

THE "CALL IN" PERIOD FOR THIS SET OF MINUTES ENDS AT 12 NOON ON WEDNESDAY, 14 APRIL 2010. MINUTE NOS. 111 AND 113 ARE NOT SUBJECT TO "CALL-IN"

CABINET MEMBER - ENVIRONMENTAL

**MEETING HELD AT THE TOWN HALL, SOUTHPORT
ON WEDNESDAY 7 APRIL 2010**

PRESENT: Councillor Tattersall

ALSO PRESENT: Councillor P Hardy

108. APOLOGIES FOR ABSENCE

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

109. DECLARATIONS OF INTEREST

No declarations of interest were received.

110. MINUTES OF THE MEETING HELD ON 26 FEBRUARY 2010

RESOLVED:

That the Minutes of the meeting of the Cabinet Member held on 26 February 2010 be confirmed as a correct record.

**111. DRY MATERIALS RECYCLING CONTRACT - INTERIM
ARRANGEMENT**

The Cabinet Member considered the report of the Operational Services Director advising of the implications of Cheshire Recycling Ltd., trading as AbitibiBowater Recycling Europe, entering administration on 11 February 2010; seeking approval to enter into an interim agreement for the provision of the Dry Recycling Service; and indicating that a decision on this matter was required to ensure the continuity of service until key decisions on the future of the service had been established.

The report indicated that the service was currently being provided by Palm Recycling Ltd. and the sub-contractor PD Logistics; and that the Council was looking to confirm a short term interim arrangement for the continuation of the current service with Palm Recycling Ltd. until 30 September 2010 with an option to extend by further one month periods.

The report also detailed that the contract with AbitibiBowater was due to end on 31 March 2011; that the Council was already in the process of making key decisions on the long-term arrangements for recycling service provision, particularly relating to the provision of source separated kerbside service or a co-mingled service using a third wheeled bin; and concluded by detailing the risks associated with the current service provision.

RESOLVED: That

- (1) Cabinet be recommended to authorise the Operational Services Director to enter into an Interim Service Agreement, predominantly in line with the terms of the terminated Dry Materials Recycling Service Contract - SC3960, with Palm Recycling Ltd. until 30 September 2010 with the option to extend the contract on a monthly basis to ensure the short-term continuity of the current service, pending formal implementation of longer term service arrangements; and
- (2) the Operational Services Director and his staff be congratulated for the expeditious way in which payment issues were resolved once the Bridgewater Paper Company Ltd. administration problems were identified.

112. DRIVER CERTIFICATE OF PROFESSIONAL COMPETENCE TRAINING

The Cabinet Member considered the report of the Operational Services Director advising of the introduction of EU Directive 2003/59/EC 'Driver Certificate of Professional Competence' (CPC) and the ongoing training requirements for the Council's 'in-scope' vocational Large Goods Vehicles and Passenger Carrying Vehicles drivers to comply with the Directive.

The report detailed the major impact the Directive would have in relation to vocational driver qualifications; that advice had been sought from industry bodies to identify those Sefton operations that fell within the scope of the Directive and those that were exempt; that the review identified the refuse collection, recycling collection, skip service and large mechanical sweeping operations carried out by the Cleansing Section and also the Mobile Library Service all fell within the scope of the Directive; that, as a result, 130 drivers currently required periodic CPC training to obtain a Driver Qualification Card (DQC) by August 2014 to comply with this Directive.

The report also identified that the PCV and minibus operations carried out within the Authority were 'out of scope' and therefore the drivers of these vehicles were exempt and did not require periodic training or a DQC.

The report concluded by detailing the approved training providers and estimated costs of CPC training courses; and that the costs associated with the delivery of the training would be accommodated within the existing revenue budgets of the services affected by the Directive; and that training would be administered by the external training provider and co-ordinated by the Transport Section of the Operational Services Department.

RESOLVED:

That the implementation of the Driver CPC Training Scheme be approved and the associated training costs be noted.

113. VEHICLE/PLANT REPLACEMENTS 2009/2012

The Cabinet Member considered the report of the Operational Services Director advising of the recent tendering exercise as part of the Annual Vehicle/Plant Replacement Programme; seeking authority to place orders for the new vehicles and plant items; and indicating that a decision on this matter was required to comply with the Contract Procedure Rules of the Constitution.

Annex 1 attached to the report summarised the types and numbers of vehicles required, together with details of the returned tenders and the lowest prices received; whilst annex 2 detailed the comparisons between the submitted tenders for each category of vehicle, with the tenders listed in lowest priced order.

RESOLVED:

That the Cabinet be recommended to:

- (1) accept the lowest tenders which comply with specification for each category of vehicle and plant;
- (2) approve the procurement of the replacement vehicles and plant, as listed in Annex 1; and
- (3) approve the sum of £1,084,497 to be included in the Capital Programme to purchase the required vehicles; with tender reference T305, a 17 seat minibus, being purchased outright via external funding and the balance of the vehicles being purchased via operating lease arranged by the Interim Head of Corporate Finance and ICT Strategy.

114. ENVIRONMENTAL PROTECTION DEPARTMENT SICKNESS ABSENCE REPORT (3RD QUARTER - 2009/10)

The Cabinet Member considered the joint report of the Environmental and Technical Services Director and the Operational Services Director advising of the current level of sickness absence within the former Environmental Protection Department, during the period April to December 2009 and the actions taken to reduce such absence in accordance with the Council's Sickness Absence Management Policy and targets; and indicating that a decision on this matter was required as it was a requirement of the Council's Sickness Absence Management Policy that formal reports were made to the appropriate Cabinet Member if the departmental sickness absence rate was in excess of 6%, the Council's target sickness absence rate being 4%.

The report detailed the split between short-term and long-term sickness absence in the departmental service areas; the actions taken to monitor and control sickness absence; and concluded that the departments fully

complied with the procedures specified within the Council's Sickness Absence Management Policy.

RESOLVED:

That it be agreed that appropriate actions are being taken to continue to manage sickness absence within the Environmental and Technical Services and Operational Services Departments.

115. AGE RESTRICTED SALES - UPDATE 2009/10

The Cabinet Member considered the report of the Environmental and Technical Services Director providing the statutory annual review of the enforcement action undertaken by the Trading Standards Section for 2009/10 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 2009/10;
- (b) the proposed enforcement programme in relation to age restricted products 2010/11; 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 2009/10 be approved; and
- (2) the level of activities proposed for 2010/11 be approved.

116. AIR QUALITY UPDATE

The Cabinet Member considered the report of the Environmental and Technical Services Director advising of:

- (a) the outcome of an application to the Low Emissions Strategies Partnership Regional Groups Initiative (RGI) for support to develop a Low Emissions Strategy (LES) for the Liverpool City Region; and
- (b) the receipt of extra funding from DEFRA's Air Quality Grant Fund for Sefton's air quality monitoring programme;

and indicating that a decision on this matter was required to demonstrate the support of the Cabinet Member - Environmental for progressing the development of a Low Emissions Strategy for the Liverpool City Region for the proposals for spending the Air Quality Grant.

The report detailed the six elements to the proposal to develop a LES for the City Region; indicated that up to now, LES had largely focused on using the planning system to secure emissions reductions but that it had now been recognised that transport policies and, in particular, Local Transport Plans, would also have an important role to play; that each element of the strategy would be developed by small groups of officers from across the City Region; and that a final report on the outcomes of the project would be submitted in March 2011.

The report concluded by detailing the DEFRA Air Quality Grant (the Grant).

DEFRA had made £40,000 of additional Grant funding available to Sefton, to be spent as follows:

- (1) £10,000 contribution to the Low Emissions Strategies Partnership. This was DEFRA's preferred method of funding the partnership;
- (2) £25,000 to support a proposed road-washing trial at the AQMA near Millers Bridge, Bootle; and
- (3) £5,000 to support the development of LES within Sefton.

There was some flexibility with regard to the funding allocated for spending within Sefton, but any changes would have to be agreed with DEFRA; and the funding would be received shortly and there was no time limit by which it must be spent.

RESOLVED: That

- (1) the proposed development of a Liverpool City Region Low Emissions Strategy and the production of a report to the board of the Liverpool City Region be approved; and
- (2) the expenditure associated with the Air Quality Grant for improving Sefton's air quality monitoring programme be approved.

117. PRIMARY AUTHORITY PARTNERSHIP - PONTINS

The Cabinet Member considered the report of the Environmental and Technical Services Director advising of preliminary discussions held with a view to entering into a Primary Authority Partnership (PAP) with Pontins in relation to food safety.

The report detailed the background to the PAP scheme; that the Local Better Regulation Office had recognised that a local authority may not always be able to act as Primary Authority across the full range of activities of a business and that arrangements could be as broad or narrow to suit both the businesses and local authority; and that Pontins had approved the Council requesting a Primary Authority relationship (PAR) relating to food hygiene.

The report indicated that this was an ideal opportunity for the Department to get experience of operating a PAR; that the arrangement gave the Department the opportunity to work more closely with and assist an organisation who proposed to invest millions of pounds into the local economy; and that the Department's responsibility would be to advise Pontins on compliance with law in relation to food safety and guided by an inspection plan.

The report concluded that this was an exciting opportunity for the Department and if all went well, the arrangement could be expanded in the future to gradually include other work areas such as food standards and health and safety.

RESOLVED:

That the proposed Primary Authority arrangement and the establishment of the partnership with Pontins relating to food hygiene be approved.

118. UPDATE ON PORT RELATED ACTIVITIES

The Cabinet Member considered the report of the Environmental and Technical Services Director on the environmental aspects of port activities for the year 2009; 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 7 complaints had been received about noise, 5 complaints about odour and 4 complaints about dust; and detailed air quality issues.

The report concluded that the overall number of complaints received was low and that it was hoped that the continued close working relationship with all the appropriate agencies would continue to minimise the impact that the docks had on local residents and the environment.

RESOLVED:

That the report on the environmental aspects of port activities in 2009 and the continued improvements being made towards minimising the environmental impact of port activities be noted.