

Committee: Cabinet

Date of meeting: 30 January 2020

Title of Report: Referral from Carlisle Local Committee - Relating to the removal of waste from skips and the wearing of seatbelts by pupils travelling on County Council provided home to school transport

Report by: Cllr Cyril Weber, Chair, Carlisle Local Committee

Cabinet Members: Cllr Celia Tibble, Cabinet member for Environment and Cllr Keith Little, Cabinet Member for Highway and Transport

What is the Report About? (Executive Summary)

1. Carlisle Local Committee made two recommendations to Cabinet at its meeting on 12 November in relation to Waste Prevention and Road Safety. The former recommendation relates to the committees wish to lobby for a change in legislation making it lawful to remove items from skips in the interests of fewer items going to landfill. The latter relates to the committees wish to ensure that wearing of seatbelts is included in the procurement process for school transport providers.

Background to the Proposals

2. Carlisle Local Committee received a presentation on 12th November 2019 from the Acting Executive Director – Economy and Infrastructure regarding Third Sector Reuse. Members were informed that this followed a Task and Finish Group whose key element had been to effectively collaborate with partners to ensure a countywide approach to the waste hierarchy that maximised the benefits of resources to Cumbrian households before they entered the waste stream.
3. Members raised their concerns regarding the prosecution of individuals for the removal of goods from skips both on the highway and at Household Waste Recycling Centres (HWRCs). It was suggested that Cabinet be recommended to raise the prosecution issues with regards to a change in the legislation with the Local Government Association.
4. Carlisle Local Committee considered a report on 12th November 2019 from the Acting Executive Director – Economy and Infrastructure regarding the current road safety management arrangements that the Cumbria Road Safety Partnership (CRASH) had in place.
5. Members highlighted that home to school transport was subsidised by the Authority and suggested that the wearing of seatbelts could be made mandatory in future procurement contracts. It was agreed that a recommendation would be made to Cabinet that this should be discussed with the Procurement and Commissioning Team for inclusion in any future procurement process for home to school transport.

6. Whilst there appears to be robust provision in current procurement arrangements requiring the wearing of seatbelts, Carlisle Local Committee is seeking assurance as to how this is enforced in practice and by whom.

7. The councils current contract for the provision of school transport service states as follows”

C3.1 Any Vehicle used in performance of this Contract shall carry as a minimum the number of contracted seats.

C3.2 Each contracted seat shall be front facing and fitted with individual seatbelts. The Personnel shall ensure that the seatbelts are used correctly at all times during performance of the Services.

C3.3 All Vehicles operating under a Public Service Vehicle Licence shall display 'school bus' signs at the front and rear of the Vehicle as required by the Department for Transport during the performance of this Contract.

C3.4 All Vehicles must display a route number and final destination notice at the front of the Vehicle to assist Passengers in identifying the correct Vehicle.

C3.5 Contractors shall consult with the Authorised Officer before registering a service with the Traffic Commissioners.

Recommendations

- Cabinet is asked to raise the issue of unlawful removal of items from household skips through the Local Government Association and to lobby for changes in legislation
- Cabinet is asked through the procurement team, to raise the issue of mandatory wearing of seatbelts (where fitted) with all relevant providers as a requirement of the contract

Health and Safety Aspects – What needs to be considered?

9 The County Council has a responsibility under the Health & Safety at Work Act 1974 and associated Management of Health & Safety at Work Regulations to ensure, as far as is reasonably practicable, that there are arrangements in place to ensure a healthy and safe working environment.

10 In the context of this report, this places a joint responsibility on the Council as commissioner of services as well as the contractors delivering the services to ensure the highest possible standards are in place for any service commissioned.

11 For the recommendation regarding removal of items from skips, then an appropriate health and safety risk assessment and resultant controls should be implemented to ensure any risks as minimised.

12 For the recommendation relating to all home to school transport providers to be mandatory to include the use of seat belts, this is supported from a health and safety perspective.

13 If procurement, selection and contract management arrangements are enhanced relating to health and safety management this will provide an opportunity to ensure good levels of health and safety competence are demonstrated.

Council Plan Priority – How do the Proposals Contribute to the Delivery of the Council’s Stated Outcomes? (Outcomes -, Places in Cumbria are well connected and thriving,

14 These referrals directly relate to the Council Plan aims to ensure:

- People in Cumbria are healthy and safe
- The economy in Cumbria is growing and benefits everyone)

What is the Impact of the Decision on Health Inequalities and Equality and Diversity Issues?

13. Not considered

Appendices and Background Documents

Appendix 1 – Minutes from Carlisle Local Committee 12 November 2019

Key Facts

Electoral Division(s): All

Executive Decision	Key Decision Included in Forward Plan	Exempt from call-in	Exemption agreed by scrutiny chair	Considered by scrutiny, if so detail below	Environmental or sustainability assessment undertaken?	Equality impact assessment undertaken?
No	No	No	N/A	No	No	No

Previous relevant Council or Executive decisions

None

Consideration by Overview & Scrutiny

No

Background Papers

None

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