

CABINET MEMBER - ENVIRONMENTAL

**MEETING HELD AT THE TOWN HALL, SOUTHPORT
ON WEDNESDAY 6 MAY 2009**

PRESENT: Councillor Tattersall

ALSO PRESENT: Councillors Barber, P. Hardy and Papworth

101. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor T. Jones.

102. DECLARATIONS OF INTEREST

No declarations of interest were received.

103. MINUTES OF THE MEETING HELD ON 8 APRIL 2009

RESOLVED:

That the Minutes of the meeting of the Cabinet Member held on 8 April 2009 be confirmed as a correct record.

104. SHORELINE MANAGEMENT PLANS

The Cabinet Member considered the report of the Assistant Director, Technical Services, advising of the review of the Shoreline Management Plans (SMP) and of the process and timetable to achieve adoption by the Council including public consultation; and indicating that a decision on this matter was required as early support and awareness of the policy review process for coastal defence would enable the early identification and resolution of any barriers to the adoption of the SMP.

The report indicated that SMPs provided a large-scale assessment of the risks association with coastal processes and presented a long term policy framework to reduce these risks to people and the developed, historic and natural environment in a sustainable manner; that an SMP was a high level document that formed an important element of the strategy for flood and coastal erosion risk management and that they also developed Coastal Defence policies for the coastline.

The SMPs were currently being reviewed and the SMP2 process was 100% capital grant aided from the Environment Agency.

The report also detailed the SMP review principles and study area; the six development stages of the SMP process; the communication and consultation process; and that before the SMP2 was formally signed-off by the Environment Agency, it needed to be approved and adopted by all participating local authorities and the Regional Flood Defence Committee.

RESOLVED:

That the Shoreline Management Plans review and adoption process, as detailed in the report, be approved.

105. RESEARCH OUTPUTS CONSIDERING THE SEDIMENT DYNAMICS OF THE NORTH SEFTON COAST

The Cabinet Member considered the report of the Strategic Director of Regeneration and Environmental Services advising of the outcome of a research project examining the sediment dynamics of the North Sefton Coast; and indicating that a decision on this matter was required as the information would help to inform sustainable management decisions for the coastal area.

The report indicated that in 2005, the Council undertook to provide sponsorship for a PhD student examining the sediment dynamics of the North Sefton coast, the aim of which was to provide an understanding of the past evolution of the area with a view to being able to improve predictions of future evolution; and detailed the key results of the research and the recommendations arising from it.

Attached as an annex to the report was a summary of the key research findings.

RESOLVED:

That the recommendations arising from the project examining the sediment dynamics of the North Sefton coast be implemented.

106. SEFTON'S BATHING WATERS - REPORT 2008

The Cabinet Member considered the joint report of the Environmental Protection Director and the Leisure Director advising of the results of bathing water monitoring in 2008; and indicating that a decision on this matter was required as bathing water quality was an important factor in the promotion of the area as a tourist destination and because the quality of bathing water had become even more critical in the award schemes and the promotion of the beaches and resorts. It was therefore important that Cabinet Member - Environmental and Cabinet Member - Leisure and Tourism were kept up to date with the current position and future changes.

The report indicated that the Environment Agency monitored Sefton's three bathing waters (Southport, Ainsdale and Formby) for compliance with the European Bathing Water Directive (76/160/EEC); detailed the results for 2008 which classified Sefton's bathing waters as good at the three locations; provided comments on the 2008 results; detailed the new Bathing Water Directive, which enforced stricter standards than the current directive; and detailed the Water Framework Directives.

The report concluded by detailing the award schemes (ENCAMS Quality Coast Award (QCA)) that Sefton had entered; and that work would continue with ENCAMS to develop the QCA.

RESOLVED: That

- (1) the contents of the report on Sefton's Bathing Waters 2008 be noted; and
- (2) Sefton Council continue to work with ENCAMS to develop the Quality Coast Award.

107. ENVIRONMENTAL PROTECTION DEPARTMENT - FULL YEAR PERFORMANCE REPORT 2008/09

The Cabinet Member considered the report of the Environmental Protection Director on the departmental progress made against the 2008/09 Service Plan; and indicating that a decision on this matter was required in order to comply with corporate performance management procedures.

The report detailed the key performance against the 2008/09 Service Plan relating to:

- Sustainable Waste Management
- Cleaner, Safer, Greener
- Climate Change
- Protecting the Public, Environment and Animal Health through statutory compliance regimes
- Regulatory Reform
- Performance against Statutory Intervention Programmes
- Requests for Service
- Public Health/Crime and Disorder Partnerships
- Financial Management
- Sickness Management
- Environmental Protection Department Service Expansion

RESOLVED:

That the achievement of the Environmental Protection Department against key performance indicators and planned activities during 2008/09 be noted.

108. ADAPTATION TO CLIMATE CHANGE - ACTIONS TOWARDS COMPLIANCE WITH NATIONAL INDICATOR 188

The Cabinet Member considered the report of the Environmental Protection Director updating on action taken towards compliance with

National Indicator 188 (NI188) - Adaptation to Climate Change; and seeking approval for the ongoing plan to develop a Strategy and Action Plan for Adaptation to Climate Change; and indicating that a decision on this matter was required because the Authority had to demonstrate progress against NI188 and that the support of the Cabinet Member was essential in securing and maintaining the commitment of other Council Departments and Local Strategic Plan partners in developing an adaptation strategy and Action Plan.

RESOLVED:

That the actions taken towards compliance with NI188 - Adaptation to Climate Change, together with the proposals for future actions, as detailed in the report be approved.

109. ENVIRONMENTAL MANAGEMENT SYSTEM (EMAS) UPDATE

The Cabinet Member considered the report of the Environmental Protection Director updating on progress made and advising of future plans on the move towards a corporate Environmental Management System (EMAS); seeking approval for external verification of the Environmental Protection Department EMAS system; and indicating that a decision on this matter was required as a commitment to a Council-wide Environmental Management System had been formally made and was one of the Council's corporate objectives.

The report indicated that an EMAS was a mechanism for managing numerous and complex environmental issues in a systematic way; and were used to help organisations to improve the management of their activities that impacted on the environment and demonstrated to others sound environmental management.

The report detailed the significant progress made over the past 36 months and that the Department was now ready to apply for verification of the developed system; the benefits of EMAS verification; the verification process; the costs/best value of the scheme; and the EMAS roll out to other departments.

RESOLVED:

That the progress made within the Environmental Protection Department on the development of an Environmental Management System be noted and the external verification of the system, as detailed in the report be approved.

110. UPDATE ON PORT RELATED ACTIVITIES

The Cabinet Member considered the report of the Environmental Protection Director on the environmental aspects of port activities for the year 2008; and indicated that a decision on this matter was required to provide annual information on port related environmental issues and that

any notable incidents that occurred during the year would be the subject of separate, specific reports.

The report indicated that 13 complaints had been received about noise, two complaints about odour and three complaints about dust; updated on an incident relating to the leakage of vegetable oil that affected a large area of Bootle; and detailed air quality issues.

The report concluded that the overall number of complaints received was relatively low in comparison with previous years and that it was hoped that, with the improved liaisons within the dock complex and closer working with the Port Health Authority, this trend would continue.

RESOLVED:

That the report on the environmental aspects of port activities in 2008 and the continuing improvements being made towards minimising the environmental impact of dock activities be noted.

111. IMPLEMENTING THE MOBILE HOMES ACT 1983 FOR LOCAL AUTHORITY GYPSY AND TRAVELLER SITES

The Cabinet Member considered the report of the Environmental Protection Director advising of the implications of implementing the Mobile Homes Act 1983 (the Act) for local authority gypsy and traveller sites; and indicating that a decision on this matter was required as the council would have a mandatory duty to implement the requirements of the Act that were applicable to gypsy and traveller sites.

The report indicated that the implementation of the Act on gypsy and traveller sites would mean that local authorities would have to issue residents with agreements rather than site licences; that this would improve security of tenure for gypsies and travellers on local authority sites; and that in order to evict a resident under the Act, the site owner must apply to the court for the agreement to be terminated, and seek a possession order.

The report also detailed the consultation undertaken by the Department for Communities and Local Government on the implementation of the Act; and identified the common concerns raised throughout the country about specific aspects of the Act and how they did not easily apply to local authority gypsy and traveller sites.

The report concluded by detailing the implications for Sefton and that the amendments contained within the Act, whilst providing additional protection to gypsy and travellers, were likely to result in a more complicated and time consuming process on those occasions where it was appropriate to pursue eviction.

RESOLVED:

That the implications of implementing the Mobile Homes Act 1983 on local authority gypsy and traveller sites as detailed within the report and in particular the improved protection from eviction, be noted.

112. LITTER ENFORCEMENT POLICY AND PRACTICE

The Cabinet Member considered the report of the Environmental Protection Director seeking the endorsement of changes to the Council's enforcement policy and practices in relation to littering offences; and indicating that a decision on this matter was required as a high level of concern existed amongst members of the public in relation to littering; and that it was therefore considered appropriate to re-examine the Council's enforcement policy and practice in relation to this issue; and that changes to the enforcement policy would create a consistent approach to the issuing of Fixed Penalties for both littering and dog fouling offences.

The report detailed the proposed changes to the enforcement policy and practices; indicated that if approved, appropriate publicity and promotional methods would continue to be used to raise awareness of littering issues and to promote the changed approach to Sefton residents; and detailed the risk assessments in place and that officers would be trained adequately to carry out the enforcement duties.

RESOLVED: That

- (1) the proposed changes to the Council's enforcement policy and practice in relation to littering offences, as detailed within the report, be approved; and
- (2) the report be referred to the Overview and Scrutiny Committee (Regeneration and Environmental Services) for consideration.

113. RECYCLING COLLECTION SERVICE - CONTRACT EXTENSION/RENEWAL

The Cabinet Member considered the report of the Environmental Protection Director seeking approval to extend the current Dry Recycling Collection Contract until March 2011 and to commence, during 2009, the process that would ultimately result in formal procurement of a new recycling collection service contract from April 2011 onwards.

RESOLVED: That

- (1) the current recycling collection service contract be extended to 31 March 2011, in accordance with the Contract Procedure Rules of the Constitution, and the Environmental Protection Director in conjunction with the Legal Director be authorised to negotiate the terms of the extension; and

- (2) the commencement of the procurement process to secure a new contractual arrangement for the collection of recyclable materials from 1 April 2011 be approved.

114. PROVISION OF PLASTIC SACKS FOR REFUSE COLLECTION SERVICE

The Cabinet Member considered the report of the Environmental Protection Director advising of the need to re-tender the current plastic sack contract for refuse collection and street cleansing activities.

RESOLVED:

That a formal procurement process, for the future supply of plastic sacks for refuse collection and street cleansing services, be commenced immediately.

115. AGE RESTRICTED SALES - UPDATE 2008/09

The Cabinet Member considered the report of the Environmental Protection Director providing the statutory annual review of the enforcement action undertaken by the Trading Standards Section for 2008/09 in relation to legislation intended to control the sale of age restricted products and to advise the Cabinet Member - Environmental of:

- (a) the outcome of the enforcement programme in relation to age restricted products for 2008/09;
- (b) the proposed enforcement programme in relation to age restricted products 2009/10; and
- (c) the ongoing "Knock Back" scheme designed to assist licensees in the prevention of underage sales of alcohol;

and indicating that a decision on this matter was required because the annual report on this activity was a statutory requirement; and because the control of age restricted sales had positive benefits for Community Safety and young people's health and that there was growing pressure from external organisations for the Council to increase the quantity of work in this important area.

RESOLVED: That

- (1) the activities undertaken by the Trading Standards Section to control age related sales in 2008/09 be approved;
- (2) the level of activities proposed for 2009/10 be approved; and
- (3) the report be referred to all Area Committees and their views be sought on potential locations where exercises could be undertaken to combat the sale of age restricted products.

116. TRADING STANDARDS - COMMUNITY NEWSLETTER 'ISSUE 16'

The Cabinet Member considered the report of the Environmental Protection Director which advised on the sixteenth issue of the Trading Standards - Community Newsletter.

The report identified the aims of the newsletter, detailed the articles contained within it (relating to the Scamnesty; "Scam Busting"; loan sharks; and debt advice) and how and where they would be published and distributed.

The report concluded by indicating that the newsletter would increase awareness of 'self help' for consumers and that 'self regulation' by business would eventually lead to the service being able to assist those in greatest need, and enhance equal opportunity of access to the service and promote social inclusion.

Attached to the report was a copy of the sixteenth issue of the Community Newsletter.

RESOLVED:

That the publication and distribution of the sixteenth issue of the Trading Standards Community Newsletter be approved.