

CABINET MEMBER - ENVIRONMENTAL

**MEETING HELD AT THE TOWN HALL, SOUTHPORT
ON WEDNESDAY 25 AUGUST 2010**

PRESENT: Councillor Tattersall

ALSO PRESENT: Councillors Dutton and Hardy.

32. APOLOGIES FOR ABSENCE

No apologies for absence were received.

33. DECLARATIONS OF INTEREST

No declarations of interest were received.

34. MINUTES

RESOLVED: That

- (1) the Minutes of the meeting held on 4 August 2010 be amended to include the addition of the following paragraph in relation to Minute No. 22:

'During discussion on the content of the report, the Coastal Defence Project Leader pointed out the following error in the report. Namely, that the Crosby to Formby Coastal Strategy had *already* commenced and was in fact due to be completed before the end of 2010. (It was not *due* to start in 2015 as stated incorrectly in the report)'.; and

- (2) subject to the above amendment, the Minutes of the Meeting held on 4 August 2010 be confirmed as a correct record.

35. NI 195 OUTTURN REPORT 2009/10

The Cabinet Member considered the report of the Environmental Protection Director advising of the figures reported for the 200/10 National Indicator 195 (NI 195) of cleanliness within Sefton; and indicating that a decision on this matter was required to advise of such performance in relation to this specific statutory indicator.

The report indicated that NI 195 qualified overall cleanliness within Sefton using 900 structure surveys that recorded how clean each survey area (transect) was in relation to litter and detritus; that from April 2008, the presence of graffiti and fly-posting had also been separately recorded as

these additional elements had been added for assessment; and that the targets for the various elements of NI 195 had been agreed with the Government Office North West in relation to Sefton's Local Area Agreement.

The report detailed the survey results; how it was proposed to address highlighted problems; and that as for the future, the Environmental Protection Department was in the process of procuring new plant and equipment to enable a revised programme of large mechanical sweeping to be implemented. In relation to overall cleanliness the report indicated that there was a clear challenge presented by the targets established for NI195 in 2010/2011 as well as the reduction made in posts and equipment within the Street Services Operation due to the Strategic Budget Review. The contribution from externally funded interventions would continue to help the Council to improve overall cleanliness in some of the more deprived areas, and therefore across the Borough as a whole, but there would be less resource overall during 2010/2011 and the remaining initiatives were due to end in March 2011.

RESOLVED: That

- (1) the NI 195 figures reported for 2009/10 be noted; and
- (2) the future approach in relation to the cleanliness agenda and the challenge presented by agreed NI 195 targets for 2010/11 as detailed in the report be approved.

36. NI 52 - TAKE UP OF SCHOOL LUNCHES - 2009/10

The Cabinet Member considered the report of the Operational Services Director advising of the figures reported for the 200/10 National Indicator 52 (NI 52) on the take up of school lunches in the Borough, developed as part of the 2007 Comprehensive Spending Review.

The report indicated that the indicator assessed the change in healthy eating among children and young people by measuring school lunch take up. It also contributed to measuring progress against Public Service Agreement (PSA) 12 'Improve the health and well being of children and young people'.

The report provided the survey results in respect of the take-up of both Primary/Special School lunches and Secondary School lunches and indicated that the uptake of meals in Sefton was higher than the national average for 2009/10 and higher than in previous years. This increase was particularly important, as the mandatory Education (Nutritional Standards and Requirements for School Food (England) Regulations 2007 which came into force for secondary schools in September 2009, imposed very strict guidelines over the nutritional make up of menu cycles and had been widely anticipated by caterers to adversely affect take-up.

RESOLVED:

That the NI52 take up of school lunches 2009/2010 survey results be noted.

37. SCHOOL CROSSING SERVICE REVIEW

The Cabinet Member considered the report of the Operational Services Manager which provided information on the Council's School Crossing Service and the criteria for the establishment of school crossings.

The report indicated that the School Crossing Patrol Service (SCP) had transferred from the Traffic Management section of the former Technical Services Department to the Operational Services Department and had been tasked with reviewing all crossing sites in Sefton. As a result of this process the SCP service had reduced its crossings from 108 to 93, with 15 crossings being closed due to under utilisation.

The report provided information about management of SCPs during sickness absence, the criteria for establishing and prioritising crossings, which were categorised based on danger levels and had been given A, B, C and D status as listed in Appendix B of the report; and the provision of controlled crossings, (i.e. Pelican Pedestrian Assisted, Zebra, Puffin, Traffic Lights and Unmarked crossings), described in Appendix C.

RESOLVED:

That the report on the School Crossing Service Review be noted.

38. LOCAL AIR QUALITY MANAGEMENT

The Cabinet Member considered the report of the Environmental and Technical Services Director on the work currently being undertaken in Sefton to comply with the statutory requirements under the Local Air Quality Management (LAQM) Regime and seeking approval for the submission of the Progress Report and further Assessment of Air Quality to DEFRA.

The report indicated that an additional 'Detailed Assessment' of air quality in the areas identified in the three yearly Update and Screening Assessment, last undertaken in 2009 as potentially not complying with National Air Quality Strategy objectives would be the subject of a separate report when completed.

The report indicated that the purpose of the Further Assessment of Air Quality was to supplement information already gathered from previous 'Review and Assessment' work and allowed the Council to:

- confirm that the original decision to designate the Air Quality Management Areas (AQMAs) was correct;

- more accurately calculate the level of future improvement required to meet the air quality Objectives within the AQMAs;
- enhance knowledge of the emission sources of pollution affecting the AQMAs, so that air quality action plans could be properly targeted;
- take account of national policy developments that may have come to light after the AQMA declaration.
- carry out further monitoring within the problem areas to check earlier findings;
- take account, as far as possible, of any local policy developments which were likely to affect air quality by the relevant date and which were not fully factored into earlier calculations;
- corroborate other assumptions on which the designations of the AQMAs were based to check that the original designations were still valid and did not need amending in any way; and
- respond to any comments made by statutory consultees in respect of the 'Detailed Assessment'.

The report detailed the results of the 'Further Assessment' for AQMA areas, namely, AQMA 3 at Millers Bridge, Bootle, in respect of Fine Particle (PM₁₀) and Nitrogen Dioxide (NO₂); AQMA 2 at Princes Way, Seaforth for (NO₂); and AQMA 1 along Crosby Road North, Waterloo, for (PM₁₀).

The Further Assessment Progress Reports would shortly be available on the Sefton Council Website.

RESOLVED: That

- (1) the report on the work being undertaken in Sefton to comply with the requirements of the statutory Local Air Quality Management Regime be noted; and
- (2) the submission of the Annual Progress Report and Further Assessment of Air Quality to DEFRA be approved.

39. THORNTON CREMATORIUM - SELF REGULATION OF PERMITTED INSTALLATIONS

The Cabinet Member considered the report of the Environmental and Technical Services Director on DEFRA's new guidance on Local Authorities and the self regulation of Permitted Installations under the Pollution Prevention and Control Act 1999.

The report indicated that under the Pollution Prevention and Control Act 1999, Sefton Council's Environment and Technical Services Department permitted the operation of Thornton Crematorium, operated by the Council's Leisure Services Department. Sefton Council was therefore the regulatory body as well as the operator for the crematorium and as such a transparent corporate self-regulation enforcement policy was necessary to ensure accountability.

The Self Regulating Enforcement Policy Statement for the Council's 'Regulation of Thornton Crematorium under the Pollution Prevention and Control Act 1999 and Environmental Permitting Regulations was detailed in Appendix A of the report.

RESOLVED:

That the Self Regulation Enforcement Policy for control of pollution at Thornton Crematorium indicated in Appendix A of the report be agreed.

40. LOW FREQUENCY NOISE NETWORK TRIAL

The Cabinet Member considered the report of the Environmental and Technical Services Director on the Council's participation in the National Low Frequency Noise Network Trial, a DEFRA funded project being undertaken by Salford University.

The report indicated that the trial was to consider a new approach to try and help people suffering from low frequency noise problems where no external noise source could be found. Sefton Council would be undertaking the trial in partnership with the Aintree NHS Trust's Audiology Unit, until February 2011 and was one of 9 other Local Authorities across the country participating in the trial.

The trial involved persons complaining about low frequency noise levels, where no external noise source could be found, being referred to an Audiologist to undergo a series of audiometric assessments to determine whether the patient had tinnitus or hyperacusis and depending on the diagnosis, to provide a structured treatment programme for sufferers.

The study represented a significant way forward in the way complaints about low frequency noise were dealt with.

RESOLVED: That

- (1) the Council's participation in the National Low Frequency Noise Network Trial be approved; and
- (2) following the end of the trial in February 2011, a further report be submitted detailing the results of the study.

41. SEFTON BATHING WATERS - REPORT 2009

The Cabinet Member considered the joint report of the Environmental and Technical Services Director and the Leisure Director advising of the results of bathing water monitoring in 2009; and indicating that a decision on this matter was required, as bathing water quality was an important factor in the promotion of the area as a tourist destination and because the quality of bathing water had become even more critical in the award schemes and the promotion of the beaches and resorts. It was therefore important that the Cabinet Member - Environmental and the Cabinet Member - Leisure and Tourism were kept up to date with the current position and future changes.

The report indicated that the Environment Agency monitored Sefton's three bathing waters (Southport, Ainsdale and Formby), for compliance with the European Bathing Water Directive (76/160/EEC); provided details of the results for 2009 which classified Sefton's bathing waters as good at the three locations; provided comments on the 2009 results; and detailed the new Bathing Water Directive, which enforced stricter standards than the current directive; and the local water companies' 5 year Asset Management Plans for improvement of bathing waters, a major driver for which was the new Water Framework Directive (2000/60EC).

The report indicated that the revised Bathing Water Directive placed a strong emphasis on the provision of signage on beaches providing information to the public about the quality of bathing waters. The Council had been involved in a DEFRA project to develop draft guidance which would be released for consultation later in 2010 and the signs were to be in place for the 2012 bathing season and applied to all member States of the European Union.

RESOLVED: That

- (1) the contents of the report on Sefton's Bathing Waters 2009 be noted; and
- (2) a further report be submitted later in 2010, to consult on the implications of the DEFRA draft guidance on bathing water signage.

42. DANGEROUS DOGS

The Cabinet Member considered the report of the Environmental and Technical Services Director on a pilot project carried out in conjunction with Merseyside Police and the Dogs Trust to engage dog walkers who owned status type dogs and seeking endorsement for further projects across the Borough.

The report indicated that the Council had seen a rise in the number of complaints for dangerous dogs over the last two years and that Officers from the Dog Warden Section had also seen an increase in the amount of 'pit bull (Section 1) type' dogs within the south of the Borough and in the

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numbers of stray dogs of this type within the RSPCA Kennels at Halewood.

In partnership with the Police and with assistance from the Dogs Trust, the pilot project had been instigated to target dog walkers who owned pit bull type dogs in the South Sefton area, in response to a rise in complaints and anecdotal evidence of an apparent increase in the numbers of these dogs being walked by teenagers in the Bootle area.

The project took place over four evenings between 3-11 June 2010 targeting key areas where pit bull type dogs had been seen, approaching dog owners offering free neutering and micro-chipping services and offering advice about responsible dog ownership (e.g. removal of dog faeces).

Over the four evenings the following action was taken:

- removal of one American Pit Bull dog from site immediately as it was identified as being a Section 1 type dog.
- twelve dog walkers expressing an interest in having their dogs neutered for free;
- twenty four dogs being micro-chipped on site for free with details taken of the names and addresses of the owners and descriptions of their dogs;
- three dog walkers being stopped with dogs which the police suspected were Section 1 type American Pit Bulls. On further investigation they were released, as the Police were unable to confirm the breeds, as the dogs had not yet fully matured. The police would be carrying out further follow up investigations towards the end of the year.

The report indicated the difficulties in 'getting through' to these hard to reach groups of dog owners who showed little or no interest in keeping their dogs under control. During follow up visits, of the 30 owners who committed to having their dog neutered for free, only 4 subsequently had this procedure carried out. Notwithstanding these difficulties, the high visibility presence making people aware of responsible dog ownership and the actions that might be taken, as well as providing reassurance to the community generally, was felt to be important; and all agencies had given a commitment to carrying out further projects across the Borough where intervention was warranted and resources allowed.

RESOLVED:

That where resources allow, further projects for the engagement of status type dog owners, in partnership with Merseyside Police and the Dogs Trust, be endorsed.