

**CABINET****Tuesday, 10th March, 2015**

Present:-

Councillor Gilby (Chair)

Councillors	Blank	McManus
	King	Russell
	Ludlow	Serjeant

Non Voting	Brown	Huckle
Members	Hollingworth	Martin Stone

\*Matters dealt with under Executive Powers

**199 DECLARATIONS OF MEMBERS' AND OFFICERS' INTERESTS  
RELATING TO ITEMS ON THE AGENDA**

No declarations of interest were received.

**200 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Burrows and Hill and the Chief Executive.

**201 MINUTES****RESOLVED –**

That the minutes of the meeting of Cabinet held on 17 February, 2015 be approved as a correct record and signed by the Chair.

**202 FORWARD PLAN**

The Forward Plan of key decisions for the four month period 1 April, 2015 to 31 July, 2015 was reported for information.

**\* RESOLVED –**

That the Forward Plan be noted.

**203**     **DELEGATION REPORT**

Decisions taken by Executive Members during February were reported.

**\* RESOLVED –**

That the Delegation Report be noted.

**204**     **CONSIDERATION OF THE RECOMMENDATIONS OF THE ENTERPRISE AND WELLBEING SCRUTINY COMMITTEE ON DOG FOULING**

Councillor Innes, Scrutiny Project Group Leader presented a report and recommendations of the Enterprise and Wellbeing Scrutiny Committee on the service provided by the Council in relation to dog fouling following a review by members of the Scrutiny Project Group appointed for this purpose.

The recommendations of the Scrutiny Project Group had been considered and approved by the Enterprise and Wellbeing Scrutiny Committee at its meeting on 5 February, 2015. A copy of the Scrutiny Project's Group report was attached as an appendix to the Cabinet report.

In making its recommendations the Enterprise and Wellbeing Scrutiny Committee noted that the Environmental Services Street Scene Team provided an excellent service to residents of the borough.

The Enterprise and Wellbeing Scrutiny Committee's recommendations were now required to be considered by Cabinet in accordance with the Council's Scrutiny Procedure rules.

Members discussed the recommendations, recognising that much good work had already been done and that further improvement was possible through the range of measures recommended, including more collaborative working between teams and enhanced communication and engagement with residents.

**\*RESOLVED**

- (1) That the Enterprise and Wellbeing Scrutiny Committee be thanked for their work on this issue and their comprehensive report.
- (2) That a review of staff resources for the enforcement team be carried out.
- (3) That the potential of the Neighbourhood Wardens be fully realised and that they receive extra training in carrying out enforcement action, so to feel more confident and able to issue penalty notices. Also that the potential for more collaborative working between the Neighbourhoods team, and Environmental Services Street Scene team, as a result of the provisions under the Anti-Social Behaviour, Crime and Policing Act 2014, be considered.
- (4) That new and functioning mobile phones be purchased for the Environmental Services, Street Scene Team as the current phones are old and often do not work.
- (5) That a review of the provision of dog bins in the borough takes place, to look at the location, usage and number of bins, so that it can be determined if dog bin provision is an effective use of resources or if the resources could be spent more effectively providing standard bins which can be used to dispose of dog waste as well as general litter.
- (6) That on all temporary signs and notices that are produced to discourage dog fouling that the maximum fine of “up to £1000” be used in the wording as is done by Bassetlaw District Council. Also that Bassetlaw District Council be contacted to see if the effective and innovative imagery on their signs can be borrowed and to enable the sharing of best practice.
- (7) That a coordinated and structured approach to communication and engagement with residents of the borough to include school engagement, community engagement, key message delivery and advertising, be adopted.

## **REASONS FOR DECISIONS**

To provide a more responsive dog fouling service and to improve residents' awareness of the service that is provided.

**205 ENVIRONMENTAL HEALTH FEES AND CHARGES 2015/16 (E000)**

The Environmental Health Manager submitted a report recommending for approval proposed fees and charges for various environmental health functions, including Pest Control, Dog Control and Fixed Penalty Levels, for 2015/16. The proposed fees and charges were outlined in Appendix A to the report.

The fees and charges proposals had taken into account:

- the general principles that govern the Council's approach to charging;
- the Council's guidelines for 2015/16 that fees and charges should be raised by at least 3%;
- the demand for, and income received from these services, especially since the introduction of a charge in April 2014 for treatment of pests posing a significant public health risk;
- a comparison of fees and charges made by other authorities in Derbyshire.

The options of increasing charges above those proposed or reducing the level of concessions for pest control or withdrawing the pest control service were ruled out in order to maintain a service accessible for people on low income and/or suffering disadvantage through poverty or social exclusion.

**\*RESOLVED**

- (1) That the proposed fees and charges, including concessionary rates where applicable be approved, and that the new charges come into effect from 1 April 2015.
- (2) That the Environmental Health Manager is granted discretion to offer reduced charges for micro-chipping at promotional events and campaigns in the lead up to mandatory chipping in 2016.
- (3) That an interim review of the fees for rats and mice be undertaken in July 2015 having regard to the out-turn for

2015/16.

## **REASON FOR DECISION**

To set the environmental health fees and charges for 2015/16.

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### **COMMERCIAL WASTE AND RECYCLING - CHANGES TO LEGISLATION (E000)**

The Environmental Services Manager submitted a report to advise Members of the arising implications to the Council and its customers of the changes to recycling legislation and to explain the background rationale of, and to seek approval for, the proposed response to this changing legislation affecting commercial waste.

The Environmental Services Manager advised that from January 2015 The Revised Waste Framework Directive requires, anyone collecting waste to set up separate collections of paper, plastic, metal and glass for both household and commercial waste. These materials must be collected separately unless it is not technically, environmentally or economically practicable (TEEP) to do so.

In October 2012 discussions with Veolia about how a trial commercial recycling collection could be implemented resulted in a six month trial of them providing collections from selected commercial properties free of charge. Veolia hoped that the income from the weight of material collected would offset the cost of providing the collections. However in August 2014 Veolia advised that they were not able to continue the free collections because the trial arrangements were causing them to make a significant loss. The Environmental Services Manager reported that since the trial recyclables collection ceased, discussions had taken place with Veolia regarding the cost of setting up a recycling collection service which would be available to all commercial customers.

The report outlined the various options available to the Council which had been considered and evaluated with regard to meeting the challenges created by the changes to recycling legislation.

The Environmental Services Manager noted that market value for recyclables had decreased and this made offering a commercial recycling service within current contracts difficult. The situation will however be kept under review, and consideration will be given to the introduction of a

commercial recycling service if future circumstances allow and also when service is re-tendered in the autumn of 2018.

**\*RESOLVED –**

- (1) That the Council does not introduce a commercial waste recycling service.
- (2) That the TEEP arguments in the report of the Environmental Services Manager be used to prove the economic issues that prevent Chesterfield Borough Council from currently providing a commercial waste recycling service.
- (3) That the decision not to introduce a commercial waste recycling service is kept under review, and consideration is given to the introduction of a commercial recycling service if future circumstances allow.
- (4) That a viable option for commercial recycling is sought when the service is re-tendered in the autumn of 2018.

**REASONS FOR DECISIONS**

To contribute to improving the Council's overall financial position and reduce the overall cost of the waste and recycling service by continuing a viable and profitable commercial waste service.

**207 FEES AND CHARGES - WASTE AND RECYCLING - 2015/16 (E000)**

The Environmental Services Manager submitted a report setting out proposed charges for the collection and disposal of trade wastes and other miscellaneous environmental fees in 2015/16.

In accordance with the Council's Budget Strategy there is an annual review of trade waste and other charges.

**\*RESOLVED –**

- (1) That the revised charges for trade wastes and other miscellaneous environmental fees for 2015/16 be approved.

**REASON FOR DECISION**

To set the Council's trade waste charges and other miscellaneous fees for the financial year 2015/16 in accordance with the Council's Budget strategy.

**208 ABSENCE OF MEMBER OF THE COUNCIL (B100)**

The Committee and Scrutiny Coordinator submitted a report to enable the Cabinet to consider, for the purposes of Section 85(1) of the Local Government Act 1972, the reasons for the absence of a Member of the Council from meetings of the Authority.

Councillor Stewart Bradford had been prevented by illness from attending meetings of the Authority since his last attendance on 20 October, 2014. It was not known when he might be in a position to resume his duties.

**\*RESOLVED**

- (1) That, for the purposes of Section 85(1) of the Local Government Act, 1972, the reason for the absence from meetings of Councillor Stewart Bradford from 20 October, 2014 of ill health, be approved and his continued absence from meetings be authorised through until 11 May, 2015.
- (2) That the best wishes of all his Council colleagues are sent to Councillor Bradford.

**REASONS FOR DECISIONS**

To meet the requirements of Section 85(1) of the Local Government Act 1972.

**209 LONDON BOROUGHS ESTATE – BARROW HILL ENVIRONMENTAL IMPROVEMENTS (H000)**

The Housing Service Manager – Business Planning and Strategy, submitted a report to update Cabinet on the outcomes of the consultation that had taken place at the London Boroughs Estate at Barrow Hill, including the recommendations, detailed designs, project timescales and costs of the proposed Environmental Improvements.

The Housing Service Manager advised that following the consultation process a master-plan had been produced setting out how the desired outcomes on the estate could be achieved along with full costings for the required work.

The proposals included improvements to:

- Pathways
- Private access paths and courts
- Shared surface streets and courtyards
- Green space and tree planting
- Boundaries to gardens

The Housing Service Manager also noted that with the proposed creation of new highways within the estate there were ongoing discussions with Derbyshire County Council on their future management and maintenance.

The Assistant Executive Member for Housing noted that the consultation with residents at the start of the process had highlighted many issues that had not been considered before and that his approach would be adopted for future environmental improvement projects such as on the Holme Hall Estate. It was also noted that with the achievement of all Council stock meeting the Decent Homes Standard more resources and attention could be focused on environmental improvements to estates.

**\*RESOLVED –**

- (1) That it is agreed to support the delivery of the master-plan and of any revisions required as detailed consultations with residents and other agencies continue.
- (2) That the contract with Eamonn Byrne Landscape Architecture to manage the works contract and oversee the delivery of the improvement programme, including the preparation of any Planning applications as required, be extended.
- (3) That the procurement of a contractor(s) through an open tender process to deliver the improvements be approved, and that a further report is brought to members following this process.
- (4) That the ongoing discussions with Derbyshire County Council with regard to the future management and maintenance of the



new highways be noted.

- (5) That approval is given for the commencement of an open tender process for the commissioning and appointment of consultants to carry out a similar consultation with local residents on a series of environmental improvements to the Holme Hall Area.
- (6) That authority is delegated to the appointed consultants to project manage the delivery of the improvements.

### **REASON FOR DECISIONS**

To meet Corporate Plan 2015-19 key objective: to increase the quality of public space for which the Council has responsibility through targeted improvement programmes.