ENVIRONMENTAL SERVICES SCRUTINY COMMITTEE

MEETING, 6TH OCTOBER, 2010

Present – Councillors Mrs. Fairclough (Chairman), Wild (Vice Chairman), A. Connell, Critchley, Francis, Harkin, Iqbal, Lord, Pickup, Radlett, Spencer (as deputy for Councillor Chadwick), A. S. Walsh, J. Walsh (as deputy for Councillor Morgan), and D.A. Wilkinson

Also in Attendance

Mr. I. D. Mulholland	-	Principal Scrutiny Officer
Councillor Bashir-Ismail	-	Executive Member for Cleaner, Greener, Safer
Councillor Zaman	-	Executive Member for Environmental Services
Mr. M. Cox	-	Director of Environmental Services
Mr. S. Young	-	Assistant Director Policy, Performance and Planning
Ms. S. Schofield	-	Assistant Director Neighbourhood Services
Mr. P. Molyneux	-	Assistant Director Highways and Engineering
Mr. I. Taylor	-	Head of Parking Services
Mr. R. Dolphin	-	Greater Manchester Urban Traffic Control Unit
Ms. J. Pollard	-	Policy Accountant

Apologies for absence were received from Councillors Chadwick and Morgan.

Councillor Mrs Fairclough in the Chair.

20. MINUTES

The minutes of the proceedings of the meeting of the Committee relating to the scrutiny of the Safer Bolton Strategic Partnership held on 22nd September, 2010 were submitted. Also submitted were the minutes of the ordinary meeting held on 18th August 2010 for information.

Resolved - That the minutes of the meeting held on 22nd September, 2010 be signed as a correct record.

21. MONITORING OF DECISIONS

The Director of The Chief Executive's Department submitted a report which provided details of the progress of decisions taken at previous meetings of this Committee.

Members in their discussions referred to the matters around the development of a Weeds Management Policy.

Resolved – (i) That the position be noted.

(ii) That a report be submitted to the next meeting concerning the development of a Weeds Management Policy in the Borough.

22. WORK PROGRAMME

The Director of the Chief Executive's Department submitted a report which set out details of the previously agreed Committee Work Programme for the 2010/11 Municipal Year.

Members' views were sought in relation to any further items that they wanted including in the work programme. The report also included information which would aid the Committee in selecting appropriate items for future consideration.

Resolved – That the updated work programme be noted.

23. WINTER GRITTING SCRUTINY PANEL

Members were reminded that Minute 13 of the meeting of the Committee held on 18th August, 2010, resolved that the Winter Gritting Scrutiny Panel should meet for a one-off meeting at an early date to review gritting issues during the difficult winter of 2009/10 and that wider issues be not considered at the present time. It was reported that the Panel had met on 21st September, 2010, but had not completed its deliberations and would meet on one further occasion.

Much discussion took place as to how Bolton Council's performance contrasted with the other Greater Manchester local authorities and equally, the Panel looked at how Bolton fared nationally. As a result of the questions being put forward by the Panel, to officers, it was decided that a further meeting would take place on 12th October 2010 to provide the answers as well as taking the winter maintenance programme forward to allow Bolton Council to be one of the leading authorities as well as providing mutual aid as necessary.

Also in accordance with Minute 13, details of the current gritting routes in the Borough had been circulated to all Members of the Council.

Resolved – That the updated position be noted.

24. MEMBERS BUSINESS

The following questions were submitted by Councillor D. A Wilkinson in accordance with the Provisions of Standing Order 36 and the responses detailed provided by the Director of Environmental Services.

Q1. What action was the Council considering in relation to the car parking issues arising from the permit bay in Queen Street and the possible confusion for motorists with regard to the signage of the bay?

A. The Council did not agree that the signage of the bay was confusing. The Council had three other, similar cases where the Adjudicator ruled in favour of the Council. It should be borne in mind that Parking Adjudicators gave independent decisions based on individual cases. Any decision made by an Adjudicator was binding on both parties but it did not set a legal precedent.

In the case of Jones v Bolton Council September, 2010, the Council had decided to appeal the decision. This was the first time the Council had taken such action in over 10 years of operation.

The Council had submitted a letter as an application for review of the Adjudicator's decision on the ground that the interests of justice required a review for the following reasons:

- The Adjudicator wrongly allowed the appeal on the ground that the Traffic Regulation Order (TRO) was invalid;

- The Adjudicator wrongly found that the signs were not in compliance with Traffic Signs Regulation and General Directions (TSRGD 2002);

- The Adjudicator found that Queen Street bore no resemblance to the designation in the TRO and the bay, as currently signed, was unenforceable. The Council considered this to be a flawed interpretation of the TRO and of the Regulations.

The Council would await the outcome of the appeal before deciding what action, if any, should be undertaken.

Q2. Given the adjudication decision by M Kennedy with regard to Fitton v Bolton Council appeal, what action would be taken in the light of the adjudicator's recommendation with regard to ticket machines?

A. The view of the Adjudicator in this instance completely contradicted the ruling emanating from a previous case (Ford v Bolton Council October 2009). On this occasion, the Adjudicator found in favour of the Council.

On dismissing the case the Adjudicator said "Mr Ford seemed to focus on the argument that the machine instructions were unclear and did not say that only one digit would be accepted. I did not find the instructions unclear, ambiguous or misleading and the machine clearly says, 'Insert up to first 3 digits of the vehicles number'. The phrase 'up to' in my mind clearly encompassed inputting from one to three numbers, this was also confirmed by the Council's submission that their machine could accept entry of just one digit – I prefer the Council's evidence to that of Mr Ford on this issue".

The Council's view was:-

- That the pay and display machine clearly stated what the motorist should do when purchasing a ticket;
- Motorists encountering difficulties could seek help by calling the telephone number displayed on the machine;
- There was no legislation in place which required the Traffic Regulation Order to match with the wording on the machines; and
- The machines were in good working order, well maintained, perfectly legal and there was no need to replace them.

Resolved – That the submitted questions and responses be noted.

25. TRAFFIC LIGHTS AND URBAN TRAFFIC CONTROL

The Committee received a presentation from Mr Richard Dolphin of the Greater Manchester Urban Traffic Control Unit concerning matters around the effectiveness of traffic light settings in the Borough.

The Committee was advised that a professional, high quality traffic signal control service was provided to:-

-Association of Greater Manchester Authorities;
-Highways Agency;
-Motorway Sites; and
-Trunk Road Sites.

The Committee was informed that the following signal equipment was used in Greater Manchester:-

-1179 Signalised Junctions;
-419 Pelican Crossings;
-468 Puffin Crossings;
-70 Toucan Crossings; and
-9 Pegasus Crossings.

In Bolton there was the following signal equipment:-

-124 Signalised Junctions;
-29 Pelican Crossings;
-57 Puffin Crossings;
-6 Toucan Crossings; and
-1 Pegasus Crossing.

Mr Dolphin went onto explain matters around the faulty monitoring system used in terms of:-

-All sites fault monitored;
-Signal faults flagged and logged; and
-Faults prioritised;

The signal control modes in Bolton were:-

-65 Fixed time sites;
-29 SCOOT sites (those operated by an underground security loop);
-23 MOVA sites (microprocessor optimised vehicle actuation -isolated junction controls; and
-100 RMS sites (remotely monitored sites).

Mr Dolphin went on to mention issues concerning system management and operation, first-line maintenance, communications, BT connections and remote monitoring sites. Also mentioned was the aim in future for locations to be moved to SCOOT operation.

Members in their discussions referred to:-

- flow predictions both for off and on peak;
- matters around traffic management affecting other local Boroughs;
- the possible switching of all traffic lights to the amber position late at night to aid traffic management. It was explained that there were problems associated with this including the issue of partially sighted drivers;
- The roll out of the SCOOT system in Bolton. It was explained that this depended on further funding availability and decisions by AGMA.

Resolved – (i) That Mr Dolphin be thanked for his information presentation.

(ii) That a large map of the locations of the various types of traffic control signals in Bolton be made available for all Members to inspect.

(iii) That the Greater Manchester Urban Traffic Control Unit be asked to provide this Committee with a quarterly update on the roll out of the SCOOT system in Bolton together with details of UTC programmes that affected individual wards in the Borough.

(iv) That following consideration of the issue of matters around the speed limit changes across Greater Manchester, at future meetings of the Policy Development Group and Executive Member, a report be submitted to a meeting of this Committee on the proposals.

26. SPORTS LEISURE FACILITIES AND SPORTS PITCHES IN PARKS

The Director of Environmental Services submitted a report advising that the Council had a number of outdoor sports facilities situated in parks and greenspaces, some of which were free to use and others which had charges attached. These facilities included multi-use games areas (MUGAs), tarmac tennis courts, bowling greens and grass pitches for football, rugby and rounder's.

Members were advised that the MUGAs and tennis courts received little routine maintenance and were free to use.

The report went on to identify the expenditure, income and subsidy levels associated with the provision of bowling greens and winter sports pitches (football/rugby) along with related maintenance issues.

Members in their deliberations referred to:-

- The possible need to explore further joint working options;

- The need to examine the flexibility of sites and their actual availability; and
- Matters around the promotion of physical and mental health.

Resolved - (i) That the position be noted.

(ii) That in due course matters around the future usage of sports leisure facilities and sports pitches in parks, including those at school premises, be submitted to a meeting of the Environmental Services Policy Development Group.

27. ENVIRONMENTAL SERVICES PERFORMANCE DASHBOARD

The Director of Environmental Services submitted a report which outlined the performance of the Environmental Services Department during the first quarter of 2010/11.

The report reported on performance in the following areas:

- cleanliness;
- parks and open spaces;
- waste and recycling;
- highways;
- internal business performance – sickness absence, national indicators, service improvement action plans' complaints, telephony.

The report also provided details of improvement actions to improve performance in 2010/11.

Ms. Sarah Schofield, Assistant Director Neighbourhood Services advised the Committee of a Pilot Scheme in the Gilnow area of the Borough to try to increase recycling rates. The Pilot would last for six weeks and would include the delivery of relevant bins and containers accompanied by information giving.
The Pilot was also being promoted locally and at Area Forum meetings. In due course the pilot would be rolled out to Crompton and Rumworth areas.

Members in their discussions referred to:-

- The numbers of lost telephone calls. It was explained that additional work was being undertaken to examine this; and
- The increasing good sickness record.

Resolved – That the report be noted.

28. ENVIRONMENTAL SERVICES FINANCIAL MONITORING REPORT

The Director of Environmental Services submitted a report which outlined the performance of the Environmental Services Department during the first quarter of 2010/11.

The report reported on performance in the following areas:

- cleanliness;
- parks and open spaces;
- waste and recycling;
- highways;
- internal business performance – sickness absence, national indicators, service improvement action plans' complaints, telephony.

The report also provided details of improvement actions to improve performance in 2010/11.

Further to appendix B(i) in respect of the £80,000 for the fitting of capacitors to old street lamps Members queried whether it would not be more efficient to use this money to erect new street lighting columns.

Resolved - (i) That the report be noted.

(ii) That all Members of the Committee be provided with details of the rationale behind the fitting of capacitors to old street lamps, the programme of replacements and funding.

29. MEMBERS' BUSINESS

The Committee received the extracts of minutes of other meetings of the Council relevant to the remit of this committee:-

1. Environmental Services Policy Development Group held on 16th August and 13th September, 2010.

2. Cleaner, Green, Safer Policy Development Group held on 20th August and 8th September, 2010.

3. Executive Member for Environmental Services held on 31st August and 27th September, 2010.

4. Executive Member for Cleaner, Greener, Safer held on 31st August and 28th September, 2010.

Further to the matters highlighted in the Decision Monitoring Appendix to the minutes of the Executive Member for Environmental Services held on 27th September, 2010 concerning, On Street Civil Parking Enforcement, considered on 25th January, 2010, Members discussed matters around the future need of on street parking and unnecessary work undertaken by traffic wardens.

Resolved - (i) That the minutes of the various meetings be noted.

(ii) That the Executive Member for Environmental Services be asked to include the matter of the future of on street parking provision on the agenda for a future meeting of the Environmental Services Policy Development Group.

(The meeting started at 6.00 p.m. and finished at 7.30 p.m.)