



LANCASTER
CITY COUNCIL

Promoting City, Coast & Countryside

COUNCIL MEETING

Wednesday, 18th July 2007
2.00 p.m.
Morecambe Town Hall

Mark Cullinan
Chief Executive
Town Hall
LANCASTER



Sir/Madam,

You are hereby summoned to attend a meeting of the Lancaster City Council to be held in the Town Hall, Morecambe on Wednesday, 18th July 2007 commencing at 2.00 p.m. for the following purposes:

1. **APOLOGIES FOR ABSENCE**

2. **MINUTES**

To receive as a correct record the Minutes of the Meetings of the City Council held on 20th and 26th June 2007 (previously published).

3. **ITEMS OF URGENT BUSINESS**

4. **DECLARATIONS OF INTEREST**

5. **ANNOUNCEMENTS**

To receive any announcements which may be submitted by the Mayor or Chief Executive.

6. **QUESTIONS FROM THE PUBLIC UNDER COUNCIL PROCEDURE RULE 11**

To receive questions in accordance with the provisions of Council Procedure Rules 11.1 and 11.3 which require members of the public to give at least 3 days' notice in writing of questions to a Member of Cabinet or Committee Chairman.

7. **QUESTIONS UNDER COUNCIL PROCEDURE RULE 12.2**

To receive questions in accordance with the provisions of Council Procedure Rules 12.2 and 12.4 which require a Member to give at least 3 working days notice, in writing, of the question to the Chief Executive.

8. **LEADER'S REPORT** (Pages 1 - 2)

To receive the Cabinet Leader's report on proceedings since the last meeting of Council.

REPORTS REFERRED FROM CABINET, COMMITTEES OR OVERVIEW AND SCRUTINY

9. **POLLUTION IN MORECAMBE BAY TASK GROUP REPORT** (Pages 3 - 38)

To consider the report of the Overview and Scrutiny Committee.

10. **REVIEW OF THE PROTOCOL ON PUBLICITY FOR ALLEGATIONS OF BREACH OF CODE OF CONDUCT MADE TO THE STANDARDS BOARD** (Pages 39 - 44)

To consider the report of the Standards Committee from its meeting on 21st June 2007.

11. **CODE OF CONDUCT - COUNCIL REQUIREMENTS WITH REGARD TO CONFIDENTIAL INFORMATION** (Pages 45 - 50)

To consider the report of the Standards Committee from its meeting on 21st June 2007.

OTHER BUSINESS

12. **ELECTORAL ARRANGEMENTS - PROPOSED MORECAMBE TOWN COUNCIL** (Pages 51 - 54)

To consider the report of the Chief Executive.

13. **BYELAWS FOR PLAY AREAS** (Pages 55 - 66)

To consider the report of the Head of Legal and Human Resources.

14. **DELEGATION OF POWERS (HEALTH ACT 2006)** (Pages 67 - 70)

To consider the report of the Corporate Director (Community Services).

15. **APPOINTMENT TO STANDARDS COMMITTEE**

To consider the nomination of the Lancashire Association of Parish and Town Councils of an independent parish representative member of the Standards Committee.



.....
Chief Executive

Town Hall,
LANCASTER,
LA1 1PJ.

Published on Monday 9th July 2007

COUNCIL

Leader's Report 18th July 2007

Report of Leader of the Council

PURPOSE OF REPORT
To present the Leader's report to Council.
This report is public.

RECOMMENDATIONS

To receive the report of the Leader of Council.

REPORT

1.0 General Matters of Interest

The Cabinet meeting originally scheduled for 3rd July was cancelled to facilitate attendance at the meeting of the Local Government Association in Birmingham, which commenced on that day. In consequence, there has not been a Cabinet meeting since the preparation of my report to Council on 20th June. I have, however, attended a number of briefings and other meetings relating to Council matters, of which the following may be considered to merit some comment here:-

1.1 Heysham M6 Link

Council's decision on the M6 Link on 20th June provoked controversy both inside and outside the Council. I attended a meeting on the subject at Wigan on July 6th, chaired by North West Regional Development Agency at which it was confirmed the Public Inquiry will examine the [Heysham M6 Link] scheme as proposed and make appropriate recommendations. The Inquiry will not examine alternatives.

Extracts from the notes of the meeting record my comment that there appeared to be no clarity on whether there would be a substitute scheme if the Northern Route should fail at the Public Inquiry.

Ben Wallace MP noted that the initiative would have to come from Lancashire County Council and further noted that Lancaster City Council had confirmed that they supported an M6 Heysham Link. Northwest Regional Development Agency and North West Regional Assembly were also supporting the need for improved links.

The Chairman of the meeting (P. White) said that the following was clear: first, there was a scheme in the current Regional Funding Allocation programme; second, it did not have programme entry status at present; third, the Public Inquiry would help to determine whether the scheme might move towards programme entry status or not; fourth, at present, there were no alternative schemes or packages on the table from Lancashire County Council for a Heysham M6 Link.

Government Office North West (J Lappin) commented that Lancashire County Council's ability to deal with the problem would depend on whether finance was available and I added that timescales were an issue. There could be major delay if the scheme for the Northern Route was not supported.

Ben Wallace MP asked whether an alternative scheme or package could be substituted for the Northern Route within the Regional Funding Allocation programme.

Government Office North West (J Lappin) said that all schemes in the current RFA priority list had been assessed by independent consultants. Any substitute package or solution would have to go through a further assessment process and would need to be supported by relevant Agencies.

1.2 The Vision Board Transport Steering Group

On 29th June, I attended a meeting of the Vision Board Transport Steering Group which commissioned and is monitoring the progress of the Faber Maunsell study on the long-term district transport strategy. The meeting included discussion of travel plans.

1.3 Local Strategic Partnership

On 10th July, I attended a meeting of the Executive of the Lancaster District Local Strategic Partnership, at which a number of matters were discussed, including the refreshing of the 2003 Community Strategy to create a Sustainable Community Strategy for the Lancaster District, the raising of the profile of the Lancaster LSP, and the response to be made to the recently commissioned Peer Review.

1.4 Star Chamber

Star Chamber has met twice (on 27th June and 11th July) and continues the process for bringing forward savings and efficiencies to meet the Council's medium term financial targets included in the Corporate Plan.

BACKGROUND PAPERS

None.

COUNCIL

Report of Pollution in Morecambe Bay Task Group 18th July, 2007

Report of Overview and Scrutiny Committee

PURPOSE OF REPORT

This report contains the final report of the Pollution in Morecambe Bay Task Group.

It proposes a number of recommendations based on the Committee's investigation for adoption by Council.

This report is public

1. RECOMMENDATIONS

- (1) That Council considers the work of the Pollution in Morecambe Bay Task Group and the adoption of the recommendations as set out in the attached report.**
- (2) That Council considers the officer comments on the report.**

2. INTRODUCTION

- 2.1 The enclosed report produced by the Pollution in Morecambe Bay Task Group is the result of a lengthy piece of work which was triggered following the establishment of the Task Group to consider concerns regarding abandoned vehicles in Morecambe Bay. At an early stage it became apparent that the real issue was the growing problem of marine litter not only in Morecambe Bay, but in all the world's seas and oceans and the Task Group re-focused its work to examine plastic pollution and its impact on Morecambe Bay.
- 2.2 It is acknowledged that the primary aim of this report is to raise awareness of the issues surrounding marine litter and the impact that plastic pollution in particular has on the environment, but recognises that Lancaster City Council, as a small local authority, can do little on its own to tackle this global problem and it needs to gain support from other local authorities around the country to gain a voice that can be heard by the Government.
- 2.3 Since the proposals being put forward by this Task Groups fall outside the current Budget and Policy Framework, this report is being submitted to full Council in accordance with Overview & Scrutiny Procedure Rules 11 and 12.

- 2.4 Should Council wish to approve the proposals of the Task Group and in particular establish a declaration and take on a campaigning role, it will be necessary to recognise this within a future Corporate Plan and identify resources to ensure that such a policy is actively pursued and acknowledged throughout Council services.

3. OFFICER COMMENTS - CORPORATE DIRECTOR (COMMUNITY SERVICES)

Recommendation 1

- (1) That Lancaster City Council takes the lead in recognising the impact plastic has not only on marine life in Morecambe Bay but the environment as a whole around Morecambe Bay and establishes and signs the Plastic Pollution Declaration.
- (2) That the Council seek support from the Local Government Association, all local Authorities in the country with a sea boundary, the Isle of Man Government, Welsh Assembly and Scottish Parliament in signing up to the Declaration and lobbies the UK Government and European Parliament to take action on plastic pollution.

Officer Comments :

The proposal for the City Council to take on a campaigning role to deal with the plastic pollution in the sea/coastal environment is not currently in the Corporate Plan or any Service Business Plans. If Council proposed to agree this recommendation then the resource requirements would need to be considered during the budgetary process.

Recommendation 2

That the Council join KIMO International (Kommunenes Internasjonale Miljorganisasjon), and assist them to introduce the 'Fishing for Litter' campaign in to Morecambe Bay and investigate if funding would be available from the Duchy to provide disposal for rubbish collected.

Officer Comments :

As with recommendation 1, this is a new area of work for the City Council and resources would need to be identified.

Recommendation 3

- (1) That the Council contacts United Utilities to request awareness raising on sanitary disposal is carried out in the area in places such as schools, local colleges and the University.
- (2) That the Council ensures clear guidance on sanitary disposal is displayed in public toilets and all Council buildings.

Officer Comments :

The City Council already carries out a great deal of educational work on the safe and legal disposal of a wide range of wastes. Some of this proposed work could be built into existing work programmes if it is agreed that the Council take on this campaigning role.

Recommendation 4

That the Overview and Scrutiny Committee be requested :

- (1) To continue to monitor cockling activity when the cockle beds re-open in September 2007.
- (2) To request regular updates from the North Western and North Wales Sea Fisheries Committee on the Draft Regulation Order to control cockling activity, before its introduction in September 2009.

Officer Comments :

The monitoring of cockling activity and progress on the Draft Regulation Order is already routinely reported to the Morecambe Bay Joint Liaison Group. The extract of the notes from this meeting on these two activities could be reported into the Overview and Scrutiny Committee if it so requests.

4. FURTHER INFORMATION

All details including consultation and conclusions are contained within the attached report.

RELATIONSHIP TO POLICY FRAMEWORK

The report related to Medium Term Objective 2 – To make our district a cleaner and healthier place and 5 – to support sustainable Communities.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability etc)

These issues are dealt with in the report as and where they occur.

FINANCIAL IMPLICATIONS

As highlighted above, there are no provisions in the Budget or service business plans to take certain aspects of the recommendations forward and therefore if Council wished to support them, they would need to be considered in the budget and planning process for 2008/09.

As indicative information regarding recommendation 2, (joining KIMO) – the 2007/08 membership fees are :

KIMO UK £902.00

KIMO international £773.00

Total £1675.00

less 50% discount for first year - £837.00

Other recommendations would have other cost or resource implications, including staffing costs / officer time.

SECTION 151 OFFICER'S COMMENTS

Should any of the recommendations be supported, their consideration as part of the budget and planning process for 2008/09 would allow comparison and prioritisation against other competing budget pressures and potential priority areas.

LEGAL IMPLICATIONS

Legal have been consulted and have no comments to make on this report.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

Working Papers of the Pollution in
Morecambe Bay Task Group

Contact Officer: Jenny Kay

Telephone: 01524 582065

E-mail: jkay@lancaster.gov.uk

Report of the
**POLLUTION IN MORECAMBE BAY
TASK GROUP**

- a report of Overview and Scrutiny



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Foreword

“Task Groups work best when they are dealing with concerns raised by members of the public and their local councillors. When the Overview and Scrutiny committee first heard about the problems being caused by abandoned vehicles on the shore it investigated the matter. That investigation highlighted how matters involving land around Morecambe Bay involve many different authorities and agencies - it also showed that lines of responsibility are not always clear. These initial investigations led to the establishment of this Task Group. Its hard work, commitment and research led initially to a change of focus for the Task Group; so plastics became the primary concern.

This report suggests ways of moving forward - and acknowledges that if real progress is to be made on the issue of pollution of the seas by plastic then it must be a truly international commitment. There are recommendations for our Council as well as an intention to campaign with support from our neighbouring authorities.

Can I thank all those who have been involved in what has been an interesting and rewarding Task Group.”

Councillor Stuart Langhorn
Chairman
Overview & Scrutiny Committee

(1) **Introduction**

“The Task Group has worked hard and learnt a lot about plastic pollution which has made many of us change our ways in terms of plastic consumption and recycling. This has been a great piece of work and on behalf of the Task Group I would like to express my thanks to Dr Richard Thompson and Dr Jan van Franeker who shared their research with us and helped our work enormously. I would also like to place on record my thanks to Jenny Kay, Democratic Support Officer for her hard work on this project, Susannah Bleakley of Morecambe Bay Partnership and the Isle of Man Government for their input into this work.

Plastic pollution is a global problem and it does not affect just Morecambe Bay - I think all local authorities need to be reminded of the impact this is having and take action.”

Councillor Keith Budden
Chairman
Task Group

(2) Summary and Recommendations

This report focuses on the work undertaken by the Pollution in Morecambe Bay Task Group.

The primary aim of this report has to be to raise awareness of the growing problem of marine litter not only in Morecambe Bay, but in all the world's seas and oceans. Members of the Task Group were shocked to hear the reality of this problem and the issues surrounding marine litter in the short time the Task Group had to complete its work. It was recognised that Lancaster City Council, a small local authority, could really do little on its own to tackle this global problem and it needs to gain support from other local authorities around the country to gain a voice that can be heard by the Government.

The Task Group was originally established to consider concerns regarding abandoned vehicles in Morecambe Bay.

The Task Group began its work by visiting the Bay to see for itself the offending abandoned vehicles. It then re-focused its work to examine plastic pollution and its impact on Morecambe Bay.

The world has become a plastic convenience culture; virtually every human being on this planet uses plastic materials directly and indirectly every single day. The Task Group heard evidence that every year people eat and drink from some thirty-four billion newly manufactured bottles and containers. Fast food restaurants add to this consumption of plastic and consume another fourteen billion pounds of plastic. In total, society produces an estimated sixty billion tons of plastic material every year.

Each of us on average uses 190 pounds of plastic annually: bottled water, fast food packaging, furniture, syringes, computers, computer diskettes, packing materials and so much more. This plastic does not biodegrade and remains in our ecosystems permanently, therefore there will be an incredibly high volume of accumulated plastic trash that has built up since the mid-twentieth century.

Where does plastic go? There are only three places plastic waste can go: the earth, the air and the oceans.

All the plastic that has ever been produced has been buried in landfills, incinerated, or dumped into lakes, rivers, and oceans. When incinerated, the plastics disperse non-biodegradable pollutants, much of which inevitably find their way into marine ecosystems as microscopic particles.

Approximately 70 per cent of marine rubbish sinks to the bottom, 15 per cent floats on the surface, and 15 per cent is washed up onto the coasts.

Marine litter has a large impact on the marine environment as more than 1 million birds and 100,000 marine mammals die each year from becoming entangled in or ingesting marine litter. Animals can often become entangled in discarded ropes and nets or trapped in plastic containers. Plastic strapping bands can also be dangerous for inquisitive animals such as seals. They swim through the bands catching them around their necks, the bands then cut into their skin as they grow.

Many different types of animals mistake litter for prey. Turtles have been known to ingest plastic bags as they resemble jellyfish while floating in the water. Also 97% of Fulmars (seabirds) in the North Sea have plastic in their stomach which can lead to a loss of physical condition resulting in breeding failure and in severe cases death.

Recommendation 1

- (1) That Lancaster City Council takes the lead in recognising the impact plastic has not only on marine life in Morecambe Bay but the environment as a whole and establishes and signs the Plastic Pollution Declaration.
- (2) That the Council seek support from the Local Government Association, all local authorities in the country with a sea boundary, the Isle of Man Government, Welsh Assembly and Scottish Parliament in signing up to the Declaration and lobbies the UK Government and European Parliament to take action on plastic pollution.

Recommendation 2

That the Council join KIMO International (Kommunenes Internasjonale Miljøorganisasjon), and assist them to introduce the 'Fishing for Litter' campaign in to Morecambe Bay and investigate if funding would be available from the Duchy of Lancaster to provide disposal for rubbish collected.

Recommendation 3

- (1) That the Council contacts United Utilities to request awareness raising on sanitary disposal is carried out in the area in places such as schools, local colleges and the University.
- (2) That the Council ensures clear guidance on sanitary disposal is displayed in public toilets and all Council buildings.

Recommendation 4

That the Overview and Scrutiny Committee be requested :

- (1) To continue to monitor cockling activity when the cockle beds re-open.
- (2) To request regular updates from the North Western and North Wales Sea Fisheries Committee on the Draft Regulation Order to control cockling activity, before its introduction.



(3) The original role of the Pollution in Morecambe Bay Task Group

3.1 Terms of Reference

The Task Group was originally set up by the Overview and Scrutiny Committee after concern was raised over abandoned vehicles that were left to sink into the sands of Morecambe Bay.

Original Terms of Reference

1. To define the areas in the Bay where abandoned vehicles and other fishing/cockling debris is located and to determine ownership of this land.
2. To clarify who has powers and responsibilities for controlling pollution/navigation/public safety problems in the bay.
3. To confirm with the proper authorities and experts that there is or is not a risk in terms of long-term pollution/ navigation/ public safety problems posed by abandoned vehicles and other fishing/ cockling debris.
4. To subject the research and rationale that there is no long-term pollution/ navigation/ public safety problems to scrutiny.
5. To understand at what level abandoned vehicles and other fishing/ cockling debris would pose a cause for concern.
6. To hold the various agencies/ public bodies and government departments to account on this issue.
7. To make evidence based recommendations to the appropriate authorities.

The Task Group began its work by visiting Morecambe Bay and mapping vehicles that had not yet sunk into the sand. Initial investigations took place with the relevant agencies to identify if the vehicles that had been abandoned were an environmental threat to the Bay. Through these investigations, it became clear that there would be a larger environmental impact in removing the vehicles that were now not visible, and it was considered less of a risk to let them remain in place. The Task Group was advised that agencies considered this issue a historic problem that would be controlled by the new Regulation Order that was to be introduced to control cockling activity in the Bay.

After just one meeting and two site visits, it became clear that the Task Group needed to change direction and focus on the emerging issue of plastic pollution as any further work on abandoned vehicles was felt unnecessary. The Task Group heard evidence from Susannah Bleakley of the Morecambe Bay Partnership on plastic pollution in the seas and felt this was the logical path to follow. The Task Group altered its Terms of Reference to reflect this and, with the agreement of the Overview and Scrutiny Committee, the Task Group continued its work under the Terms of Reference set out overleaf.

(4) The Change of Direction for the Task Group

4.1 Amended Terms of Reference

The Overview and Scrutiny Committee agreed the following amended Terms of Reference :

1. To investigate the impact plastic pollution has on Morecambe Bay including marine life and the environment as a whole.
2. To investigate what other local authorities and the Government are doing to control plastic pollution in the seas.
3. To confirm with the appropriate authorities and experts what action needs to be taken to address this growing problem.
4. To make evidence based recommendations to the appropriate authorities and to create a policy on plastic pollution for Lancaster City Council.
5. To consider any issues that arise relating to abandoned vehicles once the cockle beds re-open.

4.2 Membership of the Task Group

The Group comprised of Councillors Keith Budden (Chairman), Anne Chapman, Tina Clifford, John Day, Sarah Fishwick, Tony Johnson, Rob Smith and David Whitaker.

The Task Group wish to place on record their thanks for the work undertaken by Jenny Kay, Democratic Support Officer for the Task Group.

The Group gratefully acknowledges the contributions and assistance given by:

- Susannah Bleakley of Morecambe Bay Partnership
- Dr Richard Thompson – University of Plymouth
- Dr Jan van Franeker – Wageningenur/KIMO
- Steve Callister - Isle of Man Government
- Martin Hall – Isle of Man Government
- South Lakeland District Council
- John Mouat – KIMO International
- Rick Nickerson – KIMO International
- Peter Loker – Corporate Director (Community Services)
- Ged Mc Allister – Senior Engineer
- Bob Houghton – North Western and North Wales Sea Fisheries Committee
- Friends of the Earth
- RNLI (Morecambe)
- Port of Heysham
- Marine Conservation Society
- DEFRA
- Ban the Bag
- Friends of the Earth
- Helen Annan – Morecambe Bay Partnership
- Ian Cumming – Chief Executive - North Lancashire Primary Care Trust
- Frank Atherton - Director of Public Health - North Lancashire Primary Care Trust

4.3 Timetable of Meetings

Date of Meeting	Who gave evidence?	Issues Scrutinised
04.04.06	Peter Loker – Corporate Director (Community Services) Ged McAllister – Senior Engineer James Doble – Principal Democratic Support Officer Jenny Kay - Democratic Support Officer	Terms of Reference and Work Programme Evidence from Officers
25.04.06	Mike Guy - RNLI	Site visit to RNLI
12.06.06	Chairman – Keith Budden	Site visit to see abandoned vehicles
31.07.06	Susannah Bleakley – Morecambe Bay Partnership Jenny Kay - Democratic Support Officer	Plastic pollution/Marine litter Abandoned vehicles update
04.10.06	Jenny Kay - Democratic Support Officer	Amended Work Programme and Terms of Reference Isle of Man visit Dr Richard Thompson’s work on micro plastics Dr Jan van Franeker’s work on ingestion of plastic by sea birds
07.11.06	Jenny Kay – Democratic Support Officer	Report back from Morecambe Bay Partnership’s AGM including evidence on the Regulation Order to control cockling activity in the Bay Draft recommendations to date
05.12.06	Rick Nickerson and John Mouat - KIMO	The work of KIMO
07.12.06	Bob Houghton – North Western & North Wales Sea Fisheries Committee	Draft Regulation Order to control cockling activity in the Bay
17.04.07	Jenny Kay – Democratic Support Officer	Draft Final Report

(5) Status of this Report

This report is the work of the Pollution in Morecambe Bay Task Group, on behalf of the Overview and Scrutiny Committee, and where opinions are expressed they are not necessarily those of the Overview and Scrutiny Committee or Lancaster City Council.

Whilst we have sought to draw on this review to make recommendations and suggestions that are helpful to the Council, our work has been designed solely for the purpose of discharging our work in accordance with the terms of reference agreed by the Overview & Scrutiny Committee. Accordingly, our work cannot be relied upon to identify every area of strength, weakness or opportunity for improvement.

This report is addressed to Lancaster City Council. It has been prepared for the sole use of the Council and the Task Group takes no responsibility for any Member or Officer acting in their individual capacities or to other third parties acting on it.

(6) Background and Context

- 5.1 Members of the Overview & Scrutiny Committee, following a suggestion from a Member, agreed to undertake a piece of work investigating abandoned vehicles in Morecambe Bay.

It was agreed by Members of the Committee that a Task Group should be established to undertake this piece of work and investigate whether there was a pollution problem caused by abandoned vehicles in the Bay, and if this was not a cause for concern at present, how many more vehicles would it take for this to impact on the Bay's environment.

- 5.2 Subsequently, the Overview & Scrutiny Committee set up the Pollution in Morecambe Bay Task Group, a formal Task Group of 9 Members which would report directly to Cabinet.

- 5.3 The Group set up an initial programme of six meetings to undertake its work.

- 5.4 At the first meeting, the Task Group agreed the Terms of Reference and Work Programme that had been proposed by the Overview and Scrutiny Committee and considered background information on the Bay.

It also agreed to co-opt Mike Guy, Lifeboat Operations Manager, RNLI Morecambe and Cedric Robinson, Queen's Guide to the Bay as Special Advisers on the Task Group. It also felt appropriate to co-opt Councillors from South Lakeland District Council and Barrow Borough Council to work on this project.

- 5.6 The Task Group then undertook a visit to the RNLI building in Morecambe where car wrecks were charted and could be seen from the RNLI's office.

- 5.7 This was followed by a visit into the Bay itself from Hest Bank to see firsthand the car wrecks that were sinking into the sand.

- 5.8 Officers were requested to gather information from agencies who were involved in the cockling disaster and their views on abandoned vehicles in the Bay. This evidence was presented at the next meeting of the Task Group when Susannah Bleakley of the Morecambe Bay Partnership gave a presentation detailing the harm of plastic pollution to marine life and its long term impact.

It was at this point the Task Group realised that evidence from agencies confirmed abandoned vehicles to be a historic problem. The Task Group then submitted a request to the Overview and Scrutiny Committee to revise its Terms of Reference to investigate how Lancaster City Council could tackle plastic Pollution in Morecambe Bay.

- 5.9 Much research was undertaken on the issues surrounding plastic pollution and Marine litter which was reported back to subsequent Task Group meetings. This included a visit to the Isle of Man Government's Marine Awareness Day by the Chairman and Democratic Support Officer, where an update on the Task Group's work was given. Valuable evidence was gathered from Dr Richard Thompson and Dr Jan van Franeker on the impact Plastic Pollution is having on the world's seas and oceans.

Evidence was also gathered on KIMO (Kommunenenes Internasjonale Miljorganisasjon) and the Fishing for Litter campaign that the Isle of Man Government had just introduced.

- 5.10 Members of the Task Group were invited to the AGM of Morecambe Bay Partnership. Members heard from the North Western and North Wales Sea Fisheries Committee on the Regulation Order that was about to be drafted that would control cockling activity in the Bay. Having heard this, Members raised a number of concerns over what was going to be included in the Draft Regulation Order.

- 5.11 Consequently, the Task Group held a special open meeting to discuss the Draft Regulation Order in more detail. At this meeting, Ward Councillors and Parish Councillors joined the Task Group in giving views on what should be included in the Draft Regulation Order to protect people who work in the Bay and prevent more vehicles being abandoned in the Bay.
- 5.12 An informal meeting took place with representatives from KIMO (Kommunenes Internasjonale Miljøorganisasjon) to acquire further information on the organisation. Further details are set out later in the report.



Left :
A seal that swam into a plastic band used for packaging, when it was a pup. The packaging band did not expand as the seal grew and cut into its flesh. Sadly, this seal had to be put to sleep.

Right :
Plastic packaging bands found on a beach.



(7) Reviewing the Evidence

Once the Task Group had changed its direction to focus on plastic pollution in the Bay, it became apparent early on that Lancaster City Council on its own could not even begin to impact on the global problem of plastic pollution that affect Morecambe Bay.

Investigations showed that there was not a vast quantity of research that had been undertaken on plastic pollution in the seas and oceans, its impact on the environment and what this held for the future if nothing changed.

Plastic waste, such as plastic bags, often becomes litter. For example, nearly 57% of litter found on beaches in 2003 was plastic. A significant amount of this litter comes through the sewerage system, some from sea vessels and is also washed out to sea from rivers.

RESEARCH

Two prominent sources of research were identified – the work of Dr Richard Thompson and Dr Jan van Franeker.

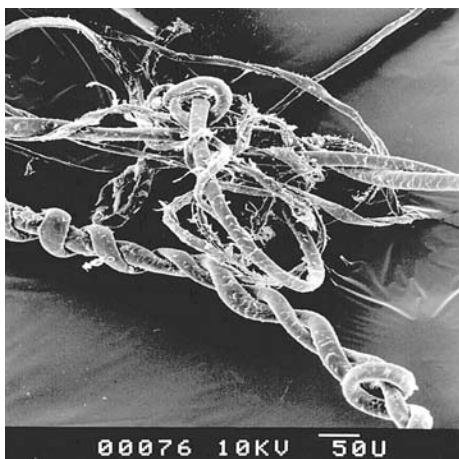
Through research into plastic pollution, the Chairman and Lead Officer for the Task Group were invited to attend a Marine Litter Awareness event in Douglas, Isle on Man to explain what the Task Group's objectives were. At this event, valuable information was gained from the world's two most prominent scientists in this field, Dr Richard Thompson and Dr Jan van Franeker.

Dr Richard Thompson

Dr Thompson's work uncovered the alarming amount of plastic fragments found in the sand on our beaches. Sand from different locations around the United Kingdom were analysed and microplastics were found. This research was carried out down to the size of the width of a human hair and it is obvious particles smaller than this exist in our sand. With most plastics being non bio-degradable, these micro plastics will just become more and more microscopic. (see Appendix A)

Research has also been undertaken on the amount of plastic that is found in plankton. Alarmingly plastic is found in plankton and other filter feeders in all of the world's oceans and is increasing over the years. Plastic eventually breaks up into smaller and smaller pieces in the water and these are eaten by animals that filter feed such as crabs and plankton which in turn are eaten by small fish and these are eaten by larger fish. Marine mammals such as seals, whales and turtles eat these fish and end up with toxins accumulating in their bodies.

This must beg the question of whether the fish we eat have ingested plastic particles and therefore plastic is entering our food chain. Unfortunately, no research has been undertaken on this.



Left :
Scanning electron micrograph of fibre from a sandy beach in the UK

Dr Jan van Franeker

The research that has been carried out by Dr Jan van Franeker again unearthed startling realities of the impact plastic pollution was having on the environment.

Dr Franeker's work concluded that almost every sea bird in the world has plastic inside its stomach. He found that the stomachs of 97% of all fulmars that were found washed up dead around the North Sea contained fragments of plastic. One dead bird from Denmark had 20.6 grams of plastic in its belly, equivalent to about 2 kilograms in a human-sized stomach. The toxins in the plastic can kill the birds or sharp bits can puncture their stomachs.

Fulmars (*Fulmarus glacialis*) feed on fish and offal discarded by trawlers. Any floating debris they accidentally ingest is retained in their stomachs.

As well as North Sea Fulmars, Storm Petrels from the Antarctic and Albatrosses from Hawaii have all been found to contain some kind of plastic.

The effects of the ingestion of plastic are :

- Direct cause of death

Or indirectly,

- Damage to stomach walls
- Decreased functioning of digestive system
- Reduced sensation of hunger
- Reduced stomach volume
- Absorption of toxic substances

This results in reduced fitness of the bird, reduced reproductive success and indirect mortality.



Left :

Items found in stomachs of seabirds

IMARES, J.A. van Franeker

Case Studies of Plastic Pollution

Plastic Bags

Officers undertook research on plastic bags and their alternatives as the Task Group could not find an expert to give evidence on this issue.

Initially, it was felt that bio degradable bags were the ideal solution to this problem and the Task Group was minded to include a recommendation that supermarkets replace plastic bags with bio-degradable alternatives. However discussions with Dr Richard Thompson steered the Task Group away from this recommendation.

The minimum standard for decomposition is 90% of the material has to be bio-degradable, which begs the question what happens to the remaining 10% ? These micro plastics will end up in the sea, our soil and our food chain as reported earlier.

A further concern was that these bio-degradable bags will only decompose under certain model conditions - Controlled composting conditions with a certain degree of humidity, temperature and acidity. The waste would also need to be shredded first.

Under these conditions, a plastic bag would decompose in 180 days. But the Task Group realised that these 'model' conditions would not be found in Morecambe Bay or any of the seas around the UK.

It was agreed that this recommendation should therefore focus on 'Bags for Life'. If supermarkets were forced to stop using the free cheap plastic bags and stronger more sustainable bags were introduced at a cost of a £1, people would re-use these bags time after time or bring alternatives. It is clear to the Task Group that an economic incentive is required.

In America where the plastic bag originated, consumers use brown paper bags to carry their purchases. This option is obviously much more environmentally friendly and it was thought could be explored as a further option by supermarkets. However, on closer inspection, the resource implications of this are staggering.

A study was carried out in France by Ecobilan for the retailer Carrefour (published in February 2004) and showed beyond doubt that paper bags are distinctly bad for the environment.

The study compared four types of bags: the single-use bags issued freely in supermarkets; biodegradable starch-based carrier bags; the re-usable 'Bag for Life' type carriers sold by supermarkets; and the large brown paper bags still used in many countries as an alternative to the plastic carrier, made from recycled paper.

The study examined energy and resource use and pollutant emissions over the whole lifecycle of the bags, including production of the raw materials, manufacture of the bags, transport to the retailer, and disposal at the bags' end-of-life, and assessed the environmental impact of each by examining their contribution to eight environmental indicators.

The results are startling. Paper bags were by far the worst performers of the four types of bag: consumption of non-renewable resources, water consumption, contribution to acid rain, greenhouse gas emissions, air quality, eutrophication of surface waters due to pollutants released during manufacture, and solid waste production.

Cont...

In some cases the differences are extraordinary: water consumption, for example, is 6 times higher for a recycled paper bag than for a single-use carrier, greenhouse gas emissions 3 times higher and eutrophication 14 times higher. Only on risk of litter did paper bags outperform the other three types. This remains true even taking into account the fact that 65% of single-use plastic bags are reputedly used again, as bin liners.

Friends of the Earth support the introduction of a tax on plastic bags as introduced in Ireland in March 2002 which saw a decrease of 90% of usage of these bags.

The Task Group feel that a tax on plastic bags and the introduction of 'Bags for Life' in supermarkets is the answer and would like the Government to apply pressure to the industry to create incentives for more Bags for Life.

Source – Ban the Bag website



Cotton Wool buds

Although it may seem a tiny contribution to the masses of marine litter on our shores, a common object found on beaches are cotton wool bud sticks. These are flushed down the toilet and go through the system but, as the sticks are made of plastic, they are not broken down and end up washed out into the sea.



Recycling Targets

The Government recently published the national packaging recycling and recovery targets for 2006 and beyond. These require 23% of plastic waste to be recovered by 2006, rising to 25.5% by 2010. This is compared to 68.5% for paper and 74.5% for glass in 2010.

The Task Group considered these targets and felt that the Government should be aiming higher with their plastic packaging recycling targets, as most plastic was not bio degradable and posed such a threat to the environment. The Task Group has grave reservations regarding the remaining 74.5%.

Right :

Government targets for recycling packaging waste

Business targets for packaging waste recovery, 2006-2010 (in %):

	2006	2007	2008	2009	2010
Paper	66.5	67	67.5	68	68.5
Glass	65	69.5	73.5	74	74.5
Aluminium	29	31	32.5	33	35.5
Steel	56	57.5	58.5	59	59.5
Plastic	23	24	24.5	25	25.5
Wood	19.5	20	20.5	21	21.5
Overall Recovery	66	67	68	69	70
Min. Recycling *	92	92	92	92	92

Source - Defra

* Target refers to the percentage of the overall recovery target that must be achieved through recycling materials (rather than energy recovery)

Balloon Releases

The Council heard evidence gathered by Officers on the Marine Conservation's 'Don't Let Go' campaign to ban balloon releases. Whilst balloons seem innocent play things for children, when the Task Group heard the impact these balloons have on wildlife if they land in the sea, it was decided to include a recommendation that the Council supports the 'Don't Let Go' campaign. A copy of the Marine Conservation's leaflet is attached at Appendix C.

Evidence from the Marine Conservation Society concluded that the number of balloons and balloon pieces found on the UK's beaches has tripled in the past ten years.

The Task Group were surprised to learn that Morecambe Bay is home to Leatherback turtles. Balloon poses a real threat to these creatures as do plastic bags that land on the water and look remarkably similar to jellyfish to the turtle. The turtles consume these objects causing them to die of either asphyxiation or starvation. Evidence showed that dolphins whales, seabirds and other wildlife have all been killed by balloons. Animals become entangled in balloon ribbons and string which restricts their mobility and their ability to feed.

The Task Group heard evidence that latex balloons were often used as a bio degradable alternative to plastic balloons but these do not alleviate the problem as they take months or even years to break down.

These plastic objects are not only a cause for concern for marine life but are obviously a threat to any wildlife in the countryside where the balloons may land.

The Task Group has consulted the Council's Legal Services on the issue of banning balloon releases from the district and it would appear the Council can ban them from its own land but not from private land.

The Council can promote this campaign however and attempt to educate local people of the dangers posed to wildlife in the letting go of balloons.



Left :

Remains of a bunch of balloons found on a beach.

Right :

Remains of balloons found in the stomach of a Fulmar.



(8) The Way Forward

Declaration

Research by Officers concluded that there was little work being done in the country to tackle this growing problem. Lancaster City Council appears to be the first English local authority to attempt to tackle this issue. The Task Group agreed that the only way we could actually make a difference to Morecambe Bay and the impact to its environment, would be to lobby the Government and European Parliament to take action to reduce plastic consumption and encourage plastic recycling.

The Task Group has developed a declaration setting out how the Council would attempt to reduce its own 'in house' plastic consumption and try to reduce the impact plastic had on marine life in Morecambe Bay and the environment as a whole. This declaration would then be sent to the Local Government Association, all local authorities in the country, the Scottish Parliament, Welsh Assembly and Isle of Man Government requesting their support to lobby the Government by signing the Declaration.

Recommendation 1

- (1) That Lancaster City Council takes the lead in recognising the impact plastic has not only on marine life in Morecambe Bay but the environment as a whole and establishes and signs the Plastic Pollution Declaration.
- (2) That the Council seek support from the Local Government Association, all local authorities in the country with a sea boundary, the Isle of Man Government, Welsh Assembly and Scottish Parliament in signing up to the Declaration and lobbies the UK Government and European Parliament to take action on plastic pollution.



DECLARATION ON PLASTIC POLLUTION OF THE MARINE ENVIRONMENT

We acknowledge that :

- Plastic Pollution has a detrimental effect on the environment including our coastline, countryside and marine life.
- The use of plastics needs to be reduced before irreversible damage is done to the natural environment.

We encourage :

- The increased use of sustainable and recycled materials where possible.
- Businesses, suppliers, the community, voluntary sector, public agencies and local councils to reduce their packaging consumption and introduce alternatives to plastic carrier bags and plastic packaging.

We commit our Council to :

- Amend our procurement policy to reduce plastic consumables.
- Not use plastics such as balloons and plastic bags for marketing purposes.
- Encourage local businesses to find alternatives to single use plastic bags.
- Oppose Balloon releases in the District due to the negative impact on wildlife, ban releases and discourage the sale of helium filled balloons from Council owned land and support the Marine Conservation's 'Don't Let Go' campaign.

We urge the Government to :

- Introduce a tax on plastic carrier bags.
- Encourage supermarkets to introduce long lasting 'Bags for Life' at a cost to the customer.
- Discourage supermarkets and other retailers from using plastic in their packaging and encourage them to find alternatives.
- Encourage the Government to re-assess its national packaging recycling and recovery target of 25.5 % to be reached by 2010.
- Encourage manufacturers of cotton wool buds to use biodegradable materials such as paper or wood rather than plastic for the sticks of these buds.
- Raise awareness of responsible sanitary product disposal.

(9) Addressing Local Concerns

8.1 Fishing for Litter and KIMO

The Chairman and lead Officer were invited by the Isle of Man Government to their Marine Litter awareness event in September 2006. The Isle of Man Government had just introduced the Fishing for Litter campaign to four of its main harbours – Douglas, Peel, Ramsay and Port St Mary.

The Fishing for Litter campaign was started by the North Sea Directorate of the Dutch Fisheries Association in March 2000. The aim of the project was to clear the North Sea of litter by bringing ashore the litter that is trawled up as part of fishing activities and disposing of it on land. This is achieved by providing large hardwearing bags to the boats so that waste can be easily collected and disposed of when the boat returns.

The Fishing for Litter campaign has also been established in Scotland where ten harbours are involved. It is hoped over a 100 boats will take part in the project with the aim of collecting 500 tonnes of marine litter from the waters around Scotland in the next 3 years. In the long term KIMO International hopes to persuade the Government to provide permanent funding for the scheme.

The Fishing for Litter Campaign is now co-ordinated by KIMO International (Kommunenenes Internasjonale Miljøorganisasjon) – an International Association of Local Authorities based in the Shetland Islands whose goal is to eliminate pollution from the Northern Seas.

KIMO was founded in Esbjerg, Denmark, in August 1990 to work towards cleaning up pollution in the North Sea. In 1994 it changed its remit to also include The Irish Sea, North East Atlantic and The Arctic Seas. It has over 128 members in 10 countries including the United Kingdom, Norway, Sweden, Denmark, the Netherlands, Belgium, and the Republic of Ireland with associate members in Germany, the Faeroes Islands and the Isle Of Man. National Networks exist in each country and hold meetings on a regular basis.

The organisation holds Non Governmental Organisation (NGO) status at the North Sea Ministerial Conferences, the Committee of North Sea Senior Officials (CONSSO) the Convention for the Protection of the Marine Environment of the North East Atlantic (OSPAR), the International Maritime Organisation (IMO) (as part of the WWF Delegation). It has links with the European Parliament and Commission and sends representatives to various stakeholder dialogue processes in various countries.

The main issues that KIMO International campaign on are Marine Pollution that effect coastal communities including the following :

- Nuclear Issues
- Pollution from Decommissioning of the Oil and Gas Industry
- Marine Litter
- Maritime Safety and Pollution
- Dumping at Sea
- Hazardous substances

Morecambe Bay does not have the same scale of fishing and trawling activity as some of areas where Fishing for Litter has been introduced but initial discussions with local fishermen indicate they would be willing to bring ashore any litter they find as long as provision is made for its disposal.



Left :
A seal that was rescued caught up in discarded fishermen's nets. This seal was lucky – it was cut free and survived its ordeal.

The Task Group met with representatives from KIMO International and agreed that it would be beneficial for Lancaster City Council to become members of KIMO who would then aid the Council in introducing the Fishing for Litter Campaign to Morecambe Bay.

The Task Group felt that the support offered to local authorities by KIMO International in emergency situations such as the recent Cornish shipping incident would be invaluable to Lancaster City Council if such an emergency arose. The Task Group heard evidence from the Port of Heysham and the difficulties manoeuvring large ships into the Port which could result in a ship being damaged. KIMO International offer a range of Emergency Plan literature, support and guidance which would be a valuable resource in such emergency situations.

Further information can be found on KIMO International's website : www.kimointernational.org

Recommendation 2

That the Council join KIMO International (Kommunenenes Internasjonale Miljorganisasjon), and assist them to introduce the 'Fishing for Litter' campaign in to Morecambe Bay and investigate if funding would be available from the Duchy of Lancaster to provide disposal for rubbish collected.

8.2 Sanitary Disposal

The Task Group heard evidence from Susannah Bleakley of Morecambe Bay Partnership and was shocked to hear of the amount of sanitary waste that is washed up on the shores of Morecambe Bay and collected at litter picks.

The Task Group agreed that this was an educational matter and that the 'Bag it and Bin it' campaign needed further promotion in the area. It was thought it would be a good move to encourage United Utilities to promote awareness to young women in the areas schools, colleges and University and general awareness via the Council's responsible waste education programmes. It was felt that the Council itself should promote sensible sanitary disposal in its public toilets.

Recommendation 3

- (1) That the Council contacts United Utilities to request awareness raising on sanitary disposal is carried out in the area in places such as schools, local colleges and the University.
- (2) That the Council ensures clear guidance on sanitary disposal is displayed in public toilets and all Council buildings.

8.3 Sharps



Sharps box found on the shore at Silverdale

It was brought to the attention of the Task Group that a sharps disposal box had been discovered on the shore at Silverdale. The Democratic Support Officer contacted the Primary Care Trust and arrangements were made for the box to be collected although the box was not from this area. This prompted an internal review at the North Lancashire PCT and a number of recommendations were made in light of this. A copy of the letter setting out these recommendations is attached at Appendix B.

The Task Group are grateful to North Lancashire PCT for their prompt response and the actions taken.

(10) Outstanding Issues

The Task Group in its investigations, uncovered some issues that it feels require further consideration. Being a time limited Task Group, the Members did not wish to submit recommendations that had not been fully investigated in the time the Group had for its work.

Therefore the Task Group wish to identify two outstanding areas.

Firstly, the Task Group held a special open meeting to discuss the proposed Draft Regulation Order which would control cockling activity in the Bay, with an Officer from the North Wales and North Western Sea Fisheries Committee. An important issue that arose at this meeting was health and safety at work for those people who worked in the Bay.

With the cockle beds currently proposed to re-open in September 2007, it was felt that the Overview and Scrutiny Committee should continue to monitor cockling activity and any issues that might arise, as the Task Group would finish its work before the beds re-open.

Secondly, the Task Group feel that regular updates from the North Western and North Wales Sea Fisheries Committee on the Draft Regulation Order to control cockling activity should be requested before its introduction in September 2009.

Recommendation 4

That the Overview and Scrutiny Committee be requested :

- (1) To continue to monitor cockling activity when the cockle beds re-open.
- (2) To request regular updates from the North Western and North Wales Sea Fisheries Committee on the Draft Regulation Order to control cockling activity before its introduction.

(11) Conclusion

The whole world has a responsibility to take action on the impact plastic pollution is having on the environment. Whilst the Task Group has had limited time to assess the impact plastic pollution is having on Morecambe Bay, the evidence presented was alarming. The Task Group believe that through establishing and adopting the Declaration on Plastic Pollution, it could begin to raise awareness across the country of this problem. This should make the Government aware that a safe and non polluted marine environment is important in ensuring community safety and well being. Lancaster City Council is only one small voice in the country but from small acorns giant oaks grow – if Lancaster City Council can gain the support of other local authorities around the country we will be heard.



BREVIA

Lost at Sea: Where Is All the Plastic?

Richard C. Thompson,^{1*} Ylva Olsen,¹ Richard P. Mitchell,¹
 Anthony Davis,¹ Steven J. Rowland,¹ Anthony W. G. John,²
 Daniel McGonigle,³ Andrea E. Russell³

Millions of metric tons of plastic are produced annually. Countless large items of plastic debris are accumulating in marine habitats worldwide and may persist for centuries (1–4). Here we show that microscopic plastic fragments and fibers (Fig. 1A) are also widespread in the oceans and have accumulated in the pelagic zone and sedimentary habitats. The fragments appear to have resulted from degradation of larger items. Plastics of this size are ingested by marine organisms, but the environmental consequences of this contamination are still unknown.

Over the past 40 years, large items of plastic debris have frequently been recorded in habitats from the poles to the equator (1–4). Smaller fragments, probably also plastic, have been reported (5) but have received far less attention. Most plastics are resistant to biodegradation, but will break down gradually through mechanical action (6). Many “biodegradable” plastics are composites with materials such as starch that biodegrade, leaving behind numerous, nondegradable, plastic fragments (6). Some cleaning agents also contain abrasive plastic fragments (2). Hence, there is considerable potential for large-scale accumulation of microscopic plastic debris.

To quantify the abundance of microplastics, we collected sediment from beaches and from estuarine and subtidal sediments around Plymouth, UK (Fig. 1B). Less dense particles were separated by flotation. Those that differed in appearance to natural particulate material (Fig. 1A) were removed and identified with Fourier Transform infrared (FT-IR) spectroscopy (7). Some were of natural origin and others could not be identified, but about one third were synthetic polymers (Fig. 1C). These polymers were present in most samples (23 out of 30), but were significantly more abundant in subtidal sediment (Fig. 1D). Nine polymers were conclusively identified: acrylic, alkyl, poly(ethylene:propylene), polyamide (nylon), polyester, polyethylene, polymethylacrylate, polypropylene, and polyvinyl-alcohol. These have a wide range of uses, including clothing, pack-

ing, and rope, suggesting that the fragments resulted from the breakdown of larger items.

To assess the extent of contamination, a further 17 beaches were examined (Fig. 1B). Similar fibers were found, demonstrating that microscopic plastics are common in sedimentary habitats. To assess long-term trends in abundance, we examined plankton samples collected regularly since the 1960s along routes between Aberdeen and the Shetlands (315 km) and from Sule Skerry to Ioe-

land (850 km) (7) (Fig. 1E). We found plastic archived among the plankton in samples back to the 1960s, but with a significant increase in abundance over time (Fig. 1E). We found similar types of polymer in the water column as in sediments, suggesting that polymer density was not a major factor influencing distribution.

It was only possible to quantify fragments that differed in appearance from sediment grains or plankton. Some fragments were granular, but most were fibrous, ~20 μm in diameter, and brightly colored. We believe that these probably represent only a small proportion of the microscopic plastic in the environment and methods are now needed to quantify the full spectrum of material present. The consequences of this contamination are yet to be established. Large plastic items can cause suffocation and entanglement and disrupt digestion in birds, fish, and mammals (5). To determine the potential for microscopic plastics to be ingested, we kept amphipods (detritivores), lugworms (deposit feeders), and barnacles (filter feeders) in aquaria with small quantities of microscopic plastics. All three species ingested plastics within a few days (7) (fig. S1).

Our findings demonstrate the broad spatial extent and accumulation of this type of contamination. Given the rapid increase in plastic production (Fig. 1E), the longevity of plastic, and the disposable nature of plastic items (2, 3), this contamination is likely to increase. There is the potential for plastics to adsorb, release, and transport chemicals (3, 4). However, it remains to be shown whether toxic substances can pass from plastics to the food chain. More work is needed to establish whether there are any environmental consequences of this debris.

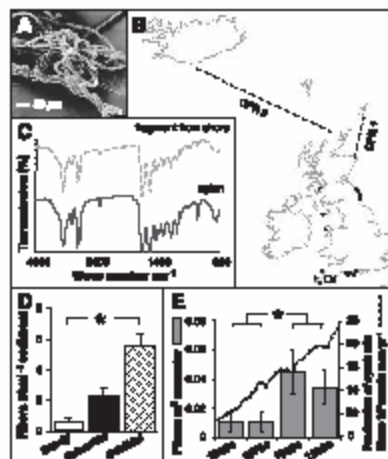


Fig. 1. (A) One of numerous fragments found among marine sediments and identified as plastic by FT-IR spectroscopy. (B) Sampling locations in the northeast Atlantic. Six sites near Plymouth (□) were used to compare the abundance of microplastic among habitats. Similar fragments (●) were found on other shores. Routes sampled by Continuous Plankton Recorder (CPR 1 and 2) were used to assess changes in microplastic abundance since 1960. (C) FT-IR spectra of a microscopic fragment matched that of nylon. (D) Microplastics were more abundant in subtidal habitats than on sandy beaches (*, $F_{2,23} = 13.26$, $P < 0.05$), but abundance was consistent among sites within habitat types. (E) Microscopic plastic in CPR samples revealed a significant increase in abundance when samples from the 1960s and 1970s were compared to those from the 1980s and 1990s (*, $F_{2,32} = 14.42$, $P < 0.05$). Approximate global production of synthetic fibers is overlain for comparison. Microplastics were also less abundant along oceanic route CPR 1 than along CPR 2 ($F_{1,24} = 5.18$, $P < 0.05$).

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7. Materials and methods are available as supporting material online on Science Online.
8. We thank C. Hoare, R. Ticehurst, G. Mandair, and F. Birembaut for help with sample collection and analysis. Supported by the Leverhulme Trust, UK.

Supporting Online Material
www.sciencemag.org/cgi/content/full/304/5672/838/DC1

Materials and Methods

Fig. S1

References and Notes

10 December 2003; accepted 10 February 2004

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Primary Care Trust

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Direct No: 01253 306303
Fax No: 01253 306306
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Ref: IRC/RR/A/1812Key

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PR4 3AL

18 December 2006

Ms Jenny Kay
Democratic Support Officer
Lancaster City Council
Town Hall
Dalton Square
Lancaster
LA1 1PJ

Dear Ms Kay

Re: Pollution in Morecambe Bay Task Group

Thank you for your recent letter with regard to the above and bringing to my attention sharps disposal box recently washed up on the shores of Silverdale.

I have now had the opportunity to investigate this issue and can report the following.

As I am sure you will appreciate there is a difficulty with regard to identifying the origin of any specific sharps bin. However I am able to confirm that none of our clinical services in Lancaster and Morecambe use the black frontier sharpsafe 0.45 litre container as shown in the photograph.

Management of Waste:

The Trust does have in place a Waste Management policy which is currently under review to reflect the changes in the organisation as well as the changes in the Hazardous Waste Legislation, in particular the recently published NHS guidance HTM 07-01 Safe Management of Healthcare Waste.

Clinical Waste collection in the Lancaster area is currently undertaken by a contractor Cannon Hygiene who collects the waste from a number of designated storage areas.

Management responsible for waste disposal are due to undertake a clinical waste audit on the handling, transportation and disposal of the waste within the next month, part of the audit will include a comparison of consignment notes from the point of collection by the contractor against the consignment notes from the point of incineration by the contractor.

Following receipt of your letter and an internal review in light of the concerns you raised a number of recommendations have been made. Where services are no longer provided by North Lancashire PCT, these recommendations have been forwarded on to the appropriate organisation.

North Lancashire Health

As you will be aware, there has been a major re-configuration of the provision of Primary Care and Mental Health services in the Morecambe Bay area which was implemented on 1 October 2006.

These recommendations are:

- All departments in the PCT who produce or manage clinical waste must continue to monitor and review the management of clinical waste.
- All undesired circumstances, near misses and incidents must be reported the health and safety department on the official reporting forms as soon as possible.
- Community Drug Teams (now managed by Lancashire Care Trust) must continue to exercise the good practice of monitoring the route of sharps containers from distribution until the container is placed in an appropriate waste stream.
- Once implemented continue the regular recorded auditing of the contractor to ensure the waste is being handled, transported, disposed of in the approved manner.

I hope that you are satisfied with the investigation we have undertaken and the actions taken. Please do not hesitate to contact me if you require any further information.

Yours sincerely



IAN R CUMMING
CHIEF EXECUTIVE

Don't Let Go!

The UK Campaign to
Reduce the Balloon Ban



© 2011 MCA/MSUK

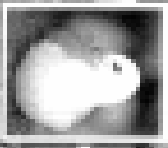
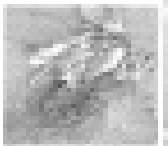

If you would like to find out more about the negative use of balloons and the effects of balloon releases on the natural environment, please visit www.mcsuk.org

You can also contact us at:
 Wildlife Conservation Society
 Unit 3, Moor Business Park
 Alton Road
 Broomfield
 Haverthwaite
 Herts SG12 8JH
 Tel: 01763 866007
 Fax: 01763 866005
 E-mail: info@wcsuk.org

The UK Down Under campaign will be held in conjunction with the Royal Horticultural Society and the Crown Estate

© 2011 Wildlife Conservation Society

What happens to balloons after they are released?



+

=


Balloons can kill wildlife

Don't
Let
Go!

The UK Campaign to
Reduce the Balloon Ban

Protecting our seas, shores
and wildlife - now and for
future generations.



Wildlife
Conservation
Society

Balloons float up into the air and disappear from your thoughts, but not from the environment.

Beach litter surveys organised by the Marine Conservation Society have shown that the number of balloons and balloon pieces found on UK beaches has tripled in the last 10 years.

- 10% of released balloons don't burst, they float back down to earth where they pose a serious threat to wildlife.
- Dolphins, whales, turtles, seabirds and other animals have all been killed by balloons.
- If swallowed, balloons can block an animal's gut and cause it to starve.
- Animals can become entangled in balloon ribbons and string restricting their movement and their ability to feed.
- Even biodegradable balloons are a danger as they can take several months or even years to break down.



Turtles are particularly at risk as they can confuse balloons with their jellyfish prey.

Many balloon releases have already been banned by several local authorities in the UK, USA and Australia.

• Don't let go!



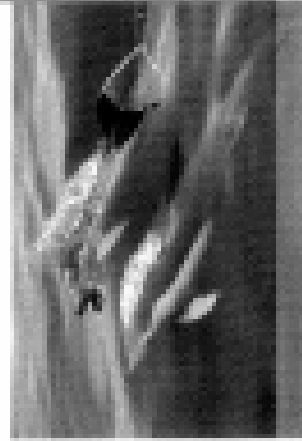
BALLOONS CAN KILL WILDLIFE

MCS guidelines for wildlife friendly balloon use

You can enjoy balloons without harming wildlife.

- Don't let go of balloons outdoors!
- Fill balloons with air rather than helium!
- Use balloons made of natural rubber latex rather than mylar (foil) balloons.
- When tying balloons use natural cotton string rather than plastic ribbons.
- Securely tie any balloons that are used outdoors.
- Always hand tie balloons rather than using plastic valves.
- Sign up to the 'Don't Let Go' petition

www.mcsuk.org



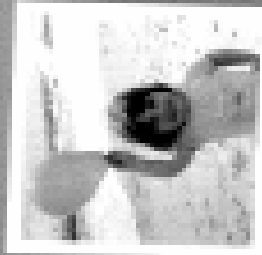
Instead of releasing balloons into the environment, why not try a wildlife friendly alternative?

How balloons popping
As fill your balloons, and tie a long piece of string inside. Release the balloons indoors and have everyone pop them in the grass.

How to use - Each member of a team has to run a short distance and set on a balloon to pop it before running back to tag the next member of the team. The first team to pop all their balloons wins!

How to use - Hire a balloon artist for a big, bold movement, try a giant inflated balloon sculpture.

Visit our website for more ideas.



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COUNCIL

**REVIEW OF PROTOCOL ON PUBLICITY FOR
ALLEGATIONS OF BREACH OF CODE OF CONDUCT
MADE TO THE STANDARDS BOARD
18th July 2007**

Report of Standards Committee

PURPOSE OF REPORT
This report enables Council to consider the recommendations of the Standards Committee to amend the "Protocol on Publicity for and Notification of Allegations of Breach of Code of Conduct made to the Standards Board".
This report is public

RECOMMENDATIONS

- (1) That Council adopts the revised version of the "Protocol on Publicity for and Notification of Allegations of Breach of Code of Conduct made to the Standards Board", as detailed in the Appendix, for inclusion in the Constitution.

1.0 Introduction

- 1.1 At its meeting on the 23rd March 2007, the Standards Committee considered a report from the Monitoring Officer following investigation of a complaint from one Member of the Council that another Member had been in breach of the Protocol, by informing the press of an allegation that that Member had made to the Standards Board of a breach of the Code of Conduct. The Committee requested the Monitoring Officer to report back to the Committee on possible amendments to the Protocol in the light of this investigation, as Members of the Committee were of the view that the Protocol should prevent a member from "causing" a complaint to be made public.

- 1.2 The Monitoring Officer reported back to the Standards Committee at its meeting on the 21st June 2007, and advised that the Protocol currently required as follows:

"When a Member has made or is considering making a complaint to the Standards Board alleging a breach of the Code of Conduct, the Member should not make the complaint or allegation known to the public in any forum, whether at a meeting that is open to the public or through the press or media. No member who is aware of a complaint should make any public comment on it, and the matter should not be the subject of discussion or debate within Council."

- 1.2 In the case considered by the Committee in March, the complaint to the Standards Board had been reported in a local newspaper, and reference was made to the fact that the complainant was a Member of the Council, but there was no direct evidence that it was the Member making the complaint to the Standards Board who had contacted the press. Indeed there was evidence that the Member had discussed the complaint within the Member's political group, as well as with an outside pressure group, and a suggestion that the information could have been given to the press by someone who was not a member of the Council, and who was not therefore bound by the Protocol.
- 1.3 Because the press will not generally disclose their sources, it is likely always to be extremely difficult to prove a breach of the Protocol, however it is worded. Under the current wording of the Protocol, a Member who makes a complaint or proposed complaint known to colleagues is not in breach if the Member does not make those discussions public. If any of those colleagues are not members of the Council, then the Council is not able to prevent them from making the complaint public.
- 1.4 Accordingly, the Monitoring Officer advised that enforcement of the Protocol may not always be straightforward.

2.0 Proposal Details

- 2.1 Members had requested an amendment that would cover "causing" a complaint to be made public, and the Monitoring Officer therefore suggested an amendment as follows. For ease of reference the suggested amendments are in italics.

"When a Member has made or is considering making a complaint to the Standards Board alleging a breach of the Code of Conduct, the Member should not make the complaint or allegation known to the public in any forum, whether at a meeting that is open to the public or through the press or media, and should not discuss the complaint or possible complaint in such a manner as is reasonably likely to cause the complaint to be made known to the public. It is recognised that a Member who has made or is considering making a complaint to the Standards Board may wish to discuss the matter within the Member's own political group or seek advice from a third party. In such cases, it is the Member's responsibility to ensure that any person(s) in whom the member confides agree(s) not to make the information known to the press and/or public. No member who is aware of a complaint should make any public comment on it, and the matter should not be the subject of discussion or debate within Council."

- 2.3 The Monitoring Officer advised that the suggested wording mirrors the new provision on confidential information in the new Model Code of Conduct, which enables members to disclose confidential information to a third party for the purpose of obtaining professional advice, provided that the third party agrees not to disclose the information.
- 2.4 The Committee agreed the suggested wording for recommendation to Council for inclusion in the Protocol within the Constitution. In addition, the Committee recommended that the last sentence in paragraph 2.2 above should read "A Member who is aware of a complaint should not make any public comment on it..."
- 2.5 A copy of the full Protocol, with tracking highlighting the Committee's recommended amendments is appended to the report.

3.0 Details of Consultation

3.1 It is for the Standards Committee to advise the Council on suitable protocols and Code of Conduct issues generally.

4.0 Options and Options Analysis (including risk assessment)

4.1 Council is asked to consider the amendments recommended by the Standards Committee, noting that it is within the terms of reference of the Standards Committee to ensure that all Members of Council have access to the appropriate written guidance protocols in all aspects of the Code of Conduct. The options open to Council are to approve or reject the recommendation or to approve other amendments to the Protocol. It must be recognised that enforcement of this provision may not always be straightforward, given that "causation" may be difficult to prove and given that the Monitoring Officer cannot require any person who is not a member of the Council to provide information for an investigation process.

5.0 Conclusion

5.1 Council is asked to consider the recommendations of the Standards Committee.

**CONCLUSION OF IMPACT ASSESSMENT
(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)**

None arising from this report.

FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no further comments.

LEGAL IMPLICATIONS

Legal Services have been consulted and have no further comments.

MONITORING OFFICER'S COMMENTS

The report has been prepared by the Monitoring Officer in her capacity as adviser to the Standards Committee.

BACKGROUND PAPERS

None

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PART 5, SECTION 3

PROTOCOL ON PUBLICITY FOR AND NOTIFICATION OF ALLEGATIONS OF BREACH OF CODE OF CONDUCT MADE TO THE STANDARDS BOARD

Introduction

The purpose of this Protocol is to provide guidance to Members as to their conduct when referring an alleged breach of the Code of Conduct to the Standards Board for England, or when they are the subject of such an allegation, or are aware of such an allegation.

Background

There is no statutory mechanism preventing those making an allegation to the Standards Board (or those the subject of such an allegation) making the nature of the allegation known to the press and public, or making public comment on the allegation. Any such comments would be subject to the general law of defamation, and a Member could seek a court injunction to prevent the publication of defamatory material.

The Standard Board's position is that it does not comment on the details of allegations or investigations into those allegations whilst an investigation is ongoing. Where information is already in the public domain the Board will confirm whether or not the information is accurate.

A Member who is the subject of a complaint made by another Member to the Standards Board may not immediately be notified by the Standards Board of the complaint. Likewise, the Monitoring Officer may not be aware of such a complaint.

The Council has therefore adopted this Protocol to deal with such scenarios.

Guidance to Members

When a Members has made a complaint to the Standards Board concerning another Member of the Council, the Member making the complaint should notify the Monitoring Officer immediately that the complaint has been made, and the Monitoring Officer will inform the other Member as soon as reasonably practicable that the complaint has been made.

When a Member has made or is considering making a complaint to the Standards Board alleging a breach of the Code of Conduct, the Member should not make the complaint or allegation known to the public in any forum, whether at a meeting that is open to the public or through the press or media, and should not discuss the complaint or possible complaint in such a manner as is reasonably likely to cause the complaint to be made known to the public. It is recognised that a Member who has made or is considering making a complaint to the Standards Board may wish to discuss the matter within the Member's own political group or seek advice from a third party. In such cases, it is the Member's responsibility to ensure that any person(s) in whom the Member confides agree(s) not to make the information known to the press and/or public. A Member who is aware of a complaint should not make any public comment on it, and the matter should not be the subject of discussion or debate within the Council.

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Likewise, the Member who is the subject of the complaint or allegation should not make any public or press comment on it.

This guidance applies until the allegation has been resolved, whether by a decision of the Standards Board not to investigate, or by an investigation where an outcome is achieved, or, if the matter is subsequently referred to the Adjudication Panel or to the Council's Standards Committee, until that process is complete.

This Protocol does not bind members of the public, and accordingly there will be no obligation on a member of the public making a complaint to inform the Monitoring Officer.

Where a complaint is made to the Standards Board by a member of the public, this may become known to the public through the press or some other medium.

In these circumstances, this Guidance does not preclude the Member who is the subject of the complaint from making a public comment, although it is recommended that the Member should carefully consider the appropriateness of so doing. Until the complaint is resolved (as described above) no other Member who is aware of the complaint should make any public comment on it, and the matter should not be the subject of discussion or debate within the Council.

COUNCIL

**CODE OF CONDUCT – COUNCIL REQUIREMENTS WITH
REGARD TO CONFIDENTIAL INFORMATION
18th July 2007**

Report of Standards Committee

PURPOSE OF REPORT
This report enables Council to consider the recommendations of the Standards Committee to adopt as part of the Constitution guidance for Members on the Council's requirements for the purposes of paragraph 4(a)(iv)(bb) of the Code of Conduct with regard to the disclosure of confidential information.
This report is public

RECOMMENDATIONS

- (1) That Council adopts as part of the Constitution guidance for Members on the Council's requirements for the purposes of paragraph 4(a)(iv)(bb) of the Code of Conduct with regard to the disclosure of confidential information.**

1.0 Introduction

1.1 At its meeting on the 21st June 2007, the Standards Committee considered a report from the Monitoring Officer concerning Paragraph 4 of the revised Code of Conduct.

1.2 The Monitoring Officer advised the Committee that the revised Code of Conduct adopted by the Council on the 21st May 2007 includes a requirement on Members not to disclose information given to them in confidence, or information which Members believe or ought reasonably to be aware is of a confidential nature. There is however an exemption where the disclosure is reasonable and in the public interest, and made in good faith and in compliance with the reasonable requirements of the authority.

1.3 The Standards Board for England has issued guidance on the application of this exemption, and the Monitoring Officer suggested that it might be helpful for this guidance to be readily available to Members, together with information on the Council's requirements for the purposes of the exemption.

2.0 Proposal Details

2.1 A draft document, appended to the Monitoring Officer's report, was considered by the Standards Committee. The document sets out the relevant paragraph of the Code of

Conduct, together with the Standards Board's guidance, and a note of the Council's recommended requirements with regard to the disclosure of information.

2.2 The Committee considered the draft document and approved it for recommendation to Council for inclusion in the Constitution.

3.0 Details of Consultation

3.1 It is for the Standards Committee to advise the Council on suitable protocols and Code of Conduct issues generally.

4.0 Options and Options Analysis (including risk assessment)

4.1 Council is asked to consider the document recommended by the Standards Committee, noting that it is within the terms of reference of the Standards Committee to ensure that all Members of Council have access to the appropriate written guidance protocols in all aspects of the Code of Conduct. The options open to Council are to approve or reject the recommendation or to make amendments to the draft document.

5.0 Conclusion

5.1 Council is asked to consider the recommendations of the Standards Committee.

<p>CONCLUSION OF IMPACT ASSESSMENT (including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)</p> <p>None arising from this report.</p>	
<p>FINANCIAL IMPLICATIONS</p> <p>There are no financial implications arising from this report.</p>	
<p>SECTION 151 OFFICER'S COMMENTS</p> <p>The Section 151 Officer has been consulted and has no further comments.</p>	
<p>LEGAL IMPLICATIONS</p> <p>Legal Services have been consulted and have no further comments.</p>	
<p>MONITORING OFFICER'S COMMENTS</p> <p>The report has been prepared by the Monitoring Officer in her capacity as adviser to the Standards Committee.</p>	
<p>BACKGROUND PAPERS</p> <p>None</p>	<p>Contact Officer: Mrs. S. Taylor Telephone: 01524 582025 E-mail: STaylor@lancaster.gov.uk Ref:</p>

THE CODE OF CONDUCT FOR MEMBERS – LANCASTER CITY COUNCIL'S REQUIREMENTS WITH REGARD TO THE DISCLOSURE OF INFORMATION

Background

Paragraph 4 of the Code of Conduct requires as follows:

You must not—

(a) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where—

(i) you have the consent of a person authorised to give it;

(ii) you are required by law to do so;

(iii) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or

(iv) the disclosure is—

(aa) reasonable and in the public interest; and

(bb) made in good faith and in compliance with the reasonable requirements of the authority; or

(b) prevent another person from gaining access to information to which that person is entitled by law.

Guidance from the Standards Board for England

Guidance issued by the Standards Board states as follows:

“In relation to the disclosure of confidential information in the public interest, the four requirements to be met are outlined below.

1. The first requirement, that the disclosure must be reasonable, requires you to consider matters such as:

- Whether you believe that the information disclosed, and any allegation contained in it, is substantially true. If you do not believe this, the disclosure is unlikely to be reasonable.

- Whether you make the disclosure for personal gain. If you are paid to disclose the information, the disclosure is unlikely to be reasonable.

- The identity of the person to whom the disclosure is made. It may be reasonable to disclose information to the police or to an appropriate regulator. It is less likely to be reasonable for you to disclose the information to the world at large through the media.

- The extent of the information disclosed. The inclusion of unnecessary detail, and in particular, private matters such as addresses or telephone numbers, is likely to render the disclosure unreasonable.
 - The seriousness of the matter. The more serious the matter disclosed, the more likely it is that the disclosure will be reasonable.
 - The timing of the disclosure. If the matter to which the disclosure relates has already occurred, and is unlikely to occur again, the disclosure may be less likely to be reasonable than if the matter is continuing or is likely to re-occur.
 - Whether the disclosure involves your authority failing in a duty of confidence owed to another person.
2. The second requirement, that the disclosure must be in the public interest, needs to involve one or more of the following matters or something of comparable seriousness, that has either happened in the past, is currently happening, or is likely to happen in the future.
- (a) A criminal act is committed.
 - (b) Your authority or some other person fails to comply with any legal obligation to which they are subject.
 - (c) A miscarriage of justice occurs.
 - (d) The health or safety of any individual is in danger.
 - (e) The environment is likely to be damaged
 - (f) That information tending to show any matter falling within (a) to (e) is deliberately concealed.
3. The third requirement, that the disclosure is made in good faith, will not be met if you act with an ulterior motive, for example, to achieve a party political advantage or to settle a score with a political opponent.
4. The fourth requirement, that you comply with the reasonable requirements of your authority, means that before making the disclosure, you must comply with your authority's protocols on matters such as whistle-blowing and confidential information. You must raise your concerns through the appropriate channels set out in such policies or protocols.

In summary, to decide whether the disclosure is reasonable and in the public interest, you may need to conduct a balancing exercise weighing up the public interest in maintaining confidentiality against any countervailing public interest favouring disclosure. This will require a careful focus on how confidential the information is, on any potentially harmful consequences of its disclosure, and on any factors which may justify its disclosure despite these potential consequences.

In some situations, it is extremely unlikely that a disclosure can be justified in the public interest. These will include where the disclosure amounts to a criminal offence, or where the information disclosed is protected by legal professional privilege.”

The Council's Requirements with regard to Confidential Information

The fourth requirement referred to above is that you comply with the reasonable requirements of the Council. The Council's requirements are as follows:

1. Some confidential information will relate to personal data. The Council has a Data Protection Policy, and it is a requirement that you should comply with this Policy.
2. With regard to reports to elected member body meetings, eg full Council, Cabinet, and Committees, where the report writer considers that the report contains exempt information, the report and any background papers will be marked as restricted and printed on orange paper. The Council's requirements are that any information contained in these documents should not be disclosed to any person who has not legitimately received a copy from Democratic Services.

At the relevant meeting, the member body will consider whether the information should continue to be treated as exempt, and the press and public excluded. If the information remains exempt, then you should not disclose it to any other person. The information will remain exempt, and should not therefore be disclosed, unless and until the member body considers the matter again and resolves that the report and background papers or any part thereof are no longer required to be treated as exempt. Only then, would you be permitted to disclose the information. If you wish a member body to consider lifting an "exemption", you should contact the Head of Democratic Services.

3. There will be other information, whether written or otherwise, held by the Council and of which you may become aware in the course of exercising your functions as a member, which will not form part of a report or background papers, but which may be confidential. If you are informed by any officer that such information is of a confidential nature, or if you otherwise have reason to believe that the information may be of a confidential nature, then the Council's requirements are that you should not disclose the information to any other person without first seeking advice from the Council's Monitoring Officer, or in her absence, the Deputy Monitoring Officer. The Council further requires that you should follow any such advice given to you.

You should be aware that a failure to follow these requirements may constitute a breach of the Code of Conduct.

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COUNCIL

**Electoral Arrangements
– Proposed Morecambe Town Council
18th July 2007**

Report of Chief Executive

PURPOSE OF REPORT

To seek the Council's views on electoral arrangements for the proposed Town Council for Morecambe for consultation and submission to the Electoral Commission.

This report is public

RECOMMENDATIONS

- (1) That the Chief Executive consult with electors in the area of the proposed town council in respect of the suggested electoral arrangements outlined in paragraph 2.2 below.**
- (2) That the Chief Executive be given delegated authority, in consultation with Group Leaders, to amend if necessary, the electoral arrangements as a result of the consultation and to submit the electoral arrangements to the Electoral Commission.**

1.0 Introduction

- 1.1 On the 18th April 2007, the Council resolved to support the petition received to create a Town Council for Morecambe based on the boundaries of the existing City Council wards of Poulton, Bare, Torrisholme, Westgate, Harbour and Heysham North, excluding the existing parished areas of Torrisholme and Westgate.
- 1.2 The Council subsequently submitted the petition and its comments at that stage to the Secretary of State.
- 1.3 The Council is now required to submit proposals to the Electoral Commission for the electoral arrangements of the proposed Town Council. These proposals are required to be submitted within six months of the local authority receiving the petition. Therefore as the petition was received on the 31st January 2007, the Council had until the 31st July 2007 to submit its proposals which must include any comments received following consultation with the electorate. However the Electoral Commission have granted a one month extension due to the recent elections being held during the six month period.
- 1.4 The Electoral Commission Guidance on the establishment and review of parish electoral arrangements refers to the minimum number of Councillors being 5 but the

National Association for Local Councils circular suggests that the minimum number should be 7.

2.0 Proposal Details

2.1 There are two options for electoral arrangements for Parish/Town Councils that Councils can consider; warded based on existing established boundaries or common parishes.

2.2 In view of the size of the proposed Town Council its division into wards would be necessary. It is suggested that there should be 16 Town Councillors, with the Town Council's wards co-terminus with the existing boundaries of the City Council wards. These boundaries are well established and divide the population reasonably into recognisable communities. An arrangement as outlined would also avoid unnecessary confusion for the electorate. Therefore the suggested arrangements are:

Torrisholme Parish Ward	-	5220 electors	-	3 Councillors
Bare Parish Ward	-	3355 electors	-	2 Councillors
Poulton Parish Ward	-	5280 electors	-	3 Councillors
Harbour Parish Ward	-	4624 electors	-	3 Councillors
Westgate Parish Ward	-	4224 electors	-	3 Councillors
Heysham North Parish Ward	-	3698 electors	-	2 Councillors

2.3 In addition to the consultation exercise, the Council is required to submit a five year electorate forecast for the Town Council area as a whole and for each of the wards included.

2.4 The methodology to be used is as follows. The increase in the number of properties will be calculated using projected growth analysis figures for residential development over the next five years from the Planning Services Department and the increase in population will be calculated based on a 75% adult occupancy average of those new properties. These projections will be sent to the Electoral Commission at the same time as the proposed Electoral Arrangements.

3.0 Details of Consultation

3.1 Subject to the views of the Council it is intended to consult with electors in the proposed Town Council area as soon as possible following the Council meeting, with the intention of meeting the deadline of 31st August 2007. As there is no scheduled meeting of Council prior to the submission date it is recommended that the Chief Executive be given delegated authority, in consultation with Group Leaders, to amend the electoral arrangements, if necessary, as a result of the consultation exercise and submit the electoral arrangements to the Electoral Commission.

4.0 Conclusion

4.1 It is believed that the proposals for the electoral arrangements are workable for Morecambe Town Council, and the warding arrangements are clear and understandable to the electorate minimising potential for confusion and maintaining recognisable communities.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

The proposal is in accordance with Council's policy which highlights its strong commitment to Town and Parish Councils as a means of addressing the UK democratic deficit and affording local people a greater say on how their localities are shaped.

FINANCIAL IMPLICATIONS

The financial implications of the creation of any new Parish or Town Council cannot be ascertained in any detail at this time, but outline information was included in the earlier report to Council concerning the proposed establishment of a Town Council.

Also Council will be aware that any changes to the parish make-up of the district would have major implications for the current operation of Special Expenses. The Council has already made a commitment to establish new financial arrangements with parishes in due course, and these would apply to any new Town Council also. In terms of the timescales for implementing new financial arrangements, it is not expected that the formation of a new Morecambe Town Council would cause any difficulties, given that the process to establish it could take up to 3 years.

The specific financial implications of this report relate to the cost of the consultation exercise. By using the Council's consultation finder and website in addition to the local press these can be kept to a minimum and contained within existing budgets.

SECTION 151 OFFICER'S COMMENTS

The S151 Officer has been consulted and has no further comments to add.

LEGAL IMPLICATIONS

There is a prescribed statutory process to be followed in respect of Petitions for the creation of new Parish and Town Councils and this report is one of the steps to be undertaken in that statutory process.

MONITORING OFFICER'S COMMENTS

The Monitoring officer has been consulted and her comments have been incorporated in the report.

BACKGROUND PAPERS

Electoral Commission Guidance on the establishment and review of parish electoral arrangements and related alterations to district ward and county division boundaries

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COUNCIL

BYELAWS FOR PLAY AREAS

20th June 2007

Report of Head of Legal and Human Resources

PURPOSE OF REPORT
This report seeks Council's formal approval for the making of byelaws in respect of children's play areas.
This report is public

RECOMMENDATIONS

That Council resolve to make byelaws as set out in Appendix A to the report, and to submit the byelaws to the Department for Communities and Local Government for confirmation.

1.0 Introduction

- 1.1 The making of Byelaws by a local authority is by law a function of the full Council and not the Cabinet. Once made by a Council, byelaws must be confirmed by the appropriate government minister. Confirmation of byelaws is generally dealt with by the Department for Communities and Local Government. Model sets of byelaws are published by the Department, and if these are followed to the letter, byelaws will generally be confirmed. However, any deviation from the model format must be specifically approved by the Department.
- 1.2 In July 2006 Council approved byelaws for Pleasure Grounds, Public Walks and Open Spaces in relation to certain play areas in the district. These were subsequently confirmed by the Secretary of State, and a copy is attached at Appendix B for information.
- 1.3 However, there are now additional play areas in the district which City Council (Direct) Services, who are responsible for the play areas, consider should be covered by similar byelaws.

2.0 Proposal Details

- 2.1 The proposal, therefore, is to make new byelaws, as set out at Appendix A. These byelaws are in the same format as the existing byelaws made in 2006 (Appendix B), and would simply apply the provisions to additional play areas.
- 2.2 The 2006 byelaws emerged from work undertaken by the former Parks Task Group, who undertook a review of the Council's play area provision, including aspects relating to standards and safety. The byelaws seek to protect the proper use of play areas by ensuring that persons over the age of 14 do not use play apparatus, and

are excluded from designated areas unless they are in charge of a child under the age of 14. The byelaws also prevent any person from entering a play area outside its opening hours, and the intention of this is to prevent nuisance especially late at night.

3.0 Details of Consultation

3.1 There was considerable public consultation prior to the making of the 2006 byelaws, with a public meeting of the Overview and Scrutiny Committee in May 2006, and there was general support for the principle. It is therefore felt appropriate that the same controls should be applied to other play areas. All members of Council have been asked to suggest any further play areas that should be included. The Department for Communities and Local Government has been consulted on the wording of the proposed byelaws, and has confirmed in principle the suitability of the wording. If the byelaws are made as set out in Appendix B, then there is no reason why they should not be confirmed by the Secretary of State.

4.0 Options and Options Analysis (including risk assessment)

4.1 The officer recommendation is that the byelaws should be made as set out in Appendix A. Whilst it would be open to the Council to exclude specific play areas or to include additional play areas, provided that full details of the location are given, any amendment of the wording of the rest of the byelaws would need to be agreed with the Department for Communities and Local Government prior to the formal resolution being made.

5.0 Conclusion

5.1 Council is recommended to resolve to make byelaws as set out in Appendix A.

<p>CONCLUSION OF IMPACT ASSESSMENT (including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing) The byelaws will address community safety issues.</p>	
<p>FINANCIAL IMPLICATIONS The byelaws will require to be advertised in a local newspaper, and once the byelaws have been confirmed, signs will need to be erected on site. The cost of this estimated at £800 and can be met from the 2007/08 playgrounds improvement budget.</p>	
<p>SECTION 151 OFFICER'S COMMENTS The s151 officer has been consulted and has no comments to add</p>	
<p>LEGAL IMPLICATIONS The legal implications are incorporated in the report.</p>	
<p>MONITORING OFFICER'S COMMENTS The Monitoring Officer has been consulted and has no further comments.</p>	
<p>BACKGROUND PAPERS None</p>	<p>Contact Officer: Luke Gorst Telephone: 01524 582024 E-mail: lgorst@lancaster.gov.uk</p>

APPENDIX A

LANCASTER CITY COUNCIL

**BYELAWS FOR PLEASURE GROUNDS, PUBLIC
WALKS AND OPEN SPACES 2007**

ARRANGEMENT OF BYELAWS

PART 1

GENERAL

1. General interpretation
2. Application
3. Opening times

PART 2

PLAY AREAS

4. Children's play areas
5. Children's play apparatus

PART 3

MISCELLANEOUS

6. Obstruction
7. Savings
8. Removal of offenders
9. Penalty

SCHEDULE - Grounds to which byelaws apply

Byelaws made under section 164 of the Public Health Act 1875 by Lancaster City Council with respect to children's play areas.

PART 1
GENERAL

General Interpretation

1. In these byelaws:

“the Council” means Lancaster City Council;

“the ground” means any of the grounds listed in the Schedule.

Application

2. These byelaws apply to all of the grounds listed in the Schedule.

Opening times

3. (1) No person shall enter or remain in the ground except during opening hours.

(2) “Opening hours” means the days and times during which the ground is open to the public and which are indicated by a notice placed in a conspicuous position at the entrance to the ground.

PART 2
PLAY AREAS

Children's play areas

4. No person aged 14 years or over shall enter or remain in a designated area which is a children's play area unless in charge of a child under the age of 14 years.

Children's play apparatus

5. No person aged 14 years or over shall use any apparatus stated to be for the exclusive use of persons under the age of 14 years by a notice conspicuously displayed on or near the apparatus.

PART 3

MISCELLANEOUS

Obstruction

6. No person shall obstruct:
- (a) any officer of the Council in the proper execution of his duties;
 - (b) any person carrying out an act which is necessary to the proper execution of any contract with the Council; or
 - (c) any other person in the proper use of the ground.

Savings

7. (1) It shall not be an offence under these byelaws for an officer of the Council or any person acting in accordance with a contract with the Council to do anything necessary to the proper execution of his duty.
- (2) Nothing in or done under these byelaws shall in any respect prejudice or injuriously affect any public right of way through the ground, or the rights of any person acting lawfully by virtue of some estate, right or interest in, over or affecting the ground or any part of the ground.

Removal of offenders

8. Any person offending against any of these byelaws may be removed from the ground by an officer of the Council or a constable.

Penalty

9. Any person offending against any of these byelaws shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

SCHEDULE

GROUND TO WHICH BYELAWS APPLY

The grounds referred to in byelaw 2 are:

<u>Town / Area</u>	<u>Street</u>	<u>Grid Reference</u>	<u>Play Area Name</u>
Carnforth	Dunkirk Avenue	S.D. 500 698	Dunkirk Avenue
Galgate	Crofters Fold	S.D. 485 556	Crofters Fold
Galgate	Wharfedale	S.D. 486 556	Wharfedale
Westgate	Borwick Close	S.D. 435 631	Langridge Estate
Heysham	Peel Avenue	S.D. 411 605	Peel Avenue
Lancaster	Ryelands Park	S.D. 474 626	Ryelands Park
Lancaster	Ryelands	S.D. 470 627	Ryelands
Morecambe	Benson Avenue	S.D. 447 635	Branksome Avenue
Morecambe	Fairfield Park	S.D. 453 631	Fairfield Park
Morecambe	Kilnbank	S.D. 432 641	Kilnbank
Morecambe	Marine Rd West	S.D. 422 636	West End Gardens

GIVEN under the Common Seal of the Lancaster City Council this day of
Two thousand and seven

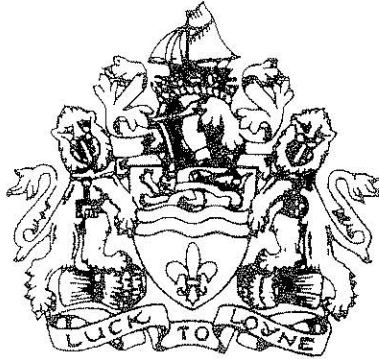
THE COMMON SEAL of the
LANCASTER CITY COUNCIL
was hereunto affixed in the
presence of:

Corporate Director



LANCASTER CITY COUNCIL

Promoting City, Coast & Countryside



LANCASTER CITY COUNCIL

BYELAWS FOR PLEASURE GROUNDS, PUBLIC WALKS AND OPEN SPACES (CHILDREN'S PLAY AREAS)

LANCASTER CITY COUNCIL
BYELAWS FOR PLEASURE GROUNDS, PUBLIC
WALKS AND OPEN SPACES

ARRANGEMENT OF BYELAWS

PART 1

GENERAL

1. General interpretation
2. Application
3. Opening times

PART 2

PLAY AREAS

4. Children's play areas
5. Children's play apparatus

PART 3

MISCELLANEOUS

6. Obstruction
7. Savings
8. Removal of offenders
9. Penalty

SCHEDULE - Grounds to which byelaws apply

Byelaws made under section 164 of the Public Health Act 1875 by Lancaster City Council with respect to children's play areas.

**PART 1
GENERAL**

General interpretation

1. In these byelaws:
 - "the Council" means Lancaster City Council;
 - "the ground" means any of the grounds listed in the Schedule.

Application

2. These byelaws apply to all of the grounds listed in the Schedule.

Opening times

3. (1) No person shall enter or remain in the ground except during opening hours.
(2) "Opening hours" means the days and times during which the ground is open to the public and which are indicated by a notice placed in a conspicuous position at the entrance to the ground.

PART 2

PLAY AREAS

Children's play areas

4. No person aged 14 years or over shall enter or remain in a designated area which is a children's play area unless in charge of a child under the age of 14 years.

Children's play apparatus

5. No person aged 14 years or over shall use any apparatus stated to be for the exclusive use of persons under the age of 14 years by a notice conspicuously displayed on or near the apparatus.

PART 3

MISCELLANEOUS

Obstruction

6. No person shall obstruct:
- (a) any officer of the Council in the proper execution of his duties;
 - (b) any person carrying out an act which is necessary to the proper execution of any contract with the Council; or
 - (c) any other person in the proper use of the ground.

Savings

7. (1) It shall not be an offence under these byelaws for an officer of the Council or any person acting in accordance with a contract with the Council to do anything necessary to the proper execution of his duty.
- (2) Nothing in or done under these byelaws shall in any respect prejudice or injuriously affect any public right of way through the ground, or the rights of any person acting lawfully by virtue of some estate, right or interest in, over or affecting the ground or any part of the ground.

Removal of offenders

8. Any person offending against any of these byelaws may be removed from the ground by an officer of the Council or a constable.

Penalty

9. Any person offending against any of these byelaws shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

SCHEDULE

GROUNDS TO WHICH BYELAWS APPLY

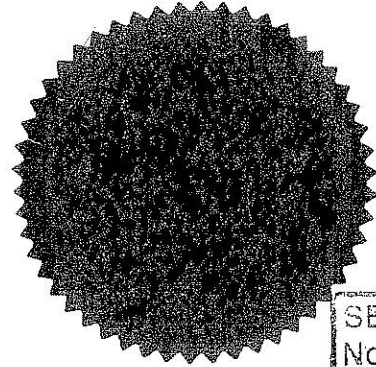
The grounds referred to in byelaw 2 are:

<u>Town / Area</u>	<u>Street</u>	<u>Grid Reference</u>	<u>Play Area Name</u>
Boiton-le-Sands	Church Brow	S.D. 481 671	Bolton-le-Sands
Carnforth	Browsholme Close	S.D. 490 703	Crag Bank No. 1
Carnforth	Crag Bank Road	S.D. 487 700	Crag Bank No. 2
Carnforth	Kellet Road	S.D. 500 703	Kellet Road
Carnforth	St. Austell Place	S.D. 494 699	Crag Bank No. 3
Galgate	Beech Avenue	S.D. 479 556	Beech Avenue
Galgate	Carrwood Gardens	S.D. 479 554	Galgate
Glasson Dock	Tithebarn Hill	S.D. 447 560	Glasson Dock
Heaton-with-Oxcliffe	Lune Drive	S.D. 457 630	Grosvenor Park
Heysham	Emmaus Road	S.D. 415 619	Douglas Park
Heysham	Heathfoot Drive	S.D. 413 607	Combermere Sycamore Gdns.
Heysham	Kingsway	S.D. 420 620	Kingsway
Heysham	Montrose Crescent	S.D. 413 611	Montrose Crescent
Heysham	The Cliffs	S.D. 416 627	The Cliffs
Lancaster	Atherton Road	S.D. 466 620	The Willows
Lancaster	Cedar Road	S.D. 467 618	Marsh No. 1
Lancaster	Clarence Street	S.D. 483 612	Scotch Quarry
Lancaster	Derby Road	S.D. 477 622	Derby Road
Lancaster	Durham Avenue	S.D. 482 600	Palatine Rec.
Lancaster	Forest Park	S.D. 463 614	Forest Park
Lancaster	Gressingham Drive	S.D. 484 596	Bishopsgate
Lancaster	Hamilton Drive	S.D. 461 632	Hamilton Drive
Lancaster	Hill Road	S.D. 478 634	Hill Road
Lancaster	Langdale Road	S.D. 482 624	Newton
Lancaster	Long Marsh Lane	S.D. 471 621	Hasgill Court
Lancaster	Mainways	S.D. 480 627	Mainways
Lancaster	Parsons Close	S.D. 475 596	Parsons Close
Lancaster	Slyne Road	S.D. 476 634	King George V Lancaster
Lancaster	Spruce Avenue	S.D. 477 597	The Cedars
Lancaster	Sycamore Grove	S.D. 465 618	Marsh No. 2
Lancaster	Wetherfield Close	S.D. 481 637	Wilton Close No. 1
Lancaster	Willow Lane	S.D. 463 613	Willow Lane
Lancaster	Wilton Close	S.D. 481 637	Wilton Close No. 2
Morecambe	Altham Road	S.D. 440 630	Altham Meadow
Morecambe	Gleneagles Drive	S.D. 445 644	Fairhaven Way
Morecambe	Happy Mount Drive	S.D. 455 653	Happy Mount Park
Morecambe	Highgrove Close	S.D. 432 628	Highgrove Close
Morecambe	Marine Road Central	S.D. 431 644	Promenade Central
Morecambe	Parkview Close	S.D. 439 631	Parkview
Morecambe	Marine Road East	S.D. 438 648	Morecambe Promenade
Morecambe	Marine Road West	S.D. 421 636	Battery
Morecambe	Parliament Street	S.D. 424 635	Parliament Street
Morecambe	Poulton Road	S.D. 437 645	Poulton Hall
Morecambe	Regent Road	S.D. 429 634	Regent Park

Morecambe	Whinsfell View	S.D. 438 640	Whinsfell View
Slyne-with-Hest	Manor Lane	S.D. 476 660	Slyne – Manor Lane
Torrisholme	Lancaster Road	S.D. 455 637	Michaelson Avenue

GIVEN under the Common Seal of the Lancaster City Council this twentieth day of July two thousand and six

THE COMMON SEAL of the
LANCASTER CITY COUNCIL
was hereunto affixed in the
presence of:



SEAL REGISTERED
No: 20992

P. S. Lohes

Corporate Director (Community Services)

These byelaws are confirmed by the Secretary of State and shall come into operation one calendar month after the date of confirmation

Signed by authority of the Secretary of State

P. Rowsell

P Rowsell
Senior Civil Servant
in the Department for Communities and Local Government

Date: *25 September 2006*

COUNCIL

**Delegation of Powers (Health Act 2006)
18 July 2007**

Report of Corporate Director (Community Services)

PURPOSE OF REPORT
This report seeks approval from Council to delegate the enforcement (and authorisation of Officers) of the Smokefree provisions in the Health Act 2006 to the Head of Health & Strategic Housing.
This report is public.

RECOMMENDATIONS

- (1) That the enforcement of the new smokefree legislation (including the authorisation of Officers) contained in the Health Act 2006 is delegated to the Head of Health & Strategic Housing.**

1.0 Introduction

- 1.1 The smokefree provision of the Health Act 2006 came into force on 1 July 2007. Regulations require appropriate Officers to be properly authorised by the Council to discharge the enforcement functions.
- 1.2 Enforcement of most Environmental Health legislation is an executive function and Cabinet has in the past delegated to the Head of Health & Strategic Housing the authority to authorise officers and take any enforcement action required. Anticipating this to be the case with the smokefree legislation, Cabinet delegated these functions to the Head of Health & Strategic Housing following a report to Cabinet in January 2007.
- 1.3 Consequently, the scheme of delegation approved by full Council in April 2007 included the Health Act 2006 in the list of legislation delegated to the Head of Health & Strategic Housing.
- 1.4 However, since this date, the Local Authorities (Functions and Responsibilities) (England) (Amendment) (No.2) Regulations 2007 have been made which make the function of enforcing the smokefree legislation a non-executive function. Accordingly, it is necessary for delegation to officers to be formalised by Council itself and not through the Cabinet.

2.0 Proposal Details

2.1 Although Full Council agreed in April 2007 the amended scheme of delegation which included the addition of the Health Act 2006 on the list of legislation delegated to the Head of Health & Strategic Housing, it is necessary for Council itself now to formally approve this delegation. This will ensure a full audit trail of authorisation, and protect the Council from the risk of any potential challenge to any enforcement action that may be taken in the future.

3.0 Details of Consultation

3.1 None.

4.0 Options and Options Analysis (including risk assessment)

4.1 On the basis that the enforcement of the Health Act 2006, including authorisation of officers, is to be delegated to the Head of Health & Strategic Housing, the only option to ensure that this is done in accordance with the new Regulations, is for Council formally to make the delegation itself.

This will ensure that officers are correctly authorised and able to take appropriate enforcement action.

5.0 Officer Preferred Option

5.1 Option 4.1 is the only option available if the Council wishes to carry out its statutory duties effectively.

6.0 Conclusion

Approval of this recommendation enables the Head of Health and Strategic Housing to correctly authorise officers to take appropriate enforcement action under the smokefree provisions of the Health Act 2006.

**CONCLUSION OF IMPACT ASSESSMENT
(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)**

None.

FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

SECTION 151 OFFICER'S COMMENTS

The S151 officer has been consulted and has no comments to add.

LEGAL IMPLICATIONS

Legal implications are incorporated within the report.

MONITORING OFFICER'S COMMENTS

The report has been prepared in the light of advice from the Monitoring Officer that the new Regulations require a fresh delegation to officers from full Council itself. Accordingly, the Monitoring Officer is satisfied that this will enable the Council lawfully to exercise its enforcement powers under the Health Act 2006.

BACKGROUND PAPERS

Letter from Chartered Institute of Environmental Health 22 June 2007 regarding the Local Authorities (function and responsibilities)(England)(Amendment) (No 2) Regulations 2007.

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Ref: CL3

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