

MEETING: CABINET MEMBER - ENVIRONMENTAL
DATE: Wednesday 30 June 2010
TIME: 12 Noon
VENUE: Town Hall, Southport (This meeting will also be video conferenced to the Town Hall, Bootle)

Councillor

DECISION MAKER: Tattersall
SUBSTITUTE: Booth

SPOKESPERSONS: Dutton Hardy

SUBSTITUTES: Ibbs Friel

COMMITTEE OFFICER: Paul Fraser
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The Cabinet is responsible for making what are known as Key Decisions, which will be notified on the Forward Plan. Items marked with an * on the agenda involve Key Decisions

A key decision, as defined in the Council's Constitution, is: -

- any Executive decision that is not in the Annual Revenue Budget and Capital Programme approved by the Council and which requires a gross budget expenditure, saving or virement of more than £100,000 or more than 2% of a Departmental budget, whichever is the greater
- any Executive decision where the outcome will have a significant impact on a significant number of people living or working in two or more Wards

If you have any special needs that may require arrangements to facilitate your attendance at this meeting, please contact the Committee Officer named above, who will endeavour to assist.

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A G E N D A

Items marked with an * involve key decisions

<u>Item No.</u>	<u>Subject/Author(s)</u>	<u>Wards Affected</u>	
1.	Apologies For Absence		
2.	Declarations Of Interest Members and Officers are requested to give notice of any personal or prejudicial interest and the nature of that interest, relating to any item on the agenda in accordance with the relevant Code of Conduct.		
3.	Minutes Of The Meeting Held On 7 April 2010		(Pages 7 - 12)
* 4.	REECH (Renewable Energy And Energy Efficiency In Housing) Report of the Planning and Economic Development Director	Church; Derby; Linacre; Litherland; Netherton and Orrell;	(Pages 13 - 28)
5.	Joint European Support For Sustainable Investment In City Areas Report of the Planning and Economic Development Director	Kew; Litherland; Netherton and Orrell;	(Pages 29 - 40)
6.	Graffiti Removal Partnership With Virgin Media Report of the Operational Services Director	All Wards;	(Pages 41 - 46)
7.	Green Waste Composting Tender Report of the Operational Services Director	All Wards;	(Pages 47 - 50)
8.	Vehicle/Plant Replacements 2009/10 Specialist Cleansing Vehicles Report of the Operational Services Director	All Wards;	(Pages 51 - 56)

9.	Plugged-In-Places Programme - A Sub-Regional Bid To Introduce Electric Car Charging Points Report of the Planning and Economic Development Director	All Wards;	(Pages 57 - 64)
10.	Climate Change Local Area Support Programme (CLASP) - Building The Adaptive Capacity Of Sefton's Businesses Project Joint Report of the Planning and Economic Development Director and the Environmental and Technical Services Director	All Wards;	(Pages 65 - 70)
11.	Carbon Reduction Commitment Scheme Joint report of the Neighbourhoods and Investment Programmes Director and the Interim Head of Corporate Finance and ICT Strategy	All Wards;	(Pages 71 - 82)
* 12.	Dog Fouling And Enforcement Report of the Leisure and Tourism Director	All Wards;	(Pages 83 - 98)
13.	Service Plan On Food Law Controls 2010/11 As Required By The Food Standards Agency Report of the Environmental and Technical Services Director	All Wards;	(Pages 99 - 122)
14.	Health And Safety Intervention Plan For 2010/11 Report of the Environmental and Technical Services Director	All Wards;	(Pages 123 - 134)
15.	A Framework For The Delivery Of Services In Animal Health And Welfare 2010/11 Report of the Environmental and Technical Services Director	All Wards;	(Pages 135 - 140)
16.	Animal Feed Plan 2010/11 Report of the Environmental and Technical Services Director	All Wards;	(Pages 141 - 148)

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|-----|--|---|----------------------|
| 17. | Working Neighbourhoods Fund And HMRI Living Through Change Funded Environmental Services 2009/10 Performance Update | Church; Derby;
Ford; Linacre;
Litherland;
Netherton and
Orrell; St. Oswald; | (Pages 149 -
158) |
| | Report of the Environmental and Technical Services Director | | |
| 18. | Household Waste Recycling Centres - Vehicle Permit Scheme | All Wards; | (Pages 159 -
180) |
| | Report of the Environmental and Technical Services Director | | |

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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.

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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

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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.

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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.

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REPORT TO: Cabinet Member - Regeneration
Cabinet
Cabinet Member – Technical
Cabinet Member – Environmental

DATE: 9th June 2010
10th June 2010
16th June 2010
30th June 2010

SUBJECT: REECH (Renewable Energy and Energy Efficiency in Housing) Programme

WARDS AFFECTED: Linacre, Derby, Litherland, Netherton & Orrell, Church,

REPORT OF: Alan Moore, Strategic Director - Communities
Andy Wallis – Planning and Economic Development Director
Alan Lunt – Neighbourhood & Investment Programmes Director

CONTACT OFFICER: Mo Kundi X3447

**EXEMPT/
CONFIDENTIAL:** No

PURPOSE/SUMMARY:

To update Members on the REECH Programme bid submitted to the North West Development Agency, and to seek Members approval to the setting up of structures and procedures for the delivery of the REECH Programme.

REASON WHY DECISION REQUIRED:

Cabinet approval is required in order to :-

- Establish the REECH Steering Group
- Appoint Cabinet Member for Regeneration as the Chair of the REECH Steering Group
- Include the REECH Programme within the Council's Capital Programme for 2010/11

RECOMMENDATION(S):

That Cabinet note the submission of the REECH Programme bid, and:-

1. Approve the establishment of a REECH Steering Group as outlined in paragraph 3.0 of this report,
2. Agree that Cabinet Member for Regeneration be appointed Chair of the REECH Steering Group, and that
3. Subject to the REECH Programme bid being successful and a final offer having been made by the Regional Development Agency, a further report be submitted with a view to accepting that offer, such report to include any financial and operational implications, and
4. Subject to 3 above agree to the inclusion of the REECH Programme in the Capital Programme for 2010/11

That Cabinet Members for Technical, Environmental and Regeneration:-

1. Note the report

KEY DECISION: Yes

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FORWARD PLAN: Yes – Published on 12th May 2010

IMPLEMENTATION DATE: After the call in period

ALTERNATIVE OPTIONS:

Statutory duties are being imposed on local authorities to take action to address the adverse impact of climate change. A successful bid will provide a unique opportunity to progress both the climate change, and the low carbon economy agenda, particularly during this financially constrained period.

IMPLICATIONS:

Budget/Policy Framework:

Financial: Whilst there are no cash calls on Council’s resources in terms of Capital and Revenue monies, a significant amount of ‘in-kind’ contributions in the form of officer time will be required in order to deliver the programme. This is outlined in paragraph 4.0 of this report.

<u>CAPITAL EXPENDITURE</u>	2010/ 2011 £	2011/ 2012 £	2012/ 2013 £	2013/ 2014 £
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<u>REVENUE IMPLICATIONS</u>				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

Legal: N/A

Risk Assessment: Council has already accepted that in taking on responsibility as the Accountable Body for this scheme, the Council would potentially be liable if specific conditions are not met in the spending of this grant.

Asset Management: N/A

CONSULTATION UNDERTAKEN/VIEWS

Environmental and Technical Services Director

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Interim Head of Legal Services

Finance – FD 419 The Head of Corporate Finance & Information Services has been consulted and has no comments on this report.

CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community	/		
2	Creating Safe Communities	/		
3	Jobs and Prosperity	/		
4	Improving Health and Well-Being	/		
5	Environmental Sustainability	/		
6	Creating Inclusive Communities	/		
7	Improving the Quality of Council Services and Strengthening local Democracy	/		
8	Children and Young People	/		

LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT

Report to Cabinet dated 17th December 2009 entitled 'Potential Funding Opportunity 1- Energy Efficiency & Renewable Energies in Social & Low Income Housing'

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1.0 Background

- 1.1 The Cabinet at its meeting on 17th December 2009 considered a report entitled 'Potential Funding Opportunity 1- Energy Efficiency & Renewable Energies in Social & Low Income Housing'. The report highlighted that as part of the European Economic Recovery Plan, the European Commission had agreed to allow up to 4% (£29 million) of ERDF Programme resources to be devoted to domestic energy efficiency and renewable actions.
- 1.2 In response to the above, the Regional Development Agency, issued a call for the submission of a sub-regional bid that seeks to directly stimulate the market for low carbon and environmental technologies and renewable energies via their application within existing social and low income housing.
- 1.3 Members at their meeting noted the Expression of Interest submitted to the North West Regional Development Agency, and agreed to support the principle of Sefton Council being the accountable body for this sub-regional bid, subject to sufficient external funding being made available for the management of the project, and Cabinet approval.

2.0 Current Position

- 2.1 Members may be aware that the Expression of Interest submitted was successful, but during the Concept Stage, the Regional Development Agency indicated in April 2010 that the original allocation of £11m ERDF grant for the Merseyside sub-region had been reduced to £8.23m. However the ask for Halton, which is coming from the allocation made to the remainder of the north west was not affected.
- 2.2 In light of the above, the first draft bid submitted on 21st May 2010 is now requesting £8.23m ERDF grant from the ring fenced Merseyside allocation and £500,000 for Halton from the rest of the North West ERDF allocation.
- 2.3 The aim of the bid is to provide impetus to a new emergent local market for green energy technologies by developing interconnected demonstration projects. This is to be achieved by driving up demand for environmental technologies, build capacity in local supply chains and target those areas most affected by the market failure, namely Lower Super Output Areas, which are suffering the highest levels of deprivation in Merseyside and Halton.
- 2.4 The bid timetable is as follows:-

▪ First draft to NWDA	21 st May 2010
▪ RDA Project Advisory Group meeting	4 th June 2010
▪ Submission goes to ERDF Appraiser	18 th June 2010
▪ NWDA evaluate and feedback	(5 weeks)
▪ Final revised bid to NWDA	23 rd July 2010
▪ Programme Monitoring Sub Committee	2 nd August 2010
▪ Project Review Group	16 th August 2010
▪ NWDA Board	22 nd or 23 rd September 2010
▪ Offer Letter/Contract issued	October 2010

3.0 REECH Programme Delivery Structure

3.1 Whilst it is recognised that there is no guarantee that the submitted bid will be successful, but given that there is only one submission from the sub-region, and that the region has its dedicated ring fenced ERDF allocation it is highly unlikely that the bid in its entirety would be rejected. In addition, a successful bid needs to be delivered by March 2013, with all expenditure committed by December 2013.

3.2 It is therefore imperative that necessary delivery structures and procedures are established as soon as possible, which would enable the REECH Programme to be delivered effectively and efficiently by the strict deadlines that will be imposed by the Regional Development Agency.

REECH Steering Group

3.3 An informal REECH Steering Group comprising officers from other local authorities, and representatives from RSLs, and the TMP was set up early this year in order to progress the bid. It is now proposed that this Steering Group is now formally established with defined remit and membership. It is also proposed that the Cabinet Member for Regeneration be the chair of the Steering Group. The proposed membership of the Steering Group is as follows:-

- Chair – Cabinet Member for Regeneration – Sefton Council
- 6 LAs Officers representing Sefton, Liverpool, Knowsley, St. Helens, Wirral, and Halton
- 1 representative from Fusion 21
- 1 representative from other RSLs
- 1 representative from TMP (Current Chair of informal REECH Steering Group)
- 1 representative from the RDA (Possibly Sarah Carling – CCT)
- 1 representative from the sub-region Community organisation (Possibly Andy Churchill)
- 1 representative from Energy Saving Trust or Enviro-link

3.4 It is anticipated that the Steering Group would consist of some 14 to 15 members. A draft remit of the Steering Group, together with a flow chart showing the decision making process is attached as Annex A to this report. It should be noted that this would need to be refreshed in light of any conditions attached to the offer letter.

Programme Delivery Team

3.5 The REECH Programme Delivery Team will be based in The Sefton Investment Centre, and whilst the structure of the team will be determined in more detail once the outcome of the bid is known. It is anticipated that the majority of the team will be comprised of officers from the Planning and Economic Development Department, and from the Energy Division of Neighbourhood and Investment Programmes Department, with input from Legal and Finance Departments.

3.6 A draft remit of the Programme Delivery Team is also included in Annex A of this report. Again as indicated in 3.4 above this is subject to change.

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4.0 Financial Implications

4.1 The Regional Development Agency has indicated that the total amount of ERDF grant money ring fenced for the Merseyside sub-region is £8.32m with £500,000 for Halton. As with all European Programmes, this money can only be accessed provided there is match funding available from the private and public sector. With an overall intervention rate of 50% the total value of the REECH Programme is therefore approximately £17.64m.

4.2 With regard to management delivery costs, the Regional Development Agency has indicated that this should be no more than 5 to 10 percent of the total Programme cost, which equates (at 50% match) to £0.882m at the maximum value of the project at £17.64m. However, as indicated above, in order to draw down this money, there has to be an equivalent match in the form of either cash contribution or/and 'in-kind' contribution. The in-kind contribution can take the form of eligible officers' time and overheads.

4.4 Based on an estimate of officers' time required to deliver the Programme together with other associated costs, tables below provide an indication of the total revenue and capital costs for the life of the REECH Programme. As may be seen below, the estimated administration costs over the life of the project would fall well below the maximum of 10% of the total scheme value indicated in 4.2 above.

Revenue

Element	Total Cost	ERDF 50%	In-kind Contribution 50%					
			Sefton	Liverpool	Knowsley	St. Helens	Wirral	Halton
Staff	950,470	475,235	414,735	40,000	40,000	40,000	40,000	40,000
Office	54,000	27,000						
Operational	225,000	112,500						
Total	1,229,470	614,735	414,735	40,000	40,000	40,000	40,000	40,000

Element	Total cost	2010*	2011	2012	2013
Staff	950,470	77,003	312,353	318,258	242,856
Accommodation	54,000	4,500	18,000	18,000	13,500
Operational	225,000	37,500	70,000	70,000	47,500
Total	1,229,470	119,003	400,353	406,258	303,856

Note * = ERDF operates its financial programmes on calendar years

Capital

Year	2011	2012	2013	2014***	ERDF	Match	Total
Capital Spend**	2,779,952	7,018,926	5,323,020	1,288,632	8,205,265	8,205,265	16,410,530

Note** = Please note that there is an element of over programming in the capital works. In addition this is still an indicative exercise, undertaken with the involvement of RSLs. The final shape of capital works can only be fully developed once the RDA has decided on the ERDF capital allocation and the subsequent tendering exercise that will be need to be undertake. It should also be noted that whilst the capital element of the Programme will appear in Council's Capital programme in 2010/11 there will not be any call on Sefton Council or local authorities capital resources. The ERDF capital match will be from organisations bidding for capital works such as RSLs.

Note*** = Whilst all eligible works need to be completed, and ERDF expenditure committed by December 2013, as with all capital works, a minimum of 10% retention has to be kept, and this will fall into year 2014.

5.0 Risk Assessment

5.1 An exercise has been carried out to identify potential risks involved in undertaking this Programme; the likelihood of something going wrong; the impact that could have both financially and operationally, and critically the processes and procedures that need to be introduced and implemented to minimise these risks. It should be noted that whilst Annex B shows risks identified to date, this is an on going exercise, which needs to be undertaken regularly as the Programme is being developed and delivered.

6.0 Establishing a New Partnership

6.1 In accordance with recently adopted Corporate policy, a further report will be submitted to Cabinet via the Council's Senior Leadership Team, in order to seek the formalisation of the partnership arrangements between participating Local Authorities and other partners.

7.0 Comments

7.1 This is the first time that Sefton Council would be acting the accountable body for a sub-regional project. It is also the first time that the European Commission has allowed the use of ERDF grant for housing related activities that were excluded in previous Objective 1 Programmes. Therefore, there is clearly a steep learning curve for officers involved with this REECH Programme, and the paramount need to minimise any inherent financial and operational risks involved.

7.2 Whilst recognising that there is no guarantee that the submitted bid would be successful, should the bid be approved in October, it is important that necessary structures and procedures are put in place before the decision on the bid is announced so that the transition to operational delivery is quick, effective and efficient.

REECH PROGRAMME **Draft Delivery Structure**

European Commission – Funding Organisation

North West Development Agency – Responsible for the delivery of the North West Operational Programme, of which REECH is one project.

Sefton Council – Accountable Body for the REECH Programme

REECH Steering Group – Responsible for the overall management and delivery of the REECH Programme. The Steering Group will comprise of:-

Chair – Cabinet Member for Regeneration – Sefton Council

6 LAs Officers representing Sefton, Liverpool, Knowsley, St. Helens, Wirral, and Halton

1 representative from Fusion 21

1 representative from other RSLs

1 representative from TMP (Current Chair of informal REECH Steering Group)

1 representative from the RDA (Possibly Sarah Carling – CCT)

1 representative from the sub-region Community organisation (Possibly Andy Churchill)

1 representative from Energy Saving Trust or Enviro-link

Remit of the Group would include:-

- Overall Management and Delivery of the Programme
- Ensuring that the decision making process is open, transparent, and beyond approach
- Ensure that appropriate measures are in place to manage any conflicts of interest so as to mitigate the risk of their influencing decision making.
- Conditions attached to the Offer Letter are complied with it
- Outputs and Outcomes are achieved
- Approves the criteria and methodology for project selection
- Ensures a full appraisal has been undertaken and the recommendations have been considered at the appropriate level and by the normal process
- To establish and maintain an inventory of assets.
- To work with other Partnership bodies to ensure the monitoring, evaluation and audit of projects and the wider programme procedures and protocols

Programme Delivery Team – Responsible for the day to day delivery of the REECH Programme, and for servicing the Steering Group. The core delivery

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will comprise of officers of officers from the Planning and Economic Development Department, and from the Energy Team (Neighbourhood and Investment Programmes Department), with input from Legal and Finance Departments. The overall lead officer for the REECH Programme will be Mo. Kundi

Duties would include:-

- Responsible for ERDF Contract Management;
- Day-to-day project management and co-ordination;
- Servicing Steering Group;
- Liaison with Local Authority Representatives;
- Project commissioning;
- Project appraisal;
- Co-ordination with peripheral activity (Business, HE, Private Landlords, Employment & Skills etc.) Legacy etc.
- Compilation and submission of ERDF claims;
- Financial eligibility testing/ compliance;
- Performance Monitoring;
- Project grant payments.

Remit of the Delivery Group would include:-

1. Manage the overall Programme, including staffing and budget management functions. (Lead Officer)
2. Ensure effective and adequate appraisal, approval; project monitoring and financial systems are in place that meets RDA's requirements for devolved funding and the financial and legal requirements of the Accountable Body.
3. Ensure that appraisal of projects seeking support from RDA's funding are undertaken by suitably trained and where necessary by independent appraisers.
4. Make recommendations on project approval (following completed appraisal reports) to the Steering Group (and Sefton Council).
5. Lead on the work of producing any monitoring reports and additional information.
6. Ensure there is full partnership involvement in each of those areas of work outlined above.
7. Ensure the smooth running of the any Project Teams and Task Groups.
8. Provide strategic guidance to the development of projects and to provide support to projects being developed in accordance with priorities.

Agenda Item 4

9. Work with partners towards full engagement of key agencies within the Steering Group and to ensure tangible commitment is shown by the agencies to the priorities within the Programme.
10. To oversee the evaluation of the use of funding to meet Programme objectives.
11. To manage and review the communications strategy for the Steering Group
12. Recruit any specialist co-ordinators as proposed through individual projects and/or manage consultants as required.

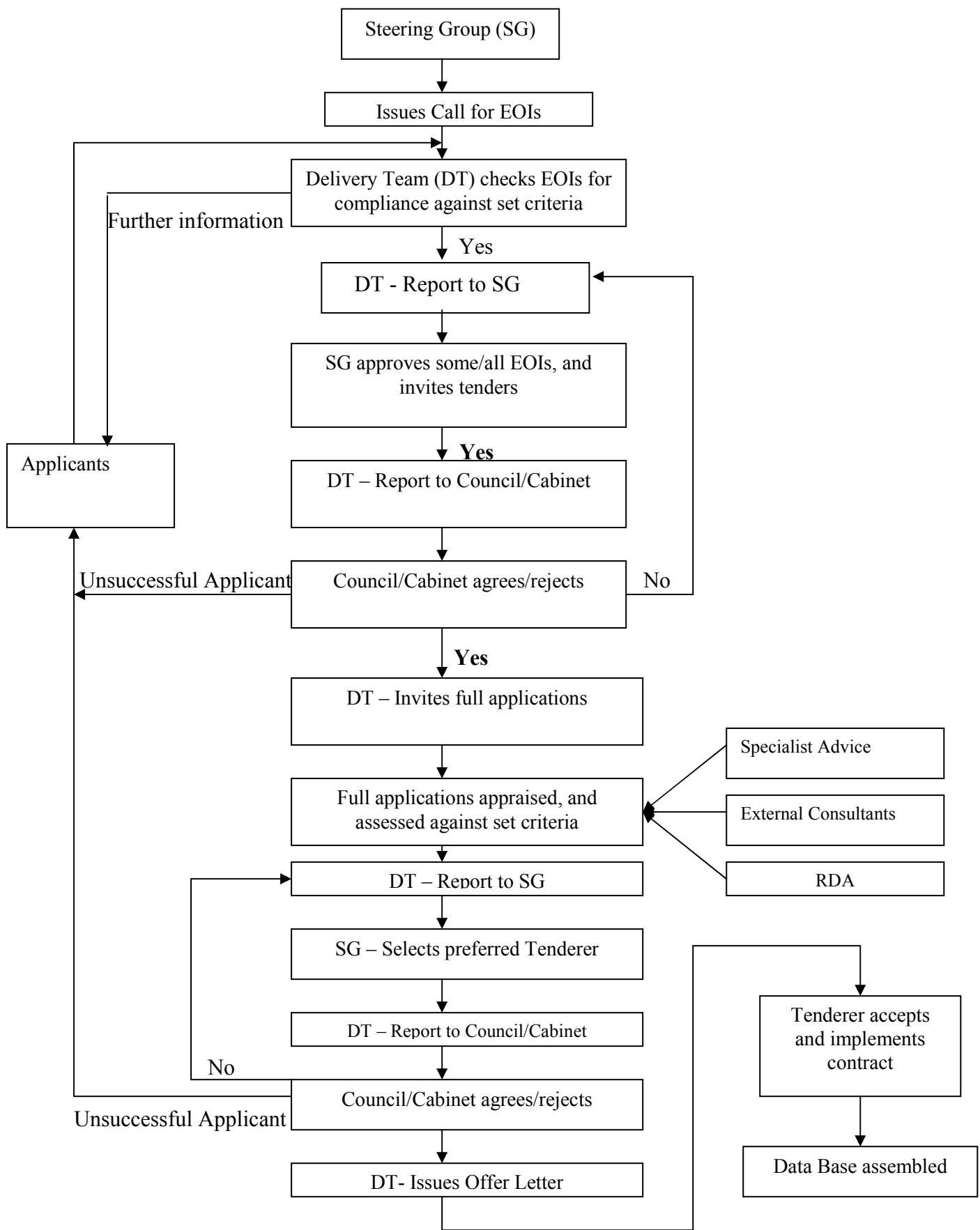
Role of Local Authority Representatives would to include:-

- Responsible for providing local authority support, commitment and liaison;
- Providing technical appraisal advice, (if required);
- Liaising with projects on the ground in their local authority area.
- Pro-actively participating in Steering Group and it's decision making role and responsibilities
- Avoiding conflict of interest
- Ensuring that the sponsoring authority is kept up to date, and provides continues pro-active support for the Programme

Role of RSL Representatives would to include:-

- Responsible for providing wider RSL support, commitment and liaison;
- Providing technical appraisal advice, (if required);
- Providing collective feed back from projects being undertaken by RSLs on the ground.
- Pro-actively participating in Steering Group and it's decision making role and responsibilities
- Avoiding conflict of interest
- Acting as a liaison between the Steering Group, and individual RSLs

REECH PROGRAMME
DRAFT APPRISAL PROCESS
14th May 2010



Agenda Item 4

RISK ASSESMENT

Risk Description	(a) Probability (Score 1-5)	(b)Impact (Score 1-5)	(c) Overall Risk (a x b)	Review Date	Risk Owner	Mitigation: What can be done to reduce risk or what contingency plans will be in place?
Financial and Legal risk	1	5	5	On going	Sefton Council	Sefton would be undertaking the role of Programme management. Tendering exercise will be undertaken in accordance with ERDF regulations and successful tenderer will be legally and financially duty-bound to deliver the agreed out puts and out comes. Also payments will only be made on defrayed eligible expenditure.
Project not approved by the RDA	2	1	2	On going	Sefton Council	In the event the project is not approved, there are no cost implications to Sefton or to other delivery partners involved in the programme.
Project approved but ERDF grant reduced	3	2	6	On going	Sefton Council & Delivery Partners	In the event the ERDF allocation is reduced, the works programme will also be reduced accordingly. Depending on the reduction in the allocation, the delivery team may need to be reduced, and the nature and geographical spread of activity may also be curtailed.
Contractor goes into Administration	2	2	4	On going	RSL Delivery Partners/Sefton Council	Successful delivery contracts would be with the RSLs, who will then engage contractors to undertake the work. It will be the RSL who having signed the conditional offer letter legally and contractually obliged to complete agreed works. Failure to do so mean that they will not get paid, and Sefton would be in a position to claw back any money for non achievement of out puts.

RSL goes into Administration	1	5	5	On going	Sefton Council	Sefton Council will undertake financial credit rating of RSLs during the tendering exercise.
Individual Project cost overruns	3	2	6	On going	Delivery Partners & Sefton Council	Sefton Council will monitor RSLs, and their contracts very closely, and where necessary will ask RSLs to take corrective actions. Council will have no legal or contractual agreement to pay for any cost overruns incurred by the RSL or their contractors. This risk will lie entirely with the relevant RSL
Overall Programme cost overruns	1	5	5	On going	Sefton Council	Regular monitoring of contracts with delivery partners, and Management delivery costs will be undertaken, and reported both to the Steering Group and the Cabinet.
Delays/time constraints	3	2	6	On going	Sefton Council & Delivery Partners	At the start of the project, a reserve list of schemes would be produced and if some projects do not materialise, schemes could be brought forward from the reserve list
Local Supply Capacity problems	2	2	4	On going	Sefton Council & Delivery Partners	The Sefton Delivery Team is already engaging organisations such as Fusion 21(local supply chain company set up to work with RSLs) and Envirolink NW in order to raise awareness of the opportunities arising from this programme and help to find solutions for capacity development.
Skilled labour constraints	2	2	4	On going	Sefton Council & Delivery Partners	Working with other partners in the sub region/region in order to anticipate labour constraints and jointly work with them in order to address them
Funding problems	3	2	6	On going	Sefton Council & Delivery Partners	Increase the contribution from alternative sources of funding or seek extended timescales on the delivery of the project. As part of this development stage Sefton has sourced and collated Expressions Of Interest for more than double the bid amount so we have many potential projects in reserve

Technical barriers	3	1	3	Approval Stage and start of works	Sefton Council & Delivery Partners	This is will be addressed as part of the tendering exercise, where detailed appraisal and assessment will be undertaken of each tenderer.

Agenda Item 4

Agenda Item 5

REPORT TO: Cabinet Member - Regeneration
Cabinet
Cabinet Member – Technical
Cabinet Member – Environmental

DATE: 9th June 2010
10th June 2010
16th June 2010
30th June 2010

SUBJECT: Joint European Support for Sustainable Investment in City Areas

WARDS AFFECTED: Litherland, Netherton & Orrell, and Kew

REPORT OF: Andy Wallis – Planning and Economic Development Director

CONTACT OFFICER: Mo Kundi X3447

**EXEMPT/
CONFIDENTIAL:** No

PURPOSE/SUMMARY:

To provide an update on the recent developments with regard to JESSICA, and the proposals for a Merseyside Urban Development Fund that are being developed by a private sector led consortium.

REASON WHY DECISION REQUIRED:

To comply with Council's reporting procedures.

RECOMMENDATION(S):

That Cabinet:-

- 1 Note the report, and the proposed sub-regional working level arrangements outlined in the report to progress the development of an Urban Development Fund Business Plan and preferred UDF model.
- 2 Note the Sefton projects submitted in Annex A, which could be included in the programme for funding opportunities
- 3 Request further progress reports, including where there are any financial and legal implications as a result of JESSICA/UDF proposals.

That Cabinet Members for Technical, Environmental and Regeneration:-

- 4 Note the report

KEY DECISION: No

FORWARD PLAN: No

IMPLEMENTATION DATE: After the call in period

Agenda Item 5

ALTERNATIVE OPTIONS:

JESSICA provides a potential funding opportunity for projects within Sefton that would not now attract any European ERDF grant. With the exception of Southport Business Park, all other sites are in the ownership of private developers, and along the Dunnings Bridge Corridor, which is classified as Strategic sites requiring re-development. Not to participate in the JESSICA Programme could adversely impact on Council's ability to assist the re-development of these key sites, and job creation opportunities.

IMPLICATIONS:

Budget/Policy Framework:

Financial: There are no financial implications as a result of this report.

CAPITAL EXPENDITURE	2010/ 2011 £	2011/ 2012 £	2012/ 2013 £	2013/ 2014 £
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
REVENUE IMPLICATIONS				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

Legal: N/A

Risk Assessment: N/A

Asset Management: N/A

CONSULTATION UNDERTAKEN/VIEWS

Environmental Technical Services

Legal

FD420 – The Head of Corporate Finance & IS has been consulted and has no comments to make on this report.

CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		/	
2	Creating Safe Communities	/		
3	Jobs and Prosperity	/		
4	Improving Health and Well-Being	/		
5	Environmental Sustainability	/		
6	Creating Inclusive Communities	/		
7	Improving the Quality of Council Services and Strengthening local Democracy		/	
8	Children and Young People		/	

LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT
North West Operational Programme

Agenda Item 5

1.0 Background

- 1.1 In December last year the Northwest Urban Investment Fund (NWUIF), launched a new £100m fund to help support urban development projects in the North West. The fund is a Joint European Support for Sustainable Investment in City Areas (JESSICA) initiative. This is a new financial instrument created by the European Commission in conjunction with the European Investment Bank. The basic principle of JESSICA is to take a more commercial approach to the use of public funds in delivering regeneration and economic development. JESSICA enables ERDF and match funding to be invested by Urban Development Funds (UDFs) in Urban Projects via loans, equity and/or guarantees. Returns from these investments can then be used to make new investments in new projects, thereby creating a revolving fund for investment in the region.

2.0 Holding Fund.

- 2.1 The regional arrangements for establishing the Holding Fund, managed by European Investment Bank (EIB) have now been established. Its proposals include establishing an Urban Development Fund for Merseyside, which will receive £30m of ERDF.

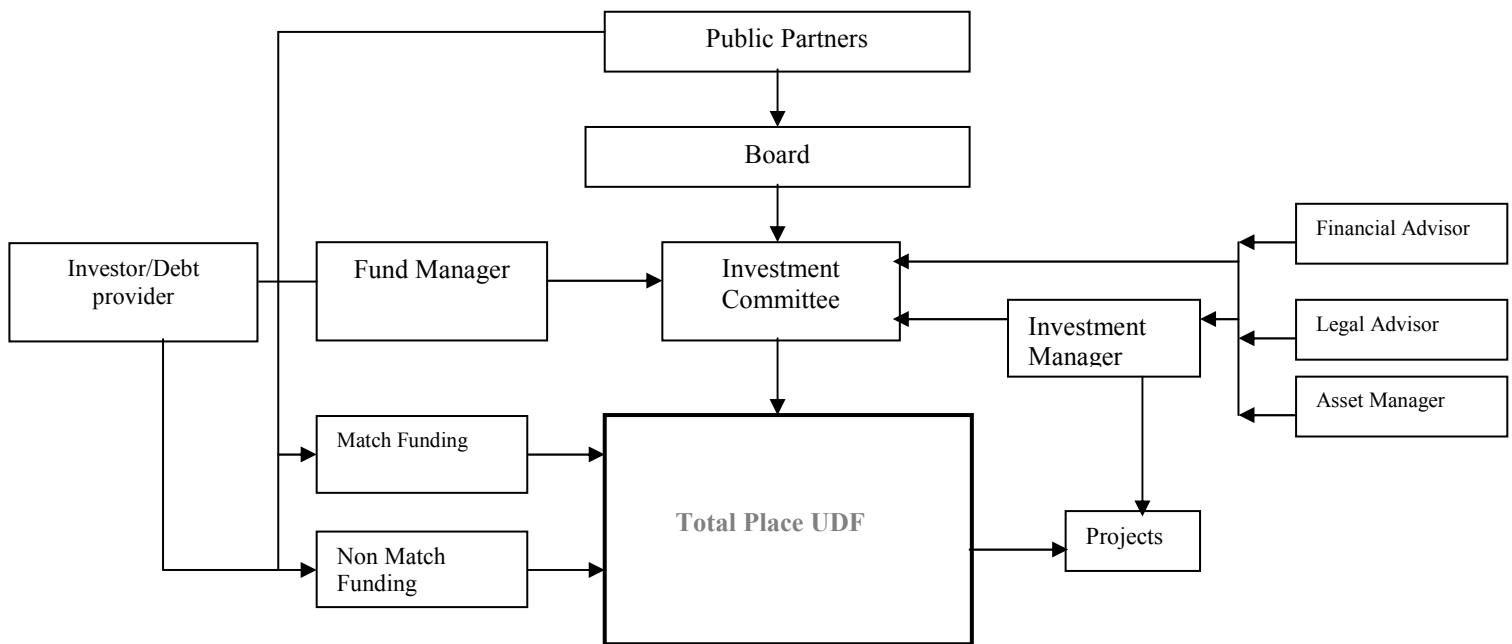
- 2.3 The Investment Strategy sets out the eligible activities for investment - defined by the Northwest Operation Programme for ERDF as the Investment Frameworks for Action Areas 3.2 (Regional Strategic Sites) and 4.3 (Local Employment Sites). . Project investments will include the development of employment sites, creation of new commercial floor space, reclamation of derelict or contaminated land, and provision of site servicing and infrastructure.

3.0 Current Position

- 3.1 The European Investment Bank has confirmed key elements of the UDF structure, including the need for a strong private sector fund management component -which will be FSA regulated and compliant.
- 3.2 A sub regional working group comprising TMP, Liverpool Vision, Wirral MBC and Liverpool City Council has been set up and is currently progressing the work on developing the UDF Business Plan.
- 3.3 In response to North West Development Agency's OJEU invitation notice in March 2010 the short listed bidder for Merseyside is a consortium comprising Igloo Regeneration Ltd, Aviva Investors Global Services, GVA Grimley Ltd, and Royal Bank of Canada Europe Ltd, (henceforth referred to as the Consortium).
- 3.4 The Consortium's aim is the – 'Creation of Merseyside UDF (the Merseyside Revolving Urban Investment Fund - MRUIF) to be a 'Sustainable Total Place' Fund covering a mix of uses and flexible investment approaches (Jessica eligible funding plus other funding for non eligible investments)'

Agenda Item 5

3.5 The proposed Urban Develop Fund structure is as follows: _



3.6 The Consortium is proposing that the Total Place UDF would be a company limited by guarantee with local authorities as members alongside the Consortium. The final bid needs to be submitted by 18th June 2010, containing the following information:-

- Requirements of Business Plan
- Fund Business Plan
- Investment Strategy
- Financial Model (including Match Funding)
- Management & Fees
- Project Portfolio
- Ownership, Governance, Risk and Control

3.7 In response to the above tight deadline, the Consortium has been seeking information from sub-regional local authorities on potential projects. Without prejudice Sefton has provided information relating to sites that could attract funding under this programme. With the exception of Southport Business Park, all other sites are in the ownership of private developers, and are along the Dunnings Bridge Corridor, which is classified as Strategic sites requiring re-development. The information provided is included in Annex A to this report.

Agenda Item 5

4.0 Next Steps

4.1 The Consortium would be under taking an appraisal of projects submitted by local authorities and other partner organisations to ensure that these projects are:-

- Viable
- Eligible
- Ability to attract match funding (There are issues to be resolved related to the process of match funding, both at project level and UDF level.
- Proposed by competent, solvent sponsors
- Needing capital not available from the private sector
- State aid compliant

4.2 The UDF will clearly need to secure projects that will commit the ring fenced JESSICA ERDF and spend it by 2015 in order avoid de-commitment, and to generate the returns, which will create the revolving funds that can then be reinvested in projects which are free of the ERDF eligibility criteria.

5.0 Recommendation

That Cabinet:-

- 1 Note the report, and the proposed sub-regional working level arrangements outlined in the report to progress the development of an Urban Development Fund Business Plan and preferred UDF model.
- 2 Note the Sefton projects submitted in Annex A, which could be included in the programme for funding opportunities
- 3 Request further progress reports, including where there are any financial and legal implications as a result of JESSICA/UDF proposals.

That Cabinet Members for Technical, Environmental and Regeneration:-

- 4 Note the report

ANNEX A

Merseyside UDF JESSICA Project Review Requirements						
Investment and Project Terms - example, subject to change and for illustration purposes only						
1. Development loan finance for viable, sustainable Urban Regeneration and Infrastructure schemes						
2. Mezzanine loan of 30% offered						
3. Competitive commercial interest rates offered						
4. Investment to be paid over two to five years						
5. Equity reinvestment requirements for future phases						
		Project 1	Project 2	Project 3	Project 4	Project 5
Q 1	Strategic Objectives	Atlantic Park - Developers, Royal London Asset Management	Senate Business Park, Bridle Road	Peerless, Dunnings Bridge Corridor	Southport Business Park, Kew	Heysham Road / Switch Car, Dunnings Bridge Corridor
	Broad ERDF OP alignment	Is within OP's priority strategic site of Dunnings Bridge Corridor	Within priority strategic sites of Dunning Bridge Corridor	Withn priority strategic sites of the Corridor	NWDA supported development	Priority strategic site within OP
	Strategic imperatives	Significant aspect of major redevelopment of whole corridor				
	Sustainable integrated regeneration plan	Usual documents in place				
	2 Knowledge Focus					
	Key Sectors	Commercial and light industrial	Commercial & light industrial	light industrial / commercial	commercial/industrial	industrial / light industrial / commercial
	Project ERDF Outputs	Units, jobs,	Units, jobs	Unit, developers don't want to divulge job numbers yet	Units, approx 250 jobs.	
	Project ERDF Outcomes	Increased private sector investment; improved land quality; vibrant and successful business location.				
Q 3	Planning Considerations					
	Planning Status	EDT3 Strategic employment Site	EDT4 Strategic Employment Site	EDT3 Strategic Employment Site	Strategic Employment Site	Primarily Industrial Area
	Enviornmental Conditions and Constraints	Was the site of Rolls Royce engineering	no issue	some contamination on site - owner in process of negotiating a de-	remediation of former landfill site	some remediation

					contamination strategy		
		Utility Considerations	potential electricity supply issue	potential electricity supply issue	potential electricity supply issue	no issue	
		Amenity Considerations	No issue	no issue	no issue	no issue	
		Eco-credentials	No issue	no issue	no issue	no issue	
		Site Acquisition and Assembly	No issue	no issue	no issue	no issue	
Q	4	Project Readiness					
		Scheme Defintion	Further development of 19 ha site. One new commercial building completed. Current £14.6 mil infrastructure & refurbishment development due to be completed by March 2011. Developers will then consider further development and/or sell off parcels of land for others to develop. Developers keen to incorporate low carbon features such as carbon neutral design and district heat & power schemes, and meetings to take place to discuss these with developers soon. JESSICA funding could be used to buy-in to supporting further site development.	Mixed development of B1 & B2 premises of approx 230k ft2. Littlewoods purchased part of site to relocate call centre activity on 150kft2 and has planning approval for this activity. Likely not to go forward and SMBC has option of buy-back at original selling price if this situation formalised, and would be used to develop whole site for mixed use. SMBC owns remainder of site that Priority Sites Ltd want to purchase for mixed commercial / light industrial premises for which planning approval is close to completion.	The developers want to build an industrial unit on a 4 acre section to the rear of the site away from the main Dunning Bridge Road. There are tentative plans for the developers to use the front of the site for a hotel / commercial development.	Previous phases of the business park have been funded by NWDA and GONW, supporting the remediation of 6 acres of brownfield site, 80,000 ft2 offices and approx 300 jobs. Berkeley James want to build two more grade A office buildings of 32,200 ft2 each with associated external works and car parking on a 12,000 m2 former landfill site. The drawings/plans are in place. Santander Bank was prepared to fund the remainder of the £11 mil development costs over and above a £1.65 mil ERDF grant, but only if 50% pre-lets was achieved. JESSICA loans could	These sites are some way off from being oven-ready schemes for round 1 JESSICA funding, although Switch Car site is well defined, whereas Heysham Road is a more sprawling area with many small parcels in multiple ownership. However, they represent longer term potential in terms of locations for post 2015 JESSICA funds that will be relieved of ERDF restrictions on, for example, equity investment and energy schemes. The whole of the Dunnings Bridge Corridor as an integrated development in terms of design, energy usage etc represents the overall objective.

						de-risk the Santander input. Also, close to the business park a proposal for a district heating scheme involving David Wilson Homes, a hospital and others has emerged, and there is interest to spread it to the business park using Wilson Bowden Developments. The scalability of CHP means that the 2 new office developments could be CHPed and linked to homes/hospital CHP, or they might be regarded as a phase 1 and phase 2 development.	
		Scheme Status (Planning)	Planning approval for developers overall masterplan	Planning approval for old call centre plan. Planning application ready for Priority Sites.	Planning application in the system for 4 acre development	Planning permission needed	planning needed
		Ownership	Developers - Royal London Asset Management	Sefton MBC own part of site. Littlewoods own the rest	Chancerygate Business Centres	Sefton Council	multiple / Carcraft
		Phasing and Implementation					
		SPV in place (details)					
		Project Readiness / timetable	April 2011 - 2014	2011-13	2011-13	Phase 1 Spring 2011; Phase 2 2012	
		Market Demand and Failure				There is a demand in Southport for high quality new commercial floorspace and there are no readily available alternative sites to meet such	

							demand.
Q 5	ERDF Eligibility						
	Regulation Compliancy	Compliant	compliant	compliant	compliant		
Q 6	Single Programme Eligibility						
	Regulation Compliancy						
Q 7	Project Viability						
	GDV						
	Cashflows						
	IRR						
	Valuation Evidence						
	Existing Funding	Current £14.6 mil development has £1.3mil NWDA, £3.4mil ERDF and remainder Royal London. JESSICA funding could de-risk some aspects of future development. The JESSICA funding required is very speculative.	Priority Sites Ltd, land sale.			Currently in discussions with Berleley James over the best way to move forward.	
8	Risk Profile						
	Substantial Pre-lets or Pre-sales	No	no	no	no		
	Project Company - agreements, exit etc						
	Investee reputation - covenant/track-record etc	Excellent	Priority Sites Ltd works in partnership with both RBS and the HCA				
	Construction contracts						
	Exit Agreement						
	Minimum Investment required	£2.5 mil	£1 mil	£1 mil	Phase 1, £4.5 mil; Phase 2, £1 mil	£1.5 mil	

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Agenda Item 6

REPORT TO: Cabinet Member - Environmental

DATE: 30th June 2010

SUBJECT: **GRAFFITI REMOVAL PARTNERSHIP WITH VIRGIN MEDIA**

WARDS AFFECTED: ALL

REPORT OF: J G Black
Operational Services Director

CONTACT OFFICER: Gary Berwick
Cleansing Services Manager – 0151 288 6134

**EXEMPT/
CONFIDENTIAL:** No

PURPOSE/SUMMARY:

To inform the Cabinet Member, Environmental of the arrangements agreed with Virgin Media to tackle anti-social graffiti on Virgin Media cabinets / boxes.

REASON WHY DECISION REQUIRED:

For information only.

RECOMMENDATION(S):

That the Cabinet Member, Environmental notes the report and acknowledges the partnership arrangement with Virgin Media.

KEY DECISION:

FORWARD PLAN:

IMPLEMENTATION DATE:

Agenda Item 6

ALTERNATIVE OPTIONS:

Do nothing or attempt to use enforcement powers.

IMPLICATIONS:

Budget/Policy Framework:

Financial:

<u>CAPITAL EXPENDITURE</u>	2010 2011 £	2011 2012 £	2012/ 2013 £	2013/ 2014 £
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<u>REVENUE IMPLICATIONS</u>				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources (Future Jobs Fund & Virgin Media)		113k		
Does the External Funding have an expiry date? Y/N	March 30 th 2011			
How will the service be funded post expiry?	Service will cease			

Legal:

Risk Assessment:

Asset Management:

CONSULTATION UNDERTAKEN/VIEWS

WNF external steering group / Merseyside Cleaner Greener Safer Partnership

Agenda Item 6

CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		✓	
2	Creating Safe Communities		✓	
3	Jobs and Prosperity	✓		
4	Improving Health and Well-Being		✓	
5	Environmental Sustainability	✓		
6	Creating Inclusive Communities		✓	
7	Improving the Quality of Council Services and Strengthening local Democracy		✓	
8	Children and Young People		✓	

LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT

Nil

Agenda Item 6

Background

1. In 2008 the Merseyside Cleaner Greener Partnership (MSCG), comprising of the 5 Merseyside District Councils and Keep Britain Tidy Group, in determining programmes for the next 3 years (2008 to 2011) agreed to approach Virgin Media to seek to establish a 'Merseyside' wide arrangement / partnership over a fixed term of 2 or 3 years, to remove graffiti from or paint-over graffiti affecting Virgin Media cabinets / boxes in an effort to improve cleanliness as reported under NI 195 (c) 'graffiti' in each Council area.
2. A number of meetings were arranged and facilitated by Keep Britain Tidy with Virgin media representatives. However an MCSG/Virgin partnership arrangement stalled due to a lack of agreement regarding 'responsibility', 'payment per cabinet/box' and 'indemnity issue concerns'.
3. With the partnership effectively failing to reach any conclusion to these discussions, officers within the Operational Services Department decided to meet with Virgin Media directly to explore a 'partnership' with Sefton. The other Councils were informed of this decision, were invited to the initial meeting and have been informed of the outcome.
4. On 27 April 2010, following a final discussion with Virgin Media, the basis of a partnership arrangement was established between the Council and Virgin Media. This has subsequently been approved via a 'Chief Officers Report' and this report is to formally acknowledge the partnership arrangement.

Details of Partnership Arrangement with Virgin Media

5. The Council has agreed, with Virgin Media, to paint over graffiti affecting Virgin Media cabinets, at its discretion, up to a maximum of 600 cabinet visits per annum. This represents approximately 35% of the 1,590 Virgin Media cabinets in Sefton. The Council will ensure that the cabinet identification numbers remain legible and that the locks and hinges are not painted over.
6. Virgin Media will indemnify the Council against any damage to the cabinets, as a direct result of painting by the Council, as long as this is carried out with due care and attention.
7. Virgin Media will make a financial contribution of £5 per cabinet visit, up to a maximum of £3k during the period of the arrangement.
8. The paint is water based and requires no COSHH risk assessment. It is fast drying and opaque and requires only one coat to cover graffiti. Virgin Media will also be providing the paint at no cost to the Council.

9. The Council and Virgin Media have agreed to work together to tackle the root causes of graffiti by, for example, identifying and prosecuting graffiti vandals.
10. Virgin Media will also give future consideration to the application of an anti-defacement coating to a limited number of cabinets, which suffer from repeated graffiti vandalism in high profile areas, however this would be on a match-funded basis. If Virgin Media confirm, in future, that they are willing to pursue this proposal the Cleansing section will take a further report to the relevant Area Committee(s) to gauge whether they would be willing to contribute (match-fund) to such an arrangement, under this partnership approach, on an area by area basis. If subsequently agreed and established the Cleansing section of the Operational Services Department would act as the 'conduit' for delivery of this service.
11. Cleansing are using staff employed via the externally funded 'Future Jobs Fund' (FJF) to carry out activity associated with this partnership arrangement. This FJF initiative aims to help unemployed local residents, who have lost employment status for longer than 6 months, to be re-trained and re-skilled for entry into the local jobs market. This will involve a total of 18 persons being afforded an opportunity to be re-trained and re-skilled over a 12-month period, subject to continuation of external funding.
12. The partnership with Virgin Media is initially for 12 months, until 30th April 2011, and has an option for a one-year extension if both parties agree.
13. Work, under this partnership arrangement, has commenced in the south of the borough with activity in the north scheduled for September 2010 onwards.

Anticipated outcome of partnership with Virgin Media

14. The partnership arrangement with Virgin Media should make a positive contribution in relation to cleanliness surveys, undertaken to report against National Indicator 195 (c), on observations of 'graffiti' within Sefton's boundary
15. The partnership arrangement with Virgin Media may, if successful, form the basis for future partnership arrangements with other organizations, utility companies and/or private businesses.

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Agenda Item 7

REPORT TO: Cabinet Member Environmental

DATE: 30th June 2010

SUBJECT: **GREEN WASTE COMPOSTING TENDER**

WARDS AFFECTED: All

REPORT OF: J G Black - Operational Services Director

CONTACT OFFICER: Clare Melser, Recycling Services Officer
Tel: 0151 288 6144

**EXEMPT/
CONFIDENTIAL:** No

PURPOSE/SUMMARY:

To seek approval to re-tender the current green waste contract until 31st March 2013 with an option to extend for a further year.

REASON WHY DECISION REQUIRED:

To provide a continuous service for the disposal of green waste for composting.

RECOMMENDATION(S):

That the Cabinet Member, Environmental agrees that:

Tenders are invited during 2010 for a Contract to be awarded for the period 1st April 2011 to 31st March 2013 with an option to extend for a further year.

KEY DECISION: No

FORWARD PLAN: No

IMPLEMENTATION DATE: Following the call-in period.

Agenda Item 7

ALTERNATIVE OPTIONS: None

IMPLICATIONS:

Budget/Policy Framework: Costs are contained within the Cleansing Budgetary Provision

Financial:

<u>CAPITAL EXPENDITURE</u>	2010/ 2011 £	2011/ 2012 £	2012/ 2013 £	2013/ 2014 £
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<u>REVENUE IMPLICATIONS</u>				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

Legal: Nil

Risk Assessment: N/A

Asset Management: N/A

CONSULTATION UNDERTAKEN/VIEWS -NONE

FD 400 - The Head of Corporate Finance & Information Services has been consulted and has no comments on this report.

Agenda Item 7

CORPORATE OBJECTIVE MONITORING:

Corporate Objective		Positive Impact	Neutral Impact	Negative Impact
1	Creating a Learning Community		✓	
2	Creating Safe Communities		✓	
3	Jobs and Prosperity		✓	
4	Improving Health and Well-Being		✓	
5	Environmental Sustainability	✓		
6	Creating Inclusive Communities		✓	
7	Improving the Quality of Council Services and Strengthening local Democracy		✓	
8	Children and Young People		✓	

LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT

Green Waste Composting Service: Gw/2008/01

Agenda Item 7

Background

- 1 The current contract for the disposal of green garden waste for composting comes to an end on March 31st 2011. There is no option to extend the contract for a further period.
- 2 Loose garden waste collected via green wheelie bins under the alternating weekly collection service (AWC) is delivered to Walkers Organic Solutions (formerly WRS Composting); approximately 20,000 tonnes per annum is delivered for composting. Bagged green waste, leaf fall and Christmas trees are delivered to Hightown Composting Company; approximately 1,000 tonnes per annum is delivered for composting.
- 3 As the contract will have a value that exceeds the European Union procurement limit, for purchases of goods and / or services by Local Authorities, it will have to be re-tendered in order to maintain outlets for composting of green garden waste arisings.

Procurement

- 4 Subject to approval, the Cleansing section will conduct a formal procurement process, advertised in the Official Journal of the European Union (OJEU). This will invite tenders for the processing of green garden waste, collected by Sefton Council and delivered to the processing facility, to produce compost.
- 5 An evaluation of tenders will be carried out to seek approval to award, during this financial year, a new contract for the period 1st April 2011 to 31st March 2013. The new contract will include an option to extend for a further year.

Financial implications

- 6 The cost associated with the current contract for composting green waste is contained within the Cleansing budget, Whilst small variations to tendered prices may arise, it is anticipated that the overall cost will continue to be contained within the existing budget provided.

Agenda Item 8

REPORT TO: Cabinet Member - Environmental

DATE: 30th June 2010

SUBJECT: **VEHICLE/PLANT REPLACEMENTS 2009/10
SPECIALIST CLEANSING VEHICLES**

WARDS AFFECTED: None Directly Affected

REPORT OF: J.G Black
Operational Services Director

CONTACT OFFICER: V J Donnelly
Vehicle Maintenance Manager
0151 288 6158

**EXEMPT/
CONFIDENTIAL:** No

PURPOSE/SUMMARY:

To advise the Cabinet Member - Environmental of the change of Specialist Cleansing Vehicle suppliers due to the originally nominated supplier losing their sales franchise and ceasing to trade.

REASON WHY DECISION REQUIRED:

To comply with the Council Constitution and Contract Procedure rules.

RECOMMENDATION(S):

It is recommended that the Cabinet Member - Environmental approves the following;

1. Acceptance of the tender provided by Scarab Sweepers of £87,677 per vehicle excluding VAT for tender number T:317 Mechanical Road Sweepers.
2. Acceptance of the tender provided by Ditchburn Trucks of £56,055 per vehicle excluding VAT for tender number T:308 Skip Loading vehicles.

KEY DECISION: No

FORWARD PLAN: Not Appropriate

IMPLEMENTATION DATE: Following the expiry of the "call-in" period for the minutes of the meeting.

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ALTERNATIVE OPTIONS:

None

IMPLICATIONS:

Budget/Policy Framework: None

Financial: Costs of replacement vehicles will be met from within existing resources.

<u>CAPITAL EXPENDITURE</u>	2010/ 2011 £	2011/ 2012 £	2012/ 2013 £	2013/ 2014 £
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<u>REVENUE IMPLICATIONS</u>				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

Legal: None

Risk Assessment: None

Asset Management: None

CONSULTATION UNDERTAKEN/VIEWS

Legal

Finance (FD413) - The Interim Head of Corporate Finance & Information Services has been consulted and has no comments on this report.

CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		√	
2	Creating Safe Communities		√	
3	Jobs and Prosperity	√		
4	Improving Health and Well-Being		√	
5	Environmental Sustainability		√	
6	Creating Inclusive Communities		√	
7	Improving the Quality of Council Services and Strengthening local Democracy		√	
8	Children and Young People		√	

LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT

Vehicle and Plant Tenders January 2010

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Background

1. A report was presented to Cabinet Member Environmental on 7th April 2010 and to Cabinet on 14th April 2010 informing members of the results of the tendering exercise using the Commercial Vehicle Framework Agreement – Contract 565 and seeking approval to accept tenders and place orders for a number of new vehicles and plant.
2. Orders have been placed with suppliers for most of the vehicles and plant with the exception of tender reference number T:308 for 17-Ton Skiploaders (two vehicles) and T:317 for Mechanical Sweepers (two vehicles).
3. The report recommended that orders be placed with a company called Chatfields of Bridle Road, Bootle a local IVECO dealership and the only tenderer for the above vehicles. Unfortunately this company has lost the IVECO sales franchise and is in the process of closing down, therefore no orders were placed.

Procurement Method

4. Advice was sought from the Central Purchasing Section and Wirral Council, who administer Commercial Vehicle Framework – Contract 565, on the best way to obtain an alternative supplier(s). Based on their advice it was deemed appropriate to seek new tenders from companies included in the framework agreement but to exclude Chatfields from the exercise.
5. The lowest prices obtained were from Ditchburn Trucks at £56,055 per vehicle for Tender reference T:308 17-Ton Skiploaders and from Scarab Sweepers Ltd at £87,677 per vehicle for T:317 Mechanical Sweepers.
6. The price offered by Scarab Sweepers for tender reference number T:317 matches the original price tendered by Chatfields.
7. The price offered by Ditchburn Trucks for tender reference T:308 does represent an increase of £668 per vehicle, compared to the original (Chatfields) tender. However, as they do have a chassis readily available and have included a 3 year unlimited mileage warranty and roadside assistance in their tender, both of which were not offered by Chatfields, it is considered to be of comparable value.

Financial Implications

8. The tendering exercise has resulted in an overall increase of £1336 for tender reference number T:308 17-Ton Skiploading vehicles.
9. The vehicles for T308 and T317 will be purchased using an Operating Lease Facility arranged by the Finance Department and will not impact on the level of capital resources available.
10. Provision exists within the Cleansing Services budget for the marginal increase of revenue lease costs of the vehicles, to be procured via the Commercial Vehicles Framework Agreement – Contract 565, identified in tenders T308 and T317.

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REPORT TO: Cabinet Member – Technical
Cabinet Member – Environmental
Cabinet Member – Regeneration

DATE: 30th June 2010
30th June 2010
7th July 2010

SUBJECT: Plugged-in-Places Programme – A sub-regional bid to introduce Electric Car Charging Points

WARDS AFFECTED: All Wards

REPORT OF: Andy Wallis – Planning and Economic Development Director

CONTACT OFFICER: Mo Kundi - 934 3447
Neil Ash –934 3473

**EXEMPT/
CONFIDENTIAL:** No

PURPOSE/SUMMARY:

To inform Members of the bid submitted by The Merseyside Transport Partnership (Knowsley, Liverpool, Sefton, St. Helens, and Wirral Councils, and Merseytravel), on behalf of sub regional partners, which if successful could see the introduction of Electric Car Charging Points in Sefton.

REASON WHY DECISION REQUIRED:

To comply with reporting procedures

RECOMMENDATION(S):

It is recommended that:-

Cabinet Members for Regeneration and Technical Services:-

1. Endorse the submission of Expression of Interest by The Merseyside Transport Partnership for the sub-regional Plugged in Places project

Cabinet Member for Technical Services:-

2. Endorse the submission of Expression of Interest by The Merseyside Transport Partnership for the sub-regional Plugged in Places project with further consideration to be given to the capital and revenue implications should a full bid be progressed.

Cabinet Member for Environment:-

3. Note the content of this report

KEY DECISION: No

FORWARD PLAN: No

IMPLEMENTATION DATE: Immediately after the call in period

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ALTERNATIVE OPTIONS: Road transport is responsible for over 24% of the Sefton's CO2 emissions and cars are responsible for the vast majority of this. The use of alternative fuels, like electricity, can help reduce these emissions, and in the case of electricity help alleviate local air quality problems. Not to participate in this sub-regional project would not only weaken the bid, but would make it more difficult to address this problem in the future.

IMPLICATIONS:

Budget/Policy Framework:

Financial:

It should be noted that Sefton Council has the option to opt out of this project before the bid is submitted in September. However, should Sefton Council wish to continue, the maximum amount of contribution required from each of the five participating local authorities would be £15,000 each, with Merseytravel being asked to contribute £50,000. The £15,000 would be spread over a three year period and is proposed that this could be met out of future Local Transport Plan Capital Programme allocations. There may also be some small revenue implications relating to a possible loss of car parking income as a result of the placing of electric charging points in some car parks. However, all cost implications would be brought back to Members prior to a full bid being progressed to enable an informed decision to be made.

<u>CAPITAL EXPENDITURE</u>	2010/ 2011 £	2011/ 2012 £	2012/ 2013 £	2014/ 2015 £
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<u>REVENUE IMPLICATIONS</u>				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

Legal:

No

Risk Assessment: No

Asset Management: No

CONSULTATION UNDERTAKEN/VIEWS

FINANCE – FD436 – THE INTERIM HEAD OF CORPORATE FINANCE AND ICT STRATEGY HAS BEEN CONSULTED AND HIS COMMENTS HAVE BEEN INCORPORATED INTO THIS REPORT
 LEGAL
 ENVIRONMENTAL AND TECHNICAL SERVICES

CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		/	
2	Creating Safe Communities		/	
3	Jobs and Prosperity	/		
4	Improving Health and Well-Being	/		
5	Environmental Sustainability	/		
6	Creating Inclusive Communities		/	
7	Improving the Quality of Council Services and Strengthening local Democracy		/	
8	Children and Young People		/	

LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT

Plugged-In Places: The Electric Vehicle Charging Infrastructure Framework
 Application Guidance - The Office For Low Emission Vehicles (OLEV)

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1.0 BACKGROUND:

- 1.1 Plugged-in-Places is a national programme to support the installation of an electric vehicle charging infrastructure (EVCI). It pulls together £30 million from the Department for Transport (DfT), Department for Business Innovation & Skills (BIS) and the Department for Environment & Climate Change (DECC). Launched in November 2009, funding will be available between April 2010 and March 2013 for grants of up to 50% of a project's costs. Indicative funding available will be £10 million for each of the three years. The grants can only be used for capital costs. Bids are expected from consortia covering cities or regions.
- 1.2 Three bids were successful in the first round of applications, announced in February 2010 – London, Milton Keynes, and the North East. The deadline for the second wave of applications was 1st June 2010, with the final applications being submitted by 30 September 2010. Any grant awarded has to be spent during 2011/12 and 2012/13.
- 1.3 Initial interest in submitting a Merseyside bid did not have the necessary consortium backing a submission. However, a recent meeting brokered by the Low Emissions Strategies Partnership in which Sefton plays a leading role, brought together potential partner organisations from the public and private sectors, and it was agreed that a Merseyside bid was not only desirable and feasible, but was also likely to be regarded by the administrators of the Plugged-in-Places programme, OLEV (Office for Low Emission Vehicles), as a strong bid.

2.0 Strategic fit and desirability

- 2.1 The overall context of an EVCI is to support the need to reduce CO₂ emissions. Road transport is responsible for over 22% of the UK's CO₂ emissions and cars are responsible for the vast majority of this. An electric car powered from today's grid (the figures will get better as the grid incorporates more renewable energy) emits between 15% and 40% less CO₂ over its lifetime than a comparably sized petrol car.
- 2.2 The Liverpool City Region (LCR) has certain advantages. It is flat area that is bounded by a new £1 billion city centre to the south and the classic resort of Southport in the north. The distance between them is ideal for the range of the new vehicles that will be produced in 2011, and so will avoid what is known as 'range anxiety' and 'hill fatigue'. The area also has national and international environmental designations that help to put into focus the reasons for purchasing EV's.
- 2.3 The North East's first wave application was influenced by the location of Nissan in Sunderland that will build Nissan's new 5-seater EV ready by Spring 2011. The North East is also one of the government's designated Low Carbon Economic Areas, a status related to ultra-low carbon vehicles. The LCR is also a centre for the automotive industry with Vauxhall and Jaguar. With an EVCI in place, there should be potential to develop an exchange of support between local authorities and this industry.
- 2.4 The biggest cost issue with EV's is the initial outlay for purchase. Government grants (Plug-in Car Grant) will be available for up to £5000 towards the cost of a new vehicle, representing about 25% of the expected purchase price. The cost of fully charging an EV will be approximately £1.20 / 100kms. An EVCI would enable, for example, a local

authority when renewing its own vehicle fleet to consider using EV's, producing considerable savings on annual running costs.

3.0 eLive - The Sub-regional Bid

- 3.1 Whilst the Expression of Interest has been submitted (1st June 2010), it does not at this stage commit Merseytravel and its sub-regional partners to making a full bid by 30th September 2010.
- 3.2 The maximum total project cost is £2.1 million with a request for £1 million grant from OLEV. The balance of the funds is expected to be delivered through 1/3 public sector funding, 1/3 private sector funding and 1/3 planning process. However it should be noted that these are very much provisional figures with the potential call on Sefton being in the order of £15,000 over a three year period. During the preparation of a full bid, consideration will be required to this level of support funding coming from the Local Transport Plan capital funds, and to any potential loss of income, which might occur in the parking revenue accounts, as a result of the placing of electric charging points in car parks. More accurate cost implications would be brought back to Members should the bid be successful, and prior to any approval to progress with the scheme in Sefton.
- 3.3 The initial eLive project will run over two years and will deliver a series of projects within four distinct workstreams, namely:-

eSpots:

- 3.4 The infrastructure to support electric vehicles will include key locations identified as areas of demand and scalable demonstration zones.
- 3.5 Coverage of key locations within the region will be achieved by placing infrastructure at sites which fit broadly within five categories; home, work, shopping, transport interchanges, and the visitor economy. There will be blanket coverage across the region but with greater densities of infrastructure at district centres.
- 3.6 The demonstration zones will explore how electric vehicle use and demand can be managed and exploited. They are;
 - Toxteth: Investigating the realisation of economically efficient charging solutions.
 - Southport: Socio-economic factors suggest Southport would be a prime location for initial uptake of electric vehicles.
 - Ellesmere Port: The Ellesmere Port zone will focus around stimulating regeneration through early uptake of electric vehicles.

ePark:

- 3.7 In addition to making charging points available to support electric vehicles, the LCR is proposing a comprehensive set of measures to incentivise the use of electric vehicles. Ideas include;
 - Priority parking in key locations
 - Free charging and parking at key locations

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- Guaranteed space through online pre-booking
- eLive membership with discounts and priority booking at partner events and attractions
- Free home and business safety checks for planned or installed charging points
- Free 'profitability' analysis of electric vehicles for business use
- Electric vehicle hire scheme (investigated in parallel to the Plugged-in Places bid)

eSkills:

3.8 In addition to the incentives and promotion in the ePark workstream, the eLive partners intend to use the Plugged-in Places programme to stimulate skills and development. At the local level this will include safety training, household support, fleet management advice, and electric vehicle information. At a strategic level the Northwest Development Agency will lead on skills requirements.

eInnovate:

3.9 A number of innovative applications of electric vehicles are planned for the LCR and these demonstrations will help to shape the future of our electric vehicle strategy. These include; electric bus trials, an electric taxi demonstration, and rapid charging connecting the national road network.

Benefits

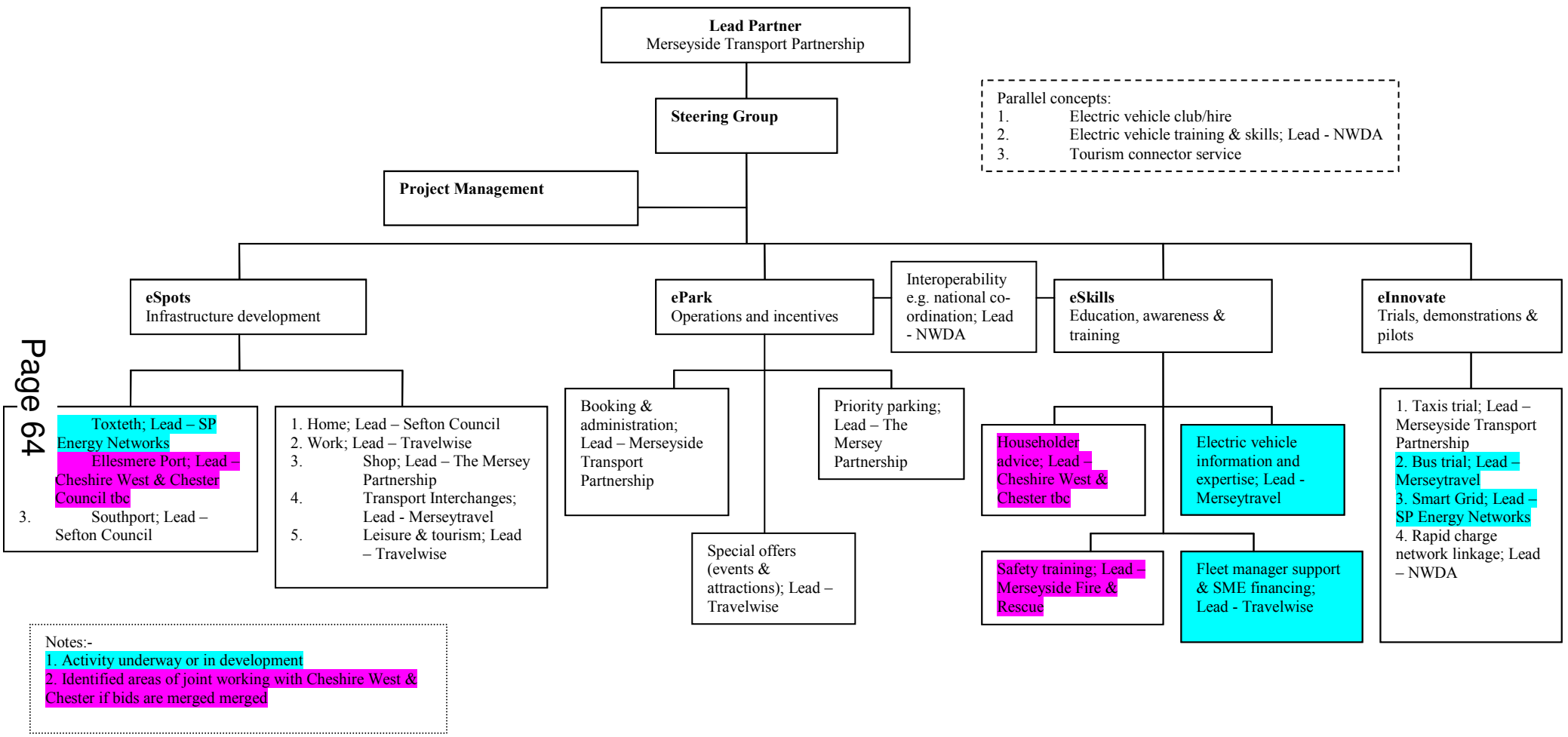
- 3.10 If successful the project would provide a unique opportunity to bring about the following benefits to the sub-region;
- 1) Electric vehicle use which is integrated into every day life
 - 2) Stimulate a market to draw future investment in electric vehicle technology to the LCR
 - 3) Improved air quality and associated health benefits
 - 4) Diversification of transport fuels away from fossil fuels
 - 5) Contribute to the LCR and LTP3 targets of environmental sustainability and economic regeneration.

4.0 Summary

- 4.1 Road transport is responsible for over 24% of the Sefton's CO2 emissions and cars are responsible for the vast majority of this. The use of alternative fuels, like electricity, can help reduce these emissions, and in the case of electricity help alleviate local air quality problems.
- 4.2 The Plugged in Places project provides a unique opportunity to work with a range of sub-regional partners to commence the process of both providing the infrastructure required for the use of electric vehicles, and at the same time influence behaviour change away from fossil fuel consumption. Annex A attached provides at this stage an indicative Structure and organisation of eLive bid.

Structure and organisation of eLive bid

Annex A



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REPORT TO: Cabinet Member – Technical
Cabinet Member – Environmental
Cabinet Member – Regeneration

DATE: 30th June 2010
30th June 2010
7th July 2010

SUBJECT: Climate Change Local Area Support Programme (CLASP) –
Building the Adaptive Capacity of Sefton’s Businesses Project

WARDS AFFECTED: All Wards

REPORT OF: Andy Wallis – Planning and Economic Development Director
Peter Moore – Environmental and Technical Services Director

CONTACT OFFICER: Mo Kundi – 934 3447
Gary Mahoney – 934 4300

**EXEMPT/
CONFIDENTIAL:** No

PURPOSE/SUMMARY:

To inform Members of the outcome of a bid submitted under the Climate Change Local Area Support Programme – Local Partnerships Small Projects Fund.

REASON WHY DECISION REQUIRED:

To comply with reporting procedures

RECOMMENDATION(S):

It is recommended that:-

Cabinet Members for Regeneration, Technical Services, and Environment:-

1. Note the success of the bid,
2. Request further progress reports.

KEY DECISION: No

FORWARD PLAN: No

IMPLEMENTATION DATE: Immediately after the call in period

ALTERNATIVE OPTIONS: The main aim of this project is to engage with local businesses in Sefton to introduce the importance of Climate Change adaptation and the opportunities that may arise from it. Not to undertake this work could leave businesses unable to respond thus leading to businesses closure and loss of jobs.

IMPLICATIONS:

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Budget/Policy Framework:

Financial: The total cost of the project is £18,600, of which £11,100 is being funded by CLASP, with the balance of £7,500 being met from an existing 'Regeneration Programmes' Earmarked Reserve account (BZ 901). This reserve account has been verified as having sufficient funds by the Finance Department.

<u>CAPITAL EXPENDITURE</u>	2010/ 2011 £	2011/ 2012 £	2012/ 2013 £	2013/ 2014 £
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<u>REVENUE IMPLICATIONS</u>				
Gross Increase in Revenue Expenditure	£18,600			
Funded by:				
Sefton funded Resources	£7,500			
Funded from External Resources	£11,100			
Does the External Funding have an expiry date? Yes	When? 2010/11			
How will the service be funded post expiry?	N/A			

Legal: No

Risk Assessment: No

Asset Management: No

CONSULTATION UNDERTAKEN/VIEWS

FD 437 The Head of Corporate Finance & Information Services has been consulted and his comments have been incorporated into this report

LEGAL

ENVIRONMENTAL AND TECHNICAL SERVICES

CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		/	
2	Creating Safe Communities		/	

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3	Jobs and Prosperity	/		
4	Improving Health and Well-Being	/		
5	Environmental Sustainability	/		
6	Creating Inclusive Communities		/	
7	Improving the Quality of Council Services and Strengthening local Democracy	/		
8	Children and Young People		/	

LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT Climate Change Local Area Support Programme – Guidance for Applicants

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1.0 BACKGROUND:

- 1.1 CLASP – the Climate Change Local Area Support Programme - provides free support for all North West Local Authorities and Local Strategic Partnerships on climate change mitigation and adaptation. This includes the reduction of CO2 emissions from their own estate and wider local areas, with particular emphasis on the implementation and progression of National Indicators 185 (Percentage CO2 reduction from LA operations), 186 (Per capita CO2 emissions in the LA area) and 188 (Planning to adapt to Climate Change).
- 1.2 The programme has 5 core activity themes:-
 - Network & Communications
 - LSP and LA Member Support
 - Regional Events, Training and Workshops
 - Sub-regionally Specific Support
 - Further Advice & Support Services
- 1.3 CLASP is funded by NWIEP (North West Improvement and Efficiency Partnership) and NWDA. The programme is hosted by Liverpool City Council on behalf of the region.
- 1.4 The North West Climate Change Local Area Support Programme (CLASP) – has created the Local Partnerships Small Projects Fund in order to: *Increase the pace of delivery, develop leadership and encourage the effective co-operation of Local Authority led sub-regional and local partnerships to tackle carbon emission reduction and resilience to climate change, with a specific focus on NI 185, 186 and 188.*
- 1.5 CLASP issued a call for projects in early 2010 that would cover most, if not all, of the objectives listed below:-
 - Tackle critical and immediate barriers to improvement on NI 185, 186 and 188
 - Develop best practice and stimulate innovation in carbon reduction, adaptation and efficiency savings
 - Share best practice within the North West
 - Accelerate progress towards a low-carbon and well adapting public sector
 - Develop sub-regional and local leadership on climate change
- 1.6 Subject to meeting the above criteria, CLASP is making available the following grant rate and award value:-
 - Grants to support discrete, small, short-timescale projects (usually completed within 6 months).
 - Funding for work that is truly additional, over and above activities that are already planned, expected or required.
 - 100% grant funding in exceptional cases, however 50% expected to be the typical contribution.

- A minimum grant of £1,000 and typical grants expected to be in the range of £5,000 - £10,000. Awards above £15,000 will be considered only in exceptional circumstances.

3.0 Sefton Project

3.1 Sefton Council submitted a project to CLASP entitled 'Building the Adaptive Capacity of Sefton's Businesses' that would engage with local businesses to introduce the importance of Climate Change adaptation and the opportunity that may arise from it. In particular the project would highlight why adaptation is important to businesses, in terms of cost savings, improve productivity, and identifying opportunities that would provide adaptation solutions locally. This would involve the following steps:-

- Consultation business organisations to identify which businesses to target and what information they might need
- Develop concise information about Climate Adaptation as an A5 size leaflet/small booklet. This will be set out as familiar areas of concern that maybe relevant to them, such as their premises, staff, customers, market, money as well as less familiar areas such as dependency on external factors.
- The leaflet/booklet will be delivered to all 4,000 business addresses throughout Sefton
- To support businesses, the leaflet/booklet will signpost engaged businesses towards an online resources that will provide more in depth Climate Adaptation information; for instance future weather scenarios as well as tools to take them through a self assessment process to look at their own business and evaluate threats & opportunities specific to them. The materials will also signpost businesses toward Carbon reduction support.
- Develop the online resources as outlined above as well as signposting to information sources that already exist on specific topics of concern as well as provide a facility for online feedback/questionnaire
- Work with selected and engaged businesses that have particular examples of adaptation after initial referral from Invest Sefton Business Support service. To act as demonstration to other businesses of the importance of adaptation and how to deliver adaptation.
- Consultants employed will support the development of future bids for European funding. To include the assessment of the results of "the Building the adaptive capacity of Sefton's businesses" project and production of recommendations for how the learning gained can assist the development of larger bids to progress the work begun in this project and future business related Climate issues

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- 3.2 Members will be pleased to learn that the above bid was successful and is expected to start in late June 2010, and be completed by December 2010.

4.0 Financial Implications

- 4.1 The total cost of the project is £18,600, of which £11,100 is being met by CLASP, with the balance of £7,500 coming from an existing Planning and Economic Regeneration Reserve account (BZ901). This Reserve account has been verified as having sufficient resources by the Finance Department.

5.0 Summary

- 5.1 Sefton Council, like other public sector organisations is under obligations to address the adverse impacts of Climate Change. This is reflected in the range of national indicator targets that have to be met.
- 5.2 This project provides an opportunity to assist businesses to adapt to or exploit any opportunities arising from a changing climate, and at the same time strengthens the economic performance of businesses in Sefton.

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REPORT TO: Cabinet Member - Environmental
Cabinet Member - Regeneration
Cabinet
Council

DATE: 30 June 2010
7 July 2010
8 July 2010
8 July 2010

SUBJECT: Carbon Reduction Commitment Scheme

**WARDS
AFFECTED:** None

REPORT OF: Alan Lunt - Neighbourhoods and Investment Programmes
Director
John Farrell - Interim Head of Corporate Finance & ICT
Strategy

**CONTACT
OFFICER:** Ian Weller - Energy Team Manager Ext 4221
Kevin McBlain – Financial Management Ext 4049

**EXEMPT/
CONFIDENTIAL:** No

PURPOSE/SUMMARY:

To seek policy decisions on the operation of the Carbon Reduction Scheme, which became legislation from 1 April 2010.

REASON WHY DECISION REQUIRED:

Cabinet has delegated authority to deal with such matters.

RECOMMENDATION(S):

That Cabinet Member – Environmental

1. Notes the report and the intention to bring further reports as the scheme unfolds.

That Cabinet Member - Regeneration

1. Notes the report and the intention to bring further reports as the scheme unfolds.
2. Recommends Cabinet to change the Council's constitution to allow delegated responsibility for operation of the scheme to fall to the Head of Corporate Finance and ICT Strategy or, if a different person, the Officer

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acting in a section 151 capacity.

That Cabinet :

1. Agrees to recommend to full Council, a change to the Council's Constitution, delegating authority to the Head of Corporate Finance and ICT Strategy or, if a different person, the Officer acting in a Section 151 capacity, to act as the CRC Responsible person, to enable trading of Carbon Allowances using General Fund resources, and to sign off all future Carbon declarations and claims made through the Scheme to the Department for Energy and Climate Change.
2. Agrees for the first year of Carbon trading (2011/12), to adopt the approach of funding corporately, any penalty or reward arising from the CRC scheme, with a view to allowing Officers time to consider future options for the distribution of penalties and rewards. These would be the subject of a further report to Members at the appropriate time.
3. Agrees to allow Officers scope to explore the skills and support required to enable future market trading of Carbon Allowances.

That the Council:

1. Subject to a recommendation from Cabinet, agrees to change the constitution, delegating authority to the Head of Corporate Finance and ICT Strategy or, if a different person, the Officer acting in a Section 151 capacity, to act as the CRC Responsible person, to enable trading of Carbon Allowances using General Fund resources, and to sign off all future Carbon declarations and claims made through the scheme, to the Department for Energy.

KEY DECISION: No

FORWARD PLAN: No

IMPLEMENTATION DATE: Immediately following the expiry of the 'call in' period for the minutes of this meeting.

ALTERNATIVE OPTIONS: The Council has no option in joining the scheme, having met the Government's entry criteria, and no legal option to designating a named 'CRC Responsible Person'.

IMPLICATIONS:

Not working towards cutting the Council's Carbon Emissions through the CRC Scheme, could lead to the Council facing severe financial and legal penalties, on an increasing scale as the scheme progresses.

Budget/Policy Framework:

Financial: The Council's MTFP already includes £50k to address what is currently considered to be the maximum penalty we could incur in 2011/12 when the scheme's trading regime commences.

<u>CAPITAL EXPENDITURE</u>	2010 2011 £	2011/ 2012 £	2012/ 2013 £	2013/ 2014 £
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<u>REVENUE IMPLICATIONS</u>				
Gross Increase in Revenue Expenditure		50k		
Funded by:				
Sefton funded Resources		50k		
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

Legal:

The scheme imposes statutory obligations on the Council.

Risk Assessment:

There are Financial risks associated with failure to reduce our stated Carbon Emissions, in the form of penalties, as well as risks associated with the trading of carbon allowances through the scheme. Other financial and civil penalties also exist for general non-compliance of the scheme regulations.

There are however, also rewards available through the scheme for good performance but

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these are dependent upon the Council's measurable reductions in Carbon emissions and its standing in a national League Table.

Asset Management:

There will be implications in due course, particularly in relation to the Council's Accommodation Strategy..

CONSULTATION UNDERTAKEN/VIEWS
Legal and Admin Services
Children Schools and Families
Finance Department FD443 – The Interim Head of Corporate Finance and ICT Strategy has been consulted and his comments have been incorporated into this report
Neighbourhoods and Investment Programmes Department

CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		✓	
2	Creating Safe Communities		✓	
3	Jobs and Prosperity		✓	
4	Improving Health and Well-Being		✓	
5	Environmental Sustainability	✓		
6	Creating Inclusive Communities		✓	
7	Improving the Quality of Council Services and Strengthening local Democracy	✓		
8	Children and Young People		✓	

LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT
 Report to Cabinet of 4 February 2010; Carbon Reduction Commitment Energy Efficiency Scheme (CRC).

1. INTRODUCTION

- 1.1 Members may recall a detailed report brought to Cabinet on 4 February 2010, outlining the workings of the Carbon Reduction Commitment Energy Efficiency Scheme (CRC), which became legislation on 1 April 2010.
- 1.2 This further report now seeks to get approval for a constitutional change which is required to enable the Council to operate the Scheme within the law, and to discuss briefly, the treatment of potential 'Penalties' or 'Rewards' arising from it, and to update Members on developments.

2. COMPLIANCE

- 2.1 As mentioned above, the CRC became law from 1 April 2010, and all Organisations who fall under the legislation, must now formally register electronically with the Department for Energy and Climate Change (DECC), for entry into the scheme no later than 01 September 2010 and at the same time, make a first declaration of estimated Carbon emissions for the 2010/11 financial year.
- 2.2 Statute requires that the initial registration and declaration, and all future declarations and reports required to be made under the Scheme, must be co-ordinated and signed off by the 'CRC Responsible Person' (see appendix A detailing the proposed framework). In the Council, this will be the responsible Officer for Finance, and therefore the Head of Corporate Finance and ICT Strategy or Officer acting in a Section 151 capacity, who will need to be given delegated authority to perform this duty.

3. PENALTIES AND REWARDS

- 3.1 The CRC Scheme is intended to work as an incentive to Public and Private Sector Organisations to invest in energy saving initiatives and thereby reduce their Carbon footprint and associated energy costs.
- 3.2 As detailed in the earlier report to Members on 4 February 2010, the Scheme contains a 'Penalty' and 'Reward' structure, whereby 'declared' and 'actual' Carbon emissions are compared, and following consideration of the Council's actions on energy saving measures in the year ('Metrics'), a National League Table will be drawn up.
- 3.3 The proceeds from the purchase of Carbon Allowances are then to be pooled, and redistributed through the ranking system in the CRC League Table. Those who perform well will receive their Carbon Allowance payments back, plus an added reward, whilst those who do less well may end up with a shortfall on their account. It should be noted that rewards and penalties are subject to annual

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floors and ceilings, with +/-10% in 2011/12 rising to +/-20% in 2012/13 up to +/-50% in 2015/16. Placing in the 'League' Table, however, may be just as much dependent on the performance of others within the scheme, as from our own direct efforts to reduce carbon emissions.

- 3.4 Members will be asked in the future, to consider how the Statutory CRC rewards/penalties should be apportioned within the authority and whether a localised reward and penalty structure should exist in Sefton, allocated to both the Corporate sites and functions (including street lighting), i.e those which are managed under central management, and to those sites which are not managed directly by the Council, for example schools, but which fall within the CRC Scheme.
- 3.5 Officers on the CRC Working Group have discussed some options, which may be worthy of consideration, but these will need time to develop and bring back to Members in the future.

4. A 2010/11 POSSIBLE OPTION WITH REGARD TO PENALTIES AND REWARDS

- 4.1 Officers propose, that for the first year of CRC trading (2011/12), the Council agrees to take no action to distribute penalties or rewards across energy users, and therefore keep and fund them corporately. This is considered as an initial step, to give time for Officers to develop other options for a possible localised system of dealing with penalties and rewards. Further options would then be brought in a later report to Members towards the end of 2011.
- 4.2 Delaying the introduction of a localised system for distributing penalties and rewards gives the Council the opportunity to concentrate on the early practicalities of the statutory scheme, and to focus resources accordingly towards any future finance and carbon saving support that will be required as the scheme accelerates.

5. FUTURE ISSUES

- 5.1 Officers are currently evaluating the levels of resources (both revenue and capital), which are available towards any energy saving measures, and are very mindful that limited resources will need to be used wisely in future to ensure minimum spend for maximum payback from energy measures. Priorities will need to be carefully established as the CRC ratchets-up, and the penalties arising from the scheme rise each year as explained above.
- 5.2 The Carbon data arising from the scheme will be a valuable tool in the future, to enable a clear evaluation of energy performance across the Council's assets.

Such data will enable informed decisions to be made on issues to do with future accommodation usage, and the determination of priority spending on energy schemes through the Accommodation Working Group, Technical Services Client and the Strategic Asset Management Group.

- 5.3 Similarly, the Building Schools for the Future team will need to be mindful of the potential scope for energy saving measures in new buildings, all supported and advised by the Corporate Energy Team.
- 5.4 The Energy Team are currently planning to roll out the use of Smart Meters to improve automated reading of energy consumption. As well as improving the immediacy and accuracy of available data, this investment will assist in efforts to improve the Council's standing in the National League Table.
- 5.5 The Energy Team works with all Council sites to discuss energy issues and to assist with support and advice where carbon and water emissions are not reducing, and indeed the CRC will enable failing sites to be identified and considered for future energy saving measures. However, this is done on a priority basis due to limited staff resource.
- 5.6 Schools are the major carbon producing Council assets, and so a visit and report to the Schools Forum has taken place in June and the Energy Division Manager and the Council's Corporate Finance Department have provided an update on the CRC scheme to schools, who up to now only have a limited knowledge of its existence and operation based on previous communications as the CRC has developed.
- 5.7 Other opportunities may exist to spread knowledge of the CRC system, and these will be considered by the Council's CRC Responsible Officer.

6 FINANCIAL ISSUES

- 6.1 In respect of the Carbon Trading itself, the Council is required to purchase Carbon Allowances in advance, soon after 1 April 2011. The cost of this purchase is likely to be in the region of £450k-£500k, based on initial CO2 estimates for 2010/11, which are required to be registered with DECC by 1 September 2010. The Council's 'actual' CO2 declaration for 2010/11 will be made in July 2011 and the National League Table and distribution of Penalties and/or Rewards will be made in October 2011. At this stage, the Council will receive its money back, adjusted depending on its performance.
- 6.2 Members should note that the floor and ceiling band is +/-10% in 2011/12 and therefore the maximum penalty that the Council could face in 2011/12 is estimated to be £50,000. The floor and ceiling band increases by +/-10% each year between 2012/13 and 2015/16 to a maximum of +/-50%, and therefore based on an equivalent purchase price of £500k, this could mean a maximum

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penalty in later years of £250k should the Council not improve its Carbon emissions and position in the league table.

- 6.3 The Costs of Carbon Allowances are also expected to rise sharply in the future, as the need to trade on the secondary energy markets for Allowances will arise after the first phase of the scheme comes to an end in 2013/14. It is expected that Carbon Allowances will become scarce over time, and with high demand, this will only increase market prices. Current secondary market prices for carbon are around £24 per tonne, which is twice as much as the initial phase 'fixed price' of £12 per tonne. It is therefore not difficult to see how the costs associated with the scheme may rise sharply in the future.
- 6.4 In respect of the actual mechanism for conducting the purchase and sale of Carbon Allowances, trading strategies will need to be considered in the light of experience and available financial support, most probably through the Corporate Finance Department's Treasury Group, who have considerable dealings with Financial institutions. However, should the need arise for additional market expertise, this will be brought to Members attention.

7 RECOMMENDATIONS

That Cabinet Member – Environmental

1. Notes the report and the intention to bring further reports as the scheme unfolds.

That Cabinet Member - Regeneration

1. Notes the report and the intention to bring further reports as the scheme unfolds.
2. Recommends Cabinet to change the Council's constitution to allow delegated responsibility for operation of the scheme to fall to the Head of Corporate Finance and ICT Strategy or, if a different person, the Officer acting in a section 151 capacity.

That Cabinet :

1. Agrees to recommend to full Council, a change to the Council's Constitution, delegating authority to the Head of Corporate Finance and ICT Strategy or, if a different person, the Officer acting in a Section 151 capacity, to act as the CRC Responsible person, to enable trading of Carbon Allowances using General Fund resources, and to sign off all future Carbon declarations and claims made through the Scheme to the Department for Energy and Climate Change.
2. Agrees for the first year of Carbon trading (2011/12), to adopt the approach of funding corporately, any penalty or reward arising from the CRC scheme, with a view to allowing Officers time to consider future options for the distribution of

penalties and rewards. These would be the subject of a further report to Members at the appropriate time.

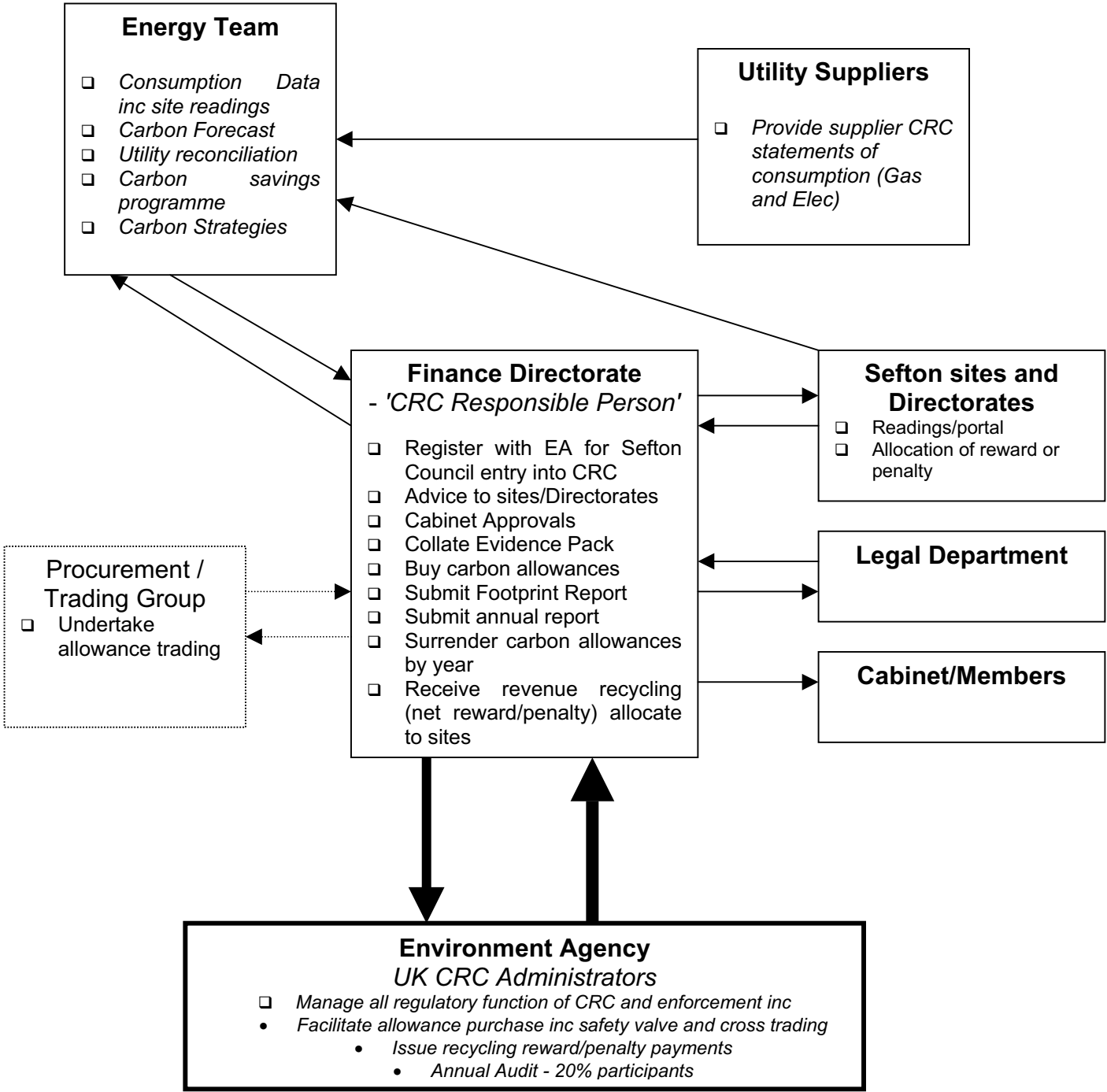
3. Agrees to allow Officers scope to explore the skills and support required to enable future market trading of Carbon Allowances.

That the Council:

1. Subject to a recommendation from Cabinet, agrees to change the constitution, delegating authority to the Head of Corporate Finance and ICT Strategy or, if a different person, the Officer acting in a Section 151 capacity, to act as the CRC Responsible person, to enable trading of Carbon Allowances using General Fund resources, and to sign off all future Carbon declarations and claims made through the scheme, to the Department for Energy.

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SEFTON COUNCIL - CRC FRAMEWORK



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REPORT TO: Cabinet Member Environmental
Cabinet

DATE: 30th June 2010
8th July 2010

SUBJECT: Dog Fouling and Enforcement

**WARDS
AFFECTED:** All

REPORT OF: Leisure and Tourism Director, Graham Bayliss

**CONTACT
OFFICER:** Head of Coast and Countryside, Dave McAleavy
0151 934 2961

**EXEMPT/
CONFIDENTIAL:** No

PURPOSE/SUMMARY:

To ask the Cabinet Member Environmental to support a proposal to enhance the Council's ability to deal with issues relating to dog fouling and litter through a partnership approach between the Environmental Protection and Leisure & Tourism Departments.

To ask that Cabinet note the decision of the Cabinet Member for Leisure and Tourism relating to Dog fouling and enforcement and approve the draft Leisure and Tourism Enforcement Policy with a recommendation to Council that the Responsibility For Functions of the Constitution be amended.

REASON WHY DECISION REQUIRED:

Strategic Intelligence Assessments (SIA's) produced by the Sefton Safer Stronger Communities Partnership identify residents concerns about dog fouling and litter and to enhance the Council's ability to deal with these issues additional personnel require authorisation and training. The Council's Constitution will require amending to reflect the delegation of powers to the Leisure and Tourism Director on behalf of the Cabinet Member for Leisure and Tourism in respect of the Environmental Protection Act 1990 and Clean Neighbourhoods and Environment Act 2005.

RECOMMENDATION(S):

RECOMMENDATION(S):

1. That the Cabinet Member for Environmental supports the proposal to develop a coordinated approach to dealing with dog fouling and litter.
2. That Cabinet note the resolution of the Cabinet Member for Leisure and Tourism on the 21st April 2010 relating to Dog Fouling and Enforcement;

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3. That Cabinet approve the draft Leisure and Tourism Enforcement Policy and recommend to Council that the Responsibility For Functions of the Constitution be amended by addition of the following:

“Environmental

**Cabinet Member
Delegations**

E. Leisure and Tourism Director

‘Power to appoint authorised officers under the Environmental Protection Act 1990 and Clean Neighbourhood and Environment Act 2005’”

KEY DECISION: Yes

FORWARD PLAN: Yes

IMPLEMENTATION DATE: July 2010

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CONSULTATION UNDERTAKEN/VIEWS

Environmental Protection
Legal Department

CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		√	
2	Creating Safe Communities	√		
3	Jobs and Prosperity		√	
4	Improving Health and Well-Being	√		
5	Environmental Sustainability	√		
6	Creating Inclusive Communities		√	
7	Improving the Quality of Council Services and Strengthening local Democracy	√		
8	Children and Young People		√	

LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT

1. BACKGROUND:

1. The Cabinet Member for Leisure and Tourism considered the report of the Leisure and Tourism Director on dog fouling and enforcement on the 21st April 2010, seeking approval to enhance the Council's ability to deal with issues relating to dog fouling and litter through the creation of a partnership approach between Environmental Protection and Leisure and Tourism Departments, indicating that a decision on the matter was required in order to amend the Council's Constitution to reflect the delegation of powers to the Leisure and Tourism Director on behalf of the Cabinet Member - Leisure and Tourism in respect of the Environmental Protection Act 1990 and Clean Neighbourhoods and Environment Act 2005.

It was resolved that:

- (i) the Leisure and Tourism Director be requested to authorise operational staff who, following training, would apply and enforce dog fouling and litter legislation in a partnership with the Dog Wardens and Enforcement Officers;
- (ii) the Cabinet Member - Environmental be recommended to support the proposals to develop a coordinated approach to dealing with dog fouling and litter; and
- (iii) Cabinet be requested to approve the draft Leisure and Tourism Enforcement Policy and recommend to Council that the Responsibility For Functions of the Constitution be amended by addition of the following:

“Environmental

Delegations

E. Leisure and Tourism Director

“Power to appoint authorised officers under the Environmental Protection Act 1990 and Clean Neighbourhoods and Environment Act 2005”.

2. Cabinet Member for Environmental is asked to support the resolution of the Cabinet Member for Leisure and Tourism. Cabinet is asked to note the resolutions of the Cabinet Member for Leisure and Tourism and approve the draft Leisure and Tourism Enforcement Policy and, recommend to Council that the Responsibility for Functions of the Constitution be amended as above.

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REPORT TO: Cabinet Member Leisure and Tourism

DATE: 21st April 2010

SUBJECT: Dog Fouling and Enforcement

WARDS AFFECTED: All

REPORT OF: Leisure and Tourism Director, Graham Bayliss

CONTACT OFFICER: Head of Coast and Countryside, Dave McAleavy 2961

**EXEMPT/
CONFIDENTIAL:** No

PURPOSE/SUMMARY:

To advise the Cabinet Member of a proposal to enhance the Council's ability to deal with issues relating to dog fouling and litter and to ask that a partnership approach between the Environmental Protection and Leisure & Tourism Departments be supported.

REASON WHY DECISION REQUIRED:

Strategic Intelligence Assessments (SIA's) produced by the Sefton Safer Stronger Communities Partnership identify residents concerns about dog fouling and litter and to enhance the Council's ability to deal with these issues additional personnel require authorisation and training. The Council's Constitution will require amending to reflect the delegation of powers to the Leisure and Tourism Director on behalf of the Cabinet Member for Leisure and Tourism in respect of the Environmental Protection Act 1990 and Clean Neighbourhoods and Environment Act 2005.

RECOMMENDATION(S):

1. That the Leisure and Tourism Director authorise operational staff who, following training, will apply and enforce dog fouling and litter legislation in a partnership with the Dog Wardens and Enforcement Officers;
2. That the Cabinet Member for Environmental supports the proposals to develop a coordinated approach to dealing with dog fouling and litter.
3. That Cabinet be requested to approve the draft Leisure and Tourism Enforcement Policy and recommend to Council that the Responsibility For Functions of the Constitution be amended by addition of the following:

“Environmental

Cabinet Member

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Delegations

E. Leisure and Tourism Director

‘Power to appoint authorised officers under the Environmental Protection Act 1990 and Clean Neighbourhood and Environment Act 2005’

KEY DECISION: Yes

FORWARD PLAN: Yes

IMPLEMENTATION DATE: As soon as possible following the necessary changes to the Councils Constitution.

ALTERNATIVE OPTIONS:

There is no alternative option for the Council due to personnel in Leisure Services not having the authority or training to carry out enforcement or issue FPN's for dog fouling and litter.

IMPLICATIONS:

Budget/Policy Framework: None

Financial:

<u>CAPITAL EXPENDITURE</u>	2006/ 2007 £	2007/ 2008 £	2008/ 2009 £	2009/ 2010 £
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<u>REVENUE IMPLICATIONS</u>				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N				
How will the service be funded post expiry?				

Legal: None

Risk Assessment: None

Asset Management: N/A

CONSULTATION UNDERTAKEN/VIEWS

Environmental Protection
Legal Department

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CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		√	
2	Creating Safe Communities	√		
3	Jobs and Prosperity		√	
4	Improving Health and Well-Being	√		
5	Environmental Sustainability	√		
6	Creating Inclusive Communities		√	
7	Improving the Quality of Council Services and Strengthening local Democracy	√		
8	Children and Young People		√	

LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT

Report Dog Fouling Enforcement and Practice , Cabinet Member Environmental 5th December 2007

1. Background.

- 1.1 The Fouling of Land by Dogs (Metropolitan Borough of Sefton) Order 2006 makes it an offence if a person who is in charge of a dog that has defecated fails immediately to remove the faeces deposited by the dog from the land. (subject to certain exemptions).
- 1.2 In Sefton the above is primarily enforced by the Environmental Protection Department Dog Warden Service, more so in built up areas; the service consists of three Wardens/Enforcement Officers. Offenders identified are subject to a range of sanctions, including: prosecution, Fixed Penalty Notices (FPN) formal caution or informal caution, (e.g. warning letter/verbal warning/advice). The general framework for action is set by the Environmental Protection Department's Enforcement Policy; the primary aim is to ensure that enforcement is carried out in a fair and consistent manner.
- 1.3 The coast, countryside areas, parks and open spaces managed by the Leisure and Tourism Department suffer problems in respect of dog fouling and other issues relating to the use of Council land for dog walking. Enforcement is carried out by the Coast and Countryside or Park Rangers; however, this enforcement is largely restricted to advice as the formal process, including issuing Fixed Penalty Notices (FPN's), has to be carried by the Dog Wardens, due to the Leisure and Tourism personnel requiring specific authorisation from the Leisure and Tourism Director on behalf of the Cabinet Member. Over the last twelve months personnel have received training from external specialists and the Environmental and Legal Departments.
- 1.4 This report sets out the proposals for the Cabinet Member for the Director of the Leisure and Tourism to seek approval and be authorised to enforce, issue FPN's and deal with any subsequent prosecutions. This requires amendments to the make-up of the Council's constitution and will have to be reported in the Forward Plan.

2. Developing the Partnership

- 2.1 Section 17 of the Crime and Disorder Act 1998 requires certain responsible authorities to work in partnership to address crime and disorder issues of concern to their local community and to consider how they can discharge their duties to minimise the potential for crime and disorder to occur. There is now a high level of public concern in respect of dog fouling in urban areas and the coast and parks are now seeing higher level of dog fouling and other dog related offences.
- 2.2 The Environmental Protection and Leisure and Tourism Departments are developing closer working arrangements to respond to Strategic Intelligence

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Assessments (SIA's) produced by the Sefton Safer Stronger Communities Partnership. An SIA was prepared for each of the Area Committee areas and identify the community safety issues, including environmental concerns which are of importance to residents.

- 2.3 Both the Coast and Countryside & Park Rangers are skilled in respect of enforcing byelaws and dealing with anti-social problems, supported by partners and Merseyside Police in their respective areas. Considerable intelligence is held by Leisure Services through incident reporting procedures and this can be added to intelligence gained through the SIA's and other Sefton Household surveys.
- 2.4 Leisure Services ranger personnel can support the work of the Environmental Protection Department in enforcement, issuing FPN's and developing education and awareness activities relating to dog litter issues, but there is a need to ensure that the consistent approach across the different departments is maintained. To be able to take this partnership further and to allow for training to take place that is specific to the FPN's and the enforcement process the permission of the Environmental Protection Director is required. This will allow identified staff in Leisure Services to be trained in enforcement and issuing FPN's where they relate to dog fouling and litter.
- 2.5 The draft Leisure and Tourism Department Enforcement Policy attached (Annex 1) will follow the Regulators Compliance Code to ensure that enforcement is carried out in a fair and consistent manner and sets out policy in respect of coast, countryside, parks and open spaces. The Cabinet Member is asked to agree the policy and recommend to Cabinet that the policy is approved.

3. Conclusion

- 3.1 There is considerable potential to develop and improve the partnership between the Environmental Protection Department Dog Wardens and Enforcement Officers and Leisure Services rangers working on the coast, Rimrose Valley and parks and open spaces.
- 3.2 The Sefton Safer Stronger Communities Partnership, Strategic Intelligence Assessments have identified residents' concerns about dog fouling and litter; additional intelligence also identifies problems on coastal sites, countryside areas, and in parks and open spaces. A consistent approach is required across the Borough to ensure that problems are not just displaced and this requires additional staff to be trained to work with the Dog Wardens/Enforcement Officers.
- 3.3 This partnership also offers opportunities to raise the profile of environmental issues through events, local media and successful prosecutions and make

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residents and visitors who own dogs but allow their dog to foul more aware of the possible penalties.

SEFTON COUNCIL

LEISURE AND TOURISM DEPARTMENT

ENFORCEMENT POLICY FOR COAST, COUNTRYSIDE, PARKS AND OPEN SPACES

1.0 INTRODUCTION

Sefton Council has a statutory duty to enforce a number of laws and regulations, which relate to Local Authorities. These laws and regulations seek to improve the quality of life and safety of all those who live, work and study within Sefton. The purpose of this policy is to secure effective compliance with byelaws and other legislation while minimizing the burdens to both the Council and to users.

This policy, which applies to the operation of coast and open spaces services through the Coast and Countryside Service and Park Ranger Service, follows the principles of the Regulators Compliance Code.

2.0 AIMS AND OBJECTIVES

Sefton Council is committed to providing consistent and equitable, proper and robust enforcement services to contribute to the priorities laid out in the Community Strategy. Improving the quality of life and enhancing the coast are key aspects of the strategy along with reducing crime and the fear of crime.

Sefton Council aims to follow the guidance laid out in the Government Concordat on enforcement policy and procedure.

Sefton Council will ensure that all authorised enforcement officers carrying out enforcement work are trained and fully acquainted with the requirements of this policy. All authorised officers must abide by this policy whenever making decisions on enforcement.

All authorised enforcement officers should be trained in those aspects of legislation relevant to their duties. The authority will ensure that officers are competent to carry out their duties and that the level of delegated authority for each officer has been approved.

3.0 STATEMENT OF POLICY

Enforcement on the coast is intended to be applied in a wide range of circumstances across a diverse and highly dynamic coastline with tact, fairness, diplomacy, transparency, proportionality and in a courteous and professional manner.

Sefton Council recognises that enforcement action can take many forms ranging between providing advice and guidance to challenging behaviour through to bringing formal actions which may culminate in prosecution.

Sefton Byelaws that will apply:

- Pleasure Grounds and Open Spaces
- Rimrose Valley Country Park
- Crosby Coastal Park (to Hall Road)
- Parks and Open Spaces
- Seashore (between high and low water) – areas at Crosby / Hightown, Formby, Ainsdale, Birkdale and Southport
- Sandhills - areas at Hightown, Formby and Ainsdale
- Ainsdale and Birkdale Local Nature Reserve
- Ravenmeols Local Nature Reserve
- Dogs on the Seashore – Ainsdale and Southport Beaches
- For the Prevention of Danger, Obstruction or Annoyance to persons bathing in the sea.

There are further regulations under:

- The Fouling of Land by Dogs (Metropolitan Borough of Sefton) Order 2006
- Ss.55-67 - The Clean Neighborhoods and Environment Act 2006
- Dog Control Orders (Prescribed Offences & Penalties) Regulations 2006
- Dog Control Orders (Procedures) Regulations 2006.

A clear explanation of the mechanisms for complaint will be made available to any user on request.

3.1 ENFORCEMENT FACTORS

In making decisions about enforcement action, Sefton Council will act in the wider public interest with a primary aim of securing a safe and pollution free environment for all.

In considering the appropriate enforcement action, Sefton Council will also take the following into account;

- The risk of harm to the public and others
- What is in the public interest
- The explanation of the offender
- Whether the matter is a recurrence
- Whether there have been other contraventions of Bye-laws or Legislation
- The willingness of the alleged offender to prevent a recurrence of the incident
- The availability and reliability of witnesses
- The sufficiency of evidence

3.2 PROSECUTION

Sefton Council may consider prosecution from time to time using the legislation, byelaws and regulations listed in 3.0 above, or using other legislation should it be considered in the public interest to do so.

Prosecution will be considered in the following circumstances;

- Where the alleged offence is a breach of bye-laws or legislation such that public safety or well being is put at risk
- Where the alleged offence involves failure to comply with a warning
- Where the alleged offence involves risk of damage to the environment
- There are other public interest factors mitigating in favour of prosecution
- Where false information has been supplied willfully, or there has been an intent to deceive

3.3 FIXED PENALTY NOTICES (FPN's)

Certain legislation allows for offences to be dealt with by way of issuing an FPN. This allows the offender to discharge any liability for prosecution for the offence.

Fixed penalty notices will be issued when:

- The case warrants prosecution
- There is enough evidence to prosecute for the offence
- It will act as sufficient deterrent against re-offending

If the FPN remains unpaid after the specified period, a prosecution file will be prepared and passed to Legal Services to initiate a prosecution for the offence.

FPN's issued to young people will be issued with due regard to the Children's Act 2004 and the DEFRA guidance on issuing fixed penalties to juveniles 2006.

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REPORT TO: Cabinet Member - Environmental

DATE: 30th June 2010

SUBJECT: **SERVICE PLAN ON FOOD LAW CONTROLS 2010/11 AS REQUIRED BY THE FOOD STANDARDS AGENCY**

WARDS AFFECTED: All

REPORT OF: Peter Moore
Environmental & Technical Services Director

CONTACT OFFICER: Terry Wood
Commercial Section Manager
Tel: 0151 934 4301

**EXEMPT/
CONFIDENTIAL:** No.

PURPOSE/SUMMARY:

For Cabinet Member – Environmental to approve the Food Law Control Service Plan required by the Food Standards Agency.

REASON WHY DECISION REQUIRED:

To seek Cabinet Member – Environmental’s approval of the proposed service plan, which although tailored to Sefton’s needs, will ensure delivery is in line with national standards and expectations.

RECOMMENDATION(S):

That Cabinet Member – Environmental approves the Food Law Control Service Plan for 2010/11.

KEY DECISION: No.

FORWARD PLAN: N/A

IMPLEMENTATION DATE: Immediately following the expiry of the call in period for this meeting.

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ALTERNATIVE OPTIONS: None, as this is a mandatory statutory function.

IMPLICATIONS:

Budget/Policy Framework: None arising from this report.

Financial:

<u>CAPITAL EXPENDITURE</u>	2008/ 2009 £	2009/ 2010 £	2010/ 2011 £	2011/ 2012 £
Gross Increase in Capital Expenditure	-	-	-	-
Funded by:	-	-	-	-
Sefton Capital Resources	-	-	-	-
Specific Capital Resources	-	-	-	-
REVENUE IMPLICATIONS				
Gross Increase in Revenue Expenditure	-	-	-	-
Funded by:	-	-	-	-
Sefton funded Resources, within existing budget	-	-	-	-
Funded from External Resources	-	-	-	-
Does the External Funding have an expiry date? Y/N				
How will the service be funded post expiry?	N/A			

Legal: Any legal implications will be reported separately.

Risk Assessment: Enforcement of food law is a mandatory statutory duty.

Asset Management: N/A.

CONSULTATION UNDERTAKEN/VIEWS

None

CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community	√		
2	Creating Safe Communities		√	
3	Jobs and Prosperity	√		
4	Improving Health and Well-Being	√		
5	Environmental Sustainability		√	
6	Creating Inclusive Communities		√	
7	Improving the Quality of Council Services and Strengthening local Democracy	√		
8	Children and Young People		√	

LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT

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Background

- 1 The Food Standards Agency (FSA) has a key role as the central competent authority in overseeing the official food controls undertaken by local authorities. The failure of a local authority to discharge these official controls would have a significant impact on public health. The incidence of foodborne illness could rise dramatically. These illnesses are, at best, extremely uncomfortable but in many cases they can be very serious leading to hospitalisation and sometimes death.
- 2 To assist in discharging this role the FSA is proactive in setting and monitoring standards and in auditing local authorities' delivery of official controls to ensure activities are effective, risk based, proportionate and consistent.
- 3 The FSA see service plans as an important part of the process to ensure that national priorities and standards are addressed and delivered locally. They are also seen as a tool to help local authorities:-
 - Follow the principles of good regulation;
 - Focus on key delivery issues and outcomes;
 - Set objectives for the future and identify major issues that cross service boundaries;
 - Provide a means of managing performance and making performance comparisons.
 - Provide an essential link with corporate and financial planning.
 - Provide information on the authority's service delivery to stakeholders, including businesses and consumers.
- 4 The FSA are firmly in favour of having the service plan approved at Elected Member level. This approval helps ensure local transparency and accountability.
- 5 The Food Law Service Plan for Sefton is attached as Annex I and it sets out the delivery arrangements for the service. It has been developed with detailed consideration of local needs, corporate objectives and reference to current legal requirements.

FOOD

SERVICE

PLAN

2010/2011

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1.0 **BACKGROUND**

1.1 Profile of the Local Authority

1.2 Location and Size

Sefton covers 15,064 hectares (37,200 acres) between the Mersey and the Ribble estuaries, population of almost 300,000. With a coastline of 22 miles, it is the most northerly of the five Metropolitan Districts in Merseyside and most diverse in character. To the north is the holiday resort and shopping centre of Southport, in the south are Bootle, Litherland, Netherton and Seaforth, which experience many of the problems of old inner city areas. Between lie the suburban areas of Crosby, Maghull, Aintree, Lydiate and Formby, high quality agricultural land and a dune coastline of outstanding scientific and recreational importance.

Within the Borough are the Alliance & Leicester (now Santander) headquarters, the Liverpool Freeport, Aintree Racecourse, a major Central Government Office complex, ten excellent golf courses, including Royal Birkdale. Southport includes the Victorian boulevard of Lord Street together with entertainment, conference and shopping facilities.

1.3 Population and Employment

The latest official estimates of Sefton's population and employment are:-

Population

Age Group	Total Persons	%
0-4	15,500	(5.4)
5-14	37,200	(12.9)
15-19	17,600	(6.1)
20-64	163,100	(56.7)
65-74	28,700	(10.0)
75 and over	25,700	(8.9)
Total	287,700	

- Sefton is ranked as 85 out of 354 areas in the UK in terms of deprivation indices where 1 is the most deprived and 354 the least.
- 8 out of the 23 wards in Sefton are in the top 10% of most deprived wards in England and Wales. These wards are Linacre, Orrell, Derby, Netherton, Ford, Litherland, St Oswald and Church.
- 6 out of 23 wards are within the half of the UK wards that are least deprived.
- 9 of Sefton's 23 wards are represented in the top 10% of most deprived wards for employment.
- Sefton has a key number of economic functions in the North West in the areas of port and logistic, tourism and social care. In the south of the borough the port of Liverpool handles some 20% of all imports and exports to/from the North West. Tourism is mainly located in the north of the borough with Southport attracting 6 million visitors each year. Almost 20% of the employment in Merseyside is based in the borough of Sefton.
- An estimated 93,000 people are employed in Sefton. Of these 63% are employed full time and 37% part time. Of the people employed in Sefton approximately 88% are residents of the district.
- The 'services' are the predominant sectors of employment in Sefton with 80% of jobs being in this industry. Wholesale and retail is the largest employment sector (23.9% of employment in the borough), with a further 4.2% of the workforce being employed in the related 'transport, storage and communication' sector.
- In addition to international names, there is a thriving small firms sector covering the spectrum of industry and reflecting the Borough's diversity. Agriculture is also important, as Sefton is a major market gardening area with some of the best quality farming land in the country.
- The majority of businesses in Sefton, (approx 90%), are small firms with fewer than 25 employees. Many Sefton businesses address mainly local markets and their limited participation in national and international markets may constrain their growth.

2.0 SCOPE OF FOOD SERVICE

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2.0 The food service is provided by the Environmental & Technical Services Department. The food hygiene and food standards elements are delivered by the Commercial team and the responsibility for feeding stuffs is discharged by the Trading Standards team. The Department also ensures links are maintained with relevant external agencies which assist in the delivery of a fully rounded service. Notable examples include the Health protection Agency, the Health Improvement Support Service (HISS) at Sefton Primary Care Trust (PCT) and a network of private training providers. The PCT has developed a Nutrition Strategy for Sefton and the Department has been involved in its formulation. Training of food handlers is crucial to food safety and a bank of trainers identified allows the signposting for businesses to low cost high quality training.

2.1 The Commercial Team are also responsible for:-

- Health and Safety Enforcement
- Animal welfare and licensing e.g. animal boarding, pet shops and riding establishments
- Public health in commercial premises
- Licensing

2.2 Demands on the Food Service

2.2.1 The food service is delivered from two offices. The main offices are located on First Floor, Magdalen House 30 Trinity Road, Bootle Liverpool L20 3NJ. Reception is open from 9.00am to 5.00pm Monday to Thursday and 9.00am to 4.15pm on Friday. There is also a satellite office located on 3rd Floor, Crown Buildings, 9 Eastbank Street, Southport, PR8 1DL. . Outside of these hours an emergency call out service is in operation activated by contacting the Council's Security Service on telephone number 0151 922 6107.

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2.2.2 As at 1st April 2010 the number of food premises included in the food hygiene/food standards inspection programmes was 2505. The profile of these premises in terms of activity is as follows:

Activity Profile

Primary Producers	8
Manufacturers and Packers	34
Importers/Exporters	8
Distributors/Transporters	18
Supermarket/Hypermarket	42
Small Retailer	530
Retailer - Other	82
Restaurant/Cafe/Canteen	528
Hotel/Guest House	75
Pub/Club	336
Take -away	220
Caring premises	446
School/College	1
Mobile Food Unit	56
Restaurants and Caterers	121

Risk Profile Food Hygiene		
Priority Rating	Total Number of Premises	Planned Inspections
A	25	50
B	138	138
C	904	607
D	377	138
E	1034	199 (AES)
Unrated	27	27

Risk Profile Food Standards		
Priority Rating	Total Number of Premises	Planned Inspections
A	7	7
B	714	358
C	1741	361(AES)
Unrated	44	44

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2.2.3 The social economic profile of the Borough has a significant impact on the food service. The dormitory nature of much of the Borough combined with the increased affluence of some areas has led to a significant increase in recent years in the number of restaurants which only open in the evening. This is compounded by Southport being a thriving tourist resort with a very busy evening/seasonal economy. The Borough is home to large international and national events e.g. The Grand National Festival at Aintree Racecourse, Southport Flower Show, Southport Airshow, Woodvale International Rally, National Firework Championships, Golf Tournaments. There are also several other smaller outdoor events which take place. These bring with them the inevitable problems associated with temporary and mobile catering facilities and the Commercial Team invest a significant resource in these events both at their planning stages and when they take place. Invariable part of the team's input to these events and the inspection of restaurants only open in the evening must take place outside normal office hours. This is in stark contrast to the South of the Borough at Bootle. This is an ageing industrial area which although now benefiting from a significant regeneration programme still has indicators showing high deprivation and poor health. This presents a very different challenge with many businesses living 'hand to mouth' and servicing only a very local community.

3.0 INTERVENTION STRATEGY 2010 / 2011

3.1 INTRODUCTION

Enforcement is under increased scrutiny with the Hampton review recommending a move to risk based enforcement. In this context Sefton Commercial team has developed a risk based intervention strategy. Sefton acknowledges that inspection alone has limitations and other interventions need to be considered that may be more helpful on business compliance behaviour.

3.2 Background

All interventions have been designed to reflect national/local priorities and will contribute to produce the outcomes identified in the FSA five year strategy for food control in the UK.

3.3 Hampton Review

In 2004 the Government asked Philip Hampton to consider, “the scope for promoting more efficient approaches to regulatory inspection and enforcement while continuing to deliver excellent regulatory outcomes”. A year later Philip Hampton published his report, “Reducing Administrative Burdens”, in which he set out his vision for a risk based approach to regulation. The Government accepted in full his recommendation of a regulatory system in which risk assessment was the basis for all regulators’ enforcement programmes.

Sefton Council’s Commercial team has developed a risk based enforcement strategy with regard to the Hampton principles as required by the Compliance Code which came into force on 1st April 2008.

The principles of the Food Section’s intervention strategy are as follows:-

- We will use comprehensive risk assessment to concentrate resources on the areas that need them most;
- We are accountable for the efficiency and effectiveness of our activities, while remaining independent in the decisions taken:
- No inspection will take place without a reason;

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- Businesses will not have to give unnecessary information;
- The businesses that persistently break regulations will be identified quickly;
- We will provide authoritative and accessible advice;
- We recognise that a key element of our activity is to allow and encourage, economic progress and will only intervene when there is a clear case for protection.

3.3.1 Fundamental to Sefton's food intervention strategy, as specified in the McCory Review, is that the majority of businesses, which are compliant, will receive a lighter touch with fewer inspections and forms. Meanwhile rogue businesses, which repeatedly flout the law, will face quick, meaningful and proportionate enforcement action with appropriate penalties.

3.4 Food Standard Agency Code of Practice

The Food Section will utilise the full range of interventions as detailed in the Food Standard Agency Code of Practice and comply with the Compliance Code's purpose:-

“to promote efficient and effective approaches to regulatory inspection and enforcement which improve regulatory outcomes without imposing unnecessary burdens on business, the Third Sector and other regulated entities”.

The interventions to be undertaken are activities which are designed to monitor, support and increase Food Law compliance within a food establishment. The interventions to be used are as follows:--

Official Controls:-
Inspections
Audits
Sampling visits
Monitoring visits
Surveillance visits
Verification visits

Other Interventions:-
Education
Advice
Coaching, information and intelligence gathering

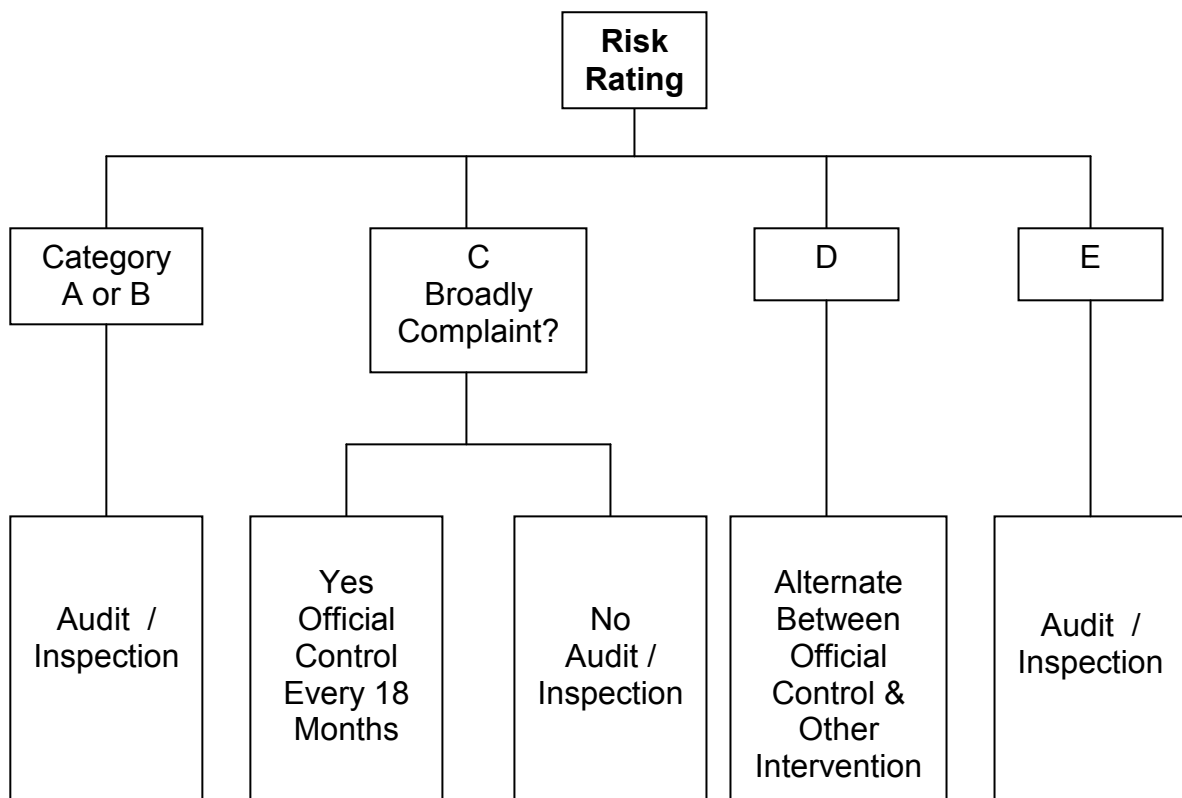
3.5 “Broadly Compliant”

Intensive regulation within Sefton's Food Section will be directed at those businesses that present the greatest risk to public health. Those businesses that are compliant with food law will be subject to interventions that reflect the level of compliance that has been achieved by the food business operator and so as detailed in the Hampton Review they will receive a lighter touch, for example a verification or monitoring visit.

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Sefton will therefore concentrate resources on the food businesses that are “Broadly Non Compliant”.

“Broadly Compliant” businesses have no more than a score of 10 in the “Hygiene”, “Structure” or “Confidence in Management” scores in the Food Standard Agency Risk rating scheme.



4.0 Food Standard Agency Strategy for 2010 – 2015

4.1 Sefton’s Food Service Plan takes into consideration the FSA’s Strategy for 2010-2015. As a result the residents of Sefton should expect to be eating safer food and to be choosing healthier and more balanced meals .

4.2 The FSA ‘s strategic objective of improving food safety and the balance of people’s diets with the following outcomes will be mirrored in Sefton’s service plan :-

4.2.1 Outcomes

- Regulation is effective, risk-based and proportionate, is clear about the responsibilities of food business operators, and protects consumers and their interests from fraud and other risks.
- Food produced in Sefton is safe to eat.
- Food products and catering meals are healthier.
- Sefton consumers understand about safe food and healthy eating.
- Imported food in Sefton is monitored and is safe to eat.

5.0 Summary of Interventions 2010 - 2011

5.1 Food Hygiene and Food Standards

5.2 Risk Based Lists

5.2.1 Official Control – Audit/Inspections

Greatest inspection effort will be focused on businesses where risk assessment shows that there is a high likelihood of non-compliance. The intervention will seek to secure compliance with food law with the focus on outcomes and the main objective of achieving “Broadly Compliant” food businesses

All Category A, B and non compliant C premises will receive an audit/inspection with emphasis on the broadly non-compliant businesses. Broadly compliant C’s and D premises will receive an appropriate intervention in line with the Code of Practice.

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The officer will record the type of official control i.e. Audit/Inspection and the justification for this. The information collected, recorded and retained by competent officers will be sufficient to permit monitoring and the subsequent selection of future interventions.

All enforcement action will be undertaken in line with Departmental policies, procedures and the Compliance Code.

5.3 Safer Food Better Business

Official Control – Inspection/Audit/Verification/Monitoring.

Other Interventions – Education/Advice/Coaching

5.4 General SFBB

The model issued in 2009/10 will be repeated as review of the SFBB intervention programme has indicated it is successful in assisting businesses achieve SFBB status. Businesses suitable for this programme will be taken from the risk based lists with a focus on those businesses who are “Broadly Non Compliant” but have the prerequisites for HACCP. “Scores on the Doors” improvers, new businesses and businesses sharing a serious interest will be considered for the programme and will be taken from Category A, B, C or D businesses as appropriate. The model comprises of a business seminar and then up to two visits to include coaching sessions, SFBB evaluation, Audit/Inspection. Officers will determine at the time of visit the official control required and record the justification for the decision.

5.5 Chinese SFBB

This year we will build on the success of the FSA funded project utilising the services of an interpreter where necessary and consolidating all the hard work achieved with the Chinese speaking community. The businesses will be drawn from Category A, B or C as appropriate.

5.6 Award Scheme

It is acknowledged that Award Schemes have potential for motivating “better” business. They have the potential to raise food safety and standards by motivating businesses through the use of “rewards” and the ability to harness consumer power through increased awareness and understanding of business operations. The existence of a food award within a business has been seen to reward staff for their good practices and thus act as a motivator to maintain such standards. We will therefore be continuing the “Appetite for Life” award scheme, for nurseries, with established partners :- The Primary Care Trust ,Heart of Mersey, Sefton Early years. The scheme will acknowledge good practice in establishments committed to the key FSA nutrition messages, especially in the nursery sector where a substantial amount of nutritional work has been completed in previous years. All officers will be trained on how to assess the award scheme.

5.7 Food Standards – School Verification Project

A project is to be continued to verify the foodstuffs produced and purchased within the school environment to determine compliance with food standards legislation especially the new claims legislation. Advice and guidance will be provided where appropriate and the findings of the project together with information on specifications, food standards and claims legislation will be communicated to all schools.

5.8 Safer Food Better Business Evaluation / Foods Standards – Healthy Option

Following the work completed last year whereby key F.S.A. healthy option messages were communicated to businesses via an advisory visit. The targeted information focused the mind of the business owner on the issues of

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salt, fat, sugars and allergens and negotiated a plan for change to healthier options and awareness of allergens.

A fifth 'C' " was incorporated into the SFBB file giving information on CHOICE – HEALTHY OPTIONS. Information was provided in a similar format to the hygiene and businesses were coached through the key messages with encouragement to at least change one practice to provide healthier food. The above was also incorporated with SFBB audits in an attempt to encourage the business owner to change to healthier options. The findings of the visits will be assessed in a final report together with an analysis of the SFBB score to determine whether following the SFBB interventions the Food Safety Management System has been maintained thus complying with Article 5 and resulting in broadly compliant premises.

5.9 Enforcement

Businesses who are wilful non-compliant will be targeted with serious poor history as detailed in the enforcement policy. Prosecution and enforcement will not be the preferred option with businesses that are not wilfully non-compliant as it is accepted that there is little evidence on their effectiveness in the long term and on whether prosecution has any general deterrent effect.

5.10 Approved Premises

It is important for officers to get experience of different types of approved premises and therefore there will be continuation of the reserve officer system. This will leave the Department less exposed should officers leave or be off sick etc. Detailed below the proposed list of Lead Officers for Approved Premises and the reserved officer allocated. The reserve officer will need to have a good working knowledge of their Approved Premises and be able to handle general enquires from other officers and other Local Authorities.

Name	Address	Lead Officer	Support Officer
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Ravendale Foods	Crowland Street	JJ	EJ
KWTJ Products Ltd	155A Hampton Road	EJ	JJ
Morton's Dairy	Kenyons Lane	KG	JJ
The Real Cooked Meats Co Ltd	Hall Street	MR	EJ
Lockwoods (Liverpool) Limited	Bridle Way	SF/MR	SF/MR
C H Latham (The Baker Limited)	86 Oak Street	JJ	MR
Southport Seafoods	11 Shellfield Road	MR	JJ
Southport Bacon Co Ltd	Windsor Road	JJ	MR
Satterthwaites 1980 Ltd	51 Coronation Road	MS	KG
Greencore Crosby (T/A Sushi San Ltd.)	2-5 Musker Street	MS	SF
Bates Farms & Dairy Limited	21 Stamford Road	EJ	JJ
Kays Delicatessen	14B Bridge Street	MR	EJ
Manor Lodge Dairy Products	157A Sefton Street	EJ	MR
Sefton Meadow Seafoods	Sefton Lane Industrial Estate	SF	MS

5.11 Imported Food

It is the responsibility of all local and port health authorities to enforce imported food law. Imported food should make up 10% of the food samples taken by Sefton MBC. This is the national target set by the Food Standard Agency, LACORS, and APHA. We will therefore integrate imported food control into our food law enforcement service. All officers will consider imported food in their routine enforcement work for example when completing traceability exercises or purchasing enquiries. The inspection form will be changed to prompt and reflect officers' activities with respect to imported food control. All officers will be briefed and made aware of their responsibilities with appropriate guidance to carry out their duties with respect to imported food controls. Sampling will be undertaken utilising the additional money secured from the FSA by TSNW.

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5.12 Sampling

We will continue to fully support the following co-ordinated sampling programmes:-

- North West region microbiological food sampling food sub group
- Trading Standard North West chemical food sampling programme
- LACORS microbiological and chemical surveys
- FSA co - ordinated sampling programmes

The following surveys will be incorporated into the work of the section :-

STUDY 1 Large events, including fetes and fairs	
Sampling period	May 2010 – March 2011 (11 months)
Sample type	<i>TBC – awaiting results of 2009 study</i> (Optional: water samples and festival wristbands)
Sampling location	Caterers and mobile food vendors serving at large events, including fetes and fairs
Microbiological focus	Hygiene indicators, in line with the 2009 study
Additional information gathered	Simple 1-page form with ‘bolt-on’ optional extras (e.g. water quality, festival wristbands)

STUDY 2 Hygiene practices and interventions in retail and catering premises (<i>Pennington response - study 2</i>)	
Sampling period	<u>Staged sampling approach:</u> Initial sampling period - June-July 2010 (2 months) Follow-up sampling period - February-March 2011 (2 months)
Sample type	Environmental swabs.
Sampling location	Catering establishments and retail premises handling raw and RTE foods. Focus on businesses with poor history of compliance (e.g. those with score greater than 10:10:10).
Microbiological focus	E. coli 0157 and hygiene indicators
Additional information gathered	Information on hygiene practices (including use of vacuum packers), interventions and follow up action collated.

STUDY 3	
Focused shopping basket: <i>Listeria monocytogenes</i> contamination in ready-to-eat foods linked to listeriosis	
Sampling period	July – December 2009 (6 months)
Sample type	'High risk' foods associated with illness in relation to <i>Listeria monocytogenes</i> . Foods likely to include: cooked prawns, hard cheese, antipasto products (e.g. olives), pre-packed salads, open sliced meats and pates.
Sampling location	Retail premises, including market stalls and focusing on smaller premises.
Microbiological focus	<i>Listeria monocytogenes</i>
Additional information gathered	Shelf life details and handling practices.

5.13 The use of sampling has been and will continue to be an effective tool in demonstrating to businesses their need to change and so secure compliance with legislation. Sampling will be used by officers as an official control as appropriate.

5.14 Alternative Enforcement Strategy

The alternative enforcement strategy utilised in previous years will continue and further developed, as following the annual evaluation it has been seen to be successful in maintaining Alternative contact with lower risk food premises and enabling advice and information to be provided. This alternative “low – risk” strategy has enabled officers to focus their attention on those premises that present the greatest risk to consumer safety and/or those failing to met their statutory obligations. The strategy involving self certification via a postal questionnaire completed by the food business operator and a secondary level of enforcement if a poor or incomplete questionnaire received will continue. Suitable premises will be targeted from the risk based database with adjustment to the questionnaire as required. In addition appropriate Businesses will be targeted for an officer visit. The strategy will be reviewed each quarter to ensure the programme is working and the correct balance is maintained.

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A total of 199 Businesses will be targeted for food hygiene and 361 Businesses targeted for Food Standards.

5.15 Scores on the Doors

The primary purpose of Scores on the Doors scheme is to allow consumers to make informed choices about the places in which they eat out and from which they purchase food, and, through this, to encourage businesses to improve hygiene standards. Local authority enforcement officers are responsible for inspecting food businesses to ensure that they meet the legal requirements on food hygiene. Under the Scores on the Doors scheme operated in Sefton each food outlet is given a hygiene rating or hygiene score that reflects the inspection findings. Scores are then available via the Score on the Door website where consumers can see the scores for all the businesses in the Sefton area. Sefton has been operating the Scores on the Doors scheme for 3 years through Transparency Data and this has proved popular with over 400,000 enquiries on the site. However following a public consultation in the summer of 2008, the FSA Board agreed that a six-tier national scores on the doors scheme should be established in England, Wales and Northern Ireland as the majority of schemes already operating in these countries are based on this design. Sefton will migrate from the Transparency Data, 'scores on the Doors' scheme to the new National Food Hygiene Rating Scheme as although the existing scheme has been successful, there are additional benefits of operating the national model. Having a single scheme operating in England, Wales and Northern Ireland will help to ensure consistency for businesses and clarity for consumers across local authority boundaries. The scheme will be supported and promoted nationally by the Food Standards Agency (FSA).

The National scheme differs to the scheme already operated and additional resources will be needed for revisits and appeals. There will also be consistency training available from the FSA for cascade training to all officers. An officer will oversee the project to ensure Sefton is ready and best placed to adopt the National Scheme with all Staff trained appropriately.

5.16 Food Safety Week – Cooking Thoroughly and Avoiding Cross Contamination

This year, Food Safety Week will focus on the most important actions associated with preventing campylobacter:

- cooking thoroughly
- avoiding cross-contamination

Campylobacter causes the greatest number of cases of foodborne illness in the UK each year. There were about 55,000 reported cases of campylobacteriosis in the UK in 2008 but we are aware that many more cases go unreported – the realistic number of cases is more likely to be closer to 375,000 each year. Sefton will therefore build on food safety week by organising presentations to the community via established partnerships such as old age pensioners clubs, community halls and libraries. Although many people may not recognise the name, campylobacter is the most common cause of foodborne disease. And a survey carried out by the FSA in October 2009 showed that the bug was present in over 65% of chicken samples tested. Therefore the FSA toolkit will be utilised to spread the key message that by following good food hygiene practices in the home, people can reduce their risk of becoming ill.

5.17 Primary Authority

The Government's statutory Primary Authority scheme came into force on 6 April 2009. The scheme introduces provisions for businesses, charities or other organisations that operate across more than one site, to enter into a partnership agreement with a single authority for it to become that organisations Primary Authority. The Local Better Regulation Office (LBRO)

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will co-ordinate the scheme, including approving and registering all Primary Authorities. Where a primary authority is registered, any other local authority (known as an 'enforcing authority' for the purposes of the scheme) proposing to take enforcement action against a food business within the scheme must contact the primary authority first. The Primary Authority can then challenge the proposed enforcement action, if it believes it to be inconsistent with advice or guidance that it has previously provided. The scheme is designed to aid better co-ordination of inspections and enforcement of businesses within the scheme, resulting in a more consistent approach to the inspection process and any subsequent advice or enforcement action. Sefton intends to establish a Primary Authority scheme with Pontins of Southport . Preliminary meetings have taken place and will continue during the year to work out the finite detail of the agreement.

5.18 Take away Project emphasis on Saturated Fat

The FSA has launched a public health campaign to raise awareness of the health risks of eating too much saturated fat. People in the UK eat on average 20% more saturated fat than the recommended maximum. Over time, a diet high in saturated fat can raise cholesterol levels in the blood, which is a risk factor for heart and circulatory diseases such as coronary heart disease, heart attacks, angina and stroke, and cardiovascular disease (CVD). CVD is the most common cause of death in the UK and in 2006 was responsible for about one in three premature deaths. In partnership with Cargills Sefton will develop a project to advise takeaway chip shop premises how to managed their frying oil so as to provide healthier food. A fact sheet will be developed with key information for chip shop owners and a workshop will be delivered to participating businesses with the assistance of Cargills. Samples of frying fat will be taken and analysed to provide information on good practice which can then be disseminated throughout the industry with the key message that serving healthier food can increase profits as oil management saves money.

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REPORT TO: Cabinet Member - Environmental

DATE: 30th June 2010

SUBJECT: **HEALTH AND SAFETY INTERVENTION PLAN FOR 2010/11**

WARDS AFFECTED: All

REPORT OF: Peter Moore
Environmental & Technical Services Director

CONTACT OFFICER: Terry Wood
Commercial Section Manager
Tel: 0151 934 4301

**EXEMPT/
CONFIDENTIAL:** No.

PURPOSE/SUMMARY:

To approve the proposed Health and Safety Intervention Plan for 2010/11, which complies with statutory guidance.

REASON WHY DECISION REQUIRED:

Mandatory guidance to Section 18 of the Health and Safety at Work Act 1974 requires local authorities to produce a plan of interventions each year. To have this plan approved by elected members demonstrates the organisation's commitment to Health and Safety at Work service.

RECOMMENDATION(S):

That Cabinet Member – Environmental approves the Health and Safety Intervention Plan for 2010/11.

KEY DECISION: No.

FORWARD PLAN: N/A.

IMPLEMENTATION DATE: Immediately following the expiry of the call in period for this meeting.

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ALTERNATIVE OPTIONS:

None, it is a mandatory statutory requirement to produce a plan.

IMPLICATIONS:

Budget/Policy Framework: None arising from this report.

Financial:

<u>CAPITAL EXPENDITURE</u>	2008/ 2009 £	2009/ 2010 £	2010/ 2011 £	2011/ 2012 £
Gross Increase in Capital Expenditure	-	-	-	-
Funded by:	-	-	-	-
Sefton Capital Resources	-	-	-	-
Specific Capital Resources	-	-	-	-
<u>REVENUE IMPLICATIONS</u>				
Gross Increase in Revenue Expenditure	-	-	-	-
Funded by:	-	-	-	-
Sefton funded Resources, within existing budget	-	-	-	-
Funded from External Resources	-	-	-	-
Does the External Funding have an expiry date? Y/N				
How will the service be funded post expiry?	N/A			

Legal: Any legal implications will be reported separately.

Risk Assessment: Enforcement of Health and Safety at Work legislation is a mandatory statutory duty.

Asset Management: N/A.

CONSULTATION UNDERTAKEN/VIEWS

CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community	√		
2	Creating Safe Communities	√		
3	Jobs and Prosperity	√		
4	Improving Health and Well-Being	√		
5	Environmental Sustainability		√	
6	Creating Inclusive Communities	√		
7	Improving the Quality of Council Services and Strengthening local Democracy	√		
8	Children and Young People		√	

LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT

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Background

- 1 Cabinet Member – Environmental will recall a report on 23rd September 2009 informing him of the mandatory guidance from the Health and Safety Executive (HSE) on what standards are required of local authorities when enforcing the Health and Safety at Work Act 1974. Part of this guidance is that every local authority must set out its priorities and plan of interventions for the year.
- 2 This plan must take into account four facts:-
 - HSC's priorities;
 - national and regional priorities, targets and plans;
 - locally derived objectives; and
 - relevant guidance and policies.
- 3 Any plan which is developed should be done in such a way that allows local authorities to target their interventions:-
 - to maximise their impact in improving health and safety outcomes;
 - on securing action by duty holders to manage and control the health and safety risks of their work activities;
 - on the duty holders who are best placed to control the risks whether they be employers or others;
 - on other organisations and stakeholders that can influence risk reduction;
 - on activities that give rise to serious risks or where hazards are least well controlled;
 - to stop those that seek economic advantage from non-compliance (e.g. rogue traders);
 - in accordance with national guidance on intervention and priority planning;
 - in accordance with local, regional and national programmes.
- 4 Attached as Annex 1 to this report is the proposed Health and Safety Intervention Plan for 2010/11.

Sefton Council Environmental Protection Department

Health and Safety Intervention Plan 2010/2011

Overall Aim of the Service

To work with duty holders and others to protect people's health and safety in commercial premises, for which we are the enforcing authority, by ensuring hazards and risks in the changing workplace are managed properly by those who have a duty to do so.

Our key delivery priorities are:

- To ensure management of the risks to health and safety in high risk, poor performing and/or rogue trader businesses and those who seek to gain an advantage by non compliance with the law. (Targeted approach to risk in line with Better Regulation agenda)
- We will seek to use a range of risk-based interventions targeted upon:-
 - Improving H&S outcomes
 - Securing action by relevant duty holders
 - Those that influence risk reduction
 - Serious risks & least controlled hazards
 - Those that seek economic advantage from non-compliance
 - National guidance on interventions & priorities
 - Local, regional & national programmes
- The investigation of major injury incidents and fatalities in line with HSE guidance and our enforcement policy (National justice agenda and used to assess and target poor management in line with Better Regulation.)
- To investigate requests for service about health and safety matters in line with the authority's performance targets and to give advice or take appropriate action where found necessary
- On all inspections, target the role of directors and employees in good health and safety compliance.

Local Priorities

- Target high risk premises (A and B rated) to include them in the programmed work plan (use FIT 3 topics for areas to be inspected)
- Work place Violence. Target vulnerable premises identified by accident reports or from statistical evidence from police and community safety (local Crime and Disorder Issue in association with Police and community safety)
- LPG installation and pipeline inspections. Inspect all premises with fixed LPG installations as identified high risk in the HSE pipeline survey (Gill report)

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- Sun bed centres. inspect a percentage of premises to ensure that the requirements of under age usage and over usage are addressed
- Use alternative intervention techniques. to give 'C' rated premises health and safety information and improve and update our database information

Delivery of Fit 3 Program.

- Slips, Trips in catering, inspect catering premises as part of the national project
- Inspect a percentage of the warehouse/ builders merchants sector to target all FIT 3 issues
- Disease Reduction Programme, continue the managing asbestos advice and inspect asbestos removal jobs which are notified to us.

Working in Partnership

- Contribute to joint HSE and LA inspection initiatives as detailed in HSE's FOD NW Partnership Work Plan 2010/11.
- Work with local Liaison group, Environmental Health Cheshire and Merseyside, to ensure a consistent approach to Health and Safety enforcement across the county and make a contribution to EHCM projects.
- Continue to develop "Flexible Warrant" Scheme with HSE and other LAs to allow better use of scarce joint resources in clearly defined project areas.
- Take opportunities to develop new partnerships and maintain existing ones where they would benefit the aims and priorities of the service, including Primary Authority agreements where appropriate.

Enforcement and Consistency

- To ensure enforcement decisions are consistent with our Enforcement Policy, the HSE's Enforcement Policy Statement and the Enforcement Management Model. To ensure proportionate, consistent, transparent and accountable enforcement – (part of the Better Regulation agenda)
- Where possible publicise the results of our intervention work to inform business and members of the public on standards of health and safety in the Sefton area. (transparent and accountable enforcement)
- Use RDNA tools to target training and development to our staff to ensure competence and take up any training offered by HSE and others and also provide in house training where the expertise is available. (Encourages staff retention / recruitment and ensures credibility with local business)
- Develop the authorities S18 compliance system using the HSE's toolkit to ensure full compliance with the standard by March 2011 and update the database to reflect the requirements of the new LAC 67/2.

Intervention Plan

Sefton Council - Intervention Plan - Health and Safety at Work Act 1974 – 2010/11

What	How	Where	(When)	Who
1. Target high risk/poor Performing / rogue traders	150 Inspections 50 Revisits (estimated) Using FIT 3 topics (incorporate inspections in initiatives stated in intervention plan)	Based on local knowledge/intelligence and database and accident reports A, B rated premises	Throughout Year	Inspector A Inspector B Inspector C Inspector D
Performance Indicators: Improve overall confidence in management scores in businesses inspected by 30% Reduce premises classifications by 10% e.g. A's improved to B's etc				
2. Major Injuries / Accidents (Team Triage system)	Examine all reported , notifiable accidents and carryout accident investigations Using HSE Investigation criteria to determine priority investigations	Investigations required as result of reported accidents on RIDDOR site or RFS reports and meet HSE criteria	Throughout the Year	Principal Inspector A Inspector B Inspector C Inspector D
Performance Indicators: 95% of all accidents that meet HSE criteria investigated				
3. Requests for Service. investigate requests for service about health and safety matters and to give advice or take appropriate action where found necessary (Team Triage system)	300 RFS advice and 75 investigations/ visits, in line with the authority's performance targets	Advice by telephone and email where appropriate and site investigations if required	Throughout the Year	Principal Inspector A Inspector B Inspector C Inspector D
Performance indicators 90% RFS dealt with in 5 days and resolved as required by the council performance targets.				
4. Work Place Violence	Joint initiative with other EHC&M authorities, Police and community safety. Target 50 inspections 50 mailshot	Target premises identified as vulnerable including Crime reports via Police.	Throughout the Year	Inspector A Inspector B Inspector C Inspector D

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What	How	Where	(When)	Who
<p>Performance Indicators: Workplace Violence - adequate management controls in place at 95% of inspected premises; violent incidents reported to police reduced by 50%</p>				
<p>5. Sun bed centres and tanning studios Sun bed use and violence issues</p>	<p>50 inspections 10 revisits</p>	Target known sun bed centres and identify new premises	Throughout the year	Inspector A Inspector B Inspector C Inspector D
<p>Performance Indicators: Workplace Violence - adequate management controls in place at 95% of inspected premises; violent incidents reported to police reduced by 50%</p> <p>Use of sun beds controlled to prevent use by under 18's and over use by all</p>				
<p>6. Tattooist & Piercing Inspect and register all notified tattooist and piercers that fall under legislation and respond to complaints</p>	<p>Joint inspections with HPA, Control of Infection Nurses.</p> <p>10 inspections 5 service requests</p>	Target premises and operators who are notified to dept.		Inspector A Inspector B Inspector C Inspector D
<p>Performance Indicators: Inspect 100% of premises & operators notified to dept.</p>				
<p>Disease Reduction Programme</p> <p>7. Duty to manage asbestos</p>	<p>100 advice visits during another intervention</p> <p>5 Inspections of asbestos removal works</p>	Target all premises where H+S visit carried out Where ABS5 received	Throughout the Year	Inspector A Inspector B Inspector C Inspector D
<p>Fit3 Program</p> <p>8.. Slips and trips in catering</p>	<p>80 targeted visits to catering premises</p> <p>HSL visits to selected premises</p>	Catering premises identified as 'E' on food safety database	Quarter 2 and 4	Inspector A Inspector B Inspector C Inspector D Officers from food safety team
<p>9. Falls from height</p>	<p>30 targeted visits Warehouses/<u>motor vehicle repairers</u> (MVR)</p>	Warehouses and builders merchants, <u>MVR</u> , identified from data base or other intelligence	Quarter 1 and 3	Inspector A Inspector B Inspector C Inspector D

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What	How	Where	(When)	Who
10. MSD in warehousing	30 targeted visits Warehouses/ <u>motor vehicle repairers</u> (MVR)	Warehouses and builders merchants, <u>MVR</u> identified from data base or other intelligence	Quarter 1 and 3	Inspector A Inspector B Inspector C Inspector D
11. Transport in warehousing and	30 targeted visits Warehouses/ <u>motor vehicle repair</u> (MVR)	Warehouses and builders merchants, <u>MVR</u> identified from data base or other intelligence	Quarter 1 and 3	Inspector A Inspector B Inspector C Inspector D
Performance Indicators: Fit 3 Program – Program completed and overall contribution to Revitalising target				
12. LPG Inspection campaign Inspect all fixed LPG installations to check for sound installations which comply with required standards	In partnership with the HSE 10 inspections	targeted visits to premises identified by HSE pipe work survey	Throughout the Year	Principal Inspector A Inspector B Inspector C Inspector D
Performance indicators All those visited have a sound LPG installation/pipe work which meets the required standards. Duty holders know their responsibilities and are acting accordingly				
13. Noise at work (entertainment)	Aintree grand national meeting. Respond to complaints	Attend meetings in relation to Grand National meeting, enforce regulations	Throughout the year	Principal Inspector A Inspector B Inspector C Inspector D
Performance indicators All those visited have a knowledge of regulations and are working towards compliance or comply				
14. College interventions	Referral of tame colleges to HSE re Interventions. Southport and Hugh Baird College agree d interventions	Assist HSE/ attend events		Principal Inspector A Inspector B Inspector C Inspector D

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What	How	Where	(When)	Who
Performance indicators				
15. Joint HSE/LA initiatives				
<ul style="list-style-type: none"> Chemicals in SME's-MVRs Local Exhaust Ventilation-LEV-MVR, Nailbars 	See pt's 9,10,11 incorporate in inspections	Target during inspections of MVR,		Inspector A Inspector B Inspector C Inspector D
<ul style="list-style-type: none"> Care Homes-lifting equipment 	20 inspections see pt 8	Possible flexible warrant. Visit non attendees following SHADs		Officers from Food Safety Team
<ul style="list-style-type: none"> Safe Interventions-Balers/supermarkets, Warehouses 	See Pt's 9,10,11 Incorporate during warehouse inspections			Inspector A Inspector B Inspector C Inspector D
<ul style="list-style-type: none"> Hand Car Washes Project 	5 inspections			Ditto
<ul style="list-style-type: none"> VOSA Vehicle & operator Services Agency (VOSA) 	Distribution of Moving Good Safety Packs – following HSE referrals	Possible flexible warrant, incorporate in response to complaints.		Ditto
Performance indicators Inspect 100% of premises allocated for inspection- some will be HSE referrals				
16. Events				
Joint HSE/IA events				
<ul style="list-style-type: none"> Tattooist/body modification-Awareness invent for industry 	Merseyside and Cheshire awareness event for businesses. PCT & Police	Merseyside/Cheshire Venue TBC		Principal Inspector A Inspector B Inspector C Inspector D
Sefton Events				
<ul style="list-style-type: none"> Aintree – Grand National Woodvale Rally 	Attend SESAG and planning meetings	Inspect events during operation	All year 6,7&8 Aug 2010, April 2011	Ditto
Performance Indicators: Attend 90% planning meetings & inspect events in operation.				

What	How	Where	(When)	Who
17. Petshops/Animal Boarding (licensed Premises)	Inspect all licensable premises			Officer A
Performance Indicators: Inspect 100% licensable premises				
18. Section 18 compliance	Review of existing policies and procedures against section 18 toolkit Devise or rewrite and implement as necessary. Partake in EHCM audit process	use section 18 toolkit	Throughout the Year (To ensure full compliance by March 2011)	Section manager and Principal
Performance Indicators: Review of section 18 compliance. completed by March 2011 to ensure authority compliant				
19. Officer Training Ensure all officers are adequately trained and kept up to date on current H+S issues	Officers to complete RDNA assessments and use grip tool to identify areas of development needed	Self learning, peer training and formal courses where appropriate. As identified by RDNA meetings	Throughout the Year	Principal All H+S team officers. Any other enforcement officers with H+S involvement
Performance indicators All authorised officers are competent in the topics of the intervention plan and are competent in health and safety generally				
20. Partnership work with EHC+M, HSE and LACORS See pt 15/16 joint initiatives & events	Attend EHC+M liaison group meetings and other regional and national meetings were needed by the group	Various locations	Throughout the year	Principal

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What	How	Where	(When)	Who
Performance indicators 90% of meetings attended				
21. Database cleansing in line with LAC67/2 – new risk rating scheme	Adaptions to Flare database		Quarter 1 and 2	Principal and Section Manager & Admin support

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REPORT TO: Cabinet Member - Environmental

DATE: 30 June 2010

SUBJECT: **A FRAMEWORK FOR THE DELIVERY OF SERVICES IN ANIMAL HEALTH AND WELFARE 2010/11.**

WARDS AFFECTED: All

REPORT OF: Peter Moore
Environmental Protection & Technical Services Director

CONTACT OFFICER: Andrew Naisbitt
0151 934 4014

**EXEMPT/
CONFIDENTIAL:** No

PURPOSE/SUMMARY:

For the Cabinet Member – Environmental to endorse the revised framework agreement between Sefton Council's Trading Standards Service and the Department for Environment, Food and Rural Affairs (DEFRA) for the delivery of animal health and welfare service provision.

REASON WHY DECISION REQUIRED:

For the Cabinet Member – Environmental to endorse the partnership arrangements with DEFRA aimed at ensuring effective disease control and encouraging consistency of approach across local authorities. The National Performance Framework for Trading Standards (NPF) requires that such initiatives be considered and approved by the Council's elected representatives.

RECOMMENDATION(S):

That the Cabinet Member – Environmental

- a) Notes the content of this report and:
- b) Approves the Animal Welfare Service Delivery Plan 2010/11.

KEY DECISION: No

FORWARD PLAN: N/A

IMPLEMENTATION DATE: Immediately following the expiry of the "call-in" period for this meeting.

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ALTERNATIVE OPTIONS:

None – The Framework for the Delivery of Services in Animal Health and Welfare is the national accepted scheme for ensuring animal health and preventing disease.

IMPLICATIONS:

Budget/Policy Framework: None arising from this report – limited grant funding is available from DEFRA

Financial:

<u>CAPITAL EXPENDITURE</u>	2008/ 2009 £	2009/ 2010 £	2010/ 2011 £	2011/ 2012 £
Gross Increase in Capital Expenditure	-	-	-	-
Funded by:	-	-	-	-
Sefton Capital Resources	-	-	-	-
Specific Capital Resources	-	-	-	-
<u>REVENUE IMPLICATIONS</u>				
Gross Increase in Revenue Expenditure	-	-	-	-
Funded by:	-	-	-	-
Sefton funded Resources, within existing budget	-	-	-	-
Funded from External Resources	-	-	-	-
Does the External Funding have an expiry date? Y/N				
How will the service be funded post expiry?	N/A			

Legal: Any legal implications as a result of this project will be reported separately.

Risk Assessment Enforcement of the Animal Health legislation is a statutory duty

Asset Management N/A

Consultation Undertaken/Views

DEFRA – Animal Health Divisional Office

CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community	√		
2	Creating Safe Communities	√		
3	Jobs and Prosperity	√		
4	Improving Health and Well-Being	√		
5	Environmental Sustainability		√	
6	Creating Inclusive Communities	√		
7	Improving the Quality of Council Services and Strengthening local Democracy	√		
8	Children and Young People		√	

LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT

“A framework for the delivery of service in Animal Health and Welfare’ published jointly by LACORS, DEFRA and Welsh Assembly Government.

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Background

1. The Cabinet Member - Environmental approved a previous report entitled "A Framework for the Delivery of Services in Animal Health and Welfare (The Framework)", dated 1st September 2004. That report advised members of the local framework agreement agreed by DEFRA and Sefton Council Trading Standards Service. This report serves to update the previous commitments.

A Framework for the Delivery of Services in Animal Health and Welfare

2. The framework document "Animal Welfare Service Delivery Plan 2010/11", Annex 1 to this report, sets out the delivery arrangements for animal health and welfare services provided by the Trading Standards Section. It has been developed with detailed consideration of local needs, corporate objectives and reference to the national framework model developed by LACORS, DEFRA and the Welsh Assembly Government.
3. The framework deals mostly with farmed livestock, where the problems are seen as most serious. It also covers horses and touches on pets and wildlife.
4. The Framework addresses the following strategic outcomes:
 - A clear understanding of roles and responsibilities;
 - A partnership approach;
 - Promotion of animal health and welfare: prevention better than cure;
 - A clearer understanding of costs and benefits of animal health and welfare; and
 - Effective delivery and enforcement.
5. Much of the discussion of animal health and welfare in recent years has focused on the role of Government. However, Government should intervene only where there is a clear public interest in doing so. The four primary reasons for intervention are public health, impact on the wider economy and society, trade, and animal welfare.
6. The Framework establishes a set of principles for local decision-making and therefore decisions on animal health and welfare should:
 - Be based on sound science and evidence;
 - Lead to proportionate action through an assessment of costs and benefits;
 - Be guided by the precautionary principle;
 - Be based on risk assessment (which should include the use of veterinary advice);
 - Be made in partnership with key stakeholders;
 - Be consistent with Government's reason for intervention;
 - Promote sustainable development, including a sustainable food and farming industry;
 - Be consistent with EU and International obligations; and
 - Seek to promote British interests in the EU and internationally.

7. In order to address all these issues the Framework sets out proposed actions to improve the health and welfare of animals kept by man, and to address public health protection from animal disease. These actions include:
 - Definition of the Council's enforcement structure and plan;
 - Analysis of Commercial premises and agricultural holdings;
 - Preparation of risk assessment of premises within the Sefton area;
 - The intelligence gathering process;
 - Consultation with the local Divisional Veterinary Manager;
 - Liaison with other agencies;
 - Training and continuing professional development of staff;
 - Provision of Advice to clients and animal licence applications;
 - The monitoring of animal movement activities and attendance at critical control points;
 - The response, standby and on-call arrangements;
 - The investigation of offences;
 - Identification of training and advice needs for farmers and vets and others who advise animal keepers; and
 - Developing indicators and targets for success.

Implications for the Environmental & Technical Services Department

8. The Animal Health and Welfare Agenda places a statutory duty on the Environmental & Technical Services Department that; with the exception of licensing of local pet shops, kennels and riding establishments, will be carried out by Trading Standards.
9. Current estimates suggest this will involve visiting approximately 50 'agricultural' premises per annum, the administration of local animal movement and a lead role in contingency planning with respect to animal diseases.

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REPORT TO: Cabinet Member - Environmental

DATE: 30 June 2010

SUBJECT: **ANIMAL FEED PLAN 20010/11.**

WARDS AFFECTED: All

REPORT OF: Peter Moore
Environmental Protection & Technical Services Director

CONTACT OFFICER: Andrew Naisbitt
0151 934 4014

**EXEMPT/
CONFIDENTIAL:** No

PURPOSE/SUMMARY:

To endorse the Animal Feed Plan 2010/11 required by the Food Standards Agency (FSA).

REASON WHY DECISION REQUIRED:

To seek the endorsement of the Cabinet Member – Environmental of the arrangements with the FSA aimed at ensuring effective animal feed control and encouraging consistency of approach across local authorities. The National Performance Framework for Trading Standards (NPF) requires that such initiatives be considered and approved by the Council's elected representatives.

RECOMMENDATION(S):

That the Cabinet Member – Environmental

- a) Notes the content of this report and:
- b) Approves the Animal Feed Plan 2010/11.

KEY DECISION: No

FORWARD PLAN: N/A

IMPLEMENTATION DATE: Immediately following the expiry of the “call-in” period for this meeting.

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ALTERNATIVE OPTIONS:

None – Statutory Function.

IMPLICATIONS:

Budget/Policy Framework: None arising from this report – Sampling Costs are met from existing budgets

Financial:

<u>CAPITAL EXPENDITURE</u>	2008/ 2009 £	2009/ 2010 £	2010/ 2011 £	2011/ 2012 £
Gross Increase in Capital Expenditure	-	-	-	-
Funded by:	-	-	-	-
Sefton Capital Resources	-	-	-	-
Specific Capital Resources	-	-	-	-
<u>REVENUE IMPLICATIONS</u>				
Gross Increase in Revenue Expenditure	-	-	-	-
Funded by:	-	-	-	-
Sefton funded Resources, within existing budget	-	-	-	-
Funded from External Resources	-	-	-	-
Does the External Funding have an expiry date? Y/N				
How will the service be funded post expiry?	N/A			

Legal: Any legal implications as a result of this project will be reported separately.

Risk Assessment Enforcement of the Animal Feed legislation is a statutory duty

Asset Management N/A

Consultation Undertaken/Views

CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community	√		
2	Creating Safe Communities	√		
3	Jobs and Prosperity	√		
4	Improving Health and Well-Being	√		
5	Environmental Sustainability		√	
6	Creating Inclusive Communities	√		
7	Improving the Quality of Council Services and Strengthening local Democracy	√		
8	Children and Young People		√	

LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT

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Background

1. The composition and safety of animal feeding stuffs is a principal factor in protecting not only the integrity of the human food chain but also maintaining the highest standards of animal health and welfare and ensuring the wellbeing of the environment.
2. Feed law includes European Union and national rules on feed composition including additives and medication, feed hygiene, labelling and contaminants in feed. It covers not only feed for food producing animals but also companion animals.

Sefton Trading Standards Animal Feed Plan 2010/11

3. The Sefton Trading Standards Animal Feed, Annex 1 to this report, sets out the delivery arrangements for animal feed services provided by the Trading Standards Section. It has been developed with detailed consideration of local needs, corporate objectives and reference to current legal requirements.
4. The legislation establishes a set of principles for local enforcement and therefore animal feed enforcement will:
 - Be based on sound science and evidence;
 - Lead to proportionate action;
 - Be guided by the precautionary principle;
 - Be based on risk assessment;
 - Be made in partnership with key stakeholders;
 - Be consistent with Government's reason for intervention;
 - Promote sustainable development, including a sustainable food and farming industry;
 - Be consistent with EU and International obligations.
5. In order to address all these issues the Plan addresses the following:
 - The scope of the Animal Feed Service;
 - The inspection regime;
 - The local Sampling Program;
 - Incident Reporting;
 - Partnership Arrangements and
 - Officer Competence.

Implications for the Environmental & Technical Services Department

6. The Animal Feed Agenda places a statutory duty on the Environmental & Technical Services Department that will be carried out by Trading Standards.
7. Current estimates suggest this will involve visiting approximately 50 'agricultural' premises per annum, and taking samples from local suppliers and importers within the Freeport.
8. The Department also has to respond to Feed Alerts from the EU / FSA and this may place significant demands on resources if contaminated feed is imported and has to be detained in the Liverpool Freeport.

Annex 1

Trading Standards Animal Feed Plan 2010/11

1 Scope

- 1.1 “The composition and safety of animal feeding stuffs is a principal factor in protecting not only the integrity of the human food chain but also maintaining the highest standards of animal health and welfare and ensuring the well being of the environment.” (EC Regulation 882/2004 on official controls to ensure the verification of compliance with Feed law and Animal Health and Welfare rules.)
- 1.2 Feed law includes EU and national rules on feed hygiene, feed composition, feed additives, medicated feed, feed labelling, contaminants in feed etc. It covers not only feed for food producing animals but for horses, pets and fish.
- 1.3 In producing this plan account has been taken of the Feed Law Enforcement Code of Practice, the Food Standards Agency (FSA) National Enforcement Priorities for Feed Authorities in Great Britain – 2010/2011 and Trading Standards North West (TSNW) Agriculture sub-group funding bid.

2 Aims

- 2.1 To inspect Feed Businesses for the purpose of:
 - (a) Ensuring feed is compositionally and nutritionally correct.
 - (b) Ensuring feed is correctly labeled.
 - (c) Ensuring feed is not adulterated or contaminated.
 - (d) Determining compliance with Feed Hygiene Regulations with particular regard to traceability of feed and feed ingredients.
- 2.2 To provide advice and assistance to feed businesses on compliance with legal requirements.
- 2.3 The sampling of feed and feed ingredients for analysis.
- 2.4 To investigate complaints and take appropriate enforcement action when necessary.
- 2.5 To offer preventative guidance and assistance to Feed Businesses whose Head Offices are based within Sefton.
- 2.6 To work closely with Mersey Port Health Authority to monitor imported feed.
- 2.7 To be an active member of contribute to TSNW Agriculture sub-group.

3 Inspections

- 3.1 Visits to feed businesses are scheduled in accordance with the Animal Feed Law Inspection Rating Scheme contained in the Fed Law Enforcement Code of Practice.

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- 3.2 Under the rating scheme, within Sefton there are, 1 Category A (high risk), 11 Category B (medium risk) and 43 Category C (low risk) premises.
- 3.3 During 2010/11 officers will carry out primary inspections to all Category A & Category B premises. At the conclusion of the inspection the inspection rating of the feed business will be reassessed.
- 3.4 Under the Code of Practice Category C (low risk) premises need not be included in the planned inspection programme but must be subject to an alternative enforcement strategy at least once in every 5 years. As a result Category C premises will only be visited as the result of complaints, requests for advice or when samples are taken as part of a project.

4 Sampling

- 4.1 The Annual Feed sampling programme involves the taking of both formal and informal samples. The sampling programme is based on:
 - The FSA's National Enforcement Priorities For Feed Authorities In Great Britain – 2010/2011 as part of a Integrated National Control Plan for the UK, and
 - TSNW Agriculture sub-group funding bid.
- 4.2 The EU Rapid Alert System for Food and Feed (RASFF) will be monitored for notifications of non-compliance of feed legislation and samples taken where necessary.
- 4.3 Following notifications via RASSF throughout 2009, the sampling priorities will be the products detailed in Appendix 1, imported directly from outside the EU.
- 4.4 In accordance with the Imported Animal Feed Monitoring Procedure agreed by Sefton Trading Standards, Liverpool Trading Standards, Wirral Trading Standards and Mersey Port Health Authority. Officers will continue to monitor consignments of imported feed and sample where necessary.
- 4.5 Officers will take samples during all primary inspections. Samples will consist of both finished product and feed ingredients and tested for the above mentioned contaminants, composition, nutrition and compliance of labelling.
- 4.6 Unsatisfactory reports on samples will be dealt with by advice, referral to Home Authority Trading Standards or enforcement action, in line with the service's Enforcement Policy.

5. Incident reports

- 5.1 EC Regulation 178/2002 requires feed and food businesses to withdraw feed from the market if products are not in compliance with safety requirements. They must also notify the FSA and the "Competent Authority" i.e. the local Trading Standards Authority (or Port Health Authority at ports).

5.2 Following the notification or detection of non-complaint feed (Feed Incident). The cost to the Competent Authority to investigate and ensure the non-compliant feed does not enter the supply chain is chargeable against the feed business.

5.3 The EU Rapid Alert System for Food and Feed (RASFF) will be monitored for notifications of non-compliance of feed legislation and samples taken where necessary.

Infringements or suspected infringements reports from external sources or identified by the use of data interrogation etc will be investigated and appropriate action taken.

5.4 Complaints reported by the public, business etc will be investigated.

5.5 The FSA will be notified of all serious localised and non-localised feed hazards. The FSA will be contacted if there is a doubt whether a feed incident amounts to a feed hazard. (A Feed Hazard is a Feed Incident that through biological, chemical or physical means potentially causes adverse effects on food producing animals or the public.)

6. Partnership work

6.1 The Section will assess and communicate with other interested parties in respect of cross boundary, cross cutting issues.

6.2 The Section will service the TSNW focus group and Attend 4 Regional Meetings per annum.

6.3 The Section will also attend regular meetings with local partners, ie Port Health, & neighbouring Local Authorities regarding issues within the Dock Area'

7. Officer Training

7.1 Officer Competence is ensured by:

- Annual performance and development review in line with Investors In People Standard.
- Designated Animal Feed staff are required to keep up to date with respect to animal feed by using the FSA website on a weekly basis. To that end each officer has Internet access and access to the LACORS website.
- The Department subscribes to Lexus online (for legislation) & TS Desktop Companion.
- Helen Shaw – Senior Trading Standards Officer, holder of DTS & Simon Evans – Technical Officer with 15 years experience in Trading Standards. These officers are authorised to enforce all relevant legislation.
- Attendance at County Council Animal Health function & FSA / TSNW courses – (10 Hours minimum).

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APPENDIX 1 – SAMPLING PRIORITIES FOR IMPORTED FEED

Minerals/Additives

1. Copper Chelate
2. Copper Sulphate
3. Tagetes (Red colouring for feed)
4. Sepiolite
5. Monocalcium phosphate
6. Dicalcium phosphate
7. Dicalcium phosphate
8. Zinc oxide
9. Manganese (manganous oxide/manganic oxide)
10. Other trace elements belonging to the functional group of compounds of trace elements referred to in Annex I, 3 b) of Regulation (EC) No 1831/2003

Substance/Hazard

- Dioxin-like polychlorobpphenyls (PCBs)
Dioxins and PCBs
Dioxins
Lead
Fluorine and heavy metals
Heavy metals including cadmium
Heavy metals including arsenic
Heavy metals including cadmium
Heavy metals
Undesirable substances (heavy metals)

Other feeding stuffs

11. Soya and soya products
12. Groundnuts
13. Feed Premixes
14. Maize and maize products

Substance/Hazard

- Melamine in products originating from China, unauthorised GM and mycotoxins
Aflatoxin B1
Dioxins and level of declared ingredients
Unauthorised GM, and mycotoxins

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REPORT TO: Cabinet Member – Environmental

DATE: 30 June 2010

SUBJECT: **WORKING NEIGHBOURHOODS FUND AND HMRI LIVING THROUGH CHANGE FUNDED ENVIRONMENTAL SERVICES 2009/10 PERFORMANCE UPDATE**

WARDS AFFECTED: Derby; Linacre; Ford; Litherland; Netherton and Orrell; and St Oswald & Church

REPORT OF: Peter Moore Environmental and Technical Services Director

CONTACT OFFICER: David Packard, Assistant Director - 0151 934 4016
Steve Smith Public Health Manager- 0151 934 4025

**EXEMPT/
CONFIDENTIAL:** No

PURPOSE/SUMMARY:

To update the Cabinet Member - Environmental on the progress of the Working Neighbourhood funded Environmental Services initiatives within the Environmental & Technical Services and Operational Services Departments.

REASON WHY DECISION REQUIRED:

Regular reporting to the Cabinet Member - Environmental is an important part of the performance monitoring and communication strategies for the interventions and for addressing implications for mainstream service provision.

RECOMMENDATION(S):

That the Cabinet Member - Environmental endorses the approach taken in delivery of the Working Neighbourhood funded Environmental Services initiatives within the Environmental & Technical Services and Operational Services Departments.

KEY DECISION: No

FORWARD PLAN: N/A

IMPLEMENTATION DATE: N/A

ALTERNATIVE OPTIONS:

None

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IMPLICATIONS:

Budget/Policy Framework: None arising from this report – the funding for the programme is currently scheduled to finish in March 2011

Financial:
There are no financial implications arising directly from this report.

<u>CAPITAL EXPENDITURE</u>	2008 / 2009 £	2009/ 2010 £	2010/ 2011 £	2011/ 2012 £
Gross Increase in Capital Expenditure	Nil	Nil	Nil	Nil
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<u>REVENUE IMPLICATIONS</u>				
Gross Increase in Revenue Expenditure	1,100,830	1,705,180	1,801,140	Nil
Funded by:				
Sefton funded Resources				
Funded from External Resources	1,100,830	1,705,180	1,801,140	Nil
Does the External Funding have an expiry date? Y/N	March 31 st 2011			
How will the service be funded post expiry?				

Legal: None

Risk Assessment: None

Asset Management: Not relevant

CONSULTATION UNDERTAKEN/VIEWS

CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community	✓		
2	Creating Safe Communities	✓		
3	Jobs and Prosperity	✓		
4	Improving Health and Well-Being	✓		
5	Environmental Sustainability	✓		
6	Creating Inclusive Communities	✓		
7	Improving the Quality of Council Services and Strengthening local Democracy	✓		
8	Children and Young People	✓		

LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT

Cabinet Member - Environmental Report Environmental Services Initiative – Worklessness 18/11/09

Background

Working Neighbourhood Interventions

1. During the summer of 2008/2009 the Working Neighbourhood Funded (WNF) Environmental Services Intervention (ESI) was established and superseded the previous Neighbourhood Renewal Funded (NRF) Livability Initiatives. Following a commissioning process and period of transition the project officially started in June 2009 and has continued to run through 2009/10.
2. The main focus of the WNF Intervention is as below;
 - Addressing Worklessness – through training-into-employment. Including the provision of a comprehensive planned training program for trainees relevant to the requirements for employment in ESI and mainstream Environmental Services
 - Combined focus on neighbourhood cleanliness and longer-term behavioural change – enhancing mainstream service provision, addressing “whole neighbourhood” cleansing gaps (including graffiti), addressing rat habitat and related infrastructure issues, engaging, educating and enforcing to change individual behaviour, perceptions and “neighbourhood norms”.
3. Dependent upon the nature of service provided service delivery is organised at the following three geographic levels:
 - South Sefton level;
 - Area Committee level; and
 - HMRI Priority Intervention Area level
4. All WNF/LTC Environmental Services work together and link in with mainstream and other additional services to ensure maximum synergy and additionally, minimises duplicity or gaps.

Interventions

5. The interventions work alongside the mainstream environmental services, to improve neighbourhood cleanliness and resident satisfaction as well as to reduce the number of rat populations within Sefton. They also contributed to: improved resident/community engagement both with the additional services and mainstream environmental services; behavioural change, particularly through additional education and enforcement; improved partnership working between agencies; and changes within the mainstream services. As well as encouraging local people into training and employment opportunities within the service, supporting economic development through the delivery of safe and clean neighbourhoods.

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6. A number of teams are employed to carry out a wide variety of duties in order to achieve the above; Community Engagement Team, Environmental Enforcement Team, Pest Management Team, Mechanical Sweeping, Arterial Routes, Good Neighbourhood Skips and Neighbourhood Livability Teams. All these work together with the mainstream as well as with partners such as the Registered Social Landlords (RLS's), Community Safety, Police, Fire Service, Park Rangers, Network Rail, Housing and Community Centres to achieve a greater outcome.

Teams in detail 2009/10;

Community Engagement Team

7. Have carried out a range of activities to engage with communities and stakeholders. The team organises and contributes to regular clean up days. This includes "Wednesday Projects" in which all Neighbourhood Livability Teams focus on a defined grotspot and The Big Tidy Up's involving local school children etc.
8. During 2009/10, 106 Wednesday Projects/Community Clean Up Days have been completed across WNF wards.
9. The CET has also organised/participated in 67 "walkabouts", meeting with a range of partners and local residents, on-site to identify environmental problems and ensure a co-ordinated joined up response from partners to resolve them.
10. The CET have also organized/participated in numerous educational events such as; the 'Your Choice Conference' which all 24 WNF Schools (Year 6 pupils) attended. The Conference included interactive sessions around litter, graffiti, dog fouling and responsible behavior in communities.
11. The conferences were complemented by the CET arranging for all 6 WNF Secondary Schools (Year 7 pupils) to have a Drama and Rap (DRAPA) Workshop, which also tackles issues surrounding environmental anti social behavior. Both events are designed to encourage positive behavioural change and are followed up by further presentations to children at school assemblies.
12. This year the CET has worked with Hugh Baird College and as a result, students created their own 10 minutes take on the pop song 'Jitterbug', changing the lyrics to give different environmental messages and create a short play. This play has been delivered outside popular shopping areas to catch the biggest audiences (including, the Strand Shopping Centre, ASDA Bootle, and Marian Square Shopping Centre).
13. This service also acts as the main interface between the council services and partners such as RSL's. They have a direct link with the council services using the dedicated hotline and the working relationship with community engagement officers to influence delivery of services. Through the hotline, walkabouts, meetings etc, the team has dealt with over 400 service requests during 2009/10

from a range of different partners including RSL's, Merseyside Police, and the Fire Brigade etc.

14. To educate and promote the WNF Teams, the CET attends various events and has designed various posters, leaflets etc. to support these activities. This includes a newsletter that was sent out quarterly to WNF residents informing them of the work carried out by the teams and providing them information on a variety of environmental issues and useful phone numbers.

Environmental Enforcement

15. Have worked to inform and were appropriate enforce through statutory action a range of issues including fly tipping, littering, dog-fouling etc.
16. They have organized 'Rear Entry Blitzes', cleansing a number of entries from fly tipping and identifying offenders. Resulting from these operations, 22 specific Notices were served and a further 616 'blanket' Notices reminded occupiers of there responsibilities were sent to all properties that had access to the entries in question.
17. The team has also conducted observations at Fast Food outlets and Bring Back Sites through out South Sefton, to identify people dropping litter. 56 offenders have been identified this year and sent letters interviewing them under caution. Of these, 31 where issued with £75 Fixed Penalty Notices.
18. To tackle dog fouling and the perception of a fouling problem within the WNF areas, the officers in partnership with the dog wardens and PCSO's have patrolled hot spots, stopping dog walkers and enquiring if they were carrying bags. All walkers were educated and informed about responsible dog ownership and of the Fixed Penalty Notices for dog fouling offences. Bags were given to those without any, along with a 'Warning Letter'. 636 dog walkers have been stopped during this period of which 21% were found not to have a means of picking up any fouling.
19. The teams also inspect local businesses to educate and enforce the 'Duty of Care' Policy for correct disposal of waste. In addition several projects have been undertaken to remind newsagents, takeaway food outlets and Public Houses of there responsibility for litter (including cigarette litter) disposed outside of there premises.
20. All these activities are designed to change behaviour of local residents and within business communities to improve environmental conditions for the community for the long term.

Rat Action Team

21. This intervention pro-actively targets hot spots of rat activity to reduce rat populations via Integrated Pest Management approach, through removal of harbourage, food sources and effective baiting as well as improvements to drainage infrastructure.

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22. This work is prioritized using a mapped system, which identifies where most activity has been on a 3-month rolling program and effectively targets with core services these to have maximum impact.
23. 446 sites have been cleared of harborage during 2009/10.
24. 230 drains have been cleared / infrastructure improved (including fitting bungs).
25. Over 140 tonnages of rubbish have been removed.
26. 127 Street Investigations have been completed. These involve a complete survey of an area to identify all rodent related issues which require action and prompt the subsequent work by Rat Action Team and other partners / Departments.

Mechanical Sweeping

27. In addition to mainstream mechanical and manual street sweeping this additional complementary service is maintained across the South Sefton Area. The workload is programmed so that each part of South Sefton receives the necessary attention to deliver improved standards of street cleansing. This includes the use of Johnson Sweeper machines remove litter and detritus from both the pavements and roads (channels/gutters).

Arterial Route Cleansing

28. Additional complementary service provides night time cleansing of the arterial routes has been in progress across the South Sefton Area to deliver improved standards of street cleansing along these key routes into and through the area. The large mechanical brush machines remove litter and detritus from the channels/gutters, whilst the team also 'dig out' detritus and overgrown vegetation from central reservations and roundabouts.

Good Neighbourhood Skips

29. A skip service has been provided to communities to assist in the disposal of non-routine waste as well as to reduce fly tipping and the improvement of environmental conditions overall.
30. WNF has employed a dedicated driver full time to support the skip rota in certain areas of South Sefton.

Neighbourhood Livability Teams / Intervention Area Team

31. To complement mainstream services and the additional services identified above, this dedicated resource is targeted at each Area Committee Area.
32. The Teams work in each area to a weekly-programmed work schedule, carrying out a variety of duties; digs out detritus, litter picking, removing fly-tipping, cutting back overgrown vegetation and removing graffiti to secure improved environmental conditions. Operatives also work alternate weekends and cleanse Industrial Areas of fly tipping and detritus.
33. The team has removed over 722 tonnes of rubbish during their work schedule.

34. During October to March alone, the team has also removed 261 incidents of graffiti.
35. Every Wednesday is a project day where all the teams concentrate their efforts on areas that have been identified by the Community Engagement Team as particularly problematic, either through walkabouts or service requests. Over 159 tonnes have been removed during Wednesday Projects.
36. The Intervention Area Team carries out the same type of work as the Neighbourhood Livability Team but concentrates in the two HMRI areas between Bedford/Queens Road and the Klondyke. In addition they also secure void properties and clear void gardens in these areas on behalf of the RSL's.
37. All of this work is carried out after consultation with local communities and partners through a variety of methods including regular scheduled meetings between the Community Engagement Team Leader and key partners, day-to-day liaisons through a single point of contact such as the hotline, and participation in the Community Safety Area Partnerships. The Projects Strategy and progress is also developed and monitored through an external Steering Group which includes RSL partners, Neighbourhoods Division and HMRI

Worklessness

38. Since the project began, 27 trainees have been taken on of which 13 have found work either within the Neighbourhood Livability Teams or within the core Cleansing Service while they have been part of the programme. 8 out of the 27 trainees are still enrolled on the programme and will finish this year. 3 of these trainees have been taken on within the community engagement and environmental enforcement teams which further expands the opportunities for trainees.
39. 13 of those trainees have also completed an NVQ level 2+ Qualification in waste 7 environmental aspects whilst working on the programme, with the rest are expected to finish this year.
40. Taster sessions require an individual to commit to spending one day per week (8 hours) over 10 weeks to determine if this is an area of work that they are interested in. There have been difficulties in terms of attracting candidates for the 10 week 'taster' routeway programme, however 29 'tasters' have enrolled so far and of these, 15 have found employment either within the Neighbourhood Livability Teams or within the core Cleansing Service. 6 are still enrolled on the programme and are due to finish quarter one 2010/11.
41. Many of those trainees and tasters have been provided with a variety of training courses including LANTRA Training (hedge cutters, loppers etc), Chapter 8 (safe working on the highway), First Aid, and Quality & Diversity etc. During 2009/10, 42 counts of training were delivered.

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Performance Monitoring

42. All of the milestones have been adhered to and almost all of the targets met (see table below). The number of community clean up days has been exceeded during 2009/10, with 26 being held, 56 in total from 2008. The number of environmental education events targeted towards young people has also been exceeded, with 27 being held during 2009/10 including Open Days, Your Choice Conferences etc, and 35 in total since 2008.
43. The Local Environmental Quality (DLEQ) Survey results illustrate the overall standard of the street scene in South Sefton. (100% is the worst-case scenario and 1% is the best example of cleanliness.) During 2009/10, 2 surveys have been conducted and the results show very positive outcomes. The target set for Detritus was 28%. This target was exceeded in Quarter 2 with the results coming in at 23%. Then in Quarter 4, this dropped again to 19%, nearly 10% below the target. Similarly, the Litter target to achieve was 25%, and although the score came in level with this in Quarter 2, it dropped to 18% in Quarter 4. Therefore both Litter and Detritus have seen vast improvements, which can be directly linked to the extra resources provided by WNF Neighbourhood Livability Teams. Graffiti and Fly-posting are slightly below target (Graffiti plus 3% over and Fly Posting plus 1%).
44. The following targets show how the project is progressing;

Targets to be Delivered		2009/10	Achieved
Trainees completing an 11 month placement and achieving an NVQ Level 2 qualification		10	13
People completing a 10 week 'taster' programme through Routeway and achieving an accreditation		32	21
People going on to further training, education or employment		34	66
Environmental educational interventions targeted towards children and young people		20	27
Community clean up days held and number of local residents involved		25	26
DLEQ survey to be carried out across Linacre/Derby, Ford/Litherland, and St Oswald, Netherton and Orrell		2	2
DLEQ survey to maintain or show improvement against baseline results	Detritus	28%	19%
	Litter	25%	18%
	Graffiti	11%	13%
	Fly-posting	1%	2%

45. The milestones to date have all been completed;

Milestone
Production of 2009/2010 Team Project Delivery Plans
Refreshed mapping of programmed work areas
Production of 2008/2009 Project Performance Report
Refreshed mapping of programmed work areas
Householder Survey 2009

Conclusion

46. The WNF Environmental Services Initiative continues to make a positive impact on the South Sefton Area. Long-term un-employed are finding work, training and gaining new skills. The environment is also benefiting from extra cleansing services and local communities are being engaged and have the opportunity to influence service deliver. Communities are participating in key events, clean ups etc and are being educated on environmental issues (enforcement where necessary). Environmental condition are being improved thus attracting potential investment from businesses benefiting the economy.
47. The Environmental Services Initiative is working with the mainstream services enhancing and focusing work on specific geographical areas and on specific environmental issues, such as flytipping, rodent activity, dog fouling and graffiti that have been identified by the local community.
48. Trainees which were previously long-term un-employed, have been recruited and in many cases successfully re-employed. The trainees have received a comprehensive training schedule, as well as working towards attaining an NVQ Level 2 Qualification, which will all support their future employment prospects.
49. The Routeway trainees recruitment (tasters), although slow to begin with are now up and running. Again this has given un-employed people an opportunity to re engage with the work environment and give some confidence to move back into the employment market.
50. The DLEQ survey result confirms that the joined up and focused approach is having a positive impact on key environmental indicators including litter and detritus. Continuation of this approach is likely to see further environmental improvement.

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REPORT TO: Cabinet Member - Environmental

DATE: 30 June 2010

SUBJECT: **HOUSEHOLD WASTE RECYCLING CENTRES – VEHICLE PERMIT SCHEME.**

WARDS AFFECTED: All

REPORT OF: Peter Moore
Environmental Protection & Technical Services Director

CONTACT OFFICER: David Packard – Assistant Director
0151 934 4016

**EXEMPT/
CONFIDENTIAL:** No

PURPOSE/SUMMARY:

To inform the Cabinet Member, Environmental of the introduction of a Residents Permit Scheme for use of Sefton's Household Waste Recycling Centres by non-domestic vehicles.

REASON WHY DECISION REQUIRED:

To inform the Cabinet Member, Environmental of the new control regime being introduced by Merseyside Waste Disposal Authority from 1 July 2010 requiring a van to have a permit before being allowed to take household waste to any of Sefton's four household waste recycling centres.

RECOMMENDATION(S):

That the Cabinet Member, Environmental notes the content of this report.

KEY DECISION: No

FORWARD PLAN: N/A

IMPLEMENTATION DATE: 1st July 2010.

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ALTERNATIVE OPTIONS:

None – Statutory Function.

IMPLICATIONS:

Budget/Policy Framework: None arising from this report

Financial:

<u>CAPITAL EXPENDITURE</u>	2008/ 2009 £	2009/ 2010 £	2010/ 2011 £	2011/ 2012 £
Gross Increase in Capital Expenditure	-	-	-	-
Funded by:	-	-	-	-
Sefton Capital Resources	-	-	-	-
Specific Capital Resources	-	-	-	-
<u>REVENUE IMPLICATIONS</u>				
Gross Increase in Revenue Expenditure	-	-	-	-
Funded by:	-	-	-	-
Sefton funded Resources, within existing budget	-	-	-	-
Funded from External Resources	-	-	-	-
Does the External Funding have an expiry date? Y/N				
How will the service be funded post expiry?	N/A			

Legal: None

Risk Potential for increased fly tipping

Assessment

Asset N/A

Management

Consultation Undertaken/Views

Merseyside Waste Disposal Authority

CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community	√		
2	Creating Safe Communities	√		
3	Jobs and Prosperity		√	
4	Improving Health and Well-Being		√	
5	Environmental Sustainability	√		
6	Creating Inclusive Communities	√		
7	Improving the Quality of Council Services and Strengthening local Democracy	√		
8	Children and Young People		√	

LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT

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Background

1. There are four Household Waste Recycling Centres located in Sefton at Southport, Formby, Maghull and Bootle. The facilities are provided and operated by Merseyside Waste Disposal Authority (MWDA) for the benefit and amenity of residents for the deposit and recycling of household waste.
2. The use of household waste recycling centres (HWRCs) for the deposit of commercial waste has never been permitted. However, abuse by commercial operators to avoid paying commercial waste disposal charges has taken place and has pushed the cost of commercial waste disposal onto council tax payers and has frustrated the achievement of household waste recycling targets.
3. Commercial type vans entering HWRCs are regularly challenged and if suspected of carrying commercial waste are turned away. However, there are cases where the white van or pick up is the only means of family transport and it would not be legal to prevent a resident from depositing their own household waste at the site.
4. To further control the abuse of the facilities by commercial operators, but in mind of the above, MWDA are introducing a permit scheme for residents whose only transport is a van or pick up. This will allow reasonable access for bringing household waste only.
5. Details of the MWDA scheme are included in the attached briefing pack. Vans and commercial type vehicles will not be allowed onto the sites in future without a permit.
6. The operational date for the scheme introduction is 1 July 2010 although there will be a subsequent period of grace for a few weeks thereafter, where those turning up without a permit in a van with household waste will be allowed one entry without a permit. They will be advised of the permit application procedure. The permits are free of charge.
7. The scheme is being rolled out across the 14 HWRCs in Merseyside and is already in place on the Wirral. Lancashire and Cheshire already operate resident permit schemes of a similar nature.
8. The new system has recently been publicised in the local press and on local radio.



MERSEYSIDE WASTE DISPOSAL AUTHORITY

Briefing Pack for Sefton Council



Introduction and Operation of a Household Waste Permit Scheme at all Sefton and Liverpool Household Waste Recycling Centres

May 2010

SECTION A: OVERVIEW OF THE SCHEME

1. Introduction

Merseyside Waste Disposal Authority (MWDA) is to introduce a Permit scheme for commercial-type vehicles – i.e. all vans, trailers between 2 - 3 metres in length and certain other vehicles to access the 14 Household Waste Recycling Centres (HWRCs) on Merseyside. A pilot scheme has been operating at the three Wirral HWRC's from 1 October 2009.

After an evaluation and approval from MWDA elected Members the second phase of implementation of the Scheme will now be rolled out at all Sefton HWRCs and the Liverpool HWRC at Otterspool. This will take place from 1 July 2010 – with pre-implementation publicity starting on 1 June 2010.

The Permit Scheme is for those residents delivering household waste and recyclates in a commercial-type vehicle or when using a certain type of trailer.

2. Why is the Permit Scheme needed ?

Household Waste Recycling Centres (HWRCs) are provided and paid for by residents of Merseyside as places where they may deposit and recycle their own household waste. Waste arising from commercial premises or produced in the course of a business is classified as commercial or trade waste and cannot legally be accepted at the Centres.

In order for the Authority to address the problems caused by illegal tipping of trade waste at the Household Waste Recycling Centres and to improve the standard of service for Merseyside residents, a permit scheme has been introduced with an initial pilot in the Wirral area that has been operational from 1 October 2009.

It is an offence to deposit trade waste at HWRC's. The Centres are not licensed to accept trade waste, so not only are traders breaking the law by tipping at the sites but the Authority would be doing the same by letting them.

Existing measures to stop trade waste being illegally deposited at our HWRCs have had limited impact. This has resulted in increased waste arisings and therefore increased costs to all Merseyside tax payers.

Traders depositing waste at HWRCs result in increased traffic and congestion. Reduced queuing for householders would help make the recycling option more attractive and help us to meet government set recycling targets. The Permit

Scheme has been introduced to address these issues and to improve the standard of service for Merseyside residents.

3. Occasions when a Permit will be needed

Merseyside householders who bring their own household waste to an HWRC for disposal or recycling must adhere to MWDA's Access Policy.

(i) Access to the HWRC **WITHOUT A PERMIT** is allowed when household waste is delivered by:

- a car with or without trailer (trailer up to 2m long – external box dimensions)

(ii) Access to an HWRC **WITH A PERMIT** is allowed if using the following vehicles:

- A van*
- A trailer (between 2m and 3m long – external box dimensions)

* for the purposes of the Permit Scheme, a 'van' is deemed to include:

- (a) Any vehicle without side/rear windows
- (b) Any 'flat back' vehicle
- (c) Any 'pickup' vehicle
- (d) Estate/hatchback /4x4/ cars with rear seats permanently removed
- (e) Estate/hatchback /4x4/ cars with blanked out side/rear windows

The following vehicles are **NOT ALLOWED** to access HWRC's:

- (a) Vehicles above 3.5 tonnes gross weight
- (b) Vehicles with trailers longer than 3m (external box dimensions)

4. Why is MWDA introducing the Scheme?

(i) Merseyside's Recycling Centres are provided by MWDA for the region's residents to dispose of household waste, free of charge.

The Permit Scheme is being introduced in order to deter the illegal use of the Centres by commercial and business operators. Advantages of the Scheme are:

- (a) Helps us to reduce congestion – users bringing such waste help contribute to on-site congestion, leading to a stressful situation for users and staff

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- (b) Increases health and safety – By reducing the impact from the manoeuvring of large vehicles and handling of loose waste.
- (c) Prevents trade waste being deposited illegally at the Centres
- (d) As part of its new WMRC Contract, the Authority working with its new contractor, Veolia Environmental Services, must implement a Permit Scheme.
- (e) The introduction of a Permit Scheme will save money as less waste will be sent to landfill.

Permit Schemes have been shown to be effective through other local schemes nationwide and MWDA has conducted a number of visits, meetings and gathered best practice from these schemes – including those in Lancashire, Cheshire and Cumbria.

5. Types of Permit and how the Scheme will work

(i) There are three types of Permit – **Annual** and **Temporary** and **Emergency**

- The **Annual Permit** is required when users are delivering frequently arising recyclable items of waste from their household including but not limited to: garden waste, newspapers, magazines, glass, plastic bottles, textiles, cardboard, cans, batteries and oil.
- The **Temporary Permit** is required when delivering bulky household waste on an infrequent or one off basis including but not limited to furniture, rubble, scrap, TV's, monitors and wood.
- The Emergency Permit will only be issued under **exceptional circumstances** at a Recycling Centre by a Veolia operative for one off drop off.

(ii) **Annual Permits**

There will be one Permit issued, free of charge, per Merseyside household. Applications can be made via telephone, or online via the MWDA website.

Applicants will be required to provide their name, address, telephone number, vehicle details including registration.

- Applicants will be allowed to nominate their two chosen HWRCs at the Authority's discretion.
- Permits will be posted to home addresses (under exceptional circumstances, permits may be collected at the HWRC at the time of visiting).
- The Permits will be vehicle-specific and non-transferable.

- You will need to show the permit to the site staff on every visit and details of your visit, including the type of waste you bring in, may be logged.
- The Annual Permit will be valid for unlimited visits in a 12-month period. Members of the public will then need to re-apply for a new permit.

(iii) Temporary Permits

A maximum of 12 Temporary Permits will be issued to a householder during a rolling 12-month period. Only those items of waste specified at the time of application may be deposited at the nominated HWRC.

- Applicants will be allowed to nominate their two chosen HWRC at the Authority's discretion.
- Permits will be posted to home addresses (under exceptional circumstances permits may be collected at the HWRC at the time of visiting).
- The Permits will be vehicle-specific and non-transferable.
- You will need to show the Permit to the site staff on every visit and details of your visit, including the type of waste you bring in, may be logged.
- Up to 12 temporary Permits can be issued in one year.
- Applications can be made via telephone, or online via the MWDA website.
- Applicants will be required to provide their name, address, telephone number, vehicle details including registration.

(iv) Emergency Permits - Exceptional circumstances

In exceptional circumstances staff on site can issue an Emergency Permit. Circumstances under which an Emergency Permit will be issued include: bereavement, flooding, fire etc.

- The permit will be issued for one drop off at the time of application
- All the details of the vehicle and individual will be noted on the Emergency Permit.
- All details supplied will be shared with both Veolia and MWDA to avoid fraudulent or repeated use.

6. Using a hired van

Members of the public who intend to use a hire vehicle to bring waste to HWRCs will still need to apply for a permit. The van hire agreement should also be available for site staff to view when householders arrive at the Centre.

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7. Pedestrians using Household Waste Recycling Centres

Pedestrians bringing waste to the Centres will not require a Permit. In line with current practice, pedestrians carrying waste into a HWRC will be assessed by the Veolia Environmental Services site operatives.

If the waste is suspected to be commercial waste the pedestrian will be challenged. Any person suspected of depositing trade waste, irrespective of how it is delivered, will be required to complete a disclaimer form. Details submitted on the form will be provided to the Authority

SECTION B: COMMUNICATIONS

To ensure that the general public and users of the sites are aware of the introduction of the Scheme, the Authority is implementing a communications awareness programme that will include the following:

- A leaflet and poster campaign to be delivered via the Sefton and Liverpool HWRCs and other outlets (i.e one-stop shops etc)
- Reinforcement of on site campaign via a two-week Sefton and Liverpool newspaper advertising campaign prior to implementation
- Reinforcement of on-site campaign via two-week radio advertising campaign on Radio City.
- Media relations campaign launching the scheme including to Sefton
- Poster and leaflets in one stop shops, community centres, libraries and local van hire companies

Details of communications programme:

May 2010	Pre communications briefing with key officers, District Council one-stop shops and call centres and to all elected members in Sefton and Liverpool
1 June 2010 – 1 July 2010	Leaflets and Posters at all Sefton and Liverpool Household Waste Recycling Centres
W/c 7 June 2010 and 21 June 2010	Half page adverts in South Liverpool Weekly Group –

including Anfield and Walton Star, Bootle Times, Crosby Herald, Maghull and Aintree Star, South Liverpool Merseymart, West Derby and Tuebrook Merseymart

14 June 2010 – 30 July 2010

Radio advert on Radio City

1 June 2010 – 1 July 2010

Media releases to all local and trade press

SECTION C: OPERATION AT RECYCLING CENTRES

The Permit Scheme will be delivered at the Household Waste Recycling Centres by operational staff of the Authority's Contractor – Veolia Environmental Services. Staff at the sites will have undertaken an awareness and training programme detailing the aims and objectives of the scheme and how to signpost members of the public to the scheme.

Details

1 June 2010 – 1 July 2010

Staff at sites will be raising awareness of the scheme through flyers and posters on Sefton and Liverpool sites

1 July 2010 onwards

Permit Scheme is officially in place – staff will sign-post users and the general public to the Permit telephone line or website for details - there will also be available a more detailed information leaflet

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SECTION D: Frequently Asked Questions

QUESTION ONE

Why is the Permit Scheme needed?

ANSWER

The Scheme is needed to:

- Stop trade waste
- Reduce congestion
- Increase health and safety at HWRCs
- To save money

QUESTION TWO

How will the Permit Scheme work?

ANSWER

From 1st July 2010 if a householder uses a van or a large trailer to take waste to their local HWRC they will need a permit (definitions of all affected vehicles are available on www.merseysidewda.gov.uk or by calling Tel: 0151 236 0305

Every householder can apply for an **Annual Permit**. This covers frequently arising waste like garden waste, newspapers, cans etc.

If householders want to dispose of bulky household items like TVs, rubble or furniture they will need a **Temporary Permit**. Householders can apply for either permit by ringing Tel: 0151 236 0305 or logging on to www.merseysidewda.gov.uk

The Permit will contain name, address and vehicle registration and some other details such as colour of vehicle etc. and must be always presented on arrival at the HWRC.

QUESTION THREE

How does a householder know if they need a Permit?

ANSWER

A householder will need a Permit if they are planning to visit a HWRC in any of the following vehicles:

- A van
- Any 'flatback' or 'pickup' vehicle
- An estate/hatchback/4x4/ car with rear seats permanently removed and/or blanked out side/rear windows
- A trailer (between 2 - 3 metres long – external box dimensions)

QUESTION FOUR

How does a householder get one/how much will it cost?

ANSWER

By calling our Permit Team on 0151 236 0305 or visiting www.merseysidewda.gov.uk.

The Permit or Permits will then be posted to you. There is no charge for Permits.

QUESTION FIVE

How long will it take to get a Permit?

ANSWER

Applications take several minutes to complete via phone or online. Merseyside Waste Disposal Authority will then post the Permit out to the householder via Royal Mail so it should take between one to three days to arrive.

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QUESTION SIX

What happens if the householder needs to deposit waste at short notice?

ANSWER

Emergency Permits can be issued at a Household Waste Recycling Centre but only under exceptional circumstances (e.g. bereavement). In the first instance try and contact Merseyside Waste Disposal Authority. Details of Permits issued in these circumstances will be recorded and monitored by the Authority.

QUESTION SEVEN

How many Permits can a householder have?

ANSWER

An Annual Permit lasts for a twelve-month period. During this time the HWRC can be visited as many times as a householder wants. Once the twelve-month period is over the householder will need to apply for a new Permit. An Annual Permit is for recyclables only i.e paper, cans, green waste etc

You can apply for twelve Temporary Permits over a twelve-month period. The Temporary Permit is for larger or bulky waste items.

QUESTION EIGHT

How much is all this costing (i.e. operating the Permit scheme)?

ANSWER

The project fund is around £85k (this is the total for rolling-out the scheme to all of Merseyside). However, Merseyside Waste Disposal Authority expect to send much less material to landfill because of the Scheme, thereby avoiding costly Landfill Taxes, gate fees at landfill sites and transport of waste from HWRCs to landfill sites. Our costs include:

- Phases 1, 2 and 3 Public Relations and Awareness Campaign (radio, newspapers, leaflets, posters)
- Employment of existing Administration Officer
- Permit costs including printing and postage

- Office equipment and consumables

QUESTION NINE

Who is paying for the implementation of the Permit Scheme?

ANSWER

The Permit Scheme is an MWDA funded project.

QUESTION ELEVEN

Isn't this simply moving the problem on/encouraging fly-tipping?

ANSWER

We are obviously aware of potential consequences and will be sharing information where possible and working with colleagues in other authorities to make sure that traders who illegally dump rubbish have nowhere to run.

Evidence from the Wirral pilot indicated that fly tipping in the area did not increase.

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SECTION E: Contact Details and responsible officers

Please note that in the majority of cases all queries should be directed to the Permit Application Line

(i) Permit Application Line

Tel: 0151 236 0305

permit@merseysidewda.gov.uk or log onto
www.merseysidewda.gov.uk

(ii) Communications enquiries

Colette Gill – Senior PR and Communications Officer, MWDA

Tel: 0151 255 2527

Colette.gill@merseysidewda.gov.uk

John Lally – Pr and Communications Officer MWDA

Tel: 0151 255 2568

John.lally@merseysidewda.gov.uk

(iii) Operational enquiries

Neil Spencer – Assistant Contracts Manager, MWDA

Tel: 0151 255 2522

Neil.spencer@merseysidewda.gov.uk

APPENDIX

Examples of the publicity and communications materials

- (i) **A5 flyer for householders – will be available at Recycling Centres, Council One Stop Shops, and van-hire companies**



**GOT A VAN?
GET A PERMIT!**

From the 1st July 2010 if you use a van or large trailer to take household waste to Formby, Sefton Meadows, South Sefton, Southport or Otterspool Household Waste Recycling Centres you should **READ THIS**

You will need a Permit if you use:

- A van
- Any 'flatback' or 'pickup' vehicle
- An estate/hatchback/4x4/car with rear seats permanently removed and/or blanked out side/rear windows
- A trailer between 2 and 3 metres long
- Vehicles above 3.5t gross vehicle weight, and vehicles with trailers which are longer than 3 metres are not allowed access to a HWRC

How can you get a Permit?

Every householder can apply for an **ANNUAL PERMIT**. This covers frequently arising recyclable waste like garden clippings, newspapers, cans etc. If you want to dispose of bulky household items like TVs, rubble or furniture you will need a **TEMPORARY PERMIT**.

Both Permits are free and you can apply for either by ringing **0151 236 0305** or logging on to www.merseysidewda.gov.uk

Permit Scheme For Sefton and Liverpool Household Waste Recycling Centres

All our Recycling Centres are paid for by Merseyside council taxpayers and therefore should only be used for disposing or recycling household waste.

However commercial businesses and traders attempt to use these facilities free of charge. This isn't fair and is illegal.

By using a Permit Scheme (as is used in lots of other areas across the country) we will continue to make sure householders have exclusive access to what is rightfully theirs.

How long does it take to apply?

It will take about ten minutes to apply for a Permit. You should then receive the Permit by post within 1-3 days. Each Permit will contain your name, address and the registration number of the vehicle you plan to use.

What do I do with my trade waste?

If you have trade waste then you must dispose of it at a proper licensed commercial waste site - not one of Merseyside's Household Waste Recycling Centres. Contact the Environment Agency on **Tel: 08708 506 506** or visit www.netregs.gov.uk for details.

Anyone suspected of depositing trade waste at a Household Waste Recycling Centre, irrespective of how it is delivered, will be required to complete a disclaimer form. Details submitted on the form will be entered into our database.

GOT A VAN? GET A PERMIT!

t: 0151 236 0305 w: www.merseysidewda.gov.uk





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- (ii) **A1 size posters - displayed at multiple locations on each Sefton and Liverpool Recycling Centre**



If you drive a van or use a large trailer then from 1st July 2010 you will need a Permit to use this Recycling Centre.

For more information speak to an on-site attendant, call 0151 236 0305 or visit www.merseysidewda.gov.uk



(iii) A4 /A3 poster for libraries, community centres etc



If you drive a van or use a large trailer at any Household Waste Recycling Centre in Sefton or Liverpool then from 1st July 2010 you will need a Permit to get in.


For more information call 0151 236 0305 or visit www.merseysidewda.gov.uk



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(iv) Example of Temporary Permit

TEMPORARY PERMIT TO DEPOSIT HOUSEHOLD WASTE


MERSEYSIDE WASTE DISPOSAL AUTHORITY

Merseyside Waste Disposal Authority
6th Floor, North House,
17 North John Street, Liverpool, L2 5QY

PLEASE REMEMBER TO BRING THIS PERMIT WITH YOU WHEN VISITING THE HWRC

Permit line: 0151 236 0305
Fax number: 0151 227 1848
Email: permit@merseysidewda.gov.uk
www.merseysidewda.gov.uk

Merseyside Waste Disposal Authority operates a strict access policy at its Household Waste Recycling Centres (HWRC). An explanation of the Authority's policy and the Permit Scheme can be found on the back of this Permit.

The following wastes may be deposited:

Declaration by the Householder: Household waste means any waste generated within a domestic property that does not relate to a commercial enterprise and is generated by the householder. I confirm that the waste described above is household waste generated at the above address, I understand that only the waste described above may be deposited and that it must be transported to the vehicle for which I have provided details.

I understand that this Permit cannot be used by another person or transferred to another vehicle.

WARNING: Making a false declaration may amount to the commission of a criminal offence under Section 34 of the Environmental Protection Act 1990.

Merseyside Waste Disposal Authority reserves the right to refuse the issue of future Permits on the basis of any false declaration made by the householder and/or withdraw the Permit in the event of abuse by the Permit.

This Permit must be brought to site and produced upon request of a HWRC Recycling Assistant.


Signed by the householder: Date:

Information provided during the Permit applications will be stored on a database in accordance with the Data Protection Act. Merseyside Waste Disposal Authority reserve the right to use this and any details recorded by site staff to review site usage and to prevent misuse. This information will not be passed to any other third party. Information will only be used to issue Permits and monitor site usage.

(v) Example of Annual Permit

ANNUAL PERMIT TO DEPOSIT HOUSEHOLD WASTE

Blank space for permit details



MERSEYSIDE WASTE DISPOSAL AUTHORITY

Merseyside Waste Disposal Authority
6th Floor, North House,
17 North John Street, Liverpool, L2 5QY

PLEASE REMEMBER TO BRING THIS PERMIT WITH YOU WHEN VISITING THE HWRC

Permit line: 0151 236 0305
Fax number: 0151 227 1848
Email: permit@merseysidewda.gov.uk
www.merseysidewda.gov.uk

Merseyside Waste Disposal Authority operates a strict access policy at its Household Waste Recycling Centres (HWRC). An explanation of the Authority's policy and the Permit Scheme can be found on the back of this Permit.

The following wastes may be deposited:

Blank space for waste details

Declaration by the Householder: Household waste means any waste generated within a domestic property that does not relate to a commercial enterprise and is generated by the householder. I confirm that the waste described above is household waste generated at the above address, I understand that only the waste described above may be deposited and that it must be transported to the vehicle for which I have provided details.

I understand that this Permit cannot be used by another person or transferred to another vehicle.

WARNING: Making a false declaration may amount to the commission of a criminal offence under Section 34 of the Environmental Protection Act 1990

Merseyside Waste Disposal Authority reserves the right to refuse the issue of future Permits on the basis of any false declaration made by the householder and/or withdraw the Permit in the event of abuse of the Permit.

This Permit must be retained by the householder for the period of 12 calendar months and must be brought to site and produced upon request of a HWRC Recycling Assistant.

Signed by the householder: Date:

Information provided during the Permit applications will be stored on a database in accordance with the Data Protection Act. Merseyside Waste Disposal Authority reserve the right to use this and any details recorded by site staff to review site usage and to prevent misuse. This information will not be passed to any other third party. Information will only be used to issue Permits and monitor site usage.

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(vi) Newspaper advert



If you drive a van or use a large trailer at any Household Waste Recycling Centre in Sefton or Liverpool then from 1st July 2010 you will need a Permit to get in.

For more information call 0151 236 0305 or visit www.merseysidewda.gov.uk

