

THE "CALL IN" PERIOD FOR THIS SET OF MINUTES ENDS AT 12 NOON ON WEDNESDAY, 25 NOVEMBER 2009. MINUTE NOS. 64, 69 AND 72 ARE NOT SUBJECT TO "CALL-IN"

CABINET MEMBER - ENVIRONMENTAL

**MEETING HELD AT THE TOWN HALL, SOUTHPORT
ON WEDNESDAY 18 NOVEMBER 2009**

PRESENT: Councillor Tattersall

ALSO PRESENT: Councillors P Hardy and D Jones

61. APOLOGIES FOR ABSENCE

No apologies for absence were received.

62. DECLARATIONS OF INTEREST

No declarations of interest were received.

63. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the Minutes of the meeting of the Cabinet Member held on 21 October 2009 be confirmed as a correct record.

**64. THE DEVELOPMENT OF LOW CARBON ECONOMY IN
RESPONSE TO CLIMATE CHANGE**

The Cabinet Member considered the joint report of the Strategic Director of Regeneration and Environmental Services and the Planning and Economic Regeneration Director advising of the likely impact of current and planned climate change legislation and regulations, the implications of developing a low carbon economy (LCE) in Sefton, and seeking approval of recommendations for the strategic management of change; and indicating that a decision on this matter was required as current and planned climate change legislation would impose requirements on local authorities, which required a proactive and co-ordinated approach to tackle climate change and which could only be achieved by changing current modes of operation across almost all economic sectors and moving to the development of an LCE.

The report indicated that there was mounting concern in government that targets for reducing CO₂ emissions were not being met; that the UK government was committed to reducing carbon emissions, establishing the Department of Energy and Climate Change (DECC) in October 2008 to co-ordinate such commitments, and passing the Climate Change Act in November 2008, which set out a framework for moving the UK to a low carbon economy and which established legally binding targets to reduce carbon emissions by 80% on 1990 levels by 2050, and 34% by 2020; and detailed the impact of the legislation on Merseyside and for Sefton.

The report also detailed the actions required to move towards an LCE, which included in the short term, more research and intelligence; awareness raising and engagement; preparing for the CRC policy; energy efficiency programme; skills development and employment; supply chain development; business support; and community engagement; and for the medium/long term sustainable transport infrastructure; critical mass of demonstration projects; and integration and co-ordination.

Attached as an appendix to the report was background information on the UK policy on LCE.

RESOLVED: That

- (1) the report on the development of low carbon economy in response to climate change be noted; and
- (2) Cabinet be recommended to:
 - (A) recommend to the Sefton Borough Partnership that the co-ordinated response to the Climate Change and Low Carbon Economy agenda is made a highest level community strategy objective in the drafting of the required Sustainable Community Strategy and is practically delivered through the Economic Development and Sustainability Thematic Group of the Sefton Borough Partnership;
 - (B) insert the low carbon economy development objective in the next revision of the Council's Corporate Plan;
 - (C) nominate the Cabinet Member - Regeneration as the Low Carbon Economy Champion;
 - (D) reconfirm the Cabinet Member - Environmental as the Climate Change (Adaptation) Champion;
 - (E) nominate the Cabinet Member - Technical Services as the Corporate Community Energy Champion;
 - (F) recommend that the Economic Development and Sustainability Thematic Group of the Sefton Borough Partnership be a focus of co-ordinating wider community activity;
 - (G) recommend that progress on developing and delivering a comprehensive Climate Change Response Strategy and Action Plan be overseen by the Cabinet Member - Performance and Governance through the Council's performance management procedures; and
 - (H) request further progress reports.

65. ENVIRONMENTAL PROTECTION DEPARTMENT - HALF YEAR PERFORMANCE REPORT 2009/10

The Cabinet Member considered the report of the Environmental Protection Director on the departmental progress made against the 2009/10 Service Plan; and indicating that a decision on this matter was required in order to comply with corporate performance management procedures.

The report detailed the half-year key performances against the 2009/10 Service Plan relating to:

- Sustainable Waste Management
- Cleaner, Safer, Greener
- Climate Change
- Protecting the Public, Environment and Animal Health through Statutory Compliance Regimes
- Regulatory Reform
- Performance against Statutory Inspection Programmes
- Requests for Service
- Public Health/Crime Partnerships
- Financial Management
- Sickness Management
- Senior Management Changes

RESOLVED:

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

66. REVENUE AND CAPITAL EXPENDITURE MONITORING TO 30 SEPTEMBER 2009

The Cabinet Member considered the joint report of the Environmental Protection Director and the Finance and Information Services Director on the quarterly forecast position, based on information as at 30 September 2009, in relation to the Portfolio's 2009/10 Revenue Budget and Capital Programme; and indicating that a decision on this matter was required in accordance with the corporate performance management framework.

Annexe A to the report detailed the Portfolio's budgets that were monitored and reported on the risk-assessed basis; whilst Annexe B detailed the Portfolio's schemes within the Capital Programme 2009/10 - 2011/12.

The report concluded by requesting whether any comments about the overall performance of the Revenue Budget or Capital Programme schemes should be referred to the Overview and Scrutiny Committee (Regeneration and Environmental Services).

RESOLVED: That

- (1) progress on the Environmental Portfolio's revenue budgets that are subject to risk based monitoring, be noted; and
- (2) progress on the schemes within the Portfolio's element of the Council's Capital Programme, be noted.

67. FOOD WASTE COLLECTION PROMOTION

The Cabinet Member considered the report of the Environmental Protection Director advising of a successful external funding application to encourage uptake of the food waste collection service; and indicating that a decision on this matter was required to accept the £300,000 grant from the Waste Resources Action Programme (WRAP).

The report indicated that waste food made up around 20% by weight of household waste in Merseyside; that local authorities were being increasingly encouraged by the Government to collect food waste separately for controlled composting, to avoid the environmental/climate change harm of landfill disposal and to meet international targets relating to biodegradable waste disposal under the Landfill Directive; and that it had been suggested recently by Ministers that food waste may become a material that Councils would be legally obliged to separately collect in the medium term.

Sefton currently had an "opt in" food waste collection service that was open to all residents; and that it was intended to use the WRAP grant to purchase and distribute 30,000 sets of food waste containers to households that had yet to request such containers.

RESOLVED:

That the grant of £300,000 from the Waste Resources Action Programme be accepted and the procurement of food waste containers via established framework agreements, as detailed in the report, be approved.

68. LOW EMISSIONS STRATEGIES

The Cabinet Member considered the report of the Environmental Protection Director advising of a Low Emissions Strategy (LES) for Sefton and a Low Emissions Strategy Partnership (LESP) of which Sefton was a founder member; and indicating that a decision on this matter was required as an effective LES could contribute significantly towards the achievement of Sefton's statutory objectives for Air Quality and, as such, it was important to keep the Cabinet Member informed on progress. The report indicated that the LES provided an holistic approach to ensuring that new developments were designed with the minimum environmental impact; that the term LES was used to mean a package of measures for mitigating air pollution and carbon dioxide emissions associated with the road transport impacts of new (or significantly altered) developments; and

that the primary aim of the LES was to accelerate the uptake of low emission fuels and technologies in and around a new development, thereby complementing other design and mitigation options such as travel planning and the provision of public transport infrastructure. LES could also help with meeting carbon reduction targets.

The report concluded that the LESP had secured further funding from DCLG to continue the development of LES within local authorities; that it was intended that this money would be used to develop regional centres of excellence for the development of LES; and that Sefton was in a good position to bid to become a regional centre.

RESOLVED:

That the report on low emissions strategies and the progress being made be noted.

69. THE ROAD TRAFFIC (VEHICLE EMISSIONS) (FIXED PENALTY) (ENGLAND) REGULATIONS 2002

The Cabinet Member considered the report of the Environmental Protection Director seeking approval for the adoption of Section 6 of the Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002 (the Regulations) to be better able to respond to concerns about air pollution, fumes and odours caused by stationary vehicles left with their engines idling; and for the delegation of the powers to the Environmental Protection Director to utilise such powers; and indicating that a decision on this matter was required as the Council's current constitution required both the Cabinet Member - Environmental and the Licensing and Regulatory Committee to approve the adoption of this legislation and delegation of the relevant powers in order for officers to utilise them.

The report indicated that the Regulations were introduced to support Local Air Quality Management and the achievement of the National Air Quality Strategy objectives; and concluded that adoption of Part 6 of the Regulations would give Environmental Protection Department officers the necessary legislative backing to pursue incidents of stationary vehicles leaving their engines running where persuasive methods had failed; that reference to a legal requirement would assist enforcement and increase the chance of persuasive methods succeeding; and that it was proposed that powers be delegated to the Environmental Protection Director to enable him to authorise appropriate officers. The powers would therefore be used to strengthen the approach of Environmental Protection Department Officers when dealing with complaints about operators and drivers.

RESOLVED: That

- (1) the adoption of Part 6 of the Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002 be approved; and

- (2) the Council be recommended to amend the Responsibility of Functions of the Constitution by addition of the following delegation to the Environmental Protection Director

"Environmental

C. Environmental Protection Director

20. Authority to enforce the powers contained in Part 6 of the Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002."

70. ENVIRONMENTAL SERVICES INITIATIVE - WORKLESSNESS

Further to Minute No. 14 of 1 July 2009, the Cabinet Member considered the report of the Environmental Protection Director updating on the use of Working Neighbourhood Fund resources to help unemployed residents of South Sefton to return to a working environment; and indicating that a decision on this matter was required as project updates were required at half and full year terms.

The report updated on trainees recruited to the Neighbourhood Cleaning Teams; and detailed that not only had there been a positive impact upon worklessness but that there had been a clear impact in relation to cleanliness.

RESOLVED:

That the report updating on the environmental services initiative relating to worklessness be noted.

71. EXCLUSION OF PRESS AND PUBLIC

RESOLVED:

That under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it may involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act. The Public Interest Test had been applied and favoured exclusion of the information from the press and public.

72. COMMERCIAL WASTE SERVICE CHARGES

The Cabinet Member considered the report of the Environmental Protection Director seeking approval of the proposed commercial waste collection charges that would apply from 1 April 2010 onwards; and indicating that a decision on this matter was required as waste disposal costs would rise during 2010/11, due to landfill tax and gate fee increases, and that as a consequence commercial waste service charges needed to increase.

RESOLVED:

That Cabinet be recommended to approve the Commercial Waste charges, as detailed in Appendix A to the report, from 1 April 2010 onwards.