services.

**The Executive Cabinet Member NOTED the financial quarter three position of the service.**

## **86. HOUSING FEES AND CHARGES**

The Director of Development and Regeneration submitted a report which set out the proposed increase in fees and charges for 2014/15.

The report set out proposals regarding the following –

- gypsy / traveller site rents;
- furnished tenancy scheme;
- leasehold management;
- Benjamin Court;
- Housing and Public Health; and
- Network Property Service Charge.

The Council was recommending an increase in fees and charges of 2%.

**The Executive Cabinet Member APPROVED the contents of the report and that the increase in fees takes place from 1<sup>st</sup> April, 2014.**

**Resolved - That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as specified in paragraph 3 of Part 1 of Schedule 12A to the Act; and that it be deemed that, in all the circumstances of the case, the public interest in their exemption outweighs the public interest in their disclosure.**

## **87. PROTECTED HIGHWAY IMPROVEMENT LINES**

The Director of Environmental Services submitted a report seeking protection for highway improvement lines that were proposed road projects in various locations across the Borough.

**The Executive Cabinet Member AGREED to adopt –**

- (i) The list of highway schemes to be protected from prejudicial development and is asked to authorise the release of this information in land searches;**
- (ii) The highway improvement lines shown on the drawings appended to this report for development control purposes, subject to the addition of a further drawing as an amendment for another drawing, and**
- (iii) Requests the Borough Solicitor to take the appropriate action under the Highways Act, 1980 and part 1 of the Localism Act.**