

**EXECUTIVE CABINET MEMBER FOR ENVIRONMENT,
REGULATORY SERVICES AND SKILLS**

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

MONDAY, 18th FEBRUARY, 2013

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

Councillor Peel	Executive Cabinet Member for Environment, Regulatory Services and Skills
Councillor J. Byrne	Cabinet Member for Economy Housing and Skills
Councillor Chadwick	Cabinet Member for Highways and Transport
Councillor Sherrington	Cabinet Member for Waste and Recycling
Councillor Critchley	Major Opposition Spokesperson, Economy Housing and Skills
Councillor Radlett	Minor Opposition Spokesperson

Officers

Mr. M. Cox	Director of Environmental Services
Mr. K. Davies	Director of Development and Regeneration
Mr. S. Young	Assistant Director of Highways and Business Development

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Ms. S. Schofield	Assistant Director Neighbourhood and Regulatory Services
Ms. J. Pollard	Head of Finance and Business Development
Mr. J. Kelly	Head of Service Highways Development
Mr. S. Godley	Development Manager (Planning Strategy)
Ms. P. Clyne	Principal Officer Licensing
Mr. I. D. Mulholland	Principal Democratic Services Officer

67. 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.

68. DEVON STREET / PORTUGAL STREET TRAFFIC CALMING – RESPONSE TO CONSULTATION

The Director of Environmental Services submitted a report which set out details of the proposed implementation of traffic calming in the form of road humps on Devon Street in the vicinity of the junction with Portugal Street.

The Executive Cabinet Member was advised that a consultation exercise had been undertaken and comments had been received. The report set out the detail in this regard.

Ward members were in support of the proposals.

Following a recommendation from the Cabinet Member for Highways and Transport the Executive Member, having considered the comments made, APPROVED the scheme shown on drawing numbered 313093-01 for implementation and as set out in the report.

69. JAMES STREET, WESTHOUGHTON – PROPOSED WAITING RESTRICTIONS, OBJECTIONS

The Director of Environmental Services submitted a report which set out details of the proposed introduction of waiting restrictions on James Street, Westhoughton.

The Executive Cabinet Member was advised that a consultation exercise had been undertaken and objections had been received. The report set out the detail in this regard.

Ward members had been consulted on the proposals.

Following a recommendation from the Cabinet Member for Highways and Transport the Executive Member, having considered the objections received, APPROVED the originally advertised waiting restrictions and that the Deputy Chief Executive be authorised to make the Order.

70. ST. JOHN STREET / CAPTAIN STREET, HORWICH – PROPOSED WAITING RESTRICTIONS, OBJECTIONS

The Director of Environmental Services submitted a report which set out details of the proposed introduction of waiting restrictions on St. John Street and Captain Street, Horwich.

The Executive Cabinet Member was advised that a consultation exercise had been undertaken and objections had been received. The report set out the detail in this regard.

Ward members had been consulted on the proposals.

Following a recommendation from the Cabinet Member for Highways and Transport the Executive Member, having considered the objections received, APPROVED the originally advertised waiting restrictions and that the Deputy Chief Executive be authorised to make the Order.

71. NEW STREET, BLACKROD – PROPOSED WAITING RESTRICTIONS, OBJECTIONS

The Director of Environmental Services submitted a report which set out details of the proposed introduction of waiting restrictions on New Street, Blackrod.

The Executive Cabinet Member was advised that a consultation exercise had been undertaken and objections had been received. The report set out the detail in this regard.

Ward members had been consulted on the proposals.

Following a recommendation from the Cabinet Member for Highways and Transport the Executive Member, having considered the comments made, APPROVED the scheme set out in Appendix A to the report.

72. HOUSING FEES AND CHARGES

The Director of Development and Regeneration submitted a report which set out the details of proposed increases in fees and charges for 2013/14 relating to services managed by the Development and Regeneration Housing Services.

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

The report set out specific details of the proposed increased in relation to –

- Gypsy / traveller site rents;
- Furnished tenancy scheme;
- Leasehold management;

- Benjamin Court;
- Housing and public health;
- Network property service charge.

Following a recommendation from the Cabinet Member for Economy, Housing and Skills, the Executive Member APPROVED the increases in fees and charges to take effect from 1st April, 2013.

73. ADOPTION OF GREATER MANCHESTER MINERALS DEVELOPMENT PLAN DOCUMENT

The Director of Development and Regeneration submitted a report which set out details of the Inspector's report following the public examination into the Joint Minerals Development Plan Document for Greater Manchester.

By way of background information, the report explained that in August, 2009 the ten Greater Manchester Authorities agreed to produce a joint Development Plan Document covering minerals. Since then the document had undergone a series of consultations in order to identify sites for extraction along with depots for transport and storage, areas for the safeguarding of minerals and to develop a suite of minerals planning policies.

The Minerals Plan was submitted to the Secretary of State in November, 2011 for its soundness to be examined. The Inspector had issued a report which confirmed the soundness of the submission plan with modifications and the plan could now be adopted by each of the ten Greater Manchester Local Planning Authorities.

Following a recommendation from the Cabinet Member for Economy, Housing and Skills, the Executive Member NOTED the report and RECOMMENDED that full Council approves the adoption of the Joint Minerals Development Plan Document and consequential changes to Bolton's Proposals Map on 26th April, 2013.

74. ENVIRONMENTAL SERVICES FEES AND CHARGES

The Director of Environmental Services and the Director of Corporate Resources submitted a joint report which sought approval to increase various fees and charges relating to the work of the Department.

The report explained that increases were sought above or below the 2% inflationary target in respect of Highway and Waste services.

Charges relating to aspects of Community Services would be agreed at the Executive Cabinet Member Leaders Portfolio.

The Executive Cabinet Member APPROVED that –

- (i) Parking fees remain at the current level except were identified in Appendix A; and**
- (ii) Waste charges are increased in line with inflation guidance and are charged on new educational establishments as allowed under Controlled Waste regulations.**

75. PROPOSED CHARGES FOR LOCAL SEARCHES

The Director of Development and Regeneration submitted a report which set out proposals to keep the charges at the same level as 2012/13 for 2013/14 in relation to Local Land Charge Services.

By way of background information, the report explained that since August, 2009 the Council had set its charges in accordance with the Local Authorities regulations, 2008. The charges covered both the Property Search Service and the Local Land Charges Service.

The report explained that the new charging model was based on the key principle that the property search reports were charged for a cost recovery basis when the Council was requested to complete the search report.

All property searches data and the Local Land Charges Register was classed as Environmental information and was available for inspection on Bolton's website and the Local Land Charges Register was open for inspection in the Council's One Stop Shop.

The report went on to explain that since September, 2011 the market share had increased from 30% to 50% for full searches. In July, 2011 the private sector had 70% of the market share so it was evident that business was starting to be reclaimed. Maintaining the fees at the same level as 2012/13 allowed the Council to compete for market share. The report went onto set out the specific details of the costings.

The Executive Cabinet Member APPROVED keeping the charges at the same level as 2012/13 for 2013/14, as set out in the report.

76. PROPOSALS FOR THE REMOVAL OF THE PROVISION OF SHORT LICENCES FOR PRIVATE HIRE AND HACKNEY CARRAIGE DRIVER AND VEHICLE LICENCES

The Director of Environmental Services submitted a report which set out details of the options for the provision of short licences for Private Hire and Hackney Carriage Vehicle Licences.

By way of background information, the report explained that all drivers currently required a licence from The Council which was valid for one year. Licences were also required for all vehicles to be used as a Hackney Carriage or Private Hire vehicle. At present those licences are valid for six months or twelve months for Private Hire Vehicles which are under three years old and travel less than 50,000 per year.

The report went onto explain matters around the application process.

The Executive Cabinet Member was advised that over many years there had been a building requirement to issue partial / short licences, typically one month of the full licence period. Driver's paid the full licence fee on the first application and when subsequent short licences or the remainder of the licence were issued there was no additional charge.

The average was 74 short licences being processed each month and it took an average of 30 minutes to process each one.

Furthermore, in addition to the cost and time involved in processing short licences, there was concern that a more robust approach was required when making the decision to issue or refuse a licence application / renewal.

The Executive Cabinet Member was also advised that from the date a licence expired a driver had a strict six week grace period to renew the driver licence. The report went on to set out in detail matters around the current licensing arrangements together with proposals for amendments –

- (a) CRB documentation for new applications and existing driver's – no changes proposed;
- (b) renewal applications and CRB documentation – it was proposed that short licences should not be issued until CRB applications had been made;
- (c) CRB periods – it was proposed that in future that CRB's covered the full period of the licence and that the current practice would cease;
- (d) Other CRB issues – it was proposed to cease accepting CRB documents which had not been processed as part of Bolton Council's Licensing process;
- (e) New applicants / existing driver's and medical records – no change was proposed to the policy;
- (f) Renewal applications, existing medical conditions – it was proposed to amend the renewal letter to ensure that drivers with existing medical conditions

were aware that an updated GP's fitness to drive letter had to be presented with their renewal application. It was also proposed to cease to issue short licences in those circumstances;

- (g) Existing driver's aged 45 and over – it was proposed to cease to issue short licences in those circumstances;
- (h) Expired DVLA Licence – it was proposed that driver licences were not issued to drivers where the DVLA licence was not completely presented or had expired. Where a DVLA licence was due to expire during the drivers licence period, a full licence may be issued on the basis that it was the drivers responsibility to renew the 10 year driving licences;
- (i) DVLA Licence errors – it was proposed that no short licences were issued to drivers in those circumstances;
- (j) Visa's – it was proposed that legal / border agency advice should be obtained on an individual basis and that officers should follow legal advice before issuing any short licences;
- (k) Vehicle Identity Check Marker – it was proposed that there would be no changes;
- (l) No V5 log Book, new and renewal applications – it was proposed to accept for new applications a HPI check and that only one short (two month) licence was issued until a log book was provided. That no further short licences be issued;
- (m) Transfer of ownership – it was not proposed to change this practice; and
- (n) Vehicle changes – it was proposed that no refunds should be given.

In conclusion, the report explained that the Trade representatives had been consulted on the proposals which would be effective from April, 2013.

The Executive Cabinet Member APPROVED the recommendations contained in the report for implementation in April, 2013.

77. ENVIRONMENTAL SERVICES – FINANCIAL AND PERFORMANCE REPORT, 2012/13, QUARTER THREE

The Directors of Environmental Services and Corporate Resources submitted a joint report which provided information relating to the financial and performance quarter three position for the Environmental Services portfolio for the 2012/13 financial year.

The report highlighted that in line with the Community Strategy all performance targets were being met. Revenue expenditure was underspent against the budget by £160,000 after planned reserve movements, the main variances being in Apportionable Overheads. In relation to Capital expenditure, the report advised that the projected figure for the year was £16.999m against a programme of £20.888m.

The Executive Cabinet Member had a projected general reserve of £232,000 for the end of the year.

With regard to Efficiency Targets, budgeted efficiency savings for the department were £675,000 and all planned efficiencies were expected to be achieved.

The Executive Cabinet Member NOTED the financial and performance quarter three position of the Department.

78. DEVELOPMENT AND REGENERATION SERVICES PERFORMANCE AND FINANCE REPORT, QUARTER THREE, 2012/13

The Directors of Development and Regeneration and Corporate Resources submitted a joint report which provided information relating to the financial and performance quarter three position for the Development and Regeneration portfolio, which included Housing Services for the 2012/13 financial year.

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The report highlighted that in line with the Community Strategy all performance targets were being met.

With regard to Revenue expenditure, the outturn position for Development including Housing Services was an underspend of £459,000 after reserve movements.

Capital Expenditure for the year was projected to be £7,463,000 against a budget of £13,690,000.

The Executive Cabinet Member was further advised that the Department had a projected total general reserve of £873,966.

The report explained that budgeted Efficiency Targets were £1,269,000 and all planned efficiencies were projected to be achieved.

The Executive Cabinet Member NOTED the financial and performance quarter three position of the Department.