

ENVIRONMENT AND WASTE POLICY DEVELOPMENT GROUP

MEETING, 26TH FEBRUARY, 2018

Present – Councillors Chadwick, Haslam, Peel, Sherrington and P. Wild.

Officers

Mr J. Kelly	Assistant Director, Highways and Engineering
Ms K. Hopkins	Interim Assistant Director, Environmental Services
Mr B. Catterall	Senior Engineering Manager
Mrs S. Bailey	Principal Democratic Services Officer

Apologies for absence were received from Councillors Irving (Chairman), Jones (Vice-Chairman), Critchley and Richardson

6. APPOINTMENT OF CHAIRMAN

In the absence of the Chairman and Vice-Chairman at the start of the meeting, Councillor Chadwick was appointed as Chairman for the purposes of this meeting only.

Councillor Chadwick here took the Chair

7. MINUTES

The minutes of the proceedings of the meeting of the Policy Development Group held on 6th November, 2017 were submitted and signed as a correct record, subject to the inclusion of Councillor Haslam in the list of attendees

8. ENFORCEMENT FINES

The Director of Place submitted a report which outlined proposals to remove the early repayment rate from the Community Protection Notice and Public Space Protection Notice Fixed Penalty Payment Procedure.

By way of background information, the report reminded members that In November, 2014, the Council had adopted measures under new Anti-Social Behaviour Enforcement Legislation to deal with a range of issues. At that time, agreement had been given to the greater use of Fixed Penalty Notices as an effective and visible way of responding to criminalities.

The report went on to outline the instances where Fixed Penalties could be issued and the current procedures in place for the payment of the fine together with the Early Payment facility. In summary, where a person was given a notice, no proceedings or any conviction could be brought for the offence providing the full payment of £100 was made within fourteen days (reduced to £75 if paid within 10 days).

In this regard, the report put forward proposals to remove the early repayment option of £75 and to set the fine for a breach of a Community Protection Notice or Public Space Protection Notice at £100.

A similar early repayment option in relation to litter and dog fouling offences had been withdrawn in 2016 and there had been no evidence to suggest that this decision had affected payment rates since its introduction.

It was agreed that the Executive Cabinet Member for Environment be recommended to remove the early repayment rate of £75 from the Community Protection Notice and to set the fine for breach of a Public Space Protection Notice at £100.

9. 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.

It was agreed that the Executive Cabinet Member for Environment be recommended to approve the draft Code of Practice for Highway Safety Inspections, as now submitted.

(The meeting started at 4.00pm and finished at 4.30pm)