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## **ENVIRONMENTAL SERVICES SCRUTINY COMMITTEE**

**07 FEBRUARY 2007**

Present - Councillors J. Walsh (Chairman), Lever (Vice-Chairman), Allen, Ayub, Critchley, Dennis, Hayes, Hornby, Lord, Peel, Mrs. Ronson, R. Silvester and A. S. Walsh.

Also in Attendance

Councillor Sherrington - Executive Member for Recycling and Waste Management; Mr. D. Grogan - Assistant Director of Legal and Democratic Services; Mr. A. Fisher - Director of Environmental Services; Mr. P. Crosbie - Assistant Director of Environmental Services; Mr. P. Molyneux - Assistant Director of Environmental Services; Mr. C. Bullough - Head of Service, Environmental Services Department; Mr. J. Sharrock - Business Performance and Planning Division; Mr. T. Bullock - Group Engineer; Mr. D. Smith - Policy Accountant; and Mr. I. D. Mulholland - Principal Democratic Services Officer

An apology for absence was tabled on behalf of Councillors J. Byrne, as Executive Member for Environmental Services.

Councillor Councillor J. Walsh in the Chair

### **57 MINUTES**

The minutes of the proceedings of the meeting of the Environmental Services Scrutiny Committee held on 29th November, 2006 were submitted and signed as a correct record.

### **58 DEANE CHURCH LANE, BOLTON - PROPOSED TRAFFIC CALMING, OBJECTIONS**

Members were advised that the decisions taken by the Executive Member for Environmental Services, at a meeting held on 12th December, 2006, with regard to Deane Church Lane, Bolton - Proposed Traffic Calming, Objections had been, "called in" by Councillor J. Walsh, in

accordance with Part 4 of the Constitution - The Council's Rules and Procedures: Section E, Paragraph 7.

A copy of the relevant report had been circulated to Members.

The Committee was also apprised of the decisions that had been taken by the Executive Member.

In their deliberations, Members discussed the following points:-

- the possible need to wait until the Road Safety Issues Scrutiny Panel had completed its work before implementation;
- the concerns expressed by the Greater Manchester Ambulance Service;
- the effectiveness of speed humps in reducing vehicular speed; and
- consultation with all relevant ward Members.

Members were reminded of the options open to the Committee in determining this matter, viz:-

- (a) To note the decisions of the Executive Member;
- (b) To refer the matter back to the Executive Member with or without comment; or
- (c) To refer the decision to Council, with or without comment, with a motion in the name of the chair or a nominee of the Committee.

Resolved - That the position be noted.

(In accordance with the Scrutiny Rules relating to Call-in as described in the Council's Constitution, Part 4 the Council's Rules and Procedures, Section E Scrutiny Rules, Paragraph 17, Councillors Critchley, Lever and A. S. Walsh requested that this matter be referred to the next meeting of Council with a motion which reflects that the implementation of the Traffic Calming Scheme was premature pending the outcome of the work of the Road Safety Issues Scrutiny Panel).

## **59 CROMPTON WAY, BOLTON ROUTE MANAGEMENT - OBJECTIONS**

Members were advised that the decisions taken by the Executive Member for Environmental Services held on 23rd January, 2007 with regard to Crompton Way, Bolton, Route Management - Objections had been, "called in" by Councillors Allen, Critchley, Lever, Morgan, J. Walsh and R. Wilkinson in accordance with Part 4 of the constitution - The Council's Rules and Procedures Section E,

Paragraph 7.

A copy of the relevant report had been circulated to Members.

The Committee was also apprised of the decisions that had been taken by the Executive Member.

In their deliberations, Members discussed the following points:-

- the possible need to wait until the Road Safety Issues Scrutiny Panel had completed its work before implementation;
- alternative ways of reducing the speed of vehicular traffic;
- the reduction of the road way down to one lane;
- the written responses received from residents; and
- accident statistics.

Members were reminded of the options open to the Committee in determining this matter, viz:-

- (a) To note the decisions of the Executive Member;
- (b) To refer the matter back to the Executive Member with or without comment; or
- (c) To refer the decision to Council, with or without comment, with a motion in the name of the chair or a nominee of the Committee.

Resolved - That the position be noted.

(In accordance with the Scrutiny Rules relating to call-in as described in the Council's Constitution, Part 4 The Council's Rules and Procedures, Section E Scrutiny Rules, Paragraph 17, Councillors Critchley, Lever and J. Walsh requested that this matter be referred to the next meeting of Council with a motion which reflects that the implementation of the scheme was premature pending the outcome of the work of the Road Safety Issues Scrutiny Panel).

## **60 EXECUTIVE MEMBER MEETINGS**

The minutes of the proceedings of the Executive Member for Environmental Services held on 12th December, 2006 and 23rd January, 2007 were submitted.

Further to the minute relating to Mortfield Lodges Petition - Health and Safety Inspection and Risk Assessment, Members requested sight of an indicative timetable relating to when the exploration of possible additional health and safety measures would be completed.

The possible re-opening of the Hatfield Road entrance gate to the Lodges was mentioned and some concern was expressed that this measure could undermine the

safety measures put in place in the vicinity of the Shepherd Cross Street gate.

Further to the minute relating to Bradford Road, Farnworth, Traffic Management Scheme, the problem of parked cars on Bradford Road was highlighted. Members also expressed concern at the condition of the road surface on Bolton Road between Gladstone Road at Moses Gate following an unsatisfactory repair by United Utilities, following underground works.

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

(ii) That Members of this Committee be apprised of an indicative timetable regarding when the exploration of the possible introduction of additional health and safety measures at Mortfield Lodges would be completed.

(iii) That the Director of Environmental Services be asked to explore the possible impact of the re-opening of the Hatfield Road gate access to Mortfield Lodges.

(iv) That the Director of Environmental Services be asked to explore the issue of the unsatisfactory repairs to Bolton Road following United Utility works and that Members of this Committee be informed of the outcome.

(v) That the Director of Environmental Services submit a report to the next meeting detailing the powers the Council has to alleviate the damage caused to road surfaces in the Borough by the various utilities.

## **61 PROCEEDINGS OF MEETINGS OF THE EXECUTIVE MEMBER FOR RECYCLING AND WASTE MANAGEMENT**

The minutes of the proceedings of the Executive Member for Recycling and Waste Management held on 12th December, 2006 and 23rd January, 2007 were submitted

Resolved - That the minutes of the proceedings be noted

## **62 POLICY DEVELOPMENT GROUP MEETINGS**

The minutes of the proceedings of the Environmental Services Policy Development Group held on 12th December, 2006 and 9th January, 2007 were submitted

Resolved - That the minutes of the proceedings be noted

## **63 PROCEEDINGS OF MEETINGS OF THE RECYCLING AND WASTE POLICY DEVELOPMENT GROUP**

The minutes of the proceedings of the Recycling and

Waste Policy Development Group held on 19th December, 2006 and 9th January, 2007 were submitted  
Resolved - That the minutes of the proceedings be noted

#### **64 ANNUAL WORK PROGRAMME - FORWARD PLANNER**

The Director of Legal and Democratic Services submitted a report which outlined the Committee's Work Programme for the 2006/07 Municipal Year, which was updated on a rolling basis

Resolved - That the work programme be noted.

#### **65 UPDATE ON ROAD SAFETY ISSUES SCRUTINY PANEL - VERBAL REPORT**

Members were advised that the Road Safety Issues Scrutiny Panel was currently paying particular attention to traffic calming schemes in the Borough and a review of the Council's Traffic Calming Code of Practice. Since the last update to this Committee, in November, the Panel had held two meetings. In total the Panel had held five meetings and planned to meet twice more.

As indicated before to this Committee, the Panel had reviewed the current situation, including the latest available road accident and casualty statistics. The review had confirmed that the Council was currently failing to achieve some of its performance targets for casualty reduction. The Panel had also examined how current practice in Bolton compared with best practice and guidance, road safety promotion and the basis of Bolton's prioritisation and evaluation of road safety measures and schemes - including the method by which the Council assessed and prioritised roads for traffic calming.

Alongside this review of the current situation, Panel Members had identified gaps in provision and gathered evidence for recommendations.

The Committee was also informed that other areas would now be explored, including high speed roads.

In conclusion, it was explained that the final Panel report would be submitted for approval to the next meeting of this Committee on 4th April, 2007.

Resolved - That the update report be noted

#### **66 HOUSEHOLD WASTE PERFORMANCE DATA - UPDATE**

The Director of Environmental Services submitted a report

which set out details of the recycling performance for the period April to December, 2006.

Resolved - That the position be noted

#### **67 ENVIRONMENTAL SERVICES 2ND QUARTER PERFORMANCE AND FINANCIAL MONITORING 2006/2007. THIS INCLUDES RECYCLING AND REFUSE COLLECTION COSTS - UPDATE**

The Director of Environmental Services submitted a report which outlined the performance and financial information relating to the Environmental Services portfolio in respect of 2006/07, for the 2nd quarter of the financial year.

Resolved -That the report be noted

#### **68 FIXED PENALTY NOTICE CHARGING POLICY INCLUDING STREET FINES FOR DROPPING OF LITTER AND ENFORCEMENT MATTERS**

The Director of Environmental Services submitted a report which set out options within the Clean Neighbourhoods and Environment Act in relation to the introduction of fixed penalty fines.

By way of background information, the report reminded the Committee that the Executive Member for Environmental Services had recently considered a report which outlined the measures contained within the new Clean Neighbourhoods and Environment Act. The report went on to explain, that for eight offences, the Act enabled a local authority to specify the amount of fixed penalty fine. Furthermore, if an authority did not make use of this power, the Act provided that a standard default amount of either £75 or £100 applied.

The report went on to set out the fixed penalties that could be set locally and illustrated the range of options for each offence.

Also tabled was a schedule which set out comparative penalty charge information in Greater Manchester.

Members discussed the need for adequate enforcement in this regard, particularly in relation to fly posting.

Members were advised that the Executive Member had given approval to a Schedule of Fixed Penalty Charges, effective from January 1st, 2007 as set out in the report.

Resolved - That the report be noted

#### **69 MEMBERS' BUSINESS**

The following questions were submitted by Councillor

Hayes in accordance with Standing Order 35:-

(1) Could it be confirmed that non-recyclable waste from schools was classified as Commercial, if not what was its classification.

How much of this non-recyclable waste from schools was generated on either a monthly or annual basis. If exact figures were not available, then an estimate should be provided

Members were apprised of the following response from the Director of Environmental Services:-

Waste from schools would often come into the possession or under the control of Waste Collection Authorities (WCAs) or Waste Disposal Authorities (WDAs) because waste from premises forming part of a school (schools waste) was categorised as Household waste under Section 75(5)(d) of the Environmental Protection Act 1990. WCAs had a duty under Section 45(1) of the Act to arrange for collection of household waste. As waste from schools was prescribed under schedule 2 of the Controlled Waste Regulations 1992 (SI 588) as waste for the collection of which authorities might charge, the duty to collect arose only when the school requested the authority to collect.

Based on estimated calculations a total of 2,216 tonnes of waste would be collected within this current financial year and was included in commercial totals due to the way it was collected. A total of approximately 25 tonnes of glass, cans and plastic bottles would be collected and recycled. It was impossible at this stage to estimate the amount of paper being collected and recycled as this was collected through Paperchase but these figures were already included in the Authority's recycling figures.

(2) How many agency employees were currently employed on the refuse collection service, and how had this varied over the last three months.

What was the difference in cost to the Authority between using an Agency employee and a permanent employee of the department.

Members were apprised of the following response from the Director of Environmental Services.

Numbers of Agency Staff Used	Week Ending Date	No. of Agency Staff Used
5th November	06	36
12th November	36	19th November 36
26th November	36	3rd December 36
10th December	30	17th December 30

24th December 30 31st December 30 7th January 07 30  
14th January 30 21st January 30 28th January 30  
Average 32.30

The difference in cost of agency Staff V Authority Staff  
was also outlined.

Resolved - That the questions and responses be noted.  
(The meeting started at 6.00 p.m. and finished at 7.20  
p.m.)