

EXECUTIVE CABINET MEMBER FOR ENVIRONMENTAL SERVICES

A record of decisions made by the Executive Cabinet Member with responsibility for Environmental Services, Highways and Transport, Social Inclusion, Voluntary Sector and Community Services and Skills and Neighbourhood Services, Police and Community Safety :-

MONDAY, 19TH MARCH, 2018

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

Councillor Peel	Executive Cabinet Member for Environmental Services
Councillor Burrows	Cabinet Member for Neighbourhood Services, Police and Community Services
Councillor Chadwick	Cabinet Member for Transport and Highways
Councillor Critchely	Major Opposition Spokesperson

Officers

Mr. S. Young	Director of Place
Ms. S. Johnson	Borough Treasurer
Mr. J. Kelly	Assistant director Highways and Engineering
Ms. K. Hopkins	Interim Assistant Director Neighbourhood and Regulatory Services
Ms. J. Pollard	Head of Strategic Finance and Accountancy
Ms. L. Swann	Assistant Head of Waste and Fleet Strategy

Mr. M. Kane	Corporate Policy and Partnerships Manager
Mr. A. Bolan	Environmental Enforcement Education Manager
Mr. I. D. Mulholland	Principal Democratic Services Officer

52. MONITORING OF EXECUTIVE MEMBER DECISIONS

The Borough Solicitor 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.

53. LOSTOCK JUNCTION LANE, SUDBURY DRIVE, ASHRIDGE CLOSE, WAITING RESTRICTIONS – OBJECTIONS

The Director of Place submitted a report which set out details of objections which had been received to the proposed introductions of waiting restrictions at Lostock Junction Lane, Sudbury Drive and Ashridge Close.

The report explained that the Director of Place had previously agreed the promotion of waiting restrictions on the streets referred to within this report for the purposes of reducing obstruction and improving access into some roads regularly obstructed by overspill commuter parking from nearby train station.

The proposal was advertised in October/November 2017 and 20 responses were received to the proposals following consultation. (5 notifications of objection and 15 notifications of support). The report also set out the reasons given for the representations and gives a response to them.

Following a recommendation from the Cabinet Member for Transport and Highways the Executive Cabinet Member APPROVED –

Having considered the objections and the views of Ward Members, the introduction of the restrictions as set out in the report, as altered.

54. CHAPELTOWN ROAD AREA – TRAFFIC REGULATION ORDER, OBJECTION AND REPRESENTATIONS

The Director of Place submitted a report which set out details of objections and representations received in respect of the proposed introduction of a Traffic Regulation Order in the Chapeltown Road area of Bolton.

The report explained that the Director of Place had previously approved the promotion of waiting restrictions in the Chapeltown Road Area under the Scheme of Delegation in September, 2017.

The proposal was advertised in October/November, 2017 and 25 representations were received. The report detailed and comments upon the representations.

Following a recommendation from the Cabinet Member for Transport and Highways the Executive Cabinet Member APPROVED –

Having considered the representations, the views of Ward Members and the Police, the introduction of the proposed restrictions as shown in Appendix A to the report.

55. PROPOSED CODE OF PRACTICE – HIGHWAY SAFETY INSPECTIONS

The Director of Place submitted a report which put forward the draft Code of Practice for Highway Safety Inspections for the consideration and comment of members.

The report advised that the proposed policy had been prepared in line with national recommendations contained within the Government's 'Well Maintained Highway Infrastructure'

publication and reflected good practices shared across the Greater Manchester authorities.

The refreshed policy would be used to defend claims made for incidents that had occurred on the public highway and had been designed to promote a more risk based approach in accordance with local needs, priorities and affordability.

The main changes had involved a major review of the total road network together with consideration of other factors that may influence the frequency of road inspections, such as:

- traffic use, characteristics and trends;
- current condition;
- complaints/claims history;
- characteristics of adjoining highway authorities;
- the approach of adjoining highway authorities;
- wider policy operational considerations; and
- the consequence of failure.

The draft policy had also been through a consultation period with the Council's external claims handler and legal representatives.

A full copy of the draft Code was attached to the report.

Following a recommendation from the Cabinet Member for Transport and Highways the Executive Cabinet Member APPROVED – the implementation of the Code of Practice as now proposed.

56. EXTENDING GRANT AGREEMENTS FOR GROUPS FUNDED THROUGH THE CORPORATE VOLUNTARY, COMMUNITY AND FAITH SECTOR PROGRAMME

The Borough Solicitor Submitted a report which sought agreement for funding to be extended for the existing Corporate Voluntary, Community and Faith Sector Funding. Furthermore, agreement was sought to facilitate the development of a transformational voluntary sector strategy.

The report explained though that prior to the consideration of any potential further savings options, following recent consultation, there should be work undertaken to develop a transformational voluntary sector strategy which would be clearly aligned to Bolton 2030 outcomes, whilst delivering the £200,000 savings required from grant funding to the sector.

The Executive Cabinet Member APPROVED –

- (i) The extension of the existing grants programme for a period of 6 months.**
- (ii) That officers undertake the necessary work to develop a transformational voluntary sector strategy fit to deliver the strong and distinctive outcome in Bolton, 2030.**

57. ENFORCEMENT FINES

The Director of Place submitted a report which presented the options to remove the early re-payment rate of £75.00 from the Community Protection Notice and Public Space Protection Notice fixed penalty payment procedure.

By way of background information, the report explained that in November 2014, the Council adopted measures under new Anti-Social Behaviour Enforcement Legislation to deal with a wide range of issues. The Anti-social Behaviour, Crime and Policing Act 2014 introduced a change to the anti-social behaviour tools and powers available to the Council.

At the time, Members also agreed to the greater use of Fixed Penalty Notices as an effective and visible way of responding to criminalities. Experience has shown that the public generally welcomes the use of fixed penalties, provided that they are issued sensibly, enforced even-handedly and are seen as a response to genuine problems.

The report went onto provide information in respect of the Community Protection Notice (CPN) and the Public Space Protection Notice (PSPN) and the fixed penalty fines. Where a person was given the notice no proceedings may be instituted for that offence or be convicted for the offence providing full payment was made within fourteen days. The notice was currently set at £100.00 if paid within fourteen days (reduced to £75.00 if paid within ten days).

The service aimed to provide a fine balance of environmental education, supported by robust enforcement action when necessary. The section dealt with approximately 4000 environmental complaints each year, which often resulted in high impact pertaining to resource intensity. In order to maintain an effective difference in changing attitudes and behaviour toward anti-social behaviour, a constant enforcement approach to tackle the problem was required.

In January 2016, a report was presented to Members recommending the early repayment rate in relation to litter and dog fouling offences be withdrawn. This endorsement was agreed by the Executive Member resulting in a fee of £80 applying to the two penalty charges. There is no evidence to suggest this decision had affected payment rates since it was introduced.

**The Executive Cabinet Member APPROVED –
The removing of the early repayment option of (£75)
completely and set the fine for breach of a CPN & PSPO at
(£100).**

58. ENVIRONMENTAL SERVICES AND HOUSING SERVICES – FEES AND CHARGES, 2018/19

The Director of Place submitted a report which set out proposals for fees and charges for 2018/19 which did not conform with budget guidance for income inflation.

The report sought approval for an increase in fees and charges above or below the 2% inflationary guidance in respect of a number of services within Environmental Services and Housing Services.

The Executive Cabinet Member APPROVED the proposals relating to fees and charges to take effect from 1st April, 2018.

59. STRATEGIC BUDGET REPORT – ENVIRONMENTAL SERVICES AND HOUSING- 2018/19

The Director of Place submitted a report which outlined the revenue budget for the Environmental Services and Housing Department.

In addition, the report included the capital programme for the period 2018/19 to 2019/20.

The Executive Cabinet Member –

- (i) NOTED the proposed revenue budget of £26,320,000.**
- (ii) NOTED the capital programme of £16,732,000.**
- (iii) APPROVED the realignment of the budget options contained within the report.**

60. DEPARTMENT OF PLACE PERFORMANCE REPORT – QUARTER THREE 2017/18

The Director of Place submitted a report which provided details of the quarter three, 2017/18 departmental performance.

The Executive Cabinet Member NOTED the performance report.

EXCLUSION OF PRESS AND PUBLIC

Resolved – That, in accordance with Section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting for the following items 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.

61. WASTE AND FLEET PROCUREMENT UPDATE

The Director of Place submitted a report which sought continued delivery of waste and vehicle fleet management services in accordance with Standing Orders relating to contracts.

This report detailed the proposed re-procurement of Fuel Cards and Associated Services together with the appointment of J Dickinson & Sons Ltd to deliver the contract for the Emptying of the Street Cleansing Skips at Wellington Yard, which had been tendered in accordance with the April, 2017 Executive Cabinet Member approval. All procurement activity was in accordance with Standing Orders relating to Contracts.

The Executive Cabinet Member APPROVED -

(i) To utilise the Crown Commercial Services Framework Agreement RM6000 for the procurement of Fuel Cards and Associated Services in accordance with the terms of the Framework and delegate authority to the Assistant Director of Community Services to award and enter into a call off contract with the most economically advantageous tenderer for an initial period of 2 years with the option to extend for a further 2 years, subject to satisfactory performance.

(ii) Grant approval to appoint J Dickinson & Sons Ltd to deliver the tendered Emptying of the Street Cleaning skip at Wellington Yard service, as per Appendix 2 to this report and to enter into a contract on the tendered terms and conditions.

(iii) Grant authority for the Borough Solicitor to complete any necessary legal formalities.