

ENVIRONMENTAL SERVICES

A record of decisions made by the Executive Member with responsibility for Environmental Services on:-

MONDAY, 24TH JANUARY, 2011

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

Councillor Zaman	Executive Member for Environmental Services
Councillor Critchley	Major Opposition Spokesperson
Councillor Mrs Ronson (as deputy for Councillor D. Wilkinson)	Minor Opposition Spokesperson
Mr. M. Cox	Director of Environmental Services
Mr. M. Veigas	Assistant Director
Mr. J. Kelly	Head of Highways and Engineering
Mr D. Houghton	Head of Highways and Engineering Delivery Services
Mr. K. Roberts	Head of Service and Community Services
Ms. J. Casey	Business and Management Support Officer
Ms. J. Pollard	Policy Accountant
Mrs. S. Bailey	Principal Democratic Services Officer

53. MONITORING OF EXECUTIVE MEMBER DECISIONS

The Director of Chief Executive's Department submitted a report which provided an update on decisions taken at previous meetings of the Executive Member.

The Executive Member NOTED the report.

55. PROVISION OF ACCESS PROTECTION MARKINGS FOR RESIDENTS

The Director of Environmental Services submitted a report which outlined options available to the Executive Member for the introduction of access protection markings outside individual properties together with associated issues and implications.

The report advised the Executive Member that regular complaints were received from members of the public regarding the obstruction of footway crossings and driveways. The Council had no powers to deal with such issues where waiting restrictions were not in place. The Police had the power to deal with obstructive parking.

Generally, complaints received requested the Council to introduce waiting restrictions to remove the problem, however, this was costly as it involved the promotion of a legal order and its subsequent enforcement.

An alternative option to address the issue was an access protection marking which was a prescribed marking contained within the Traffic Signs Regulations and General Directions 2002 which could be used in these circumstances. The marking could be installed to indicate a part of the carriageway which should be kept clear of waiting vehicles. The marking was not enforceable at present although the Council may be able to enforce these markings at sometime in the future if it chose to do so.

In this regard, the report advised that the Council currently had no available funding to implement such markings and was therefore unable to assist members of the public who were experiencing problems with inconsiderate parking. Area forums had been able to assist in some cases using the monies allocated to them whilst other councils offered to provide access protections markings at the cost of the resident. Details of the costs associated with implementation of the markings were provided in the report.

The report went on to outline the following options to address the issues:

- Option 1 - the Council could consider requests for access protection markings from all residents which would be subject to approval by the Council's Traffic Management Team and implementation would be dependent on existing site conditions and guidance from within the Traffic Signs Regulations and General Directions 2002. The costs would be recharged to the resident however, there would be an additional survey and assessment fee of £55 per site; and
- Option 2 – the Council could consider and implement all requests for access protection markings from all residents without formal consideration or approval by the Council's Traffic Management Team and in accordance with the Traffic Signs Regulations and General Directions 2002. The costs would be recharged to the resident.

The concern with the second option was that the Council would have no control over the number of lines being installed which could lead to them becoming ineffective if too many were introduced.

The Environmental Services Policy Development Group had noted the options but had not made a recommendation to the Executive Member on which option, if any, should be adopted.

The Executive Member AGREED -

That Option 1 be adopted and that Ward Members be kept informed of the process.

56. PROVISION OF DISABLED PARKING SPACES FOR RESIDENTS

The Director of Environmental Services submitted a report which outlined the options available to the Executive Member for the introduction of Disabled Parking Bays outside individual

properties and highlighted the associated resource implications.

The report advised that requests were received by the Council on a regular basis for the provision of disabled parking spaces outside individual properties. Previously, the Council had not supported the provision of enforceable bays because of the resources required to introduce and disestablish them when the resident left the property.

The report went on to outline three options for the provision of bays for consideration by the Executive Member -

1. Advisory Disabled Bay – this was not enforceable although it could provide a resident with an improved facility to park closer to their home;
2. Mandatory Disabled Bay – this required the introduction of a Traffic Regulation Order which would prevent its use by a non Disabled Badge Holder. However, it would not be person specific and could be used by any Disabled Badge Holder and not just the resident concerned; and
3. Dedicated Disabled Parking Bay – this would be specific to the person and would require them to be issued with a parking permit. A Traffic Regulation Order would be required and an annual renewal of the permit. This would be costly to promote and manage, in addition to removal of the bay if the disabled resident left the property.

It was anticipated that the introduction of disabled parking bays would lead to a large increase in requests. There were approximately 14,000 Blue Badge Holders in Bolton and currently 36 requests which could justify a parking provision.

The report went on to provide details of the estimated costs of introducing and subsequently removing each category of parking bay. Details of the policies in other Greater Manchester authorities were also provided.

The Executive Member AGREED –

That the Council Policy on the provision of disabled parking spaces for residents should remain unchanged and that disabled parking spaces should not be provided for individual residents.

57. MARKETS LICENCE REVIEW

The Director of Environmental Services submitted a report which requested the Executive Member to consider:

- (a) the implementation of a new policy for the management and licensing by the Council of commercial, charitable and private markets including car boot sales; and
- (b) the adoption of Section 37 of the Local Government (Miscellaneous Provisions) Act 1982 in respect of temporary markets for the Council.

The report advised the Executive Member that the Council had exclusive rights of franchise to operate and licence retail markets within its boundary. The Council could therefore control market type operations by granting licences or could seek to operate all markets within the Borough to the exclusion of all others.

In this regard, the report sought to review the Council's approach to this right and also recommended that the Council should adopt Section 37 of the Local Government (Miscellaneous Provisions) Act 1982 in respect of requiring notice to hold temporary or permanent markets.

The report outlined the current policy and existing arrangements for the licensing of markets, as detailed in Appendix 1 to the report, and put forward various revised proposals for the future licensing of markets, full details of which were provided.

In addition, proposals for licensing of occasional temporary markets or occasional car boot sales for charitable fundraising were also outlined.

The report went on to discuss the legal issues surrounding the Council's intention to introduce the new procedures and the enforcement position.

An example agreement of a Private Market Licence and an application form were attached to the report at Appendix A.

The Executive Member AGREED –

The proposals for the licensing of commercial markets and car boots sales, as detailed in the report now submitted, and the adoption of Section 37 of the Local Government (Miscellaneous Provisions) Act 1982 with respect to giving notice to hold temporary markets.

58. PETITION – OAKWOOD DRIVE, HEATON.

The Director of Environmental Services submitted a report which informed the Executive Member of the receipt of a petition containing 56 signatures from residents of Oakwood Drive, Heaton, requesting the Council to include Oakwood Drive on the Council's existing gritting routes.

The report summarised and commented on the concerns and issues raised in the petition which made various points as to why Oakwood Drive should be included on the Council's winter gritting routes.

The report provided details of the current winter gritting service provided by the Council and made a number of observations in response to the petition which, in summary, included the following:

- following an on site assessment, Oakwood Drive did not fall into the category of roads that would warrant its inclusion in the existing gritting routes or pre determined routes;
- there were cost and resource implications of adding additional streets to the routes; and

- there were 3 grit bins which were available for use by Oakwood Drive residents which had been refilled on 5 occasions during this winter period, as shown on the street plan at Appendix 2 to the report.

In addition, the report advised that a full winter maintenance review had been completed this year following the spells of severe winter weather over recent years and a number of additional streets had been put forward by the Police, elected members, residents and Greater Manchester Passenger Transport Authority. Following site inspections, some of the suggested roads had been added.

The report further advised that adding Oakwood Drive to the gritting routes would cost an additional £5 on each occasion that precautionary gritting was carried out which over a year, could be estimated at £400.

For the abovementioned reasons, the report recommended that Oakwood Drive be not added to the Council's gritting routes.

The Executive Member AGREED –

(i) That Oakwood Drive is not added to the Council's existing gritting routes due to the road not falling in the categories of main traffic routes, main strategic routes, principal roads, important classified roads and bus routes, and that there is sufficient grit bins on the road for local residents to access during adverse conditions; and

(ii) That the petitioner be advised of the observations contained in the report and this decision.

59. PETITION REGARDING TRAFFIC CALMING MEASURES FOR VICTORIA ROAD, HORWICH

The Director of Environmental Services submitted a report which informed the Executive Member of the receipt of a petition containing 183 signatures from residents who lived in the vicinity of Victoria Road, Horwich raising concerns about road safety and requesting traffic calming measures, a

pedestrian crossing facility and speed cameras on Victoria Road.

The report summarised and commented on the issues raised in the petition which made various points about the vehicle speeds on the road and an increase in road traffic accidents.

The report advised that the option of providing a traffic calming scheme on the road had previously been investigated using the Calming Assessment Prioritisation System and the results showed that it was ranked 163rd on the list of all routes across the Borough. On this basis, there were no plans to undertake any traffic management measures on this route at present.

The report went on to advise that following receipt of the petition, a site meeting had been held with local residents and councillors regarding the provision of a pedestrian crossing facility on Victoria Road between the junctions of Fox Street and Siemens Street. However, on further investigation, it was apparent that the lack of pedestrians using the route would be insufficient to meet the criteria for installing a formal crossing facility. In addition, any such facility would result in a loss of parking for residents who would then be forced on to the side streets as they had no off street parking facilities.

With regard to the request for a speed camera, investigations showed that there were insufficient numbers of Killed/Seriously injured casualties to meet the criteria for installation. However, the route would be forwarded to the Safety Camera Partnership as a request for a Community Concern Site.

In addition, the Area Forum had agreed to reposition a Driver Feedback Sign on to Victoria Road as part of the Driver Feedback Sign relocation programme.

The Executive Member AGREED-

- (i) With the officer recommendation that a controlled crossing on Victoria Road should not be provided;**

- (ii) **With the officer recommendation that traffic calming on Victoria Road should not be provided;**
- (iii) **That a Driver Feedback Sign be installed on Victoria Road with the agreement of the Area Forum; and**
- (iv) **That a formal request be made to the Safety Camera Partnership via Greater Manchester Police for Victoria Road to be considered as a Community Concern Site.**

60. CAPTAIN LEES ROAD, WESTHOUGHTON – PROPOSED WAITING RESTRICTIONS (TRAFFIC ORDER 303677) – OBJECTIONS

The Director of Environmental Services submitted a report which commented on an objection received in response to proposals to introduce waiting restrictions on Captain Lees Road, Westhoughton.

The proposal had been advertised in September, 2010 and an objection had been received from a resident of Capital Lees Gardens. The report set out the reason for the objection and gave a response to it. The main concerns related to increased congestion and disorganisation.

Having considered the objection, the report recommended the implementation of the proposals as promoted.

The Executive Member APPROVED –

The implementation of Traffic Order 303677, as originally proposed on Captain Lees Road, Westhoughton.

61. WINTER GRITTING EMERGENCY POWERS

A report of the Director of Environmental Services was submitted which described the action taken by the Executive Member for Environmental Services on 20th December, 2010 using his emergency powers to expand the current winter gritting routes in advance of the recommendations of the Winter Gritting Scrutiny Panel due to the severe bad weather.

The Executive Member NOTED the report.

CONFIDENTIAL ITEMS

The background papers and reports in relation to the following items of business were considered confidential as defined in paragraphs 1 and 3 of Schedule 12A of the Local Government Act 1972 and that it be deemed that, in all the circumstances of the case the public interest in its exemption outweighs the public interest in its disclosure.

62. SECURITY GUARDING TENDER

The Director of Environmental Services submitted a report which informed the Executive Member of the tender process that had been undertaken in respect of the contract for Security Guarding.

The Executive Member was reminded that the contract for the provision of guarding services had been awarded to a successful tenderer in 2005 for a three year period. The process for retendering the contract had begun in 2008, full details of which were provided in the report.

A new contract was awarded in November, 2010 in accordance with the Council's policies and procedures. Retrospective approval of the tender process was not sought from the Executive Member.

The Executive Member AGREED –

To give retrospective approval of the tender process for the Security Guarding Contract, as detailed in the report submitted.

63. BEREAVEMENT SERVICES STAFFING STRUCTURE

A report of the Director of Environmental Services was submitted which outlined proposals to make savings and efficiencies within the Bereavement Services Section by

revising the existing staffing structure.

The report advised the Executive Member of the need to ensure that Bereavement Services could continue to deliver a satisfactory level of service to the public whilst meeting the Council's financial targets.

In this regard, the report provided details of the existing structure and establishment costs and set out proposals to deliver the required efficiencies based on existing vacancies.

Full details of the staffing proposals together with associated costs and relevant job descriptions and person specifications were provided in the report.

The Executive Member APPROVED, subject to the approval of the Executive Member for Human Resources, Organisational Development and Diversity –

The staffing proposals in respect of the Bereavement Services section, as detailed in the report now submitted.