



Sustainable Communities Overview and Scrutiny Committee

Date:	Monday, 8 March 2010
Time:	6.00 pm
Venue:	Committee Room 1 - Wallasey Town Hall

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AGENDA

1. MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members are asked to consider whether they have personal or prejudicial interests in connection with any item(s) on this agenda and, if so, to declare them and state what they are.

Members are reminded that they should also declare, pursuant to paragraph 18 of the Overview and Scrutiny Procedure Rules, whether they are subject to a party whip in connection with any item(s) to be considered and, if so, to declare it and state the nature of the whipping arrangement.

2. MINUTES (Pages 1 - 6)

To receive the minutes of the meeting held on 20 January, 2010.

3. HIGHWAY AND TRAFFIC REPRESENTATIONS PANEL

The minutes of the panel meeting on 5 March will be circulated separately.

4. THE WORK OF TRADING STANDARDS (Pages 7 - 14)

5. IMPACT OF ALCOHOL UPON COMMUNITY SAFETY (Pages 15 - 36)

6. **SALE OF ALCOHOL TO CHILDREN (Pages 37 - 42)**
7. **HIGHWAY AND ENGINEERING SERVICES CONTRACT - REVENUE IMPLICATIONS (Pages 43 - 46)**
8. **REVIEW OF POLICY LEQ08 - LICENSING OF 'A' BOARDS, SHOP DISPLAYS AND PAVEMENT CAFES (Pages 47 - 62)**
9. **REDUCING WIRRAL'S CARBON FOOTPRINT (Pages 63 - 90)**
10. **THIRD QUARTER PERFORMANCE REPORT 2009/10 (Pages 91 - 114)**
11. **WIRRAL FLOOD GROUP - COMMUNICATION (Pages 115 - 118)**
12. **TECHNICAL SERVICES DEPARTMENT - DECISIONS TAKEN UNDER DELEGATED POWERS (Pages 119 - 120)**
13. **REGENERATION DEPARTMENT - DECISIONS TAKEN UNDER DELEGATED POWERS (Pages 121 - 122)**
14. **MONITORING REPORT - SUSTAINABLE COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME 2009/10 (Pages 123 - 136)**
15. **ANY OTHER URGENT BUSINESS APPROVED BY THE CHAIR**

SUSTAINABLE COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE

Wednesday, 20 January 2010

Present:

Councillor H Smith (Chair)

Councillors	P Reisdorf	M Redfern
	S Taylor	S Williams
	B Kenny	W Duffey (In place of T Anderson)
	KJ Williams	I Lewis (In place of J Hale)
	D Mitchell	

32 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members were asked to consider whether they had personal or prejudicial interests in connection with any item(s) on this agenda and, if so, to declare them and state what they were.

Councillor J Williams declared a personal interest in respect of minute 37 (Review of Shop Display and Advertisement Board Licences) by virtue of his involvement in a ward issue relating to this matter.

Members were reminded that they should also declare, pursuant to paragraph 18 of the Overview and Scrutiny Procedure Rules, whether they were subject to a party whip in connection with any item(s) to be considered and, if so, to declare it and state the nature of the whipping arrangement. No such declarations were made.

33 MINUTES AND MATTERS ARISING

Members were requested to receive the minutes of the meeting held on 18 November, 2009

Resolved –

(1) That the minutes be received.

(2) That the Director of Technical Services be requested to present a further report on the revenue implications referred to in paragraph 5.1 of the report on the Highway and Engineering Services Contract (minute 26 refers) to the March meeting of this Committee.

34 RECYCLING OF WASTE MINIMISATION DELIVERY PLAN UPDATE

The Director of Technical Services presented a report updating Members on the current position of the Recycling and Waste Minimisation Delivery Plan for 2009/10. prepared by Technical Services in partnership with Biffa Waste Services, Merseyside Waste Disposal Authority (MWDA) and other members of the Living and Working Environment Partnership achieve a the recycling objectives set out in the Council's Corporate Plan and Wirral Local Area Agreement. The report also included Technical Services' response to the Kitchen Waste Collection Trial Scheme Notice of Motion under the section headed Future Considerations.

He appended the latest version of the Waste and Recycling LAA Delivery Plan (Appendix 1) to achieve the Corporate Objective "to create a clean, pleasant, safe and sustainable environment". Increasing levels of recycling was a priority for improvement for the Council, and he commented that continuous improvements since 2005/06 had resulted in Wirral being the second most improved local authority for National Indicator 192 (Household Waste Recycled and Composted) in England in 2007/08 and the most improved Metropolitan Council. This was attributed to a combination of increased recycling, reductions in waste growth, and a greater awareness with regards to waste prevention amongst the public.

Projects detailed in the Recycling and Waste Minimisation LAA Delivery Plan were grouped around four main themes, aimed at increasing levels of recycling and decreasing the amount of waste being sent to landfill:

- Expanding the coverage of the kerbside co-mingled recycling scheme to include all remaining households.
- Improving the quality of recyclates delivered to the MRF.
- Delivering Initiatives through partnership working aimed at educating and empowering residents and businesses to minimise waste and maximise recycling.
- Increasing diversion of street cleansing waste streams from landfill.

The Director set out the current position in respect the above.

In response to the Notice of Motion, a Senior Officers Working Group (SOWG), representing all senior waste managers from all Merseyside authorities, would help each authority produce a business case for food waste treatment in the long term. It was recommended that Members await the outcome of this project, supported by the Waste Resource Action Programme, before any decisions to embark on kitchen waste trials are made. The report would be completed prior to the need for districts to respond to the MWDA on future kitchen waste requirements.

The Director reported that significant service improvements have been made resulting in waste streams being recycled that were previously land filled. The Council had moved higher in the national league tables currently above the national average for all waste indicators. In line with current Government thinking that prevention was the most efficient way to manage waste (in both cost and environmental terms), Technical Services would explore waste prevention opportunities in a more detailed manner and report their findings to a future Sustainable Communities Overview and Scrutiny meeting. This Council, along with the Merseyside Waste Partnership would have to make a number of key decisions in 2010/11 regarding future treatment options for food waste and the residual waste streams. In the next 12-18 months, Wirral would review its waste strategies in line

with the National Waste Strategy and associated Waste Framework Directive, the Regional Waste Strategy, and the Merseyside Joint Municipal Waste Management Strategy as well as taking full account of the implications of the Climate Change agenda and targets.

Resolved – That the Committee:

(1) Note the progress made in the Recycling and Waste Minimisation Delivery Plan for 2009/10;

(2) Note the key dates regarding future waste management treatment options detailed in section 5.2.1;

(3) Request officers report back to Committee on the findings of the Merseyside Waste Partnership Options report on Food Waste Collections in time for the Council to make an informed decision on the future management of this element of Wirral's household waste stream.

35 **THIRD ANNUAL REVIEW STREETSCENE ENVIRONMENTAL CONTRACT**

The Director of Technical Services reported upon the current position with the Environmental Streetscene Services Contract and the development of the service.

Since the contract was awarded to Biffa in June 2006, a close working partnership with the company had transformed Environmental Streetscene Services in Wirral and had resulted in a continuous improvement of service quality which was recognised and acknowledged in the most recent Comprehensive Performance Assessment. He set out the contract management framework and reported upon progress in relation to the following key work streams that had been agreed in January 2009 by the Waste Partnership Board, for implementation in 2009/10:-

- Garden Waste: Procurement of Treatment Facilities
- Street Cleansing and Enforcement: Improving Environmental Quality with particular focus on litter and detritus
- ERIC Service and Fly Tipping Removal
- CRM Springboard Project
- Compaction and Contamination

Other key achievements included the development of a litterbins database to provide a more strategic approach to litterbin provision and web access to Street Cleansing schedules.

He provided a detailed performance summary in relation to key performance indicators, together with an Analysis of Benefits Realisation and commented that the following work streams had been agreed by the Partnership Board to be the focus of improvement/progress in 2010/11 –

- Street Cleansing (including fly tipping)
- Springboard integration

- Compaction and contamination risk reduction (amended from 2008)
- Review of Bad weather Contingency Plan
- Biffa's Environmental Policy

Members were invited to put forward suggestions for additional work streams in order to improve the effectiveness and efficiency of the contract.

The Director introduced Gary Bowles and Mark Hodgkinson from Biffa's management team who gave a presentation on progress and key achievements. The presentation provided an overview of the company and its organisational structure, and indicated that Wirral was the company's largest municipal contract. The focus for 2010 was to build on successes achieved in the first three years and to secure further improvements in relation to quality and service performance. Information was provided to demonstrate the benefits to the Partnership of continual improvement and particular emphasis was placed on improvements in relation to missed bin collections, the reduction of side waste, improved customer care and safety performance. A summary of the response to snow disruption covering the periods 23/24 December and 5/15 January was also provided.

Mr Bowles responded to questions from Members concerning the issues raised in his presentation.

The Director responded to questions from Members concerning:

- improvements to the recycling service. Members were interested to know whether other waste streams would be targeted for recycling in the future, that could be added to the existing grey bin scheme. The Director responded by stating that the MWDA were responsible for treatment solutions for waste, and that Wirral officers have expressed to the MWDA the need for continuous improvement of MRF facilities to enable more waste streams to be collected co-mingled. This would, however be dependant on future technology .
- use of CCTV to cover fly tipping hotspots
- the need for further analysis of the fly tipping figures
- specific problems relating to street cleansing, leaf fall removal, the ERIC service, provision of litter bins and missed bin collections, in Members' wards
- outputs and targets relating to key performance indicators detailed in Appendix 1 to the report
- the need to review the calculation of the Levy to reflect Wirral's improved performance in recycling and uphold the polluter pay's principle.

Resolved – That the Committee note the progress of the contract during the past year outlined in the report.

36 **MONITORING REPORT - SUSTAINABLE COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE - WORK PROGRAMME 2009/10**

The Director of Law, HR and Asset Management, submitted an Updated Monitoring Report on the Committee's Work Programme.

Resolved – That the report be noted.

37 **ANY OTHER URGENT BUSINESS APPROVED BY THE CHAIR**

(a) Review of Existing Policy - Shop Display and Advertisement Board Licences.

The Chair referred to his research into this matter and on site surveys regarding problems associated with traders encroaching on pavements and causing an obstruction. There was a general discussion during which members identified particular problems within their respective wards.

Resolved – That the Director of Technical Services be requested to review the existing policy and report back to the March meeting of this Committee.

(b) Review of Winter Maintenance Arrangements

The Committee received a referral from Cabinet (minute 250 – 14/1/2010) (Extreme Winter Weather) to undertake a formal review of winter maintenance arrangements across the Council

Resolved – That the review of winter maintenance arrangements be added to the Committee's work programme.

(c) Trading Standards Update Report

Councillor Reisdorf asked for a report on the work of the Trading Standards Division and related legislation.

Resolved – That the Director of Regeneration be requested to prepare an update report for the March meeting of this Committee.

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WIRRAL COUNCIL

SUSTAINABLE COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE

8 MARCH 2010

REPORT OF THE DIRECTOR OF REGENERATION

THE WORK OF TRADING STANDARDS

1.0 EXECUTIVE SUMMARY

1.1 This report on the work of the Trading Standards Division and related legislation has been prepared in response to a request from Councillor Reisdorf made at the Sustainable Communities Overview and Scrutiny Committee on Wednesday, 20th January. The report relates the work of the Trading Standards Division to the relevant Strategic Objectives.

2.0 BACKGROUND

2.1 The Trading Standards Division has responsibility for discharging a wide range of statutory duties regulating the manner in which businesses provide goods and services to their customers and to ensure that they are safe, correctly described, nutritionally wholesome, comply with specified legal requirements (such as agreements regulated by the Consumer Credit Act) and sold to the appropriate age group.

2.2 These duties are discharged through a range of interventions with traders ranging from general publicity campaigns and targeted advice through to prosecution in the Magistrates Court or Crown Court or injunctive action in the County Court. Enforcement action will be taken in accordance with the Regeneration Department's Enforcement Policy.

2.3 The Division is staffed by 17.5 staff organised in two teams, one team with responsibility for investigating breaches of criminal and civil law and resolving consumer complaints and the other with responsibility for advising and monitoring business practices. This report demonstrates how the fulfilment of those statutory duties contributes towards the Council's strategic objectives.

3.0 STRATEGIC OBJECTIVE 1 - TO CREATE MORE JOBS, ACHIEVE A PROSPEROUS ECONOMY AND REGENERATE WIRRAL

3.1 National policy expects Trading Standards Services to forge relationships with local businesses through, for example, trader recognition schemes. The Wirral Trader Scheme, launched in 2003, was one of the first of its kind in the Country. The scheme is a member of the Local Authority Assured Trader Scheme Network, which is supported by the Office of Fair Trading.

3.2 The Scheme creates a trading environment where consumers can buy goods or services with confidence. To join the scheme traders must demonstrate a commitment to trade fairly and honestly, and to deal effectively with any dissatisfaction expressed by their customers. They also have to meet minimum standards of quality set out in our Code of Practice. Applicants are audited by Trading Standards to determine their consumer

complaint history, court proceedings and business practices. The scheme currently has expanded from 70 to 82 members, with a further 7 applications in the pipeline.

- 3.3 The public can now give direct feedback on scheme members on-line at <https://www.traderregister.org.uk>. This feedback is also accessible to the public and acts as a real incentive to members to give excellent customer service.
- 3.4 In 2010/11 the scheme will expand as the Housing Improvement team have agreed to encourage membership in the building sector to bolster the preferred contractor scheme
- 3.5 The Business Protection from Misleading Marketing Regulations 2008 protects businesses from misleading claims. Small and medium businesses in particular can fall victim to a number of scams purporting to be from official bodies seeking a "registration" fee or seeking payment for unsolicited services. Examples include;
- Health and Safety registration
 - Data protection registration
 - Internet domain name registration
 - Fax/internet directories
 - Business rate reduction
- 3.6 The Regulations can prevent or minimise such misleading marketing practices. The Trading Standards Division works closely with the Companies Investigation Branch, who can initiate High Court action to wind up limited companies in the public interest, and Merseyside Police Economic Crime Unit, who conduct investigations and prosecute under the Fraud Act. Detailed advice is available to businesses to help them reduce the risk of falling for these scams.
- 3.7 The most effective form of intervention with businesses is to provide them with help and advice to avoid either consumer disadvantage or the trader breaking the law. The Trading Standards Division will act as Home Authority to local businesses which gives them the advantage of a named officer to provide tailored advice and to act as a contact point if queries are received from other local authorities.
- 3.8 An example of this type of intervention concerns a small local business designing and importing leisure wear. The business has been provided with detailed advice concerning the application of European standards which impact on their designs and corrective advice to ensure that their advertising is not misleading.
- 3.9 The recession has caused a difficult trading environment which has lead to officers having to act as referees in inter trade disputes. Depending on the alleged mischief we will seek to advise the business and give them the opportunity to correct any errors or omissions. However the complaining businesses unreasonably expect that we should take a hard line and "close down" the competitor, despite having no powers to close a business down and before the process to resolve disputes has been completed.
- 3.10 The Enterprise Act 2002 gives local authorities powers to seek court orders against businesses that breach consumer protection laws. Before taking court action (i.e. seeking an Enforcement Order), enforcement authorities will always invite the trader concerned to respond to the allegations against them, and the trader will be able to give binding agreements (undertakings) to Trading Standards instead of going to court. If a trader breaches an undertaking an enforcement order will be sought in the County Court. If a trader breaches an Enforcement Order they will be in contempt of Court and liable to a fine or imprisonment.

- 3.11 The Trading Standards Division and Legal Services are currently seeking enforcement orders against two traders, a building company and an electrical repair business, which have continually breached their legal responsibilities to consumers.
- 3.12 Product counterfeiting misleads consumers and gives dishonest traders an unfair advantage over the competitors who provide the public with genuine products. Counterfeit products are still being detected at all stages of the supply chain - 3 individuals are facing trial later this year at Liverpool Crown Court concerning the importation of counterfeit clothing - but counterfeiters are making increasing use of the internet to sell their wares.
- 3.13 The Trading Standards Division has invested in a stand alone computer system which enables officers to visit suspect websites and to order goods, without leaving a digital fingerprint which can be traced to an enforcement agency. This facility has been used to test compliance with tobacco control legislation - see 5.8 below.

4.0 **STRATEGIC OBJECTIVE 2: TO CREATE A CLEAN, PLEASANT, SAFE & SUSTAINABLE ENVIRONMENT**

- 4.1 The Consumer Protection from Unfair Trading Regulations came into force in May 2008. The regulations replaced the Trade Descriptions Act and also implemented the provisions of the Unfair Commercial Practices Directive into UK law.
- 4.2 The regulations extend prohibitions concerning misleading practices and also prohibit aggressive practices (defined as practices which intimidate or exploit consumers, restricting their ability to make free or informed choices). A trader who now engages in aggressive practices can face prosecution. These new measures will be particularly helpful in protecting the vulnerable from high pressure doorstep selling. Trading Standards are taking advice from Cumbria County Council Trading Standards who have wide experience in prosecuting doorstep callers, usually roofing or gardening contractors, who prey on the elderly and vulnerable.
- 4.3 Trading Standards work with local communities to set up No Cold Calling Zones which are designed to reduce instances of businesses making unsolicited approaches to consumers on their doorstep.
- 4.4 The Wirral Trader Scheme (paragraph 3.1) offers an alternative to cowboy builders by offering the services of local traders vetted by Trading Standards and with a proven record of excellent customer feedback.
- 4.5 The establishment of the Consumer Direct regional call centre, which provides first line advice, has allowed the Trading Standards Division Fair Trading Officers to provide increased consumer intervention to vulnerable consumers with a complex case.
- 4.6 In one example of a complex case an elderly couple, one of whom suffered from Parkinson's disease, employed a company to tarmac their drive. The original job was unsatisfactory causing water to pool and flow into airbricks. This fault could lead to dampness, odours and rot of the flooring timbers. The consumers complained to the trader who carried out remedial work but it was unsuccessful. Trading Standards attempted to negotiate but the trader reneged on the agreement.

- 4.7 The couple then took the case to mediation in the Small Claims court and, with assistance from a Fair Trading Officer, the couple won their case and were awarded £3785.
- 4.8 In 2009 intervention by Fair trading Officers in complex cases resulted in £131, 744 redress being obtained on behalf of consumers
- 4.9 The safety of consumer goods is controlled through either regulations specific to certain types of goods, for example Toy Safety Regulations, or if there are no specific controls, the General Product Safety regulations (GPSR). GPSR provides for a general requirement to sell safe goods. The regulations encourage enforcement authorities to work with businesses to assess risk and to effect the withdrawal of unsafe products from the market. Powers to seize, forfeit or prosecute are also available.
- 4.10 Examples of products which have been examined under the GPSR have been a carry cot stand and a mirror. In both instances an example of the product failed in use. Protracted discussions took place with the importers of the goods and their relevant Home Authorities. In both cases the importers were able to identify technical improvements to their products.
- 5.0 **STRATEGIC OBJECTIVE 3 - TO IMPROVE HEALTH & WELL BEING FOR ALL, ENSURING PEOPLE WHO REQUIRE SUPPORT ARE FULL PARTICIPANTS IN MAINSTREAM SOCIETY**
- 5.1 Cardio Vascular Disease (CVD) is the biggest contributor to the health inequalities in Wirral. To address this Trading Standards recognises that improving nutrition and reducing the harm from tobacco are the key modifiable lifestyle factors in reducing not only CVD but other non-communicable diseases such as cancer, diabetes and chronic respiratory disease.
- 5.2 Trading Standards works to reduce risks caused by tobacco, diet and alcohol. (This report deals with tobacco and diet. A separate report on alcohol is also being presented to the committee).
- 5.3 Tobacco control work for Trading Standards falls into the following areas;
- (a) Preventing the sales of tobacco or tobacco products to those under 18 by advisory visits or under age sales enforcement campaigns
 - (b) Preventing the supply of illicit tobacco, whether illegally imported or counterfeit
 - (c) Ensuring that the packaging of tobacco products is sold with the correct UK health warnings.
- 5.4 There is no statutory responsibility for the local authority to enforce legislation to prevent the sale of tobacco or tobacco products to persons under 18, but there are statutory responsibilities to enforce legislation preventing the sale of counterfeit products and requiring legible health warnings on cigarette packaging.
- 5.5 The Trading Standards Division contributed to a North West regional survey to demonstrate the ease with which young people could buy cigarettes from vending machines in licensed premises.

- 5.6 Thirteen premises were visited and the under age volunteer was able to buy cigarettes from vending machines in five premises.
- 5.7 As a result of this evidence the Secretary of State for Health has now laid draft regulations (The Protection from Tobacco (Sales from Vending Machines) (England) Regulations 2010 prohibiting the sales of tobacco from vending machines. It is not clear from the draft regulations what enforcement mechanisms are available but these concerns will be addressed with the Department of Health. The regulations are due to come into force on the 1st October 2011.
- 5.8 The Trading Standards Division took the lead for 22 local authorities in the North West and conducted a series of test purchases and website inspections to check for compliance with tobacco advertising restrictions and to ascertain how easily people can purchase tobacco online. From the work carried out Wirral Trading Standards noticed that all sites did not comply with the advertising requirements under the Tobacco Advertising and Promotion Act 2002 and most did not display any health warnings or age restrictions. A national report detailing the findings is currently being prepared.
- 5.9 Between April and September 33 attempted test purchases of tobacco products were made by under age volunteers and sales were made in 9 cases. This equates to a failure rate of 27% which compares broadly to the North West failure rate of 25%. However, due to intensive work carried out to reduce the risk of alcohol being sold to minors, this should be contrasted with the failure rate for alcohol sales from off licences now running at 0%.
- 5.10 In joint visits with H M Revenues and Customs Trading Standards seized over 10,000 illegally imported cigarettes and 1.5 kilos of hand rolling tobacco from two shops in Birkenhead.
- 5.11 In addition to the tobacco evading UK duty, which enables them to be sold cheaper than legitimate retailers, they do not carry the legally required health warnings. Investigations are continuing. Trading Standards can now use an electronic scanner to test cigarette packaging to determine whether or not it is counterfeit.
- 5.12 One trader was prosecuted and was fined £600, with £490 costs for selling 20 Lambert & Butler to a fifteen year old volunteer. This penalty can be compared with fines of £100 each against two off licences detected selling alcohol to children. Legal proceedings have commenced against a retailer who sold 20 Mayfair to a fifteen year old volunteer in August.
- 5.13 Two retailers received a formal caution for selling cigarettes to minors. Staff in two "head-shops" received a caution for selling cigarette papers - legally defined as a tobacco product. There are concerns that these premises sold the cigarette papers in circumstances that may encourage cannabis use.
- 5.14 On the 28 January 2009 the Director of Regeneration presented a report to the Environment Overview and Scrutiny Committee detailing a project to identify nutritional risks associated with take way food and the results of a sampling exercise. The survey highlighted the high salt, saturated fat and calorific levels of common take way food.

5.15 National research indicates

- A third of CVD deaths are thought to be diet related
- Excess saturated fat increases cholesterol
- Excess salt increases blood pressure
- 2 in 5 men and 1 in 3 women have high blood pressure
- High blood pressure or high cholesterol substantially increases the risk of CVD and Stroke

5.16 Officers have been working with food standards colleagues in the North West, the Food Standards Agency, health bodies such as Heart of Mersey and representatives of the take away sector to identify simple tips to reduce the risks associated with their meals. The take way sector is unusual in that the majority of businesses are small family run concerns who cook the meals on the premises from a variety of raw ingredients. Examples of some of the information given to takeaway businesses to reduce health risks include;

- Use low fat alternative ingredients
- Change to a mono-unsaturated oil
- Use olive oil rather than butter as a glaze
- Ensure that deep frying takes place at 175C.
- Reducing portion size will automatically reduce calorie, fat and salt content.
- Use reduced salt or double dark soy sauce- only half the amount is needed

5.17 Weights and Measure legislation is still the bedrock of all commercial transactions but in 2009 the Trading Standards Division completed the second phase of a national survey into the accuracy of weighing equipment in hospitals, used to measure body weight and decide drug dosage. Working with local hospital trusts officers reported an increase in accuracy in hospital weighing equipment from 79% in 2008 to 88.5% in 2010. (In a more traditional arena officers visited the gold buying centres that have sprung up to ensure that when consumers sell gold that the equipment used to calculate the price meets strict tolerances)

6.0 **FINANCIAL IMPLICATIONS**

6.1 Development of more effective ways of preventing and investigating doorstep crime incidents could lead to additional costs for setting up No Cold Calling Zones and investigation and legal costs.

7.0 **STAFFING IMPLICATIONS**

7.1 Current activity levels can be maintained with existing staff resources.

8.0 **EQUAL OPPORTUNITIES/EQUALITY IMPACT IMPLICATIONS**

8.1 The new provisions concerning the prohibition of aggressive sales techniques in the Consumer Protection from Unfair Trading Regulations will provide better protection to vulnerable and elderly members of the community.

8.2 Equality impact assessments for under age sales prevention activity, advice to businesses and consumers, the take away project and enforcement policy have been completed.

9.0 LOCAL AGENDA 21 IMPLICATIONS

9.1 There are no local agenda 21 implications arising from this report.

10.0 LOCAL MEMBER SUPPORT IMPLICATIONS

10.1 There are no local member support implications arising from this report.

11.0 HUMAN RIGHTS IMPLICATIONS

11.1 All enforcement action is taken in accordance with the Council's enforcement and Licensing policies. Directed surveillance will be authorised and conducted in accordance with the requirements of the Regulation of Investigatory Powers Act

12.0 COMMUNITY SAFETY IMPLICATIONS

12.1 Effective enforcement and preventative measures such as No Cold Calling Zones and the Wirral Trader scheme will give vulnerable people more confidence.

13.0 PLANNING IMPLICATIONS

13.1 There are no planning implications arising from this report.

14.0 BACKGROUND PAPERS

14.1 There are no background papers.

15.0 RECOMMENDATIONS

15.1 That Members note the report.

Alan Stennard
Director of Regeneration

This report was prepared by John Malone, Trading Standards Manager who can be contacted on 691 8640.

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WIRRAL COUNCIL

SUSTAINABLE COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE

8 MARCH 2010

REPORT OF THE DIRECTOR OF REGENERATION

THE IMPACT OF ALCOHOL UPON COMMUNITY SAFETY

1.0 EXECUTIVE SUMMARY

- 1.1 Whilst it is generally acknowledged that alcohol contributes negatively to the levels of crime and anti social behaviour that occur within all communities there are few performance indicators which are in place to measure the extent of its contribution.
- 1.2 There is one National Indicator which measures the level to which Wirrals communities perceive alcohol to be a contributory factor to anti social behaviour, (National Indicator 42). However, there are no “**National**” indicators which measure the actual impact that alcohol is having upon community safety levels.
- 1.3 Wirral has three “**local**” performance indicators specifically relating to alcohol which have been included within Wirrals Crime and Disorder Reduction Strategy;
- Local Indicator 4275 Youth Alcohol Referral – Arrests
 - Local Indicator 4276 Youth Alcohol Referral - Stop Search
 - Local Indicator 4277 Youth Alcohol Referral - Parents Advised
- 1.4 The information contained within this report includes data that is obtained from incidents reported to public sector agencies. The report acknowledges that not all incidents come to the attention of agencies.
- 1.5 This report details;
- The number of methods by which the impact of alcohol is measured
 - The types of alcohol related crimes and anti social behaviour that we are able to monitor
 - A profile of victims of alcohol related crime or anti social behaviour
 - A profile of offenders responsible for alcohol related crime or anti social behaviour
 - Temporal analysis of alcohol related crime and anti social behaviour incidents
 - Geographic analysis of alcohol related crime and anti social behaviour incidents on Wirral
 - What action is being taken to minimise the impact of inappropriate alcohol use on crime and anti social behaviour

2.0 THE NUMBER OF METHODS BY WHICH THE IMPACT OF ALCOHOL ON COMMUNITY SAFETY IS MEASURED

2.1 The Police can indicate where alcohol has been an influencing factor in every crime or anti social behaviour incident which is reported to them. This information is available to the Joint Community Safety Team analysts.

2.2 The Accident and Emergency Department at Arrowe Park Hospital request information from patients attending with assault injuries which helps in identifying

- Where the assault took place,
- The last place they had a drink,
- If their attackers had been drinking alcohol.

2.3 This information is shared with the Joint Community Safety Team analysts every two weeks.

2.4 The Joint Community Safety Team manages on behalf of partners a data base for reporting incidents of domestic violence. This system has the ability to identify where relevant the influence of alcohol within the domestic violence incident.

2.5 Partner agencies on Wirral have established a programme, the Young Peoples Alcohol Intervention Programme, (YAIP) which provides support to young people and their parents when the young person has been found in illegal possession of alcohol or they have been arrested and alcohol has been an influencing factor in the commission of that offence.

2.6 Analysts within Wirrals Joint Community Safety Team collate and analyse all of these data sources. That analysis is then shared with partners as part of the intelligence lead approach to reducing crime and anti social behaviour on Wirral.

2.7 A further source of monitoring information is available via the North West Public Health Observatory (NWPHO). This data is not in sufficient detail to be combined with other data sources but does provide useful benchmarking information.

2.8 The latest analysis on the NWPHO web site shows that Wirral performs “Significantly Better” than the England average in relation to levels of alcohol related;

- recorded crime
- violent crime
- sexual offences.

3.0 TYPES OF ALCOHOL RELATED CRIMES AND ANTI SOCIAL BEHAVIOUR THAT ARE CAPABLE OF BEING MONITORED

3.1 During the period September 2008 – August 2009 the extent to which alcohol impacted upon reported crime and anti social behaviour is as follows;

3.2 Arrests/Prosecutions

- Drunk and Disorderly arrests by Police 2,372
- Drink driving arrests by Police 350

Reported Crimes

- Assaults with less serious injury. Of the 1394 crimes, 33% (464) were alcohol related.
- Most serious violence. Of the 208 most serious violent crimes; 31% (65) were alcohol related

3.3 Number of alcohol related anti social behaviour incidents 2,320.

3.4 Community safety matters not reported to the Police but further indicating the impact of alcohol upon community safety issues.

- Domestic violence incidents not reported to Police
 - 55% (432) of perpetrators indicate alcohol as an aggravating factor
 - 61% (264) of this group of perpetrators with alcohol problems are repeat offenders

3.5 The average number of people attending the Accident and Emergency Department for alcohol related assault injury treatment each month is 81 which represent 44% of all people requiring assault injury treatment.

4.0 A PROFILE OF VICTIMS OF ALCOHOL RELATED CRIME OR ANTI SOCIAL BEHAVIOUR

4.1 Alcohol was a factor in 1,276 or 8% of all recorded crimes in the 12 months ending August 2009. Analysis has been undertaken into the gender and age profile of these victims.

4.2 Generally female victims and male victims experienced similar levels of alcohol related crime. Table 1 below illustrates that the primary type of offence for which females become victims of alcohol fuelled crime is Violence. Table 2 shows this to be the same for male victims of alcohol fuelled crime.

Table 1 **Female Victims by Crime Type (alcohol related)**

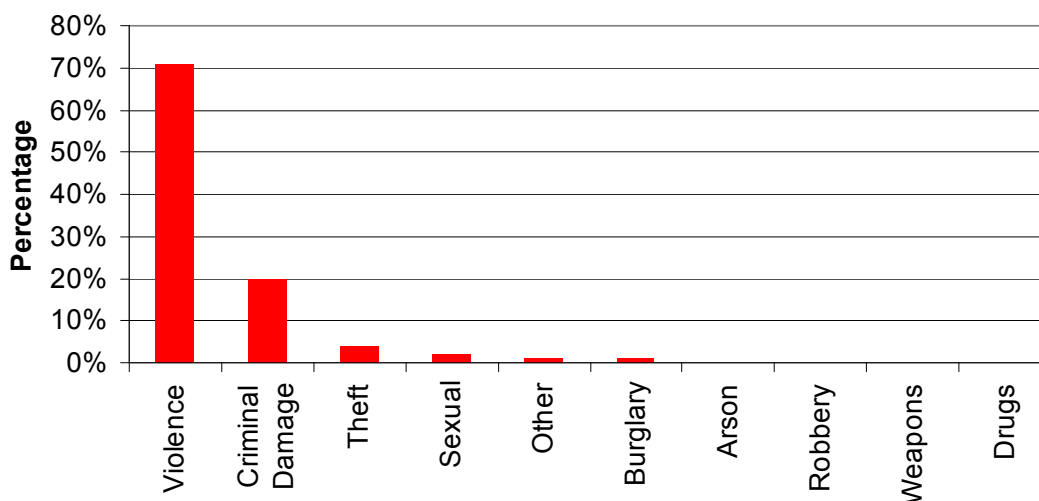
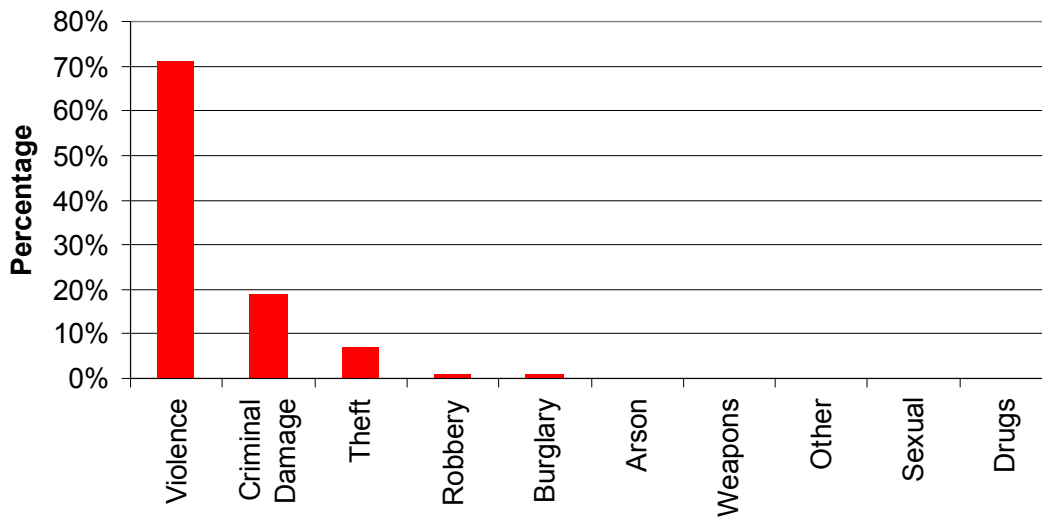
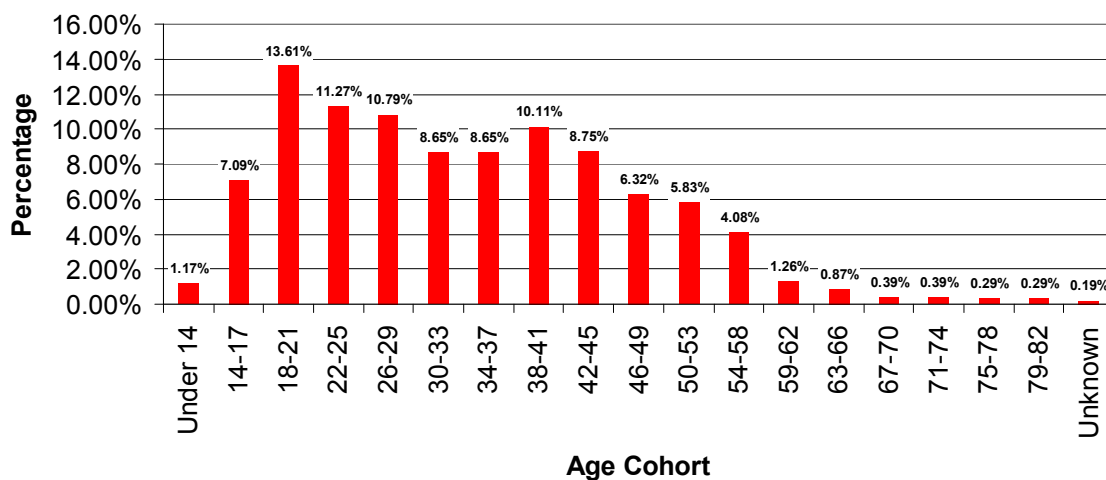


Table 2 Male Victims by Crime Type (alcohol related)



4.3 Table 3 below illustrates the age profile of victims of alcohol related crime. The 18 – 21 year, (13.61%) and 22 – 25 year (11.27%) age groups experienced the highest levels of victimisation from alcohol fuelled crime.

Table 3 Victim Age Groups



5.0 A PROFILE OF ALCOHOL RELATED OFFENDERS

5.1 Analysis has taken place regarding the impact that alcohol has upon the number of offenders arrested on Wirral.

5.2 This analysis uses two sources of data; evidence provided

1. from the Police Officer arresting the perpetrator.
2. by the Probation Trust when interviewing the perpetrator as part of the Court Reporting process.

5.3 Police data.

Of the 1774 offenders which were under the influence of alcohol when committing an offence, 121 were responsible for committing more than one offence. Both male and females commit offences whilst under the influence of alcohol and as previously shown

within the profile of victims the primary offence committed by people which is influenced by alcohol is violence.

Table 4 Female alcohol influenced offender by crime type

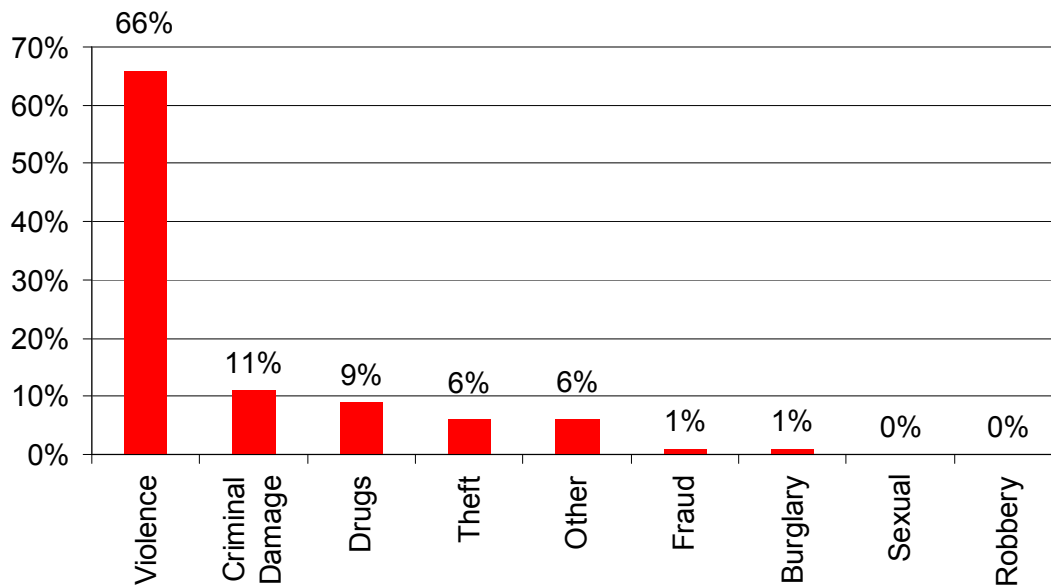
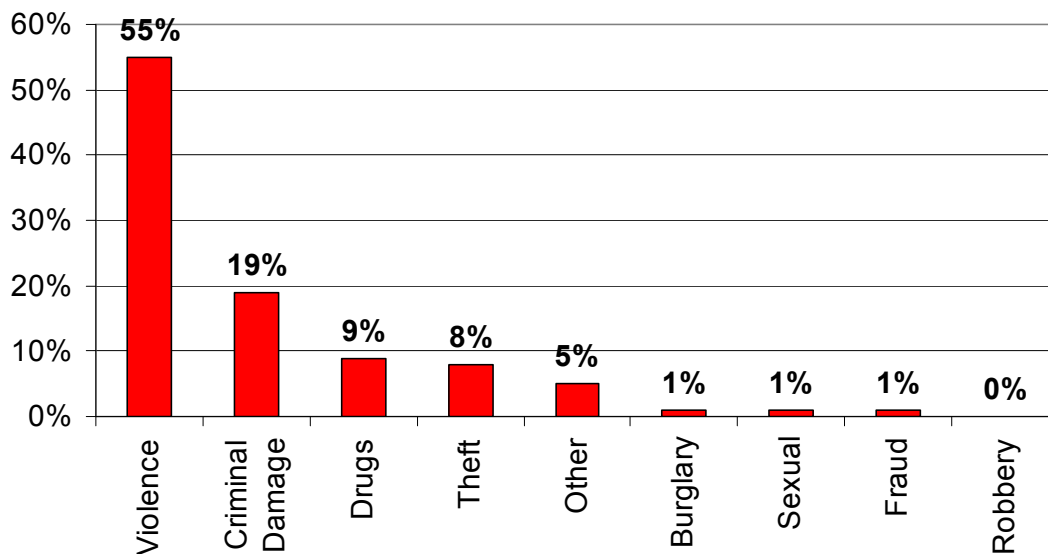
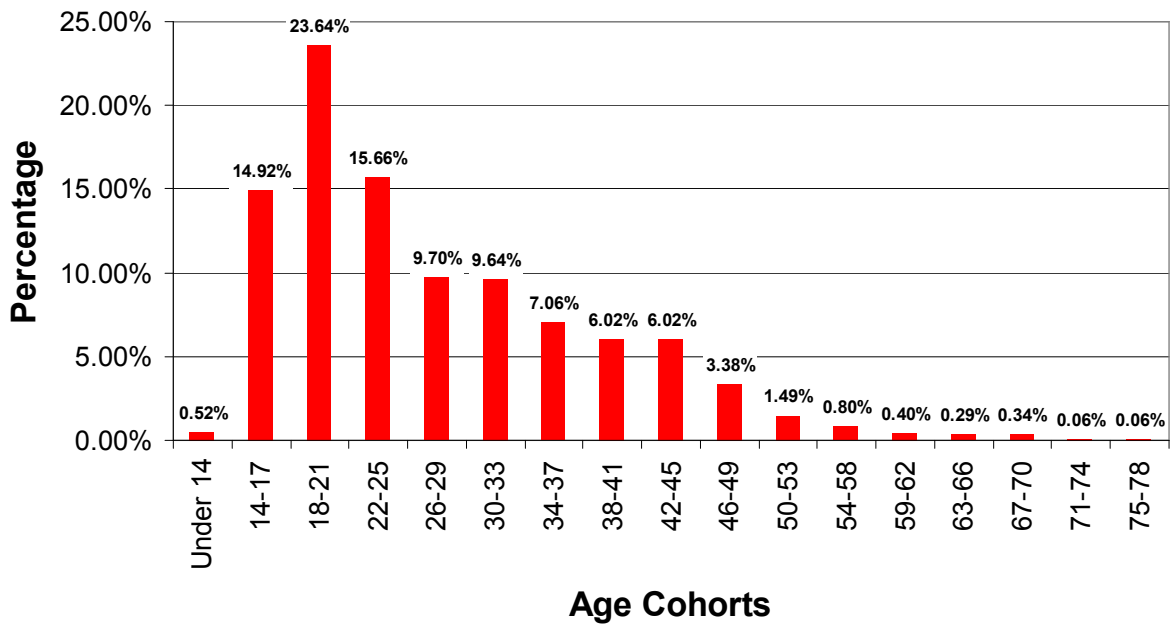


Table 4 Male alcohol influenced offender by crime type



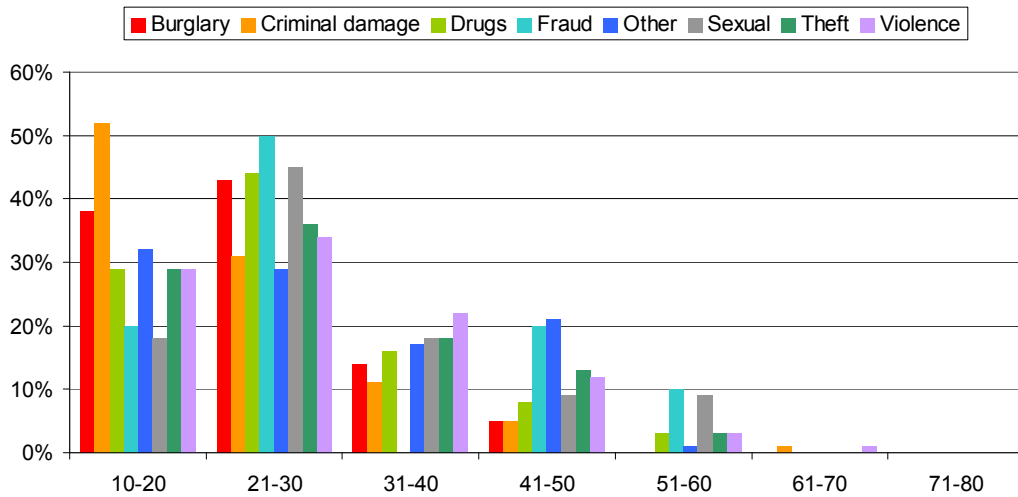
5.4 The age group with the highest offending rate was 18-21 year olds with 28.64% of all arrests. The 22 – 25 years and 14 – 17 year cohorts also contain significant percentages of alcohol fuelled offenders.

Table 5



5.5 Table 6 below illustrates the proportion of each crime type committed by the alcohol influenced offenders.

Table 6 Alcohol Related Offender analysis by Age and Contribution to Crime Categories



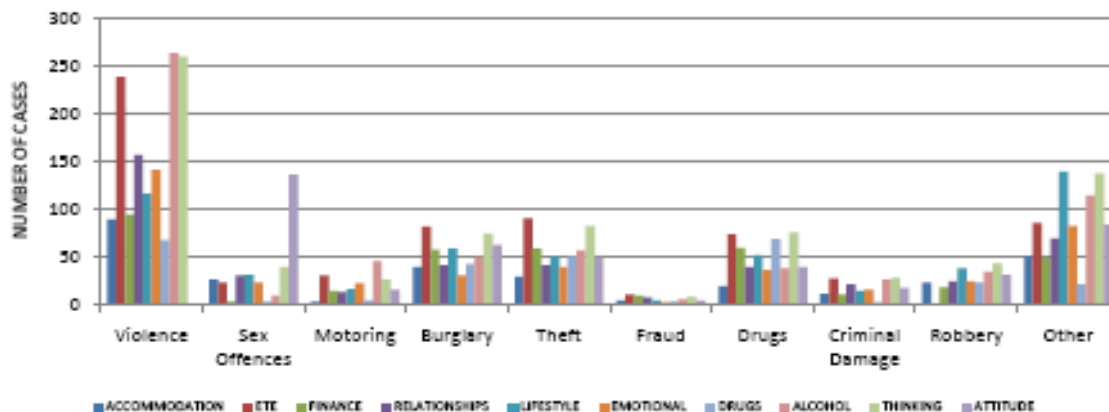
5.6 The primary crime type committed by each age cohort is as follows;

- 10-20 - Criminal damage
- 21-30 - Fraud
- 31-30 - Violence
- 41-50 - Other
- 51-60 - Fraud and Sexual offence

Probation Trust Alcohol Influenced Offenders

5.7 Table 7 below illustrates the factors which the perpetrator advises the Probation Officer interviewing them, after being charged, has influenced their commission of the offence.

Table 7



5.8 Taken at two different points within the criminal justice process evidence from both Police and Probation Trust illustrate the impact that alcohol has upon offenders behaviour, in particular the impact it has upon Violent offences committed on Wirral.

6.0 TEMPORAL ANALYSIS OF ALCOHOL RELATED CRIME AND ANTI SOCIAL BEHAVIOUR INCIDENTS

6.1 Analysis of the time of year and time of day when alcohol fuelled community safety issues occur has been completed. This analysis has been subdivided into the parts of Wirral covered by a Designated Public Place Order, (DPPO) more commonly known as Alcohol Free Zones (AFZ) and the remainder of Wirral.

6.2 Designated Public Place Orders (DPPO)/(AFZ).
Section 13(2) of the Criminal Justice and Police Act 2001 and related regulations, enables the Council to make an Order designating specific areas in the Borough as being subject to a Designated Public Place Order (DPPO).

6.3 Before designating a DPPO area Council must prove;

- nuisance or annoyance to members of the public or a section of the public;
- or
- disorder; which is associated with the consumption of intoxicating liquor in that place.

6.4 DPPO provides the Police with additional powers to confiscate alcohol from people drinking.

6.5 Any person who;

- Continues drinking intoxicating liquor in a designated area when asked to desist by a Police Officer/Community Support Officer
- or
- Fails to surrender any intoxicating liquor in his/her possession when asked to do so by a Police Officer/Community Support Officer.

commits an offence.

6.6 A DPPO does not make it an offence to drink alcohol in a designated public place for law abiding citizens. Once a designation is in force it remains in place until it is revoked by the local authority.

6.6 Tables 8 to 9 below illustrate that over the 12 months of this study the trend for alcohol related anti social behaviour and crime has increased.

6.7 Table 8 **Alcohol fuelled anti social behaviour committed by young people**

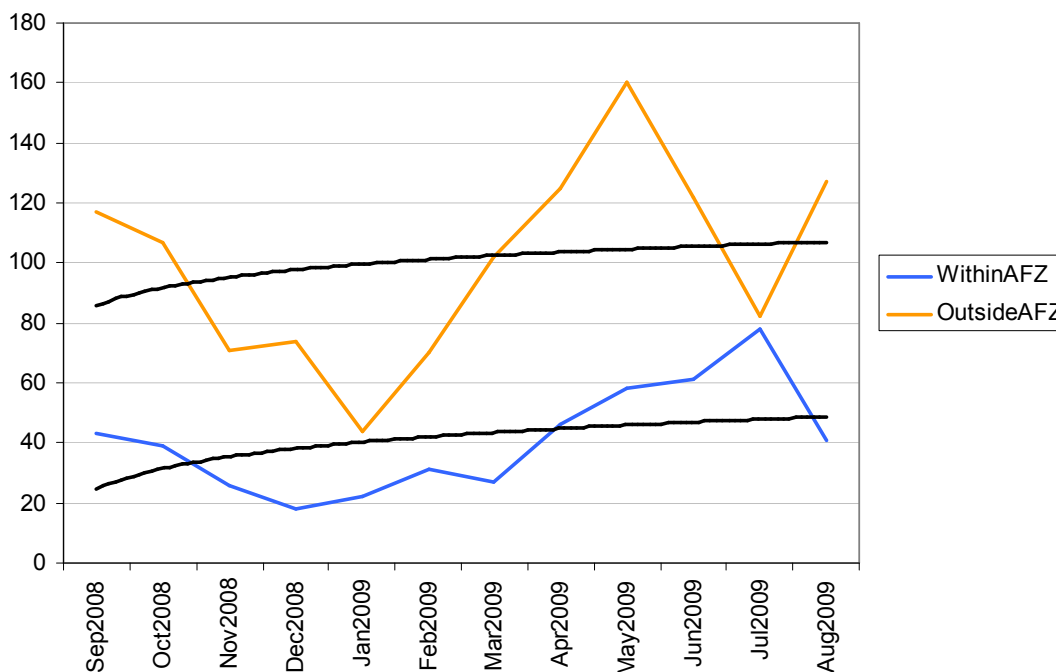
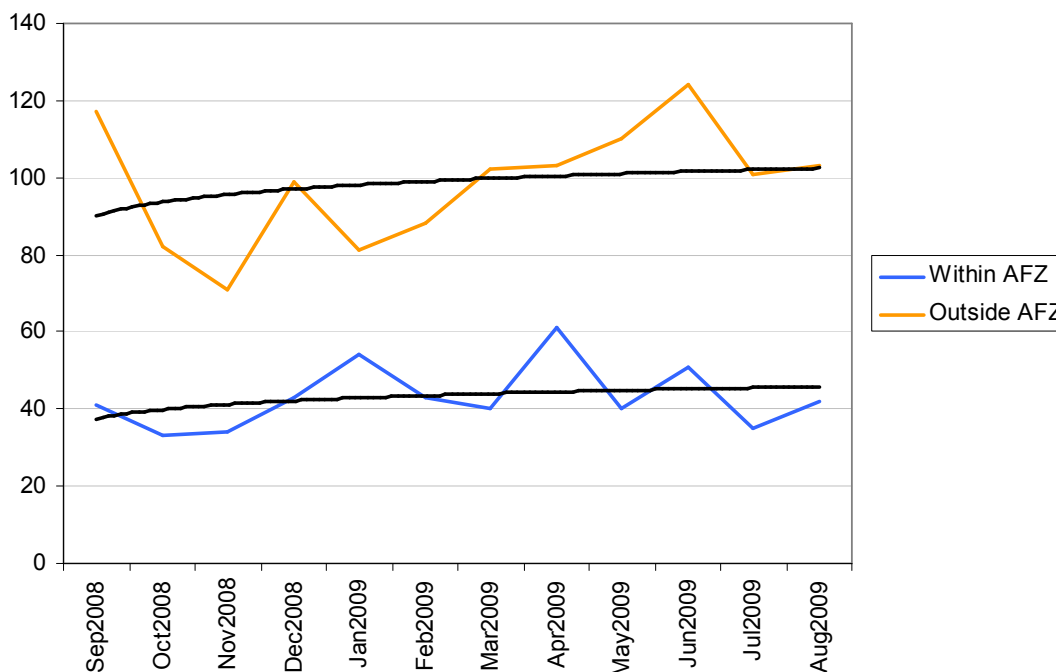
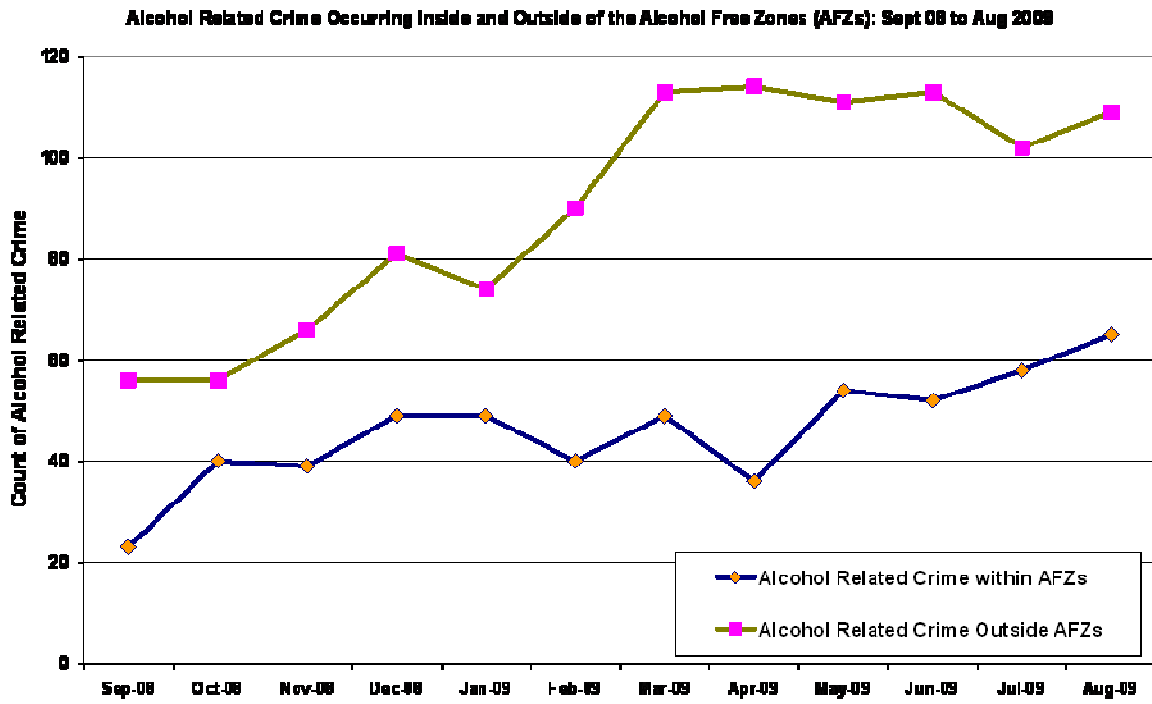


Table 9 **Alcohol fuelled anti social behaviour committed by adults**



6.8 On average a total of 2,100 crimes are committed each month on Wirral. Analysis included in table 10 below illustrates the number of alcohol related crimes committed during the period of study. On average 6% or 135 crimes are alcohol related.

Table 10



6.9 Analysis the time of day when alcohol related crimes are committed shows peak times of 16 – 18.000 hours and 22.00 hours within the DPPO areas and the remainder of Wirral. A peak occurs in the time band 00- 01.00a.m. which reflects the influence of the night-time economy.

Table 11

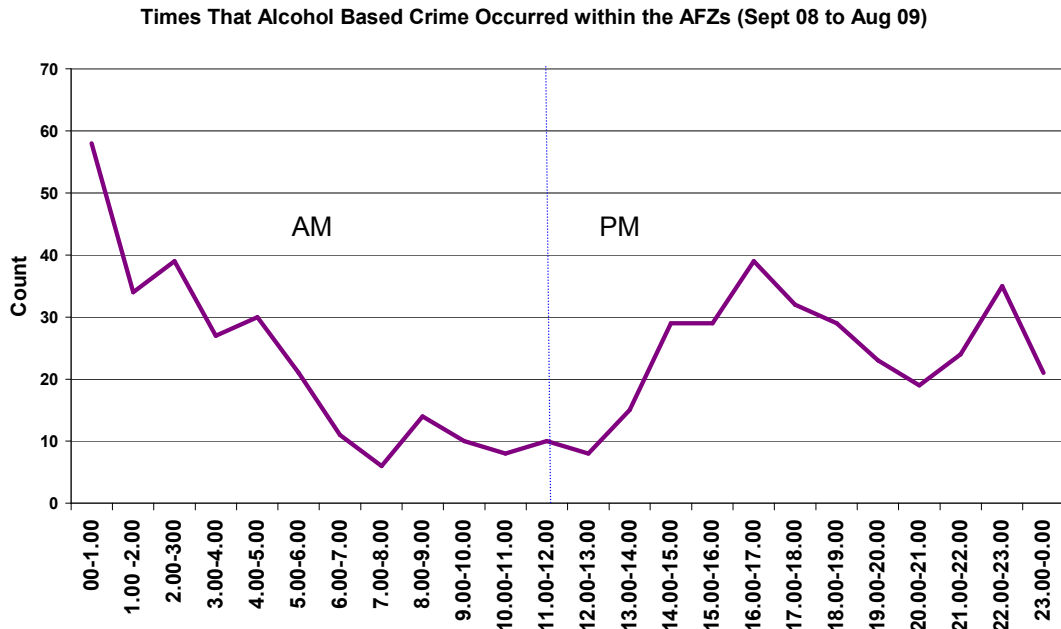
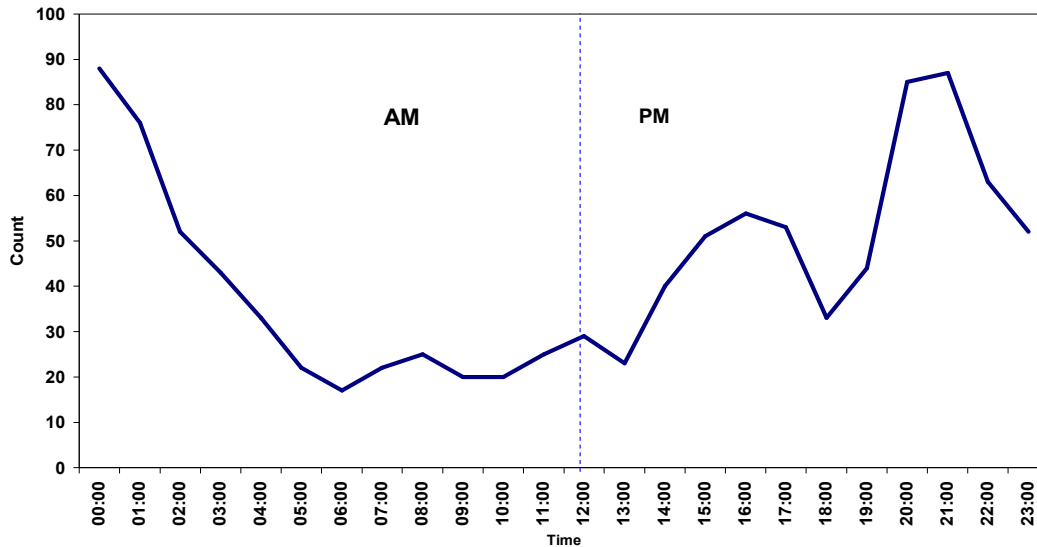


Table 12

Times That Alcohol Based Crime Occurred Outside the AFZs (Sept 08 to Aug 09)

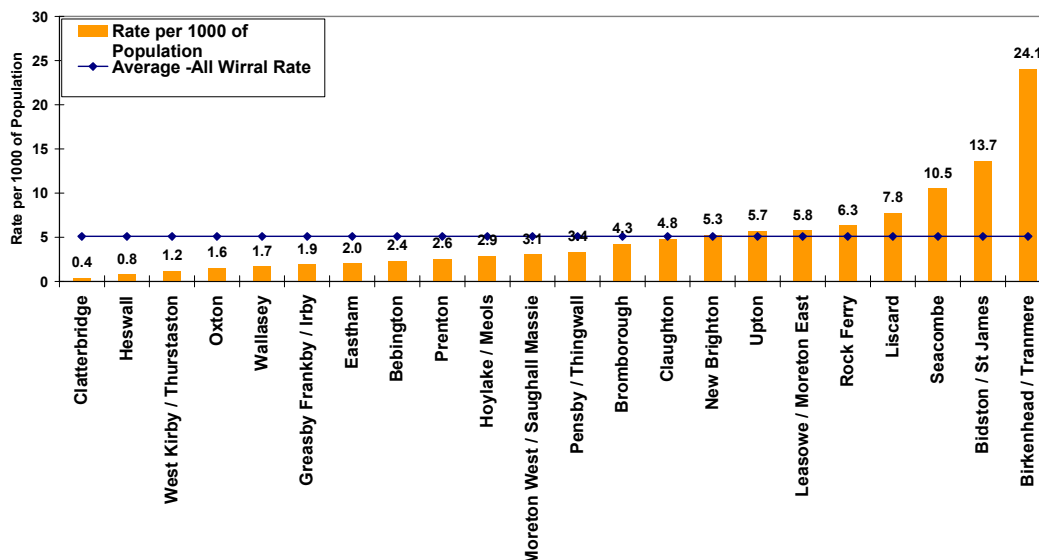


7.0 GEOGRAPHIC ANALYSIS OF ALCOHOL RELATED CRIME AND ANTI SOCIAL BEHAVIOUR INCIDENTS

- Of the 1624 alcohol related crimes, 346 or 21% occurred within the Birkenhead and Tranmere Ward during the stated period. The rate of alcohol related crime on Birkenhead and Tranmere was five times higher than the Wirral average for these offences.
- In terms of violent crime where alcohol is a factor; there were 961 such cases in Wirral over the 12 month period and 201 occurred in the Birkenhead and Tranmere ward which represents 21% of the total alcohol fuelled violence on Wirral.
- Over the 12 month period of this report there were 2380 arrests made for public drunkenness and of these 859 occurred within the Birkenhead and Tranmere North which is 36% of the total. The peak period for these arrests was December to March

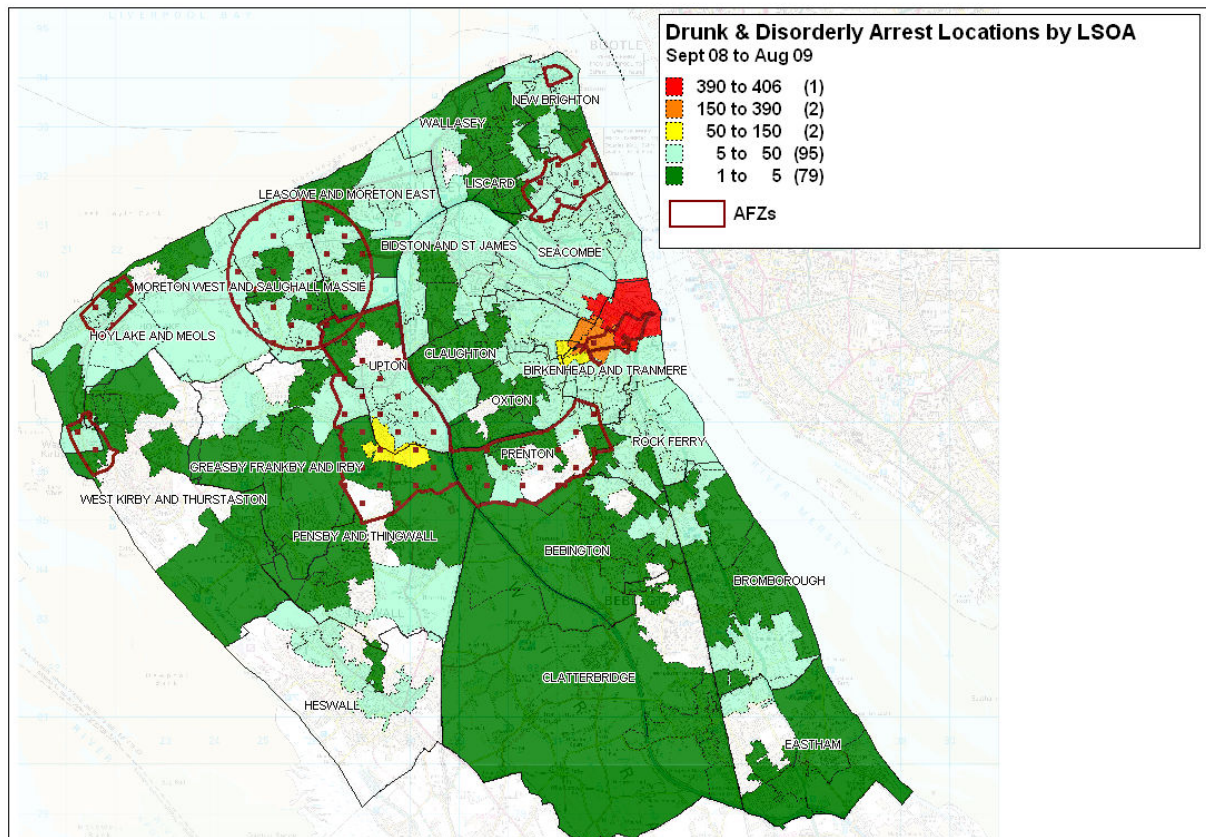
Table 13

(All) Crime Rate Where Alcohol a Factor by Ward: Sept 08 to Aug 09

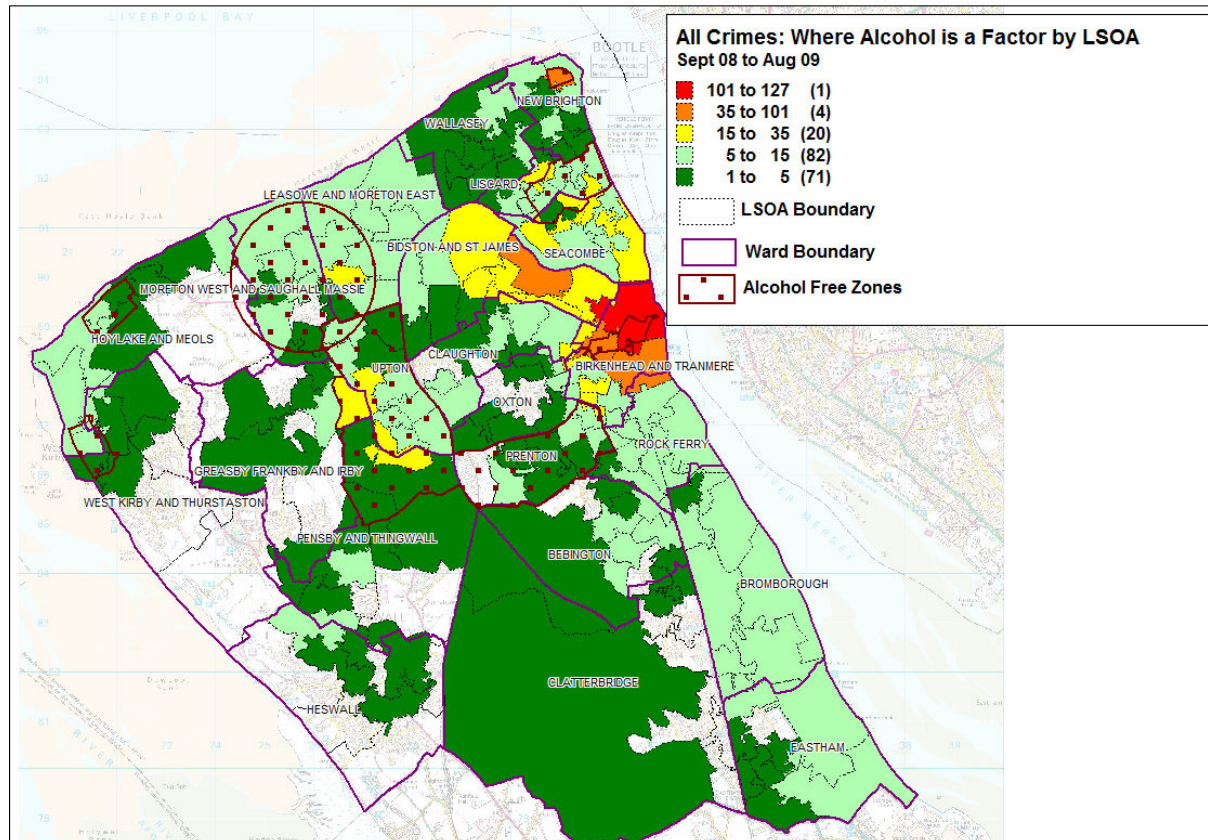


7.1 The following tables illustrate for Members the areas of Wirral where individual crime types influenced by alcohol are most prolific. These areas are indicated in red. As a means of comparison the DPPO areas are also highlighted within the map.

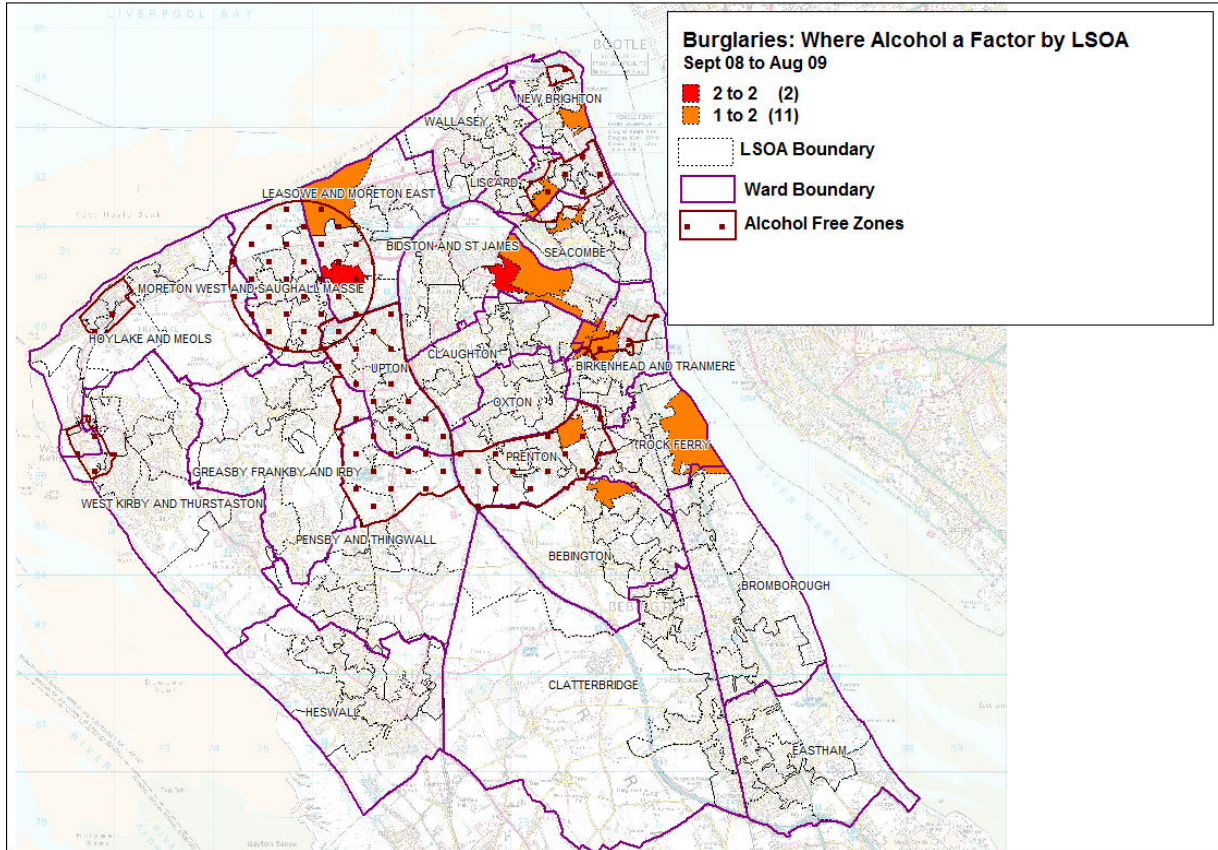
Drunk and Disorderly Arrests



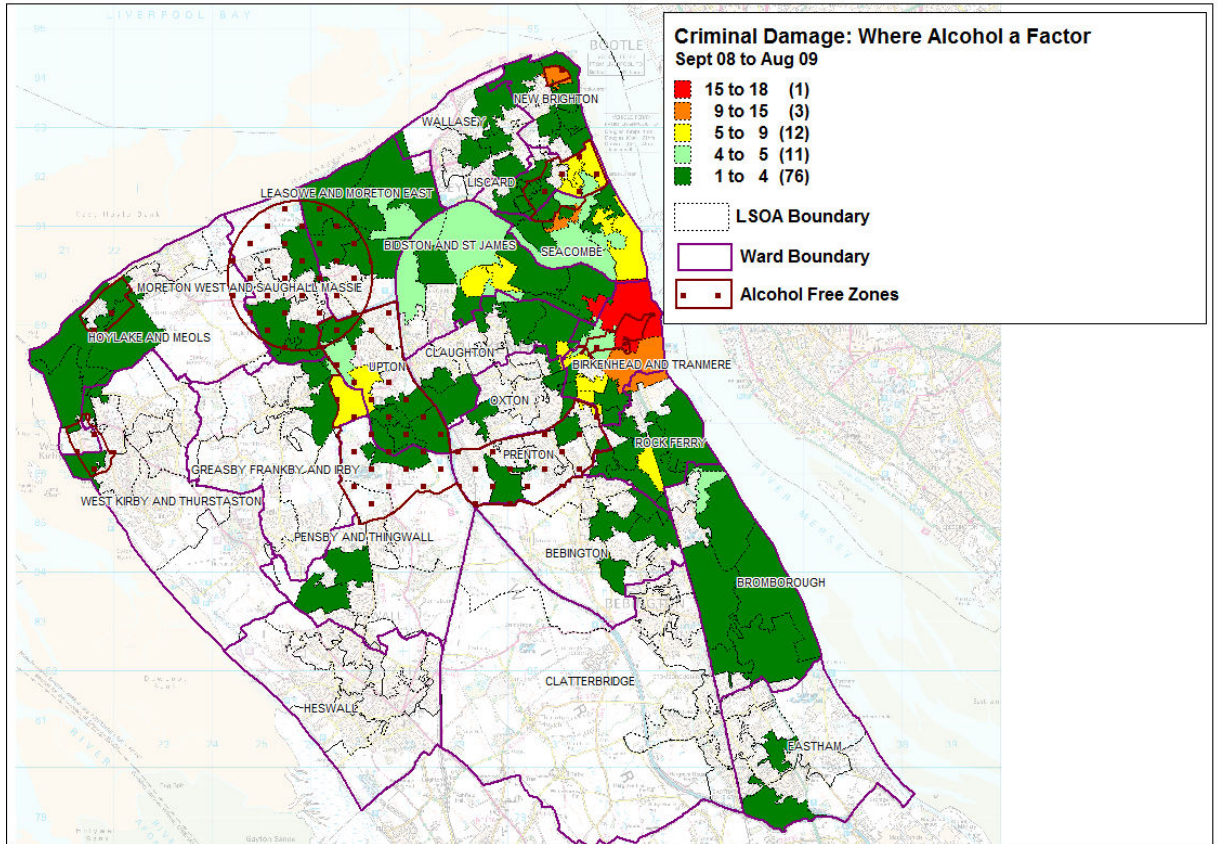
All crime



Burglary



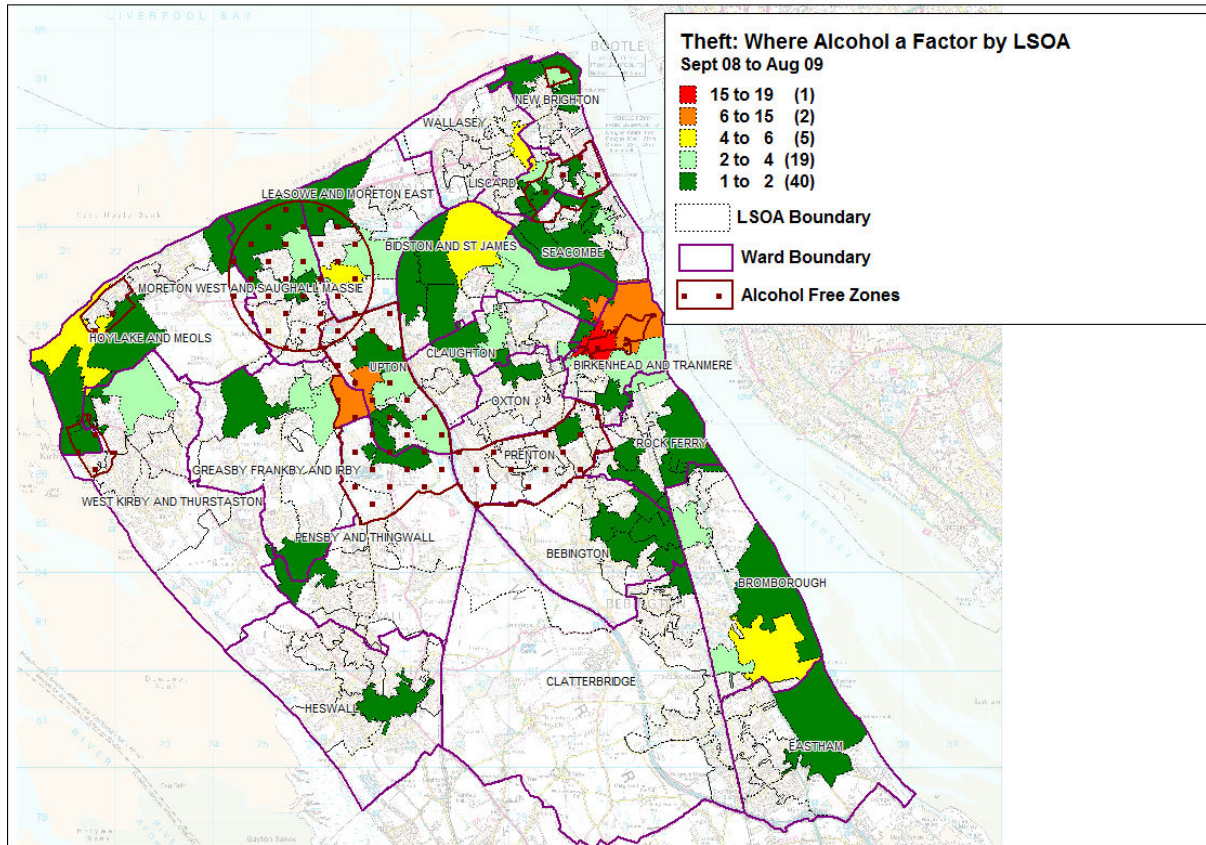
Criminal Damage



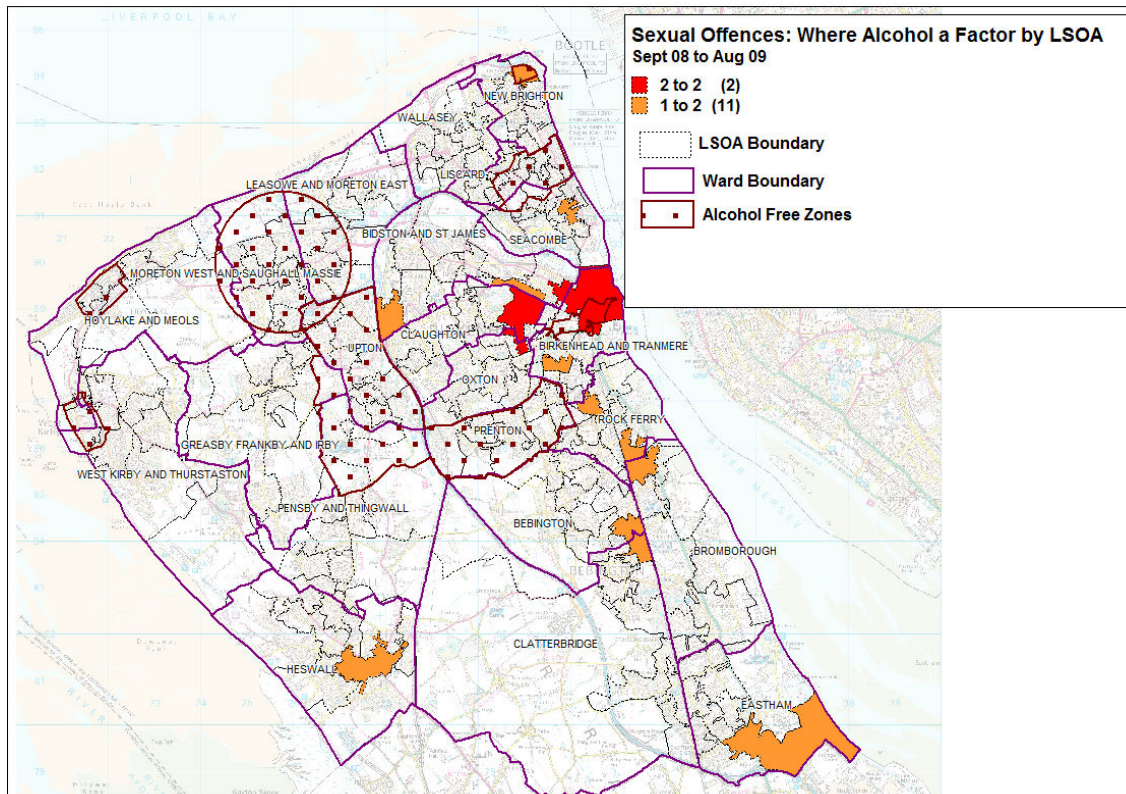
Drugs

Other Crimes (inc Fraud)

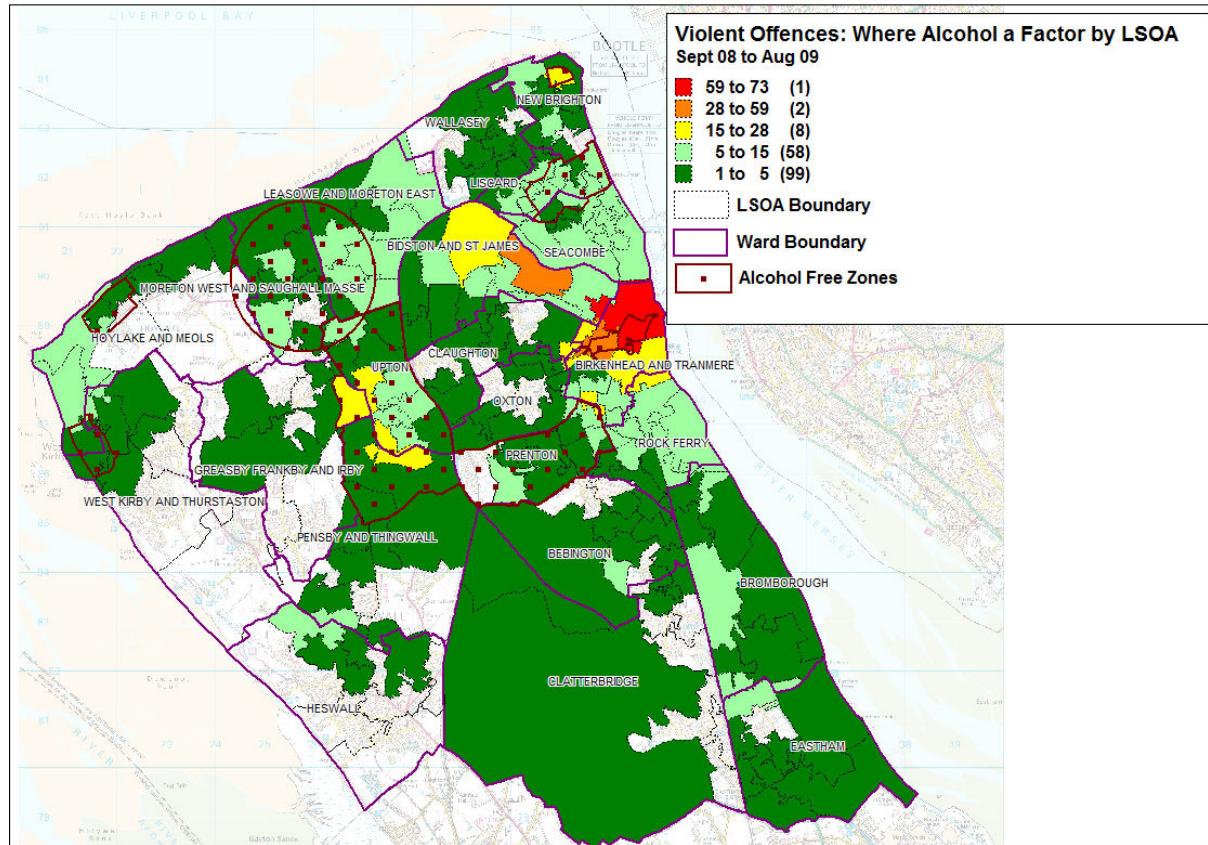
Theft



Sexual



Violence



8.0 WHAT ACTION IS BEING TAKEN TO MINIMISE THE IMPACT OF INAPPROPRIATE ALCOHOL USE ON COMMUNITY SAFETY

8.1 Wirrals Alcohol Harm Reduction Strategy

Wirral's Alcohol Harm Reduction Strategy 2007-2010 was produced by Wirral Drug and Alcohol Action Team and seeks to address the harms caused by alcohol misuse in the borough. The strategy aims to tackle these problems by co-ordinating efforts and working closely alongside local agencies to educate young people about the risks of alcohol misuse through effective prevention campaigns; redesigning treatment services to meet demands especially for those most at risk; to tackle alcohol related crime and disorder through the introduction of criminal justice interventions and to provide the community with information, advice and guidance on how to drink sensibly.

8.2 The Strategy has three strategic aims

- A. To promote a multi agency response to tackling alcohol misuse among young people. Lead, Youth Offender Service.
- B. To reduce alcohol related harm to the individual, to others directly affected by their behaviour and to the wider community. Lead, Primary Care Trust.
- C. To reduce levels of crime and disorder associated with alcohol. To provide an effectively managed night time economy to minimise alcohol related harm. Work in co-operation with communities to tackle issues related to alcohol. Lead, Police and Regulation Division, Regeneration Department.

8.3 Crime disorder and communities was chosen as one of the three themes within the strategy and a subsequent three year action plan has been drawn up to tackle the key objectives within the strategy which are;

- To better co-ordinate partners activity (for responses to alcohol related crime, disorder and the delivery of community initiatives)
- To reduce crime and disorder where alcohol is a contributing factor in respect of
 - Domestic violence / abuse
 - Anti-social behaviour
 - Other aspects of crime
- To reduce alcohol related crimes of violence
- To secure compliance with relevant legislation within the licensed trade and promote the licensing objectives
- To provide support for communities and vulnerable groups experiencing issues relating to alcohol
- To develop and implement a multi partnership performance management framework to measure and monitor alcohol related crime, disorder and its impact on communities

8.4 Some of the key achievements within the crime disorder and communities action plan have been:

- The development of a data collection system to collect alcohol and domestic violence related incidents within the Family Safety Unit Police Family Crime Investigation Unit and Wirral Alcohol Service.
- The use of the common screening tool AUDIT in mainstream and voluntary domestic agencies.
- Improved partnership working and referral pathways through the MARAC and the use of the Inter Agency Monitoring Form to include drugs and alcohol.
- Development of the young people's Alcohol Intervention programme which is an initiative with Merseyside Police and the Children and Young People's department which seeks to work with young people who are drinking in public spaces across the borough providing prevention and deterrent messages along with referral into specialist substance misuse services for young people with.
- Development of an arrest referral scheme for adult alcohol misusers who are accessing the custody suite. The scheme provides onward referral and interventions for offenders into Arch initiatives.
- Development of a conditional cautioning scheme for alcohol misusers
- Development of alcohol treatment requirements for alcohol misusers
- Working with Probation to support them in the delivery of the ASRO (Addressing substance misuse offending) and the DID's (Drink Impaired Driver's) courses.
- Reduction in the proportion of underage sales within the borough and a decline in the proportion of successful test purchases.
- Successful use of licensing legislation and powers in targeting problem premises within the night time economy.

8.5 Currently Wirral Drug and Alcohol Action Team are working in conjunction with partner agencies to review the current strategy and re-draft the forthcoming strategy for 2010-2013. The next strategy will look to build on the ever developing evidence base and guidance documents and will look to address some of the following emerging themes:

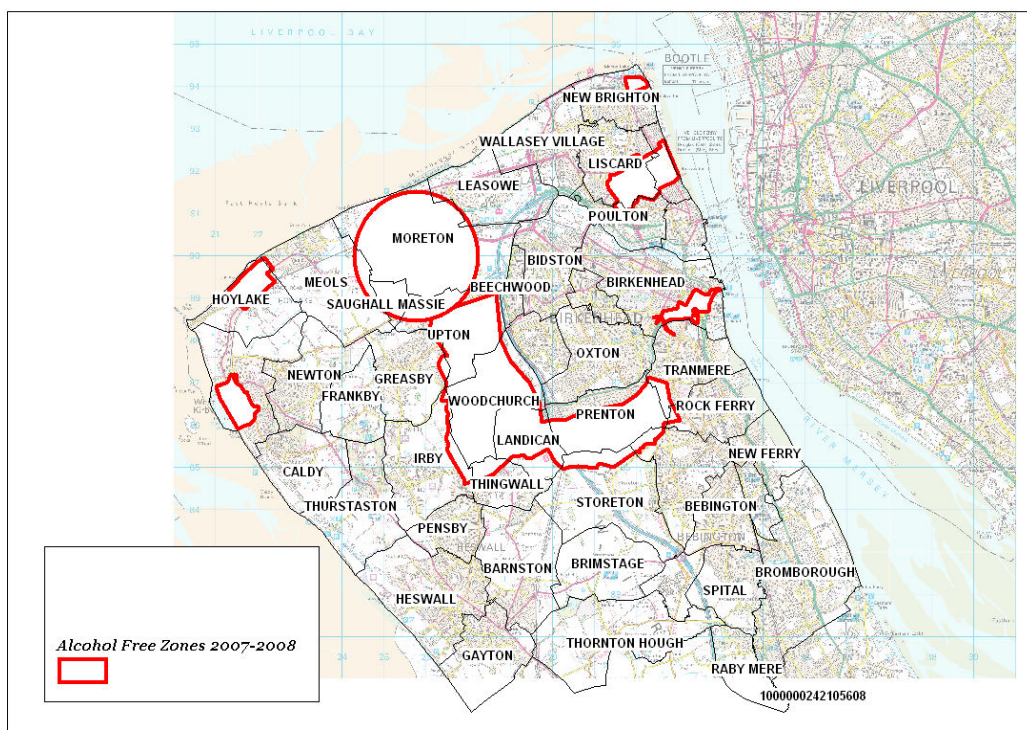
- Minimum Pricing

- New licensing legislation
- High Impact Changes
- Anti-social Behaviour
- Alcohol related violence.

8.6 Wirral has designated 7 areas as DPPO's Designated Public Place Orders (DPPO) more commonly known as Alcohol Free Zones (AFZ). These are detailed on Table 14 below and include parts of:

- Hoylake and West Kirby
- Moreton, Leasowe and Upton
- Upton and Woodchurch
- Central Birkenhead
- New Brighton
- Liscard and Central Park Wallasey

Table 14



Wirral Alcohol Free Zones

8.7 **The Alcohol Intervention Programme for Young People**

The Alcohol Intervention Programme for Young People came in to operation in July 2008. This programme is a multi-agency process which provides a response to young people identified by the police from their involvement in alcohol misuse.

8.8 There are three levels of response to young people involved in alcohol misuse.

1. Young people found in possession of alcohol on the street or engaged in alcohol-related ASB will be visited by PCSO at their home with their parent/carer and provided with a brief intervention around alcohol misuse.

Those requiring greater support will be referred to Response (a confidential support service within the Youth & Play Service)

2. Young people who have committed an offence or been subject to legislative enforcement due to alcohol misuse, will be provided with appropriate interventions through Wirral Youth Offending Service
3. Young people who are found intoxicated and a risk to themselves and, or others, will be taken to a place of safety or Accident & Emergency Department if medical intervention is required. Support interventions in relation to alcohol then follow.

8.9 **Licensing**

Wirral Councils Licensing Department conduct a planned programme of visits to Licensed premises across Wirral. All Licensed Premises are graded as being:

- A (High),
- B (Medium)
- C (low risk)

8.10 The risk measures the potential adverse effect on members of the public and other businesses should the business not comply with Licensing Legislation.

8.11 Detailed below is the risk assessment process followed by the Licensing Department officers.

8.12 **Licensable Activity Alcohol/Late Night Refreshment**

This factor starts the broad consideration of the business activity

Score	Guidance on the Scoring System
20	On sales of alcohol
10	Off sales of alcohol and/or late night refreshment
0	No sale of alcohol and no late night refreshment

8.13 **Other Licensable Activity**

This factor considers the specifics of the business activity and its potential adverse effect on members of the public and other businesses should the business fail to comply with licensing legislation.

Score	Guidance on the Scoring System
30	Live music, recorded music, performance of dance or similar activity.
20	Plays, films. Indoor sporting events, boxing or wrestling.
10	Making music, dancing or similar activity.
0	None of the above.

8.14 **Hours of operation**

This factor considers the times a business is able to operate and identifies more potentially sensitive times of the day that the business operates.

Score	Guidance on the Scoring System
40	02.00 – 05.00
30	00.00 – 02.00
20	23.00 – 00.00
10	05.00 – 23.00

8.15 **Rateable Value**

This factor considers the likely location of the business. This can significantly impact on the difficulty of the task that the business may face when attempting to comply with licensing legislation.

Score	Guidance on the Scoring System
50	Band E
40	Band D
30	Band C
20	Band B
10	Band A

8.16 Part 2 Level of current compliance

This factor considers the level of compliance observed during the inspection and or during recent complaint investigations. Adherence to the Operating Schedule and to relevant Government or Industry Guides to Good Practice and other similar guidance should be considered.

Score	Guidance on the Scoring System
40	Evidence of serious breaches of Licensing conditions and or a number of justifiable complaints received by Members and the public.
20	Failure to satisfy some statutory obligations, standards generally low and or a justifiable complaint received by Members and the public.
10	A business with some minor non-compliance with statutory obligations.
0	High standard of compliance with statutory obligations and industry codes of practice and conforms to relevant trade good practice.

8.17 Part 3

As a result of the scoring system all premises will be placed within 3 bands shown in the table below, (with A being the highest and C being the lowest):

Category	Inspection Rating	Number of Premises
A	Over 100	
B	50 – 100	
C	Less than 50	

8.18 The minimum inspection frequency will be as follows:

Category	Minimum Inspection frequency	Number of Premises
A	At least every 12 months	
B	At least every 24 months	
C	Alternative enforcement strategy	

8.19 During the period scrutinised in this report 88 inspections have been carried out by the Licensing Department at high risk premises which equates to 96.7% of the total premises scored as high risk.

8.20 A further 219 inspections have been carried out at medium risk premises which equates to 48.45% of the total premises scored as medium risk.

8.21 The Licensing Department has also reacted to 127 complaints alleging Licensed premises have been breaching their licence conditions and to 25 complaints about unlicensed premises that have been reported as carrying out licensable activities.

- 8.22 Since the introduction of the Licensing Act 2003 provisions the licences of 41 premises have been reviewed by the Licensing Act 2003 Sub Committee. The outcomes from these reviews include the suspension of the licence, the addition of further conditions to licences and in four cases the licence was revoked.
- 8.23 The Licensing Department also interview and or visit all new Designated Premises Supervisors (DPS) to ensure compliance with the conditions of the Security Industries Association licence.
- 8.24 **Trading Standards**
It is a criminal offence under the Licensing Act 2003 to sell alcohol to a person under the age of 18. Wirral's Trading Standards Team work closely with Merseyside Police to minimise the sale of alcohol to young people and reduce the consequent potential for anti-social behaviour and harm to young people, including regretted sexual behaviour and long term health risks.
- 8.25 In 2007 Wirral NHS provided funding for 2 officers to work on reducing alcohol sales to young people. This funding ceases on the 31st March 2010. The two additional posts enabled Trading Standards to set up a team of three to tackle under age sales of alcohol (and also to make progress into the sale of tobacco to young people).
- 8.26 The objective of reducing sales of alcohol was approached through a mixture of advice to businesses and enforcement action (which is taken in accordance with the Council's enforcement policy). The activity involved;
- Setting up a telephone tip off line to allow anonymous reporting of instances of alcohol being sold to young people.
 - Providing best practice advice to businesses, particularly small off licence premises, on how to avoid selling alcohol to young people.
 - Providing training packages to businesses to give staff knowledge of their legal responsibilities, information on the harm alcohol does to young people and the confidence to refuse to sell alcohol.
 - Conducting test purchasing surveys using under age volunteers to detect if premises will sell alcohol to young people.
- 8.27 If alcohol is sold to a young person a number of enforcement options are available;
- An £80 fixed penalty notice to the person who sold the alcohol.
 - Prosecuting the management of the business in the magistrates Court.
 - Bringing the alcohol licence into review to consider if conditions should be imposed on the licence or if the licence should be revoked.
- 8.28 This approach has been successful in reducing the number of sales at off licences to under age volunteers.
- In 2007 the sale rate was 38%, one of the highest in the North West
 - During 2008 the sale rate averaged 15%

- In 2009 the sale rate reduced to single figures with no sales recorded in the last quarter.
- 8.29 Trading Standards Officers and Merseyside Police have introduced operations to observe proxy sales by adults on behalf of under 18s; outside targeted premises. As this operation is ongoing, results have not yet published. Any adult found to have purchased alcohol for under 18s is issued with an £80 Penalty Notice for Disorder (PND), and the children dealt with accordingly.
- 8.30 **Domestic Violence**
Provision exists on Wirral for any case of domestic violence reported to the Family Safety Unit (FSU), where alcohol is an influencing factor, for the staff within that team to refer the victim to Wirral Alcohol Service for support in overcoming any alcohol issues they may have.
- 8.31 In this regard all FSU staff have been trained to identify alcohol misuse and use the alcohol AUDIT screening process, created by alcohol treatment services, to provide a clear pathway into alcohol services for clients.
- 8.32 Wirral Alcohol Service also attend and play an important role in the Multi Agency Risk Assessment Committees to which all high and very high risk cases of domestic violence are referred for multi agency support in order to reduce risk and prevent a repeat incident.
- 8.33 A domestic violence perpetrator entering the criminal justice system can be referred into an alcohol treatment programme.
- 8.34 **Probation Trust Interventions**
The Probation Trust complete a number of interventions with offenders following their conviction at court aimed at reducing their alcohol related offending behaviour. Since April 2009 a total of 66 Alcohol Treatment Requirements (ATR) have been made attached either to Community or Suspended Sentence orders. There is capacity for another 14 made before the end of the financial year. The Probation Trust has a target to achieve of 25 successful treatment programme completions in this financial year. To date 34 have been achieved. The ATR is commissioned by the NHS. It is delivered in partnership with Wirral Alcohol Services (WAS). It is an intensive intervention and the resource is targeted as follows. Offenders must::
- have committed a violent or domestic abuse related offence.
 - be assessed as being a harmful or dependent drinker.
 - give their consent to be treated
- 8.35 Offenders will be under the supervision of a Probation Officer and are required to see the specialist alcohol worker from WAS on a fortnightly basis. There is regular liaison between the staff from the two agencies in order to ensure the offender is complying. Treatment can include access to community and inpatient de- tox facilities as well as individual work with the specialist alcohol worker.
- 8.36 If the offender has been convicted of a violent offence they may also be required to attend the Controlling your Anger and Learning to Manage It (CALM) accredited group work Programme. Alternatively if the offence is linked to domestic abuse they will be required to attend the Community Domestic Violence Group-work programme.

8.37 The Probation Trust offers a number of other interventions to address alcohol related offending namely:

- Drink Impaired Drivers Accredited Group-work Programme
- Addressing Substance Related Offending Accredited Group-work Programme
- Alcohol Choices and Change one to one programme.

The offender manager preparing their report for court will decide which intervention is most appropriate for the individual based on set eligibility/suitability criteria for each programme.

9.0 FINANCIAL IMPLICATIONS

9.1 Finance to deliver the range of work detailed within this report comes from a variety of sources. Mainstream resources are provided by the Council, (Joint Community Safety Team, Children and Young Peoples Department, Regeneration Department) Drugs and Alcohol Action Team, (DAAT) Police and Primary Care Trust.

9.2 External grant funding supports the work of the Joint Community Safety Team, Youth Offending Service, Police, DAAT and Children and Young Peoples Department. Specifically; the Safe and Strong Communities Fund Youth Crime Action Plan and the Pooled Treatment Budget.

10.0 STAFFING IMPLICATIONS

10.1 There are no staffing implications arising from this report.

11.0 EQUAL OPPORTUNITIES/EQUALITY IMPACT IMPLICATIONS

11.1 The Crime and Disorder Reduction Partnership Strategy has been subject to and Equality Impact Assessment and available at the Wirral Council website

12.0 COMMUNITY SAFETY IMPLICATIONS

12.1 There is a direct impact upon the communities of Wirral arising from the inappropriate use of alcohol ranging from members of the community having their quality of life disturbed through alcohol related anti social behaviour. Youth and adult crime influenced by consumption of alcohol and people becoming victims of alcohol fuelled crime.

12.2 There may also be a direct health and personal cost to people involved in alcohol fuelled crime and anti social behaviour when the behaviour directly involves elements of risk taking.

13.0 LOCAL AGENDA 21 IMPLICATIONS

13.1 There are no local agenda 21 implications arising from this report.

14.0 PLANNING IMPLICATIONS

14.1 There are no planning implications arising from this report.

15.0 ANTI-POVERTY IMPLICATIONS

15.1 There are no anti poverty implications arising from this report

16.0 SOCIAL INCLUSION IMPLICATIONS

16.1 This report highlights the significant role that alcohol plays in influencing offenders to commit crime in particular crimes of violence.

17.0 LOCAL MEMBER SUPPORT IMPLICATIONS

17.1 There are no local Member support implications arising from this report.

18.0 BACKGROUND PAPERS

18.1 There are no background papers to this report.

19.0 RECOMMENDATIONS

19.1 That Members note the contents of this report.

Alan Stennard
Director of Regeneration

This report was prepared by Steve McGilvray who can be contacted on 606 5485.

Agenda Item 6

WIRRAL COUNCIL

SUSTAINABLE COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE

8 MARCH 2010

REPORT OF THE DIRECTOR OF REGENERATION

THE SALE OF ALCOHOL TO CHILDREN

1.0 EXECUTIVE SUMMARY

- 1.1 A report to advise members the action being taken by the Trading Standards Division to reduce the sale of alcohol to young people.

2.0 BACKGROUND

- 2.1 On the 28th January 2009, a report was presented to the Environment Overview and Scrutiny Committee concerning enforcement activity to limit the harm to young people caused by the sale of age restricted products.
- 2.2 It is a criminal offence under the Licensing Act 2003 to sell alcohol to a person under the age of 18 and Wirral's Trading Standards Team works closely with Merseyside Police to minimise the sale of alcohol to young people. This activity contributes to reducing potential harm to young people, including regretted sexual behaviour and long term health risks. Also it contributes to tackling alcohol fuelled anti-social behaviour.
- 2.3 In 2007 Wirral PCT provided funding for two additional officers work implement strategies to reduce alcohol sales to young people. The two additional posts enabled Trading Standards to set up a team of three, including one existing full time post) to tackle under age sales of alcohol (and to make progress deal with the sale of tobacco to young people). The team uses a combination of advice and enforcement to prevent sales of alcohol to young people. The funding from the PCT ceases on the 31st March 2010 and alternative sources of funding for the additional posts is being sought but is yet to be secured.

3.0 WORKING WITH BUSINESSES

- 3.1 An important element of the overall strategy to reduce the sale of alcohol to young people is to engage with off-licence operators to encourage them to accept their legal and moral responsibilities. Advisory visits to businesses are made and comprehensive training for provided. In 2009, over 180 off-licence staff received training and 46 advisory visits were carried out.

4.0 RAISING AWARENESS

- 4.1 The risks, hazards and consequences associated with selling alcohol to young people have been publicised through several initiatives. These have all been based around a central initiative to try to increase awareness amongst members of the public about the problem, and more importantly, how to report traders who are not complying with the law. This initiative is known as **"DON'T IGNORE IT. REPORT IT."**

4.2 The Underage Sales Team has utilised various marketing opportunities to ensure maximum exposure of the message, including;

- **Cinema Advertising**

Advertising in “prevue” the magazine of Vue Cinemas. This has been consistent throughout 2009 using topical and seasonal themes.

- **Radio Advertising**

There have been a series of advertisements on Wirral’s Buzz / Heart 97.1 to warn under 18s and adults about the illegality of purchasing alcohol underage, and proxy purchasing (i.e. adults buying alcohol on behalf of children).

- **Proof of Age Card**

Links have been made with Citizencard, and designs are currently being agreed for a Wirral Council branded proof of age card. This will be PASS accredited (PASS – Proof of Age Standards Scheme) and available via retail outlets at a discounted price.

- **LBV TV Advert & Community Marketing Event**

Trading Standards commissioned the production of an advert aimed at reducing underage sales and increasing the reporting of premises breaking the law. This was shown on an 8ft TV screen in both The Pyramids and The Cherry Tree Shopping Centres. The advertisement’s message was supported by a number of Trading Standards staff attending the centres to engage with members of the public.

- **7 Waves Community Radio 92.1FM**

Members of the Underage Sales Team took part in a live radio shows discussing underage sales.

5.0 **ENFORCEMENT ACTION**

5.1 In 2009, 136 test purchase attempts were made at off-licences but in only four instances was alcohol sold to the under age volunteer.

5.2 Recently, underage work has now also been extended to underage test purchase operations in on-licence premises (pubs and clubs). This work is led by Merseyside Police with Trading Standards Officers assisting. Such operations are labour intensive because of the need to ensure the safety of the volunteer. A test purchase exercise at an off-licence requires three officers (one to chaperone the volunteer and two to conduct interviews at premises which sell alcohol) a similar exercise at a bar or public house requires at least 7 officers. In 36 joint operations conducted with the police 19 premises sold alcohol to the under age volunteers. In all instances, the member of staff selling the alcohol was issued with a fixed penalty notice and in two cases Trading Standards have called the licence into review.

5.3 In addition to the test purchase operations Trading Standards, as a “Responsible Authority¹”, make use of the review provisions of the Licensing Act 2003. Under the Act Trading Standards can seek the review of a licence by the Licensing Authority. This can result in additional conditions being placed on a licence, suspension or revocation of a licence if there is evidence of a breach of one of the four licensing objectives, one of which is “the protection of children from harm”.

¹ Responsible Authorities are public bodies that must be notified of and are entitled to make, representations to a licensing authority in relation to applications for grant, variation or review of a premises licence.

5.4 In 2009, Trading Standards initiated the review of the premises licence of eight off-licences or pubs, all of which sold alcohol to under age volunteers. (Two of the premises had sold alcohol in 2008 but the reviews took place in 2009). In each case the Licensing Act 2003 Sub-Committee agreed to impose a series of licence conditions designed to improve the premises business practices and to reduce the risk of alcohol being sold to young people. Examples of the conditions include that the premises involved;

- Should adopt a Think 25 policy and display the appropriate posters.
- Must only accept a passport, a photo driving licence or PASS accredited identification as proof of age.
- Must maintain and keep a refusals log which must be checked regularly by the Designated Premises Supervisor who must sign the log after each check.
- Make available a refusals log to Responsible Authorities on request.
- Undertake the training of all staff responsible for the sale of alcohol prior to working unsupervised in a bar and repeated at least once every six months. This training must be recorded and made available to all responsible authorities on request.

5.5 Failure to comply with the licence conditions is a criminal offence.

5.6 In two premises where alcohol was sold to an under age volunteer, prosecutions were taken. These actions were taken after an investigation concluded that the premises did not have adequate systems in place to prevent the sale of alcohol to children.

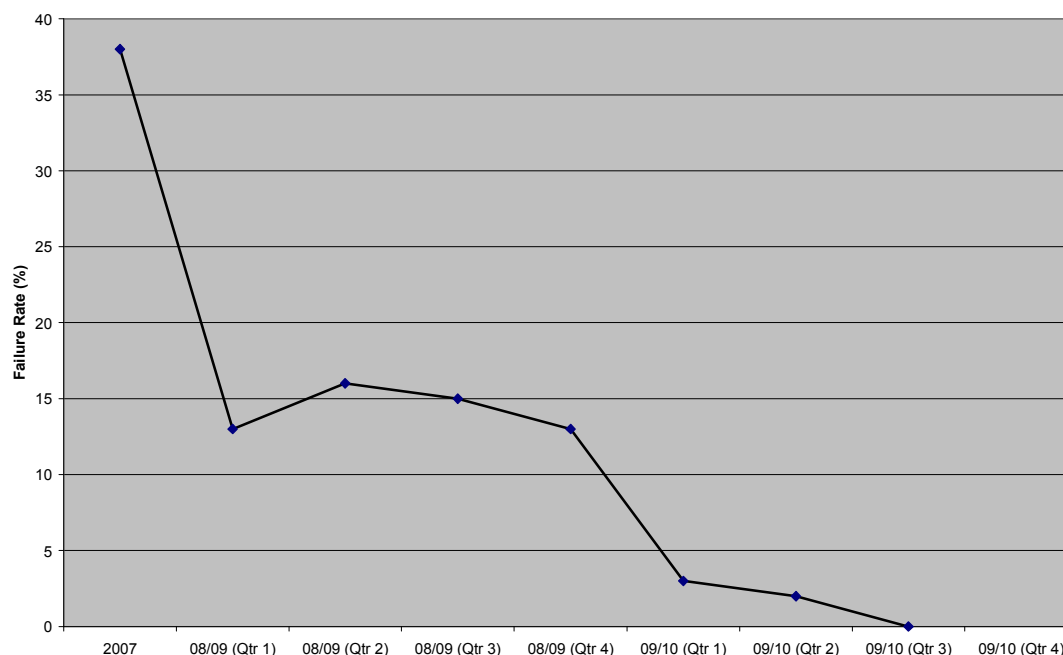
5.7 One person who sold a bottle of “WKD Blue” to a 14 year old was fined £100 and ordered to pay the local authority's costs of £385. Another person who sold a bottle of “WKD Iron Brew”, again to a 14 year old, was fined £100 and ordered to pay a £200 contribution towards the local authority's costs.

(These penalties can be contrasted with a retailer who was fined £600, with £490 costs for selling 20 Lambert & Butler cigarettes to a fifteen year old volunteer.)

5.8 The overall blend of publicity, advice to business and enforcement action has been successful in reducing the number of sales at off-licences to under age volunteers. In 2007, the sale rate was 38%, one of the highest in the North West. Then in, 2008 it averaged 15% but during 2009 it has reduced to single figures with no sales recorded between October and December 2009.

5.9 The following graph shows the reduction in the number of premises selling alcohol to underage volunteers since the Underage Sales Team was created;

Trading Standards - Reduction in Test Purchase Failures (Underage Sales)



5.10 Wirral's Anti-Social Behaviour Team provided funding that enabled Trading Standards and Merseyside Police to conduct a joint operation to tackle adults buying alcohol on behalf of under 18s - proxy sales. Trading Standards planned the operation, and operations started in 2009. This is ongoing, and due to complete in February 2010. This operation differs from traditional test purchasing. No underage volunteer is used for this operation. Trading Standards Officers and Merseyside Police have introduced operations to observe proxy sales by adults on behalf of under 18s; outside targeted premises. As this operation is ongoing, results have not yet published. Any adult found to have purchased alcohol for under 18s is issued with an £80 Penalty Notice for Disorder (PND), and the children dealt with accordingly. Such operations may also uncover circumstances where sales may be made only to children known to the vendor.

6.0 FINANCIAL IMPLICATIONS

6.1 The funding from the Wirral Primary Care Trust; for two posts in the underage sales team ceases on the 31st March 2010 and alternative sources of funding for the additional posts are being sought.

7.0 STAFFING IMPLICATIONS

7.1 Two members of staff were appointed in 2008 on two year fixed term contracts which expire on the 31st March 2010. The two posts created by time limited funding are at risk if further funding is not secured.

8.0 EQUAL OPPORTUNITIES/EQUALITY IMPACT IMPLICATIONS

8.1 The supply of alcohol to young people impacts on the health, educational attainment, employment prospects and propensity for crime of young people. Equality impact assessments for under age sales prevention activity and enforcement policy have been completed.

9.0 LOCAL AGENDA 21 IMPLICATIONS

9.1 There are no local agenda 21 implications arising from this report.

10.0 LOCAL MEMBER SUPPORT IMPLICATIONS

10.1 There are no local member implications arising from this report.

11.0 HUMAN RIGHTS IMPLICATIONS

11.1 All enforcement action is taken in accordance with the Council's enforcement and Licensing policies. Directed surveillance will be authorised and conducted in accordance with the requirements of the Regulation of Investigatory Powers Act.

12.0 COMMUNITY SAFETY IMPLICATIONS

12.1 Reducing the access young people have to alcohol will minimise the risk of harm to them and reduce anti social behaviour.

13.0 PLANNING IMPLICATIONS

13.1 There are no planning implications arising from this report.

14.0 BACKGROUND PAPERS

14.1 The Wirral Alcohol Harm Reduction Strategy.

15.0 RECOMMENDATIONS

15.1 That Members note the report.

Alan Stennard
Director of Regeneration

This report was prepared by John Malone, Trading Standards Manager who can be contacted on 691 8640.

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WIRRAL COUNCIL

SUSTAINABLE COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE – 8TH MARCH 2010

REPORT OF THE DIRECTOR OF TECHNICAL SERVICES

HIGHWAY AND ENGINEERING SERVICES CONTRACT – REVENUE IMPLICATIONS

1.0 EXECUTIVE SUMMARY

1.1 This report outlines the projected financial implications of the Highway and Engineering Services Maintenance Contract that commenced on 1st April 2009. A more detailed report will be presented to Members in summer 2010 detailing the first year contract performance and financial implications.

2.0 BACKGROUND

2.1 At the meeting of this Committee on the 18th November 2009, Members requested a report on the revenue implications of this contract.

2.2 Following the tender process the initial evaluation indicated that for a typical basket of works the successful contractor was potentially 25% cheaper than the second place contractor. In addition Colas Ltd were cheaper than Wirral Council Operational Services by a similar amount even when taking into account the anticipated cost to the Council of closing down the in-house arrangements.

2.3 A comparison of works costs in 2008/09 and 2009/10 under the new contractor indicated the same volume of work could be procured from the new Colas Ltd rates for £550,000 less than the contract existing in 2008/09. This results in a projected efficiency saving of £4.4M over the eight year contract period.

2.4 The annual works value of the Highway Maintenance Term Contract is approximately £8 million, comprising £4.6 million and £3.4 million capital.

2.5 Highway Maintenance funding is sourced from both Revenue and Capital budgets. Considering the £550k efficiency saving, this can be split in the same ratio as the revenue and capital funding. This equates to:

- £220k per annum true revenue savings against revenue works expenditure (£1.76M over the eight year contract term) to contribute to the corporate efficiency savings targets.
- £330k per annum efficiency saving against capital works expenditure (£2.64M over the eight year contract term) primarily to facilitate increased work output for the allocation available or possibly offset the effect of contract inflation in future years.

3.0 CLIENT STAFF SAVING

3.1 True revenue savings have also been achieved as a result of a smaller client organisation being required to manage a single strategic contract. The Consultant's Outline Business Case identified a potential 25% reduction in client staffing levels.

3.2 Further clarification of the resource requirement for the client organisation has shown the anticipated reduction in staff numbers during the first two years of the contract are as follows:

Financial Year:	Annual reduction in staff number:	Cumulative revenue saving:
(Yr1) 2009/10	3 no FTE	£100k
(Yr2) 2010/11	3 no FTE	£80k + £100k = £180k
Totals	6 no FTE reduction in establishment from Yr2 of contract	£1.36m over eight year term

3.3 Based on this analysis, it is predicted the true revenue saving associated with Client staffing for 2009/10 will be £100k, rising to £180k per annum in 2010/11 giving a total cashable efficiency saving over an eight year contract term of £1.36M.

3.4 It is important to note that further Client staff savings may be achievable beyond 2010/11 but these will be largely predicated on the potential to develop a Highways Asset Management ICT System in partnership with the new provider once the new contract has commenced.

4.0 GERSHON SAVING

4.1 There is one further additional non cashable efficiency saving delivered through the new contract as all tendered rates include a built in 1.5% per annum Gershon Efficiency Saving. This saving could equate to approximately £1M over the eight year contract term depending on details of rates of inflation.

5.0 GATEWAY REVIEWS

5.1 As Members are aware this procurement exercise has been subject to the Gateway Review process, assessing and guiding the Authority through the exercise. In the Gate 4 Assessment the reviewers confirmed that the driving force for the project was the requirement for an efficient and effective highway and coastal maintenance contract which could be shown to offer good value for money.

5.2 Their completed Review determined that successful delivery of the project was probable and that much good work had been achieved in the context of a robust procurement.

5.3 The final Review (Gate 5) is scheduled for the 22-24 June 2010 and considers the benefits realised from the project, current contract management, what lessons can be learnt from the experience and future targets.

6.0 FINANCIAL AND STAFFING IMPLICATIONS

6.1 Summary

During 2009/10 the Council is spending approximately £8M on works:

Revenue Programme = £4.6M

LTP and Highways Capital = £3.4M

6.2 The anticipated cashable efficiency savings are summarised as follows:

- £220k per annum true revenue saving against Revenue Works expenditure (£1.76M over the eight year contract term)
- £100 true revenue saving associated with Client staffing for 2009/10 rising to £180k per annum in 2010/11 (£1.36M over the eight year contract term)
- £330k per annum efficiency saving against Capital Works expenditure (£2.64m over the eight year contract term)
- Anticipated 1.5% Gershon Efficiency Saving (non cashable) included in tendered rates equating to approximately £1 million over the eight year contract term (dependent on actual rates of inflation)

7.0 EQUAL OPPORTUNITIES/EQUALITY IMPACT ASSESSMENT

7.1 Equal opportunities issues are considered as part of the highway maintenance service provision.

8.0 PLANNING IMPLICATIONS

8.1 There are no direct implications under this heading.

9.0 COMMUNITY SAFETY IMPLICATIONS

9.1 The provision of an effective highway maintenance regime particularly the street lighting network provides a positive contribution to community safety.

10.0 HUMAN RIGHTS IMPLICATIONS

10.1 There are no direct implications under this heading.

11.0 LOCAL AGENDA 21 IMPLICATIONS

11.1 Sustainability issues are considered as part of the highway maintenance service provision.

12.0 SOCIAL INCLUSION IMPLICATIONS

12.1 There are no direct implications under this heading.

13.0 ANTI-POVERTY IMPLICATIONS

13.1 There are no direct implications under this heading.

14.0 ACCESS TO INFORMATION ACT

14.1 There are no direct implications under this heading.

15.0 LOCAL MEMBER SUPPORT IMPLICATIONS

15.1 The contract involves work locations through the borough.

16.0 RECOMMENDATIONS

16.1 Members are asked to note the contents of this report pending the presentation of a further report in July 2010 detailing the contract performance and financial implications for the first year of the contract.

DAVID GREEN, DIRECTOR
TECHNICAL SERVICES

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WIRRAL COUNCIL

SUSTAINABLE COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE – 8th MARCH 2010

REPORT OF THE DIRECTOR OF TECHNICAL SERVICES

REVIEW OF POLICY LEQ08 – OBSTRUCTIONS ON THE HIGHWAY AND LICENSING OF 'A' BOARDS, SHOP DISPLAYS AND PAVEMENT CAFES

1.0 EXECUTIVE SUMMARY

- 1.1 This report has been prepared at the request of this committee and reviews the current policy on the control of 'A' boards, shop displays located within the public highway.
- 1.2 The report recommends that the process of licencing items placed on the highway is retained with some amendments and requests a recommendation from members on the licence fee structure.

2.0 BACKGROUND

- 2.1 Wirral as the local highway authority has powers and duties to manage and maintain highways and footways in the borough. The Highways Act 1980, the Traffic Management Act 2004 and the Disability Discrimination Act 1995 place duties and responsibilities on authorities to manage and maintain the highway so that amongst other things it provides safe, efficient and obstruction free highways available for all its users.
- 2.2 Members are reminded of Wirral's commitment to the Merseyside Pedestrian Strategy, which forms part of the Merseyside Local transport Plan and was approved by Cabinet in June 2008. The vision of the strategy is to provide "*a safe, secure, accessible and clean local area which can be enjoyed by the whole community and provides easy access to employment, health, educational and social opportunities, across Merseyside..... to create an environment which encourages walking by giving high priority to all pedestrians...*". Actions from the strategy include clutter reduction and creating a standard for the street environment including obstruction free pavements wide enough for the busiest use.
- 2.3 When considering the built environment, the authority must pay due regard to BS8300 a Code of Practice for the Design of buildings and their approaches to meet the needs of disabled people. This standard provides guidance and recommendations of good practice to ensure that access routes are convenient to be used by disabled people. In particular it recommends minimum widths and how hazards and projections should be treated.
- 2.4 Further advice and guidance is also contained within Accesscode: a Code of Practice on Access and Mobility. This is a joint project between Merseytravel and the five Merseyside Metropolitan Councils including Wirral and Chester City Council. The advisory code of practice reflects current statutory requirements and best practice within the UK for the design of buildings, structures, highways and transportation and provides guidance on the design and implementation of inclusive design for buildings, environments, structures, highways and transportation.
- 2.5 At the Cabinet meeting of 16th October 2008 Members considered a report on a Streetscene Enforcement Strategy and resolved to adopt a set of policies covering many aspects of Streetscene and Environmental Enforcement. Policy LEQ08 (included in Appendix A to the report) dealt with the management of obstructions including 'A' boards, shop displays and pavement cafes within the highway. The 2008 report built upon a number of previously agreed policies and in relation to 'A' boards and shop displays was a confirmation of decisions and resolutions from

previous reports to Environment and Transportation Select Committee and the Licencing, Health & Safety and General Purposes Committee between 2004 and 2006.

- 2.6 Implementation of Policy LEQ08 was rolled out in April 2009 and since then approximately 400 businesses have been contacted and invited to either remove items from the highway or to apply for a permit. Approximately 40 "A" board and shop display applications and 10 pavement café applications have been received to date. It has also been noted that a significant number of items have been removed completely from the highway, although many still remain.
- 2.7 In response to our requests to apply for permits we have received representations from a number of businesses mainly shopkeepers and retail traders who have raised concerns regarding the implications of this policy on their businesses in the light of the current economic climate. A number of local Councillors have since raised similar concerns and voiced support for the affected businesses. The main concern is that some businesses have traditionally displayed items on the highway and that the imposition of charges to display goods or advertise on the highway will place an unacceptable financial strain on them. It is noted that no such complaints have been raised in relation to licences and charges for pavement café licences, which has been a requirement for a number of years.
- 2.8 At the meeting of the Sustainable Communities Overview and Scrutiny Committee on the 20th January 2010 it was resolved that the Director of Technical Services be requested to review the existing policy in relation to "A" boards and shop displays and report back to the March meeting of this Committee, hence this report.

3.0 REVIEW AND KEY ISSUES

- 3.1 This report reviews the scope of the existing policy and the charges in relation to items placed temporarily on the highway for the purpose of advertising, promoting or enhancing an adjacent business. The review specifically excludes pavement cafes licences as this element of the policy is already well established and is not the subject of the concerns raised. Included in the review are the results of consultations received from a number of bodies and groups representing users of the footway and/or vulnerable user groups.
- 3.2 Many objects and items are located within the footways and paved areas of the borough. Most of these are essential for highway safety reasons, or provide guidance or improve the user experience or environment. Examples of these would include street lighting columns, road signs, traffic signal equipment, pedestrian guardrails, bollards, litter bins, seating, bicycle racks etc. Most of these items are placed by the highway authority and their placement is regulated by statutory or legislative requirements or adopted standards. Utility companies and other statutory undertakers are also lawfully permitted to place equipment and cabinets within the highway and these are also subject to vetting and standards relating to location and other highway safety considerations. However there is a whole raft of items, at which this policy is aimed, that are placed on the highway to promote, enhance or advertise a business, and which is frequently done with little, if any regard, for its effect or impact on other highway users.
- 3.3 It could be argued that there is a tradition for some businesses of placing items on the footway outside premises, for example green grocers and florists and that this can enhance the retail experience and overall ambience of the area. Whilst this may be true in some circumstances, this is certainly not universal and in many locations items are placed in a manner that create a danger or hazard to other users and is visually unappealing. This argument also does not absolve the authority of its duties to manage and regulate use of the highway.
- 3.4 In order for the authority to fulfil its responsibilities, it must be able to demonstrate policies and procedures for dealing with such matters. The current policy was

therefore introduced so that these matters could be dealt with in a fair and consistent manner, to assist in the removal of hazardous or inappropriate items but allow in certain circumstances items to be displayed on the highway.

- 3.5 These problems are not unique to Wirral and many authorities have taken a different approach. For example in the other Merseyside districts a much firmer stance is taken and such items are not allowed to be placed under any circumstances. Businesses placing items on the highway face the possibility of formal enforcement action if not removed. Within Wirral we believe that there are locations and instances where items could be placed without detriment to other highway users and that a more reasonable and justifiable approach is to assess each case individually against agreed criteria.
- 3.6 By implementing the licencing system Wirral can ensure that the needs and requirements of all highway users including the partially sighted, blind people, wheelchair users and other pedestrians are fully considered. Factors that are considered in the application stage include the need to maintain adequate and convenient unobstructed passage and inter-visibility for all pedestrians and highway users at the busiest times and to ensure that the items themselves do not present a hazard or danger by virtue of material, design, shape or size. A further benefit of the licencing system is that it allows the Council to introduce conditions or limitations and to check that the applicant has suitable and appropriate Public Liability Insurance to cover in the event of accidents or claims.
- 3.7 Any item placed on the highway without thought, consideration or design can give rise to an obstruction, hazard or danger be it an "A" board, shop display or any other item. It is not necessarily the size or the shape of the item that is the issue. It is its appropriateness in relation to factors such as its location, pedestrian flows and footways widths. For this reason it is not considered feasible or justifiable to exempt any one type of item or display from the regulation process. To do so would create inequalities that would be impossible to justify, in particular when charges apply. The policy should be applied equally to all items placed temporarily on the highway (footway or verge) to promote, enhance or advertise an adjacent business.
- 3.8 In preparing this report the Council has consulted with and sought comment from the following bodies:
- WIRED
 - Age Concern
 - Living Streets Wirral
 - Blind and Visually Impaired
 - Wirral Council Access Officer
- 3.9 Representations have been received from The Blind and Visually Impaired, Living Streets and the Council's Access Officer. All the representations support the policy of regulation of such items on the highway and these are summarised below.
- 3.10 The Blind and Visually Impaired representative raised concerns in relation to shop displays. Shop displays and "A" boards can pose a potential hazard to the visually impaired if they do not have an appropriate tapping rail or similar barrier so that a blind or partially sighted person can detect the hazard using a cane. It is considered that this matter can be addressed by attaching appropriate conditions within any licence granted. The representative was pleased that the Council was having due regard to the Disability Discrimination Act 1995 in its approach to regulation of these items.
- 3.11 Living Streets Wirral/Chester accept that 'A' boards and shop displays can benefit the character of a commercial centre, making it a more attractive place, and giving support to the local economy. However, they raised concerns that some items can cause an obstruction to pedestrians on the footway and are therefore in support of the current policy to licence 'A' boards and shop displays. They also stated that 'A'

boards and shop displays should not protrude into the area required for the free movement of pedestrians, and the following groups should be considered with regards to this matter:

- People with disabilities – whether in a wheelchair, mobility scooter or with walking sticks;
- Young families where children may be holding hands or walking alongside parents who are pushing a pram or pushchair;
- People carrying shopping;
- People walking in groups or singly.

3.12 They also suggested that a minimum pavement width of 1.8m should be left for pedestrians and if shop front displays were to be exempted from the policy, that there should not be allowed to protrude from the shop front more than 15cm.

3.13 The Council's Access Officer commented that pedestrian use should be given priority over other use of the footway and in particular people with impairments, those with small children, people carrying heavy shopping, people with temporary accident injuries and older people. Without a barrier free environment many of these are essentially mobility impaired. The Access Officer would like to see further guidance as to what is and what is not acceptable to be on the footway.

4.0 OPTIONS

4.1 In consideration of the factors and issues discussed above a number of ways forward are possible and these are outlined below.

4.2 Confirmation of the current policy – members could resolve to endorse the current policy and schedule of charges without amendment. This option is not recommended as it is considered that the policy needs to be widened to encompass the range of items encountered on the footway such as potted plants, novelty displays, furniture etc. which do not fall into the original groups. It was also considered that further guidance on minimum standards and criteria should be included in the policy.

4.3 Confirmation of the current policy but with amended or deferred charges – members could again choose to retain the existing policy and either amend the fee structure or defer charges completely until such time that the economy improves. There would be financial implications for this option, however, for the reasons outlined above this option is also not recommended.

4.4 Amending the scope of the policy – it is proposed that the policy should be extended to encompass all items temporarily placed on the highway (footway or verge) for the purpose of promoting, advertising or enhancing a business. This is considered necessary to ensure that the policy can be implemented fairly and consistently and so that items currently not included but potentially presenting a similar hazard can be regulated. For the reasons already discussed it is not proposed to exempt any particular type or size of item or display from the need to make a formal application. The current charging policy could be retained with this option or amended as discussed below.

4.5 Amendments to the charging policy - options for charging include retaining the present fee structure, deferring charges until some later date, and amending the fee structure or the removal of charges completely. The purpose of charging is to offset the costs of administration of the scheme and not to generate additional income. The licence fees for Pavement Cafes serve a different purpose and reflect the added trading value and income gained from occupation of the highway, it is not proposed that these are considered for amendment at the present time.

4.6 With the current take up of licences for "A" boards and shop displays the financial implications in terms of both income and operational costs are relatively small. It is

estimated that each licence costs approximately £85 to process, including the costs for site visits, administration, stationary, payment processing and consultation. Income received varies between £40 and £75 depending upon the type of permit and whether it is a first time or renewal. When fully rolled out it is estimated that between 200-400 licences would be issued annually. Assuming the lower number of licences is issued and using a nominal £50 fee, annual permit income in the region of £10,000 could be achieved. However, this is offset by staffing and administrative costs estimated at £17,000. The notional cost to the authority of issuing 200 permits annually is in the region of £7000, which is borne by existing staffing resources.

- 4.7 From the above it can be seen that to make the process cost neutral, the charge for permits would have to rise on average by approx £35. Conversely, if permit charges are deferred or removed completely the cost of processing the permit would fall slightly, as the payment processing element would no longer apply. The net costs to the authority for the above 200 permits in that scenario are estimated to be in the region of £13,000. It can therefore be estimated that abolishing fees for “A” boards and shop displays could result in a small increase in costs to the authority of approximately £6000 per annum, based upon processing 200 permits.

5.0 PROPOSED POLICY

- 5.1 Having regard to the issues considered above it is proposed that the existing Policy LEQ08 is amended to include the following items, this list is not exhaustive and any other items of a similar nature should also be included within the scope of the policy;

- “A” boards
- Placards
- Statues and cut-outs
- Novelty displays
- Shop displays
- Display islands and trestles
- Pots, plants and planters
- Furniture
- Window displays projecting over the footway
- Pavement Cafes, tables, chairs etc.

- 5.2 Persons placing any of the above items on the highway will be required to complete and return an application form. The application will be assessed by reference to the criteria set out in the paragraphs below and a consultation process will also take place, which will include a site notice and writing to ward members and adjacent frontages. Subject to satisfying the criteria and having received no substantiated or relevant objections a permit may be issued. The permit will include terms and conditions relating to what, how, when and where the item can be displayed.

- 5.3 To support the Councils commitment to improving the overall streetscene environment, it is proposed that all permits approved will contain a condition relating to maintaining the footway in front of the premises in a clean and tidy state, including regular inspection and removal of any litter.

- 5.4 The applicant must provide proof of valid and suitable Public Liability Insurance that covers items displayed on the highway.

- 5.5 The location must be assessed for suitability from a highway safety viewpoint having regard for pedestrian and vehicle movements and flow at the busiest times. This will include allowance for the presence of vehicle and pedestrian crossing points, traffic signals, sightlines and visibility and existing street furniture or obstructions.

5.6 Site and location standards

- The minimum clear footway width allowing for the item or display must be no less than 2.0m (in quiet or low pedestrian flow areas this may be reduced to an absolute minimum of 1.8m). In busy or heavily trafficked areas the minimum clear width should be 2.5m or more depending upon individual site conditions. Where existing street furniture is located near to the kerb edge ie street lighting columns, pedestrians will not be expected to walk between it and the roadway and the clear width must be measured between the item proposed for display and the existing item of street furniture.
- The minimum clear widths will be increased by a minimum of 1.0m where the proposed item/display is located adjacent to a dropped pedestrian crossing.
- Items will not be permitted in locations that would impede visibility for pedestrians or vehicle users in particular at or near junctions, signals or pedestrian crossing points.
- The through route for pedestrians must be directly in the line of the main pedestrian flow and not involve kinks, detours or sharp changes of direction.
- "A" boards or similar items should normally be displayed near to or adjacent to the frontage of the premises and not located remote or outside other properties.
- The maximum size for "A" boards is nominally 600x900mm high, they must be designed with stable bases and must not rotate or spin.
- Shop displays should normally be displayed immediately adjacent to the frontage of the premises and shall not be remote or outside other properties.
- The maximum projection from the frontage for shop displays is nominally 1.0m with a total size no more than 5m².
- All shop displays or goods must be displayed on or within a stand, table or enclosure with fixed external dimensions and kicking boards or similar for the lower 300mm to assist blind or visually impaired users.
- Items must be placed and designed so as not to project over the footway beyond the display base by more than 100mm, as this can present a specific hazard to partially sighted and blind users.

5.7 Fee charging structure – members are asked to consider one of the following fee options for items displayed on the highway (excluding pavement cafés which are outside the scope of this review).

- Retention of charges but with an amended standard rate for each item or display of £50 for first time applications and £40 for renewals.
- As above and defer implementation of the charges until April 2011
- Abolish the charging element of the policy completely

5.8 It is not proposed to change the process for implementation of the policy or enforcement action, which is summarised below.

5.9 When an unauthorised item is observed on the highway but is considered potentially acceptable in terms of its size and location, then the owner will be invited to submit an application for a licence within 14 days, a reminder letter may also be sent.

5.10 If no application is submitted the Council may issue a 28 Day Removal Notice. If this is not complied with the authority may apply to the magistrates' court for a removal and disposal order. Alternatively it may be appropriate to prosecute for wilful obstruction of the highway. If the item is considered an immediate danger, then an enforcement officer can instruct removal of the item immediately. The Council can recover costs and the person may be fined up to £100 for a first offence.

5.11 If any unauthorised item is observed on the highway in a location that is considered an obstruction or danger to other highway users, the owner will be asked to remove the item immediately. If this is not complied within a reasonable timescale the enforcement process outlined above will begin immediately.

5.12 Appendix B to the report details the revised Policy LEQ08 incorporating all of the proposed changes above.

6.0 FINANCIAL AND STAFFING IMPLICATIONS

6.1 The financial implications are as detailed in paragraphs 4 and 5 above. When fully implemented the staffing and administration costs estimated at £17,000 would be offset by income of £10,000, the balance being contained within existing staffing budgets. If charges are abolished no income would be received and the scheme could continue to be administered utilising existing resources.

7.0 EQUAL OPPORTUNITIES/EQUALITY IMPACT ASSESSMENT

7.1 This review has been undertaken having specific regard for the concerns and issues for users of the highway with disabilities. There are no other specific equal opportunity or equality implications.

8.0 HEALTH IMPLICATIONS/IMPACT ASSESSMENT

8.1 There are no health implications arising directly from this report.

9.0 COMMUNITY SAFETY IMPLICATIONS

9.1 Licensing and controlling the use of the highway may reduce potential hazards to users of the public highway.

10.0 LOCAL AGENDA 21 IMPLICATIONS

10.1 There are no implications under this heading.

11.0 PLANNING IMPLICATIONS

11.1 There are no specific planning implications arising directly from this report.

12.0 ANTI-POVERTY IMPLICATIONS

12.1 There are no anti-poverty implications arising directly from this report.

13.0 SOCIAL INCLUSION IMPLICATIONS

13.1 There are no social inclusion implications arising directly from this report.

14.0 HUMAN RIGHTS IMPLICATIONS

14.1 There are no human rights implications arising directly from this report.

15.0 LOCAL MEMBER SUPPORT IMPLICATIONS

15.1 This report has implications for all Wards.

16.0 BACKGROUND PAPERS

16.1 Representations received from groups representing highway users have been used in the preparation of this report.

17.0 RECOMMENDATIONS

17.1 That the committee is requested to:

- (1) Note the outcome of the review of the "A" board and shop display policy,

- (2) Recommend to Cabinet that the revised policy as discussed in the report and detailed in Appendix B be approved.
- (3) Consider the options for charging and recommend to Cabinet one of the following;
- Retention of charges at a revised standard rate for each item or display of £50 for first time applications and £40 for renewals.
 - As above but defer implementation of the charges until April 2011.
 - Abolish the charging element of the policy completely and administer the scheme utilising existing staffing resources.

DAVID GREEN, DIRECTOR
TECHNICAL SERVICES

POLICY NAME – LEQ08 – OBSTRUCTIONS ON THE HIGHWAY AND LICENCING OF ‘A’ BOARDS, SHOP DISPLAYS AND PAVEMENT CAFES

POLICY SUMMARY

Enforcement of legislation relating to keeping the highway (footway) free of obstruction including the licencing of ‘A’ boards, shop displays and pavement cafes.

It is an offence for a person without authority (or licence) to erect or deposit anything on a highway to the interruption of any user of that highway. Items left on the highway without permission should in most circumstances be removed. In relation to ‘A’ boards, shop displays and pavement cafes the local authority can licence these items and request a fee in doing so. Any licences such issued will clearly state any limitations, conditions and the exact area or location for the ‘A’ board, shop display or pavement cafe.

If an application is rejected the application fee will not be refunded but the applicant will be advised in writing why that particular location is unsuitable for example to safeguard the safety and rights of access for other highway users. Charity shops are exempt from payment of fees but must adhere to all other relevant legislation with regards to the display of ‘A’ boards and shop displays on the pavement.

The local authority can remove any unauthorised items including ‘A’ boards, shop displays or pavement cafes where it is deemed that the unauthorised items are causing a danger on the highway, without notice being issued to the owner. In other circumstances the trader will be “noticed” to remove the items or invited to apply for a licence.

Currently there are no legislative powers to issue a FPN where a person obstructs the highway or has failed to apply for a licence or comply with its conditions. Persons who obstruct the highway may be prosecuted in the Courts through use of other legislation in the Highways Act.

POLICY DETAILS

Legislation – Sections 41, 58, 130, 137, 137ZA, and 178 of the Highways Act 1980 (as amended) refers and sections 132 and 143 of the Highways Act 1980 (as amended) gives authorities the powers of removal. Sections 137, 148, 149, 152 and 161 of the Highways Act 1980 (as amended) refers to penalties and offences and The Local Government (Miscellaneous Provisions) Act 1982, Schedule 5 Highway Amenities Part I, addition of part VIIA to Highways Act 1980 (as amended) sections 115A – 115K give authorities’ powers for the licencing of ‘A’ boards, shop displays and pavement cafes on the highway. The Disability Discrimination Act 1995 will also be considered.

Enforcement Procedure

‘A’ Boards, Shop Displays and Pavement Cafes Licences

Proposed application Fee table; (non refundable)

‘A’ Board – 1st year (including initial fee and application, max size approx 600x900mm) is £50 and subsequent years £40

Shop Displays - 1st year (including fee and application, maximum 5m²) is £75 and subsequent years £60

Pavement Cafes – 1st year (including initial fee and application, total maximum area of 6m²) is £300 and subsequent years £150. Any area above 6m² will be charged at an additional £20 per m² for the initial fee and application with any subsequent years charged at £15 per m².

Applicants must satisfy the Council that they have suitable Public Liability Insurance and indemnify the Council against any action arising from the positioning of the item(s). In all cases a licence will only be granted if there will be a suitable footway width remaining after the items are placed on the highway. This may vary depending upon location and traffic/pedestrian levels.

'A' Board licences will only be considered in relation to boards that are to be placed within the extents of the shop/business frontage ie they cannot be remote from the premises. They will also not be permitted in locations where they would compete with locations currently utilised or identified for Highway Roadside Advertising.

In circumstances where planning permission is required, an owner must have or be in the process of obtaining a valid planning permission before the authority will consider an application for a pavement café licence. There are other legislative requirements that may impact upon the ability of a business to legitimately locate 'A' boards or a shop display within the highway such as the Town and Country Planning Act 1990 and the Town and Country Planning (Control of Advertisements) Regulations 2007. It is the responsibility of the trader to ensure that they meet the requirements of these and any other Acts and Regulations that are applicable and apply for the relevant permissions.

The Council may refuse a request for a licence where it is considered that the position of the 'A' boards, shop displays or pavement cafes could constitute a danger on the highway.

If the Council grant a licence it will include various limitations and conditions, for example designated boundaries, sizes and locations of items, permitted times when they may be displayed ie during trading hours only, and requirements to leave the highway in a clean and tidy state. It may also take action against a person who fails to comply with the terms of a licence.

Where the Council issue a licence, follow up visits will be made to ensure compliance with the limitations and conditions of that licence. In all circumstances the licence should be displayed so as to be visible from outside the premises (ie in a shop/cafe window) for inspection by the Council at all times the items are located on the highway.

If an unauthorised 'A' board, shop display or pavement café is observed on the highway but considered to be acceptable in terms of its size and location and any relevant permissions have been obtained, then the trader will be invited to submit an application for a licence within 14 days.

Where a person fails to apply for a licence following a 14 day compliance period, then the Council will issue a 28 Day Removal Notice. If the responsible person fails to comply with the notice the authority may make a complaint to the magistrates' court for a removal and disposal order or if the item(s) is considered to constitute a danger, then an enforcement officer can instruct removal of the item(s) immediately. Any costs incurred by the Council in

doing so can be recovered through the Courts and that person will also be found guilty of an offence and liable to a fine not exceeding £100 or, in the case of a second or subsequent conviction, to a fine not exceeding £200.

If any unauthorised item including an 'A' board, shop display or pavement café is observed on the highway in a location which is considered an obstruction to other highway users, the owner will be asked to remove the item immediately. Follow up visits will be made and if no progress has been made a case may be prepared and presented to Legal Services for possible Court prosecution for obstructing the highway. The Council may also formally "notice" the owner requiring them to remove the item within a specified timescale, after not less than one month the Council may remove the item(s) and recharge the owner for doing so.

Appeal Procedure – Where an authority takes action and prosecutes, the right of appeal is made through the Courts. Any subsequent payment arrangements would be determined by the Courts.

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POLICY NAME – LEQ08 – OBSTRUCTIONS ON THE HIGHWAY AND LICENCING OF ITEMS ON THE HIGHWAY INCLUDING ‘A’ BOARDS, SHOP DISPLAYS, PAVEMENT CAFES

POLICY SUMMARY

Enforcement of legislation relating to keeping the highway (footway and verge) free of obstruction including the licencing of ‘A’ boards, shop displays, pavement cafes and other items.

It is an offence for a person without authority (or licence) to erect or deposit anything on a highway to the interruption of any user of that highway. Items left on the highway without permission should in most circumstances be removed. In relation to ‘A’ boards, shop displays, pavement cafes and certain other items the local authority can licence these items and request a fee in doing so. Any licences such issued will clearly state any limitations, conditions and the exact area or location for the ‘A’ board, shop display or pavement cafe.

If an application is rejected the application fee (if any) will not be refunded but the applicant will be advised in writing why that particular location is unsuitable, for example to safeguard the safety and rights of access for other highway users. Charity shops are exempt from payment of fees but must adhere to all other relevant legislation with regards to the display of items including ‘A’ boards and shop displays on the pavement.

The local authority can remove any unauthorised items including ‘A’ boards, shop displays or pavement cafes where it is deemed that the unauthorised items are causing a danger on the highway, without notice being issued to the owner. In other circumstances the trader will be “noticed” to remove the items or invited to apply for a licence.

Currently there are no legislative powers to issue a FPN where a person obstructs the highway or has failed to apply for a licence or comply with its conditions. Persons who obstruct the highway may be prosecuted in the Courts through use of other legislation in the Highways Act.

POLICY DETAILS

Legislation – Sections 41, 58, 130, 137, 137ZA, and 178 of the Highways Act 1980 (as amended) refers and sections 132 and 143 of the Highways Act 1980 (as amended) gives authorities the powers of removal. Sections 137, 148, 149, 152 and 161 of the Highways Act 1980 (as amended) refers to penalties and offences and The Local Government (Miscellaneous Provisions) Act 1982, Schedule 5 Highway Amenities Part I, addition of part VIIA to Highways Act 1980 (as amended) sections 115A – 115K give authorities’ powers for the licencing of ‘A’ boards, shop displays and pavement cafes on the highway. The Disability Discrimination Act 1995 is also relevant.

Licencing and Enforcement Procedures

This policy covers the following:

- “A” boards
- Placards
- Statues and cut-outs
- Novelty displays

- Shop displays
- Display islands and trestles
- Pots, plants and planters
- Furniture
- Window displays projecting over the footway
- Pavement Cafes, tables, chairs etc.
- Other items of a similar nature

Proposed application Fee table;

'A' Board, Shop Display and any other items displayed on the highway– 1st year (including initial fee and application) – as agreed by Committee

Pavement Cafes – 1st year (including initial fee and application, total maximum area of 6m²) is £300 and subsequent years £150. Any area above 6m² will be charged at an additional £20 per m² for the initial fee and application with any subsequent years charged at £15 per m².

Fees if any apply are non refundable

Licencing Conditions

To support the Councils commitment to improving the overall streetscene environment, it is proposed that all permits approved will contain a condition relating to maintaining the footway in front of the premises in a clean and tidy state, including regular inspection and removal of any litter.

Before a licence is issued, applicants must satisfy the Council that they have suitable and relevant Public Liability Insurance and indemnify the Council against any action arising from the positioning of the item(s). In all cases a licence will only be granted if there will be a suitable footway width remaining after the items are placed on the highway. The minimum clear footway width allowing for the item or display must be no less than 2.0m (in quiet or low pedestrian flow areas this may be reduced to an absolute minimum of 1.8m). In busy or heavily trafficked areas the minimum clear width should be 2.5m or more depending upon individual site conditions. Where existing street furniture is located near to the kerb edge ie street lighting columns, pedestrians will not be expected to walk between it and the roadway and the clear width must be measured between the item proposed for display and the existing item of street furniture. The minimum clear widths will be increased by a minimum of 1.0m where the proposed item/display is located adjacent to a dropped pedestrian crossing.

Items will not be permitted in locations that would impede visibility for pedestrians or vehicle users in particular at or near junctions, signals or pedestrian crossing points. The through route for pedestrians must be directly in the line of the main pedestrian flow and not involve kinks, detours or sharp changes of direction.

The maximum size for "A" boards is nominally 600x900mm high and they must be designed with stable bases and must not rotate or spin.

Shop displays should normally be displayed immediately adjacent to the frontage of the premises and shall not be remote or outside other properties. The maximum projection from the frontage for shop displays is nominally 1.0m with a total size no more than 5m². All shop displays or goods must be displayed on or within a stand, table or enclosure with fixed external dimensions and kicking boards or similar for the lower 300mm to assist blind or visually impaired users.

Items must be placed and designed so as not to project over the footway beyond the display base by more than 100mm, as this can present a specific hazard to partially sighted and blind users.

Licences for 'A' boards or similar items will only be considered in relation to boards or items that are displayed near to or adjacent to the frontage of the premises and not located remote or outside other properties. They will also not be permitted in locations where they would compete with locations currently utilised or identified for Highway Roadside Advertising.

In circumstances where planning permission is required, an owner must have or be in the process of obtaining a valid planning permission before the authority will consider an application for a pavement café licence. There are other legislative requirements that may impact upon the ability of a business to legitimately locate 'A' boards, shop displays or other such items within the highway such as the Town and Country Planning Act 1990 and the Town and Country Planning (Control of Advertisements) Regulations 2007. It is the responsibility of the trader to ensure that they meet the requirements of these and any other Acts and Regulations that are applicable and apply for the relevant permissions.

The Council may refuse a request for a licence where it is considered that the position of the 'A' board, shop display, pavement café or other item could constitute a danger on the highway.

If the Council grant a licence it will include various limitations and conditions as outlined above and will also include for example, designated boundaries, sizes, locations of items and permitted times when they may be displayed ie during trading hours only. It may also take action against a person who fails to comply with the terms of a licence.

Where the Council issue a licence, follow up visits will be made to ensure compliance with the limitations and conditions of that licence. In all circumstances the licence should be displayed so as to be visible from outside the premises (ie in a shop/café window) for inspection by the Council at all times the items are located on the highway.

If an unauthorised 'A' board, shop display, pavement café or other such item is observed on the highway but is considered to be acceptable in terms of its size and location and any relevant permissions have been obtained, then the trader will be invited to submit an application for a licence within 14 days.

Where a person fails to apply for a licence following a 14-day compliance period, then the Council may issue a 28-Day Removal Notice or alternatively consider prosecution for wilful obstruction of the highway. If a 28-Day Removal Notice is issued and the responsible person fails to comply with the notice, then the authority may make a complaint to the magistrates' court for a removal and disposal order or if the item(s) is considered to constitute a danger, then an enforcement officer can instruct removal of the item(s) immediately. Any costs incurred by the Council in doing so can be recovered through the Courts and that person will also be found guilty of an offence and liable to a fine not exceeding £100 or, in the case of a second or subsequent conviction, to a fine not exceeding £200.

If any unauthorised item including an 'A' board, shop display or pavement café is observed on the highway in a location which is considered an obstruction to other highway users, the owner will be asked to remove the item immediately. Follow up visits will be made and if no progress has been made, a case may be prepared for prosecution.

Appeal Procedure – Where an authority takes action and prosecutes, the right of appeal is made through the Courts.

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WIRRAL COUNCIL

SUSTAINABLE COMMUNITIES OVERVIEW and SCRUTINY COMMITTEE

8th March 2010

REPORT OF THE DIRECTOR OF TECHNICAL SERVICES

'REDUCING WIRRAL'S CARBON FOOTPRINT' - PROGRESS REPORT no 1

1.0 EXECUTIVE SUMMARY

- 1.1 This first progress report updates Members on the various projects currently being undertaken by the Council, its LSP and other partners, to 'Reduce Wirral's Carbon Footprint', which is a Corporate Priority in the Council's Corporate Plan 2010/11, and supports NI 186, one of Wirral's LAA Targets.
- 1.2 Committee Members are requested to note and endorse the progress made to date on these ongoing projects as highlighted in the Wirral Wide Carbon Reduction Action Plan', and refer this report on to Cabinet.

2.0 BACKGROUND

- 2.1 Wirral's Climate Change Strategy was approved by Cabinet in June 2007. Partnership working underpins Wirral's Climate Change Strategy (CCS), as the strategy vision clearly states:

" Working with residents, communities and local businesses to tackle Climate Change by reducing Wirral's carbon emissions, thereby helping to meet our present needs in a sustainable manner without compromising the ability of future generations to meet their own needs "
- 2.2 To improve its own emissions the Council initially set a target within the CCS to achieve a 20% reduction in carbon emissions by 2010. Due to the successful implementation of phase 1 & 2 Energy Efficiency Investment initiatives, this target was achieved by late 2007, significantly ahead of schedule. The Council has now adopted the CRed target of a **60% reduction by 2025** and is now working with residents, communities and both the public and private sectors to achieve their own reductions.
- 2.3 Wirral's Carbon Reduction Programme coordinates all Council activities to reduce its CO₂ emissions. This corporate programme was approved by Cabinet in Sep 2008. Progress Update reports are presented to Councillors bi-annually, with the last progress update given in Sep 2009, next is due to this Committee in June 2010.
- 2.4 Wirral's joint working with external partners to reduce CO₂ emissions across the borough was started by its Nottingham Declaration Working Group (NDWG) which had its inaugural meeting in June 2006. The group meets on a quarterly basis, and 12 meetings have been held to date. The NDWG has now been re-named the Wirral Climate Change Group (WCCG) to more accurately reflect the work it undertakes. The work of this group clearly

supports Wirral Council's 2009/10 Corporate Priority 2.2, to 'Reduce Wirral's Carbon Footprint'.

- 2.5 The following external partners now regularly attend the WCCG meetings in addition to Council officers and Members :

Wirral NHS
Cheshire and Wirral Hospital Trust
Merseytravel
Mersey Fire and Rescue Service
Merseyside Police
Wirral Environmental Partnership
Merseyside Environment Network
Groundwork Merseyside
Transition Towns West Kirby
Energy Saving Trust
VCA Wirral
Forum Housing Association

Other organisations that have expressed a wish to join the WCCG include :

Wirral University Teaching Hospital NHS Foundation Trust
Merseyside Waste Disposal Authority

- 2.6 In September 2009, a full day event was held comprising a CLASP workshop in the morning, and in the afternoon the WCCG met and began drafting its NI 186 - Strategic Climate Change Action Plan to collate all the CO₂ reduction activities being undertaken by partners across the Wirral.

- 2.7 In the 2009 Wirral Area Assessment (Wirral LSP), the Audit Commission (AC) positively highlighted the work being undertaken by the WCCG and at events such as at the September CLASP workshop. The AC report stated :

'Good improvements in the local environment have been made and partners are working together to reduce the area's carbon footprint'

'Wirral is developing a good approach to sustainability. Partners have assessed what impact their work could have on the environment, and what they need to do to minimise this ...'

'Wirral is developing a good approach to the environment. Partners understand how they can be more environmentally friendly in the way they do things. They are developing plans to reduce the carbon footprint and their impact but this work is still at an early stage'

- 2.8 Since the CLASP workshop in Sep 2009 good progress has been made. At its last meeting on 26th January 2010, the WCCG approved the Terms of Reference for the group, these are attached at **appendix A**, and also signed off version 1 of its Wirral-wide Carbon Reduction Programme.

- 2.9 The Wirral-wide Carbon Reduction Programme, a copy of which is also attached to this report at **appendix B**, is a key document as NI 186, which measures 'per capita reduction in CO₂ emissions in the LA area', is one of

Wirral's LAA targets. The programme thus provides key evidence of the partnership working taking place across Wirral to reduce CO₂ emissions.

- 2.10 In addition to regularly reporting to this Committee, progress on the Wirral-wide Carbon Reduction Programme is also reported through the LSP framework, via the Living and Working Environment Partnership and the LSP Board (see diagram attached at **appendix C**).

3.0 KEY JOINT INITIATIVES TO REDUCE WIRRAL'S CARBON FOOTPRINT

- 3.1 A **Poster Campaign** was developed in partnership with Wirral NHS and Cheshire and Wirral Hospital Trust, based around the four themes of the Climate Change Strategy, viz; Energy, Waste, Transport and Awareness. Posters are now displayed in public buildings belonging to the respective organisations.
- 3.2 **Wirral CRed** was launched on the 5th December 2009 at Tranmere Rovers. The aim of CRed Wirral is to encourage Wirral residents and workers to take actions to reduce their carbon emissions (CO₂). Central to the initiative is an interactive website (www.credwirral.org.uk) where people can explore and choose from 80 carbon cutting 'pledges'. These pledges cover a variety of potential actions at home, work and travelling. (Refer to CRed letter to all staff and Members at **appendix D**). We are currently promoting CRed with our partners, (refer to **appendix E** for the CRed Promotional Programme Development for 2010/11, prepared by the Council's PR Team).
- 3.3 The **Low Carbon Community Challenge (LCCC)** Fund is a two-year research programme and grant designed to test delivery options for achieving cuts in carbon emissions at community level. Wirral Council, in partnership with Energy Projects Plus and EST, submitted a phase 2 LCCC bid in December 2009. The LCCC will enable the development of bespoke local schemes to improve energy efficiency and tackle the wider issue of climate change. As a project in the Cheshire area was successful under phase 1 and that there were only twelve awards available nationally in the oversubscribed phase 2 bid, our joint bid was unsuccessful in obtaining the funding. However, building on the work already undertaken to prepare the bid, we are working with the Energy Saving Trust Advice Centre and the Port Sunlight Trust to hopefully deliver an Energy Efficiency/Sustainability event in Port Sunlight later in the year. This event will advise residents on how they can insulate, install Smart Meters, give planning advice and direct them to manufacturers with 'approved products' to enable them to thermally upgrade windows on their listed homes within the Port Sunlight Conservation Area.
- 3.4 **CLASP** – LSP Workshop on Climate Change. To enable us to work more closely with our LSP partners we organised a workshop on Climate Change which took place on the 7th September. The workshop theme was "Getting Started on NI186" which then enabled us to begin working with our partners on a programme to actively manage our borough wide emissions.

- 3.5 The joint **Wirral Council** and **Wirral NHS Kerbside Recycling Scheme** will see the implementation of a kerbside recycling service to 17 NHS Wirral clinical sites to increase waste recycling rates within the borough.
- 3.6 The attached Programme at appendix **B** details all the joint and individual partner projects in detail. As outlined at 2.3, Wirral's NI 185 activities are reported separately to this Committee.

4.0 MEASURING OUTCOMES OF THE NI186 WIRRAL-WIDE ACTION PLAN

- 4.1 We are currently investigating the use of **TrACE** (Tracking Action on Carbon Emissions), a new tool launched recently by the Energy Saving Trust. This tool can be used to record evidence on CO₂ saving actions undertaken in a local authority area related to domestic, transport and commercial/industrial emissions. The tool can hopefully be used to provide evidence to the Audit Commission for Comprehensive Area Assessments and for tracking progress against the LAA NI 186 target. The Energy Saving Trust are currently in discussion with DECC and the Audit Commission about standardising the data recorded and are hoping that TrACE will form the basis for this in the future.
- 4.2 The Wirral CRed website reports the CO₂ emission savings arising with the individual CRed pledges made and it also keeps a running total of these savings. Users of the website will receive regular e-bulletins that link to local news, events and case studies featured on the site. Since the launch in December 2009, 223 CRed members have reduced their CO₂ emissions through pledges made, by a total of 166.54 tonnes, although this figure increases weekly depending on the number of pledges made.

5.0 ARRANGEMENTS FOR MONITORING DELIVERY OF THE PLAN

- 5.1 The proposed monitoring and delivery of the Wirral-wide NI 186 Carbon Reduction Action Plan within the Council will be as follows:
- Regular updates by partners to WCCG meetings, held approx every 6 weeks
 - Wirral-wide NI 186 Carbon Reduction Action Plan progress updates to the LSP Living and Working Environment Partnership at its 6 weekly meetings
 - Bi-annual Update Wirral-wide NI 186 Carbon Reduction Action Plan Progress Reports to the Sustainable Communities Overview & Scrutiny Committee in the usual manner;
 - Regular informal Cabinet Member briefings.

The Council's NI 186 partnering organisations will have their own structures and mechanisms in place to monitor and report the delivery of their respective Carbon Reduction projects.

6.0 STAFFING and FINANCIAL IMPLICATIONS

6.1 The lead and coordination of the Wirral-wide Carbon Footprint Reduction Programme will continue to be resourced by the Head of Service and staff from the Council's Sustainability Unit, within the Department of Technical Services.

7.0 EQUAL OPPORTUNITIES IMPLICATIONS

7.1 There are no specific implications under this heading.

8.0 PLANNING IMPLICATIONS

8.1 There are no specific implications under this heading.

9.0 COMMUNITY SAFETY and HUMAN RIGHTS IMPLICATIONS

9.1 There are no specific implications under these headings

10.0 ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

10.1 We will reduce Wirral's Carbon Footprint by working with our partners to improve energy efficiency, reduce energy needs and improve overall environmental performance in our respective organisations and jointly work with residents and businesses achieve these objectives. The progress and performance achieved with our partners will enable us to take a lead and encourage local businesses, residents and communities to reduce their CO₂ emissions across the borough.

11.0 SOCIAL INCLUSION IMPLICATIONS

11.1 There are no specific implications under this heading.

12.0 ANTI-POVERTY IMPLICATIONS

12.1 There are no specific implications under this heading.

13.0 ACCESS TO INFORMATION ACT

13.1 There are no specific implications under this heading.

14.0 LOCAL MEMBER SUPPORT IMPLICATIONS

14.1 The NI 186 Carbon Footprint Reduction projects are borough wide.

15.0 RECOMMENDATIONS

15.1 This Committee is requested to:

- (i) Note the Terms of Reference of the Wirral Climate Change Group
- (ii) Note the performance and progress of the various Wirral-wide 'Carbon Footprint Reduction' projects undertaken by the Council and its LSP and other partners.
- (iii) To endorse the various joint 'Carbon Footprint Reduction' projects being undertaken, and support future proposed projects,
- (iv) To endorse the proposed arrangements for monitoring the delivery of these projects including regular informal briefings for the Cabinet Member for Environment and the LSP Board.
- (v) To refer this report on to Cabinet for approval.

DAVID GREEN
DIRECTOR, TECHNICAL SERVICES

This report was prepared by **Brian Anderson**, Head of Building Design and Development Control who can be contacted on 606 2308 and **Tony Dodd**, Sustainability Unit Manager, who can be contacted on 606 2354.

Appendix A – Wirral Climate Change Group – Terms of Reference

Mission Statement for the Wirral Climate Change Group

“Based around the four climate change themes of **Awareness, Energy, Transport and Adaptation** the Wirral Climate Change Group (WCCG) will:

- seek to reduce per capita CO₂ emissions across the borough and utilise partnership working to deliver the objectives of living within our environmental limits;
- seek to deliver a high quality living and working environment as set out in Wirral’s Sustainable Community Strategy and Local Area Agreement; and
- seek to ensure that the Local Strategic Partnership is delivering its commitment to sustainability through regular appraisal of the action being taken to deliver Wirral’s Sustainable Community Strategy and Local Area Agreement.

The WCCG will support the Council to achieve the adopted target of a 60% reduction in carbon emissions by 2025 through the reporting structure of the Wirral Wide Carbon Reduction Delivery Plan, together with the implementation of the Community Carbon Reduction Programme [CRed]; working with residents, communities and both the public and private sectors to help achieve their own CO₂ reductions.”

Scope – Core Objectives of the Group

The Core Objectives for the Group are as follows:

- Through effective partnership working between the Council and it’s Local Strategic Partners [LSP], achieve a 60% reduction in per capita CO₂ emissions across the borough by 2025 through the established reporting structure of the Wirral Wide Carbon Reduction Delivery Plan together with the implementation of the CRed initiative where we will work with residents, communities and both the public and private sectors to help achieve their own CO₂ reductions;
- Monitor, review, report and take corrective action for the Wirral Wide - Strategic Climate Change Delivery Plan that sets out the actions that will address NI 186 Per Capita Reduction in Emissions in the Local Authority Area and achieve the SCS and LAA Improvement Priorities of a high quality living and working environment;
- Optimise the use of available partner resources to achieve the objectives of the Group through the effective working and communication between partner organisations and use of performance information contained in the Delivery Plan;
- Promote effective engagement and consultation with local communities and neighbourhoods on reducing CO₂ emissions in the borough using the CRed tool as a model to facilitate the achievement of Living and Working Environment Partnership objectives;
- Progress the Local Strategic Partnership’s commitment to delivering sustainability through holding an annual Environmental and Sustainability Advisory Forum. The Forum will review the activity being undertaken by the Local Strategic Partnership to deliver its Sustainable Community Strategy and Local Area Agreement and make appropriate recommendations relating to the sustainability of this activity;

- Promote a wider understanding of sustainability across the Council and partner agencies.

Scope – LAA Improvement Priorities/ Measures of Success

Current LAA Improvement Priorities within the scope of the Action Group are as follows:

- Per Capita Reduction in Emissions in the Local Authority Area (NI 186)

Other National Indicators within the scope of the Partnership:

- Reduce CO₂ emissions from Local Authority operations (NI 185)

Scope – Key Plans and Strategies

Sustainable Community Strategy - Wirral 2025
 Local Area Agreement for Wirral
 Wirral Council's Corporate Plan
 Comprehensive Engagement Strategy
 Emerging Local Development Framework- Core Strategy
 Wirral Climate Change Strategy
 Wirral Wide Carbon Reduction Programme
 Merseyside Joint Municipal Waste Management Strategy
 Local Transport Plan (LTP2/ LTP3)

Governance and Reporting Arrangements

The WCCG reports and is accountable to the LSP Living and Working Environment Partnership and, as a Local Strategic Partnership enabling group, will also be accountable to the LSP Executive Board in respect of its broader objective to promote the sustainable delivery of Wirral's Community Strategy and Local Area Agreement.

Membership

Representation from organisations should be at a sufficient level to enable decisions and commitment to be made and advice to be given to facilitate the achievement of the Core Objectives of the Group.

The organisations represented on the Group are as follows:

Technical Services Department, Wirral Council
 Regeneration Department, Wirral Council
 Corporate Services Department, Wirral Council
 Wirral Direct
 Local Authority Public Sector Partners
 Community Groups
 Energy Saving Trust

Format and Administration of Meetings

The format and administration for the WCCG meetings is as follows:

- Meetings to be chaired by Wirral Council Technical Services as lead statutory body responsible for local environmental quality issues;
- Meetings to take place on a quarterly basis reflecting the cycles of Living and Working Partnership, LSP Management Group and LSP Executive Board meetings;
- An Environmental and Sustainability Advisory Forum to take place on annual basis reflecting the performance management and evaluation cycles of the Sustainable Community Strategy and Local Area Agreement; and

Meeting agenda and papers to be sent out to representatives at least three working days in advance of the Group meeting and all administration, recording of minutes etc to be provided by Wirral Council Technical Services.

**Appendix B - Wirral Wide Carbon Reduction Programme
Wirral Council & Key Partners Delivery Plan 2009/10 (September 2009 to April 2010)**

Version 1.c: Status at January 2010

	Activity Owner & Partners	Activity	Planned Outcome	Detailed Action	Environmental Outcomes	Progress To Date	Next Steps - /Milestones	On Target R-A-G
WIRRAL COUNCIL								
WC1	Technical Services Wirral Council	Carbon Footprint Performance Monitoring	Improve the overall method of monitoring performance and assist in reporting NI185, 186, 194, CRC, EN 16001 and the Carbon Trust Standard	Monitor emissions from: <ul style="list-style-type: none"> Energy use in Buildings. Transport Fleet. Business Mileage. 	Identify & quantify Council wide emissions	Begin the process of automatic data collection refer to section EN4	Continue to improve the overall method of data collection. Work with Finance Dept. to introduce Electronic Billing - Review Energy Database Progress - Monthly	G
WC2	Technical Services Wirral Council	Investment Energy Efficiency Programme PHASE 1, 2, 3 & 4	Reduce the Council's carbon emissions by 60% by 2025. Going forward, achieve carbon neutrality for the borough by 2050. Assist in achieving proxy targets set in NI 186	<ul style="list-style-type: none"> Building Insulation Programme and Electrical Energy Efficiency Scheme Awareness Raising Programme Automatic Meter Reading Project Street Lighting Energy Efficiency Improvement Schemes Develop policies to install Intelligent Luminaires and Biomass Heating system 	A reduction in emissions. Phase 1 reduction 1,200 t.CO ₂	Programmes in various stages of progress	Manage the systems to ensure savings are maintained. Monitor performance – Mar '10	A
WC3	Technical Services Wirral Council	Wirral CRed Scheme	Help to achieve 60% carbon reduction in the borough by 2025. Assist in the operation of the LAA	Develop and promote the CRed scheme together with our partners the Wirral PCT and Cheshire & Wirral Hospital NHS Trust	Encourage Wirral wide reductions in emissions	CRed Wirral launched 5 th Dec '09 Since the launch CRed has seen 215 people register with the site, making 1102 pledges to reduce emissions by 160 tonnes of CO ₂	Promote & Market CRed - Monthly	G

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**Appendix B - Wirral Wide Carbon Reduction Programme
Wirral Council & Key Partners Delivery Plan 2009/10 (September 2009 to April 2010)**

Version 1.c: Status at January 2010

	Activity Owner & Partners	Activity	Planned Outcome	Detailed Action	Environmental Outcomes	Progress To Date	Next Steps - /Milestones	On Target R-A-G
WC4	Technical Services Wirral Council	Renewables	Reduce the Council's carbon emissions by 60% by 2025. Help to achieve carbon neutrality for the borough by 2050.	<ul style="list-style-type: none"> Solar Water Heating Scheme at Europa Pools 	Identify good practice improve the output generated from renewable technologies	Complete	Monitor Performance. Develop system of automatic monitoring	G
				<ul style="list-style-type: none"> Photovoltaic Scheme at Cheshire Line Building 		Confirmation & installation process changed by LCBP, now awaiting grant approval	If grant approved, install PV array - Monthly	A
				<ul style="list-style-type: none"> Develop a bio-mass fuel contract for Floral Pavilion 		Contract awarded in Oct '08 to local supplier	Extend contract to include new projects - Monthly	G
WC5	Office Depot Wirral Council	Reduce the number of Office Depot delivery days to three.	To support the reduction of carbon emissions by 60% by 2025, CPSU has arranged with Office Depot to reduce the number of days they deliver to the Authority. Approximately 40% of purchase orders with Office Depot are under £50 Reducing the number of purchase orders under £50 will assist in reducing emissions and use of resources through the reduction in the number of invoices and deliveries	<ul style="list-style-type: none"> Deliveries will be reduced from 5 days to 3 days per week form Oct 09 	% or tonnage of CO2	Office Depot to confirm figure for % or tonnage CO2 in due course. 28.10.09	Monitor & manage performance – Apr '10	G
WC6	Regeneration	Wirral Affordable	Improve performance under	Delivery of local fuel poverty initiatives	Cosy Homes	"Warmer Wirral",	Annual review of	A

**Appendix B - Wirral Wide Carbon Reduction Programme
Wirral Council & Key Partners Delivery Plan 2009/10 (September 2009 to April 2010)**

Version 1.c: Status at January 2010

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Page 74	Department Wirral Council	Warmth Strategy	NI 187: % of households in receipt of means tested benefits living in homes with a low and a high energy efficiency rating, and LAA Local Indicator 4266: # of households receiving energy efficiency measures under the Warm Front grant)	such as "Warmer Wirral" and "Bright Spark" to increase energy efficiency grant take-up, refer households for benefit entitlement checks and promote energy tariff and supplier switching. Deliver "CosyHomes" local grant for free insulation, heating improvements and solar water heating for vulnerable households and install insulation and solar water heating as part of Group Facelift Schemes in the Housing Market Renewal Area	will deliver a saving of 218.82 tonnes of CO2 over the lifetime of the scheme Warm Front will deliver a saving of 5407.31 tonnes of CO2 over the lifetime of the scheme	"CosyHomes" and Bright Spark progressing well. Progress under local indicator 4266 is below forecast and targets are unlikely to be reached due to an increase in the grant maximum but no corresponding increase in funding from Government.	Strategy. Quarterly review of individual initiatives	
	AC7 Regeneration Department Wirral Council	Warmstreets	Assist in achieving proxy targets set for NI 186 by improving performance on reducing domestic CO ₂ emissions	Install 2500 insulation measures by December 2010	Warm Streets will deliver a saving of 99.3 tonnes of CO2 over the lifetime of the scheme The Craven & Paterson Street scheme will see 30 solar heating installations saving 99.3 tonnes of CO2, with the CERT saving 866.46 tonnes of CO2. Total:	Promotion of Warm Streets scheme began October 2009. First report due end of January 2010. Carven & Patterson St scheme has installed 13 solar water systems this year with an additional 5 to be completed before the end of March 2010	Review monthly; quarterly reports	G

	Activity Owner & Partners	Activity	Planned Outcome	Detailed Action	Environmental Outcomes	Progress To Date	Next Steps - /Milestones	On Target R-A-G
					7057.99 tonnes of CO2 saved			
KEY WIRRAL COUNCIL JOINT PARTNER ACTIVITIES								
JA1	Wirral Council NHS Wirral CWP NHS Trust	Wirral CRed Scheme	Help to achieve 60% carbon reduction in the borough by 2025. Assist in the operation of the LAA	Develop and promote the CRed scheme together with our partners the Wirral PCT and Cheshire & Wirral Hospital NHS Trust	Encourage Wirral wide reductions in emissions	CRed Wirral launched 5 th Dec '09 Since the launch CRed has seen 211 people register with the site, making 1089 pledges to reduce emissions by 159 tonnes of CO ₂	Promote & Market CRed - Monthly	G
JA2	Wirral Council NHS Wirral CWP NHS Trust	Joint Climate Change Awareness Poster Campaign	Raise awareness of the impacts of Climate Change	Produce a jointly sponsored poster campaign	Raise awareness of Climate Change and the need to reduce emissions	Initial project complete	Following positive staff survey results in WBC the campaign was felt to be a success. Further posters\ messages to be produced – Apr '10	G
JA3	Wirral Council LSP	CLASP LSP Workshop on Climate Change	To raise awareness of the collective responsibility to manage climate change and deliver a response to NI186	Half day workshop delivered by consultants on behalf of NWRDA on 7 th September '09	To raise awareness of the collective responsibility of the LSP	The formation of the Wirral Climate Change Group	Develop outcomes gained to collectively develop the Wirral Wide Strategic Carbon Reduction Programme	G
JA4	Wirral Council NHS Wirral CWP NHS Trust Fire & Rescue Service	Wirral Climate Change Group <i>(Formerly the Nottingham</i>	Manage the joint delivery of NI 186 with all partners	Expand membership of the group. Develop draft Wirral Wide Strategic Carbon Reduction Programme & Terms of Reference	Collective approach to the delivery of NI 186	Invited strategic members to attend. Developed draft	Collectively manage the Wirral Wide Strategic Carbon Reduction Programme.	G

**Appendix B - Wirral Wide Carbon Reduction Programme
Wirral Council & Key Partners Delivery Plan 2009/10 (September 2009 to April 2010)**

Version 1.c: Status at January 2010

	Activity Owner & Partners	Activity	Planned Outcome	Detailed Action	Environmental Outcomes	Progress To Date	Next Steps - /Milestones	On Target R-A-G
	Merseytravel Merseyside Police Wirral Environmental Partnership Transition Towns West Kirby Merseyside Environment Network Energy Saving Trust Groundwork Merseyside	<i>Declaration Working Group)</i>				action plan Develop Draft Terms of Reference	To be reviewed on a quarterly basis	
JA5	Wirral Council NHS Wirral	Wirral MBC kerbside waste recycling scheme	To implement a kerbside recycling service to 17 NHS Wirral clinical sites to increase waste recycling rates	<ul style="list-style-type: none"> - Carry out site waste audits - Confirm date of new general waste contract start - Meet with Wirral MBC to discuss start date of waste recycling scheme Deliver mini, 240L and 1100L bins to NHS Wirral premises 		Complete Started Jan 10 Meeting held 10/09 Awaiting delivery dates in Feb 10	Arrange for reduced general waste bin sizes at chosen sites Arrange for collection every 2 weeks	A
CHESHIRE & WIRRAL HOSPITAL NHS TRUST								
CW1	Cheshire and Wirral Partnership NHS	SO7 – Sustain financial viability SO5- Performance manage all services using an evidence based approach within a risk management framework	Achieve Board Approved Energy Policy	<ul style="list-style-type: none"> - Set up Energy Group as sun group to Environmental Strategy Group - Prepare Heads of Terms - Prepare Energy Policy - Obtain Trust Board Approval 	Energy Group and report to Environmental Strategy Group prior to submitting Trust Board for approval	Heads of Terms and Energy Policy 2 nd draft for final approval Dec 2009		
CW2	Cheshire and Wirral Partnership NHS	SO7 – Sustain financial viability SO5- Performance manage all services	Carbon Reduction 10% by 2015 using 2007 as the base year	<ul style="list-style-type: none"> - Establish carbon of base year - Establish carbon for most recent year - Produce action plan over 5 years to show: - - Project plan, Capital investment 	Energy Group and Environmental Strategy Group	Carbon base for 2007 established Sept 09		

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	Activity Owner & Partners	Activity	Planned Outcome	Detailed Action	Environmental Outcomes	Progress To Date	Next Steps - /Milestones	On Target R-A-G
Page 77		using an evidence based approach within a risk management framework		<ul style="list-style-type: none"> - Revenue consequences - Consider viability of renewable energy sources and report findings - Investigate bids for funding both NHS and external sources - Offer to Finance Planning and Performance Committee for approval prior to Trust Board - Ensure the Energy Group has links to the capital and property team regarding refurbishments and new builds and that the project group reports back energy matters to the Energy Group - A 5 year planned programme of boiler replacement and energy efficient lighting in place 		BREEAM workshops held for new development target to achieve excellence		
	Cheshire and Wirral Partnership NHS		<p>Waste Management strategy</p> <p>Reduction Recycling and reuse is basis of the organisation waste management policy that promotes the Waste Hierarchy principle</p> <p>Review contracts with all suppliers to ensure sustainable viability</p>	<p>Minimise the production and disposal of waste that cannot be recovered, recycled or reused monitor, report and set targets on management of domestic and clinical waste. Promote re-use of trust assets as norm, recycling by products such as packaging and actively working on reduction of waste at source.</p> <p>Redefined and re classify waste streams in line with HTM 07-01 safe management of Healthcare waste</p> <p>New contract with local contractor ensures that 95% of general waste recovered the residual 5% waste going for fuel conversion. Drive for zero landfill within 3 years.</p>	<p>Segregation and recycling and re-use ongoing campaigns to keep waste out of landfill</p> <p>Cardboard paper and printer cartridges obsolete medical equipments and consumables are donated to charity</p>	<p>2008-2009</p> <p>2007- 2009</p> <p>2007</p> <p>2007 - 2009</p>		

**Appendix B - Wirral Wide Carbon Reduction Programme
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Version 1.c: Status at January 2010

	Activity Owner & Partners	Activity	Planned Outcome	Detailed Action	Environmental Outcomes	Progress To Date	Next Steps - /Milestones	On Target R-A-G
			Waste audits carried out annually Waste handling and recycling training	Audits are assessed for reduction and segregation of waste Paper banks help to promote paper recycling in the Trust. 12 banks in place Trust wide with 5 more planned for 2010. We have recycled approx 19.719 tonne to October 2009 which equates to 300 tress saved Delivered at Induction and ad hoc	4 collections completed = 20 tonnes of equipment recycled to 3 rd world through Christian charity Aid to hospitals worldwide			
Page 78	Cheshire and Wirral Partnership NHS		Staff involvement and engagement Eco Representatives Environment Page for CWP Website Your Eco Environment	staff Eco Reps who promote the message of individual action leading to greater change and embedding a culture of good corporate citizenship Walk to work week and Bike to Work week were both promoted to staff as part of healthy messages and carbon reduction Information page about all the carbon reduction plans the trust has as well as interesting facts and figures on recycling targets	Meetings arranged 4 times per year Reps have Opportunities for events and networking with other champions	July 2009 May and July 2009. Jan 2010 Jan 2010		
	Cheshire and Wirral Partnership NHS		Green travel and transport	Energy Savings Trust prepare green fleet review and action plan for trust Policy review group set up to review lease car policy CWP invited onto Government funded Motorvate scheme to review and monitor travel and transport		Oct 2008 March 2009 April 2009 June 2009		

	Activity Owner & Partners	Activity	Planned Outcome	Detailed Action	Environmental Outcomes	Progress To Date	Next Steps - /Milestones	On Target R-A-G
Page 79 W3				<p>Bike user group established with reps from finance HR and environment to establish interest and look at schemes available</p> <p>Links made with other groups to support and partnership work Lets travelwise and wise moves</p> <p>Govt. NHS cycle to work guarantee scheme signed up</p> <p>Commitment to investigate suitable alternative transport options for staff and service users including how to get to...information on Intranet</p>		<p>July 2009</p> <p>Oct 2009</p>		
	Cheshire and Wirral Partnership NHS	<p>S07 – Sustain financial viability</p> <p>S05- Performance manage all services using an evidence based approach within a risk management framework</p>	<p>Introduce robust energy monitoring and produce action plans with investment plans against the high energy user buildings and sites; and the high cost per M3 buildings and sites</p> <p>Ensure leak free water distribution systems</p>	<ul style="list-style-type: none"> - Update TEAM software - Achieve accurate meter readings and bill monitoring - Prepare regular reports for Head of Estates and Facilities to demonstrate action or no action - Establish procedure for regularly testing procurement of energy against the market prices <p>WATER</p> <ul style="list-style-type: none"> - Produce a report to establish evidence of water consumption - Phase out plastic bottled water programme throughout all Trust properties 2009-10 - Introduce plumbed in units or use of tap water <p>Prepare regular reports for Head of Estates and Facilities to demonstrate</p>	Energy Group Operational Estates	<p>New TEAM Software installed and data being transferred and checks against reporting in progress Sept 09</p> <p>Meter reading regime set up and working well</p> <p>Bill management under discussion with finance dept to make</p>		

	Activity Owner & Partners	Activity	Planned Outcome	Detailed Action	Environmental Outcomes	Progress To Date	Next Steps - /Milestones	On Target R-A-G
				action or <u>no action</u>		improvements		
CW4	Cheshire and Wirral Partnership NHS	S07 – Sustain financial viability S05- Performance manage all services using an evidence based approach within a risk management framework	All buildings that require a Display Energy Certificate (DEC's) have complied Achieve Level D in all buildings/targeting those at Level E, F & G	- Survey buildings over 1000m2 floor area and fit DEC's - Prepare action plan for those buildings at E or below to show: - <ul style="list-style-type: none"> • Project plan • Capital investment • Revenue consequences 	Energy Group Operational Estates	DEC's completed to 75%		
NHS WIRRAL								
Page 80	NHS Wirral	Environmental Impact Assessment & Carbon Footprint	To achieve a 2.5% reduction in Carbon Footprint through reduced energy use, transport and waste sent to landfill compared with 2008-09, leading up to 80% reduction by 2050	- Launch staff environmental awareness campaign	June 09	Launched June 09	Continue with ongoing campaign details Collect data from CWP on a monthly basis Expand services across NHS Wirral sites New window now open Continue awareness Interest free loan scheme Awaiting delivery of external bins and collection frequency	G
				- Set up energy, water and waste monitoring systems	June 09	Set up June 09		
				- Launch paper waste recycling facilities in SCH	June 09	Launched June 09		
				- Implement staff cycling facilities across 4 NHS Wirral sites	June 09	Launched June 09		
				- Launch cycle to work scheme	July 09	Launched July 09		
- Begin CRed scheme with Wirral MBC	Sept 09							
- Launch staff travel incentives scheme through HR & finance	Nov 09	Due for launch Feb 10						
- Set up paper waste recycling facilities in new HQ building	Jan 10	Arrangement in place with WMBC						
WP2	NHS Wirral	Wirral MBC kerbside waste recycling scheme	To implement a kerbside recycling service to 17 NHS Wirral clinical sites to increase waste recycling rates	- Carry out site waste audits	April/May 09 Sept 09	Complete	Arrange for reduced general waste bin sizes at chosen sites.	A
				- Confirm date of new general waste contract start	Sept 09	Started Jan 10		
				- Meet with Wirral MBC to discuss start date of waste recycling scheme	Sept 09	Meeting held 10/09	Arrange for collection of bins every 2 weeks	
				- Deliver mini, 240L and 1100L	Jan 10	Arrangements in place with		

	Activity Owner & Partners	Activity	Planned Outcome	Detailed Action	Environmental Outcomes	Progress To Date	Next Steps - /Milestones	On Target R-A-G
				bins to NHS Wirral premises		WMBS		
WP3	NHS Wirral	Sustainable transport planning	To encourage the use of sustainable transport and reduce personal car use by NHS Wirral staff, patients and visitors in line with Travel Plan	<ul style="list-style-type: none"> - Carry out staff travel survey to establish 2009 baseline against 2007 & 2008 data - Continue to work with Wirral Council and Travelwise on the production and distribution of How to Get to Guides for all main sites - Introduce sustainable transport incentive schemes to encourage staff to use alternatives to car travel - Use HQ relocation as 'step changer' to increase public transport use - Investigate pool car use for office staff - Investigate Wirral shuttle bus scheme 	<ul style="list-style-type: none"> April/May 09 June 09 June – Dec 09 Jan 10 Feb 10 March 10 	<ul style="list-style-type: none"> ESR data cleanse carried out April 09 How to Get to Guide for Treetops Health site produced and circulated June 09 Cycle to work scheme launched July 09 Travelwise clinics held Aug 09 Initial discussions with WMBC 	<ul style="list-style-type: none"> Obtain ESR data for analysis Agree roll out to other main sites (VCHC) Interest free public transport loan scheme to be launched with comms. to staff Rental of pool cars in place Feb 10 Research into staff travel claims carried out 	G
MERSEYTRAVEL								
MT1	Merseytravel	EMS (ISO14001)	Ensure environmental performance of Merseytravel is at a high and externally recognised standard and all operations are legally compliant.	Part of the delivery mechanism for Environmental Sustainability Strategy covering all Merseytravel operations. All operational areas are covered and EMS Management Plan contains detailed actions.	Annual external assessment in October	Successful accreditation each year since 2003	Continual improvement as required by ISO standard, development of relevant policies and procedures and ensuring legal compliance	G
MT2	Merseytravel	Environmental	Steers all sections of	Five year document (currently 2006-	Review in	Currently under		G

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		Sustainability Strategy	Merseytravel in how they undertake their operations resulting in minimal environmental impact	2011) in-line with LTP covering all areas of Merseytravel work. New strategy being developed this year.	2010 for new strategy	review for achievement of previous targets		
MT3	Merseytravel	Annual Environmental Report	Assists in monitoring targets set by EMS and achievements made across the organisation. Public statement of our actions.	Due to be released January 2010. 2011 data gathering begins April 2010 for next report. Updated in relation to environmental agenda and in particular carbon reduction and climate change.	Annually produced in Dec covering previous financial year	Delayed production – now Jan 2010	Preparation for next report	G
MT4	Merseytravel	Staff Awareness and Behaviour Change	Reduction in energy use, more sustainable use of resources and informed decision making	Training for staff, recruitment of 'Ambassadors', regular awareness campaigns and events	Ongoing with quarterly reviews and annual planning	90% of staff have been through 'training', management group established	Ongoing training, recruitment and promotional activity	G
MT5	Merseytravel Wirral Council United Utilities Stagecoach	EU Sustainable Biofuel Project (BIONIC)	Increase in use of sustainable biofuel production	Promotion and use of Sustainable Biofuel in NW England, operation of NW Biofuel Network, case study development with local fleets, production of best practise guideline and final conference	Project runs Nov 2007 to Nov 2010. Conference in 2010	Three trials of high-blend biofuels underway or completed	Develop NW Network and continuation of case studies	G
MT6	Merseytravel Bus operators	Low Carbon Emission Bus Fund	Bring lower carbon buses to Merseyside fleet	Bid for funding to support use of low carbon buses was successful resulting in 11 electric vehicles for C1-C5 routes in LCC	Vehicles to be operational Summer 2010	General agreement on locations and funding needs to be confirmed	Identification of charging points, funding and planning consent	G
MT7	Merseytravel Arriva	Eco-Manager driver system	More efficient driving and reduced fuel use and therefore CO2	Arriva vehicles equipped with ECO-Manager and staff trained for use	Launched 2009	Operation in some of Arriva fleet and showing approx 6% reduction in fuel use (tbc)	Roll-out across whole fleet and possible uptake of similar system by other operators	G
MT8	Merseytravel	Travel Plan	Encourage more sustainable travel behaviour to staff	Promotion of initiatives to all staff whether travelling to / from work or on business	Since 2003 Review 2010.		Review	G

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MTP 9	Merseyside Transport Partnership inc Merseytravel and Wirral MBC	Local Transport Plan (LTP) development and delivery	Ensure Carbon Reduction / Climate Change is key foundation for transport development across Merseyside	Focus on Carbon Reduction for LTP3 from March 2011. Currently in development. Reports against National Indicators including NI186	LTP3 runs from April 2011 for 5 years	Climate Change Officer appointed in Jan 2010	Development of Merseyside-wide strategy for all transport needs	G
MTP 10	Merseyside Transport Partnership inc Merseyside and Wirral	LTP TravelWise Programme	Increased awareness and uptake of walking, cycling, public transport and travel planning	Lead on Smarter Choices elements of LTP across Merseyside	LTP governance review 2010 and LTP3 development	Many programmes across Merseyside	Linked with LTP3 development and review	G
MTP 11	Merseyside Transport Partnership inc Merseyside and Wirral	LTP Integrated Assessment (including EIA)	Identify and reduce environmental impacts of transport schemes in LTP3	Environmental impact of LTP3 (EIA was also undertaken for LTP2)	First results March 2010 for consultation. Final document August 2010	Consultants appointed and review underway	Presentation of results and development of options and considerations	G
MERSEYSIDE FIRE & RESCUE SERVICE								
FR1	MFRS	Reduce CO2 emissions from our normal business activities (NI185/NI186)	Reduce by 30% from 31 st March 2008 to 1 st April 2013.	Following baseline carbon emission calculations from utility use, reduction targets have been set and is being implemented by a formal Carbon Management Programme	Annually until 2013	Carbon Management Plan approved by Authority and being implemented	Continue on planned programme formalised within Carbon Management Plan	G
FR2	MFRS	Maintain external environmental and energy accreditations (NI185/NI186)	Maintain ISO 14001:2004 and Carbon Trust Standard accreditations	Maintain existing accreditation by managing energy plus environmental aspects & impacts.	Surveillance audit Dec 09	Accreditation for both maintained 2008	Continual improvement for both is the aim for MRFS	G
FR3	MFRS	Tackling fuel poverty (NI187)	MF&RS is able to support local communities through its Home Fire Safety Checks programme, by identifying	This measures the proportion of households on income related benefits for whom an energy assessment of their housing has been carried out, living in	Ongoing programme	Ongoing programme	Continue to support the communities in which we work	G

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			homes, which could benefit from energy efficiency support	homes with low energy efficiency or high-energy efficiency				
FR4	MFRS Wirral BC and the National Trust	Climate Change adaptation in Wirral by investment in fire fighting back packs for Wirral Rangers/Community Patrol (NI188/NI186)	Minimise carbon emission from fires in Wirral	Prevent and tackle small fires in Wirral by training and investing in equipment for Wirral Rangers/Community Patrol which would lead to carbon emissions from those fires				G
FR5	MFRS	Bike2Work scheme (NI185/NI186)	Encourage cycling and public transport as an alternative to single user car travel	Formal Bike2Work scheme, offering interest free loan to purchase bicycles. Promote alternatives to single user car travel by promoting Bike2Work and providing information of public transport to staff and visitors	Aug 2009 Bike2Work completed	Bike2Work week completed	Staff survey on scheme to provide information for any future incentives. Formal travel plan to be approved by Merseyside Fire Authority	G
FR6	MFRS North West Fire Services Sustainability Network	Collaborative working with other NW Fire Services (NI185/NI186/NI187/NI188)	Shared environmental knowledge and professional practice across all 5 NW fire services	North West Fire Services Sustainability Network hold regular formal meetings to discuss environmental & carbon management to share good practice and knowledge	Next meeting Oct 09	Next meeting Oct 09	Continue to build professional relationships & knowledge sharing across all 5 NW fire services	G
MERSEYSIDE POLICE								
MP1	MPS	Energy Management	Achieve Energy Efficiency Accreditation under the Carbon Trust Energy Efficiency Accreditation Scheme (EEAS)	Recognition of our progress in Energy Management Strategy	Reduced Carbon Emissions from Premises and Premises related activities	Accreditation obtained Feb 2006 Completed	Continue to develop our strategy	G

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MP2	MPS	Energy Management	MPS Received the Eon Award for Achievements in Energy Management via EEAS	Energy Efficiency improvement Programme, Energy Champions Awareness Campaign, 130 Energy Champions Trained, Training provided to Partner Organisations in Merseyside & Northwest	Reduced Carbon Emissions from Premises and Premises related activities	Dec 2006 Recognition of our Achievements in Energy Management	Refocus Energy Management Strategy to target Carbon Emissions Reduction	G
MP3	MPS	Carbon Management	Achieve the Carbon Trust Standard Accreditation	Year on Year Carbon Emissions Reduction	Reduced Carbon Emissions from Premises and Premises related activities	Accreditation Received Sep 2008	Expand Carbon Reduction Strategy to other Force Operations	G
MP4	MPS	Carbon Management	Join Carbon Trust Local Authority Carbon Management Programme	Expand Carbon Reduction Strategy to include Vehicle Fleet Operations, Business Travel and Landfill Waste	Introduce Specific Targets for Reduction in Line with UK Government Targets	Accepted into LACM7 Scheme May 2009, Carbon Management Team Set up within the force and a Target of 34% Reduction by 2020 established	Complete 5 Year Carbon Management Programme Report by end of Dec 2009	G
MP5	MPS	Cycle to Work Scheme	Reduced Car Usage and Commuter Carbon Emissions	Offer Discount Cycle Purchase Scheme to all Employees	Reduced CO2 Emissions	Introduced Cycle to Work Scheme Introduced Sep 2009 £250,000 allocated for cycle purchase.	Introduce Car Share Scheme Oct 2009	G

COMMUNITY GROUPS

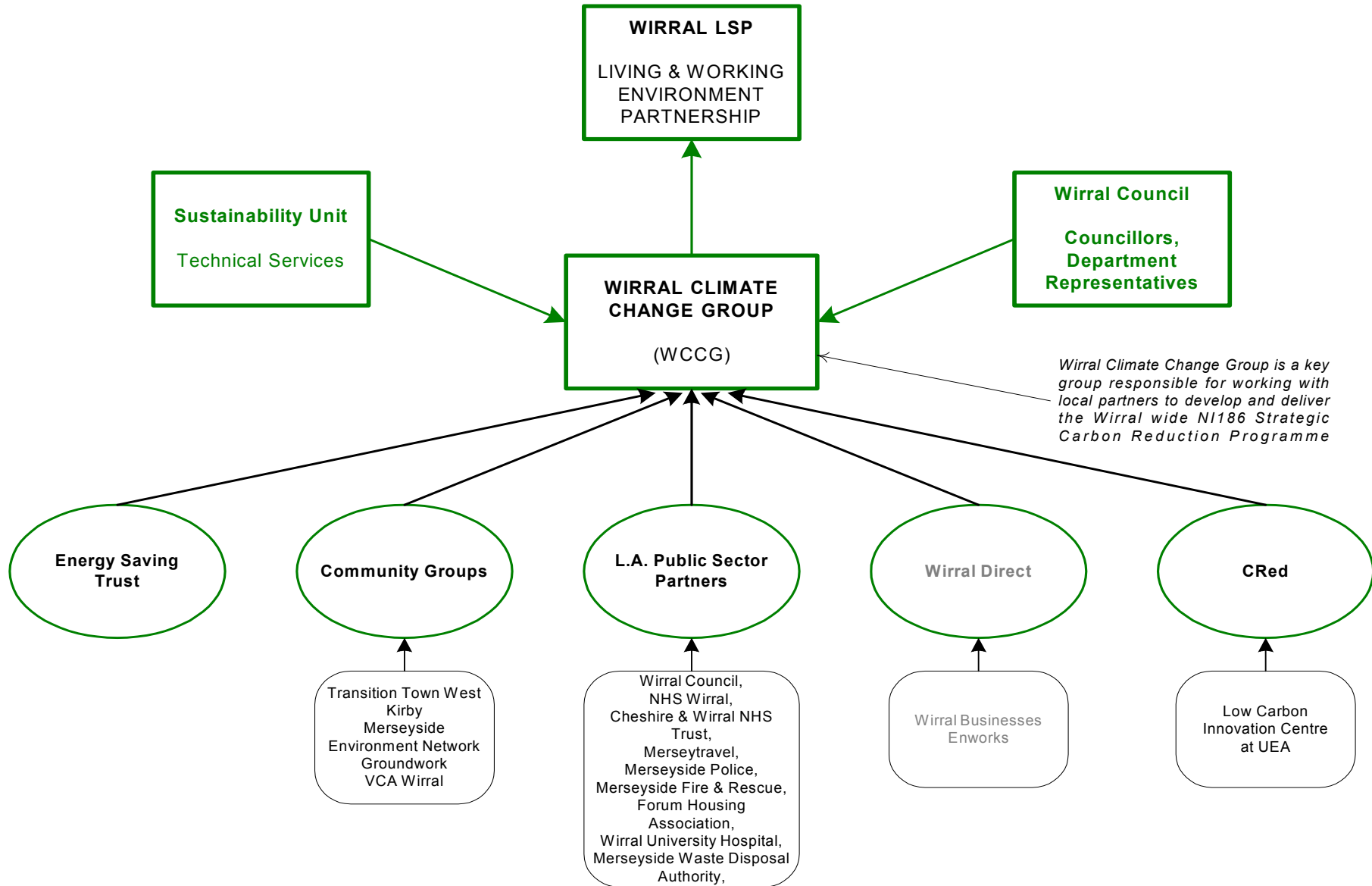
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TT1	Transition Town West Kirby	Awareness raising about energy supply and climate change	A greater awareness in West Kirby and elsewhere in the Wirral about future energy shortages and climate change	Public meetings with film shows and talks on 'peak oil' and climate change Tables at community events Leaflets Contributions to WBC consultations	ongoing	Meetings attended by 400 individuals Regular email update	Further public film shows and talks Whole/half day event with LSP	G
TT2	Transition Town West Kirby	Promotion of Sustainable Food	An increase in the proportion of food that is locally grown (Wirral or nearby)	Promotion of allotments Promotion of growing in own gardens Planting community orchard Establishing local buying group and/or farmers market	ongoing	80+ trees planted New allotment society formed Contact with local growers	Further tree planting Local food guide Setting up local buying group and /or farmers market	G
TT3	Transition Town West Kirby, Crass Roots	Greater Community Cohesion and Resilience	Wirral communities better able to withstand future pressures from energy shortages	Lantern Parade Promotion of community events	ongoing	Lantern Parades 2008, 2009 Website of local events	Lantern Parade 2010 Ongoing promotion including more local community groups	G
TT4	Transition Town West Kirby	Promotion of Sustainable Transport	An increase in walking and cycling	Provision of walking and cycling literature at community events, e.g. maps from Sustrans, Travelwise, and Wirral Council Publicity of walking/cycling surveys	ongoing	Leaflets provided at 12+ events Participation in pedestrian surveys	ongoing	G
TT5	Transition Town West Kirby	Home Energy Awareness Raising	Home energy efficiency	Public meetings with talks from experts on insulation, solar hot water, wood-burning stoves Loaning of energy monitor	ongoing	Meetings attended by 100+ people	Database of local installers of solar hot water and solar PV installation	G

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Wirral Climate Change Group - Management Process



Appendix D – CRed Information



CRed Wirral (short for Carbon Reduction Wirral) was successfully launched at the Tranmere Rovers match on the 5th December 2009. This information sheet provides details of the initiative. We would like to encourage your participation to help make the programme a success.

In a nutshell, CRed Wirral is designed to help people living or working in the Wirral to cut carbon dioxide (CO₂) emissions and so play a part in wider efforts to prevent more damaging impacts from climate change. Through CRed Wirral people are encouraged to make carbon reduction pledges.

There are currently around 80 pledges to choose from to suit people's circumstances, both at home and work. Pledges can be made easily either on line (see below) or by filling out a short paper pledge. After making pledges, it is possible for people to track progress and see the impact in terms of kilograms or tonnes of CO₂ saved. On-line users can see the impact of their pledges alongside the results of all pledges made by users of CRed Wirral.

To find out more, visit the CRed Wirral website at : www.credwirral.org.uk

The Council operates CRed Wirral in partnership with NHS Wirral, and the Cheshire & Wirral Partnership NHS Trust.

You can help make CRed Wirral a success by:

- making your own carbon reduction pledges using the system;
- helping to promote the CRed programme by encouraging people to visit the site and make a pledge.

If you require further information about CRed Wirral please do not hesitate to contact Bryan Lipscombe, Sustainability Liaison (CRed) Officer, Technical Services, Wirral Council on 0151 606 2206

The CRed Wirral initiative is supported by the Wirral Climate Change Group with financial support from Wirral Council, NHS Wirral and the Cheshire and Wirral NHS Partnership Trust. The CRed system was developed and is maintained independently by the Low Carbon Innovation Centre at the University of East Anglia.



Cheshire and Wirral Partnership 
NHS Foundation Trust

Appendix E – CRed Promotional Programme Development

A CRed marketing and promotional programme is under development by the Corporate Marketing team within the framework of the Corporate Marketing Strategy (2010-12). It has been agreed to market and promote C-Red to four main target audiences – each of which will receive specific communication and key messages tailored to their needs.

- **Public Sector Staff** : Including Council, NHS, Police and other partners.
- **School Children**: Thought to be more environmentally aware than their parents.
- **Employers** : To disseminate information to their staff.
- **General Public** : No awareness of C-Red issues.

Public sector employees will be targeted through distribution channels such as ‘One Council’ and ‘NHS Matters’, along with associated electronic communications. School children will be targeted with road shows and associated literature to develop an education programme. Employers will be targeted through a combination of face-to-face meetings, email, and direct mail. The general public will be targeted with a generic mass-media style promotion; this will be supported by road shows visiting shopping centres, community centres and other premises to raise awareness of CRed. Particular promotions will be timed to coincide with nationally and internationally observed events such as World Environment Day to amplify impact. Regular e-bulletins will be sent to CRed Wirral members with targeted key messages.

At the operational level, there will be parallel ‘grass-roots’ engagement with community groups through talks, presentations and appearances at community events. An element of this grass roots work is to build capacity for voluntary and peer-to-peer promotion to help sustain longer term momentum. To this end, training sessions will be held to develop local champions. An important part in the long term success in the CRed Wirral is building an online carbon reduction community and utilising this to generate real world action – the implementation of CRed pledges. A Council wide review is being undertaken to review the use of social networking tools.

CRed Campaign Plan 2010-2011

Month	Campaign	Activity
March – April 2010	Council and Public Sector staff sign up.	One Council article, C Exec Authority Broadcast E-mail. Intranet information, etc
April 2010	Target Green advocates / existing & established groups.	Events, presentations, talks to existing contacts and networks.
May - Aug 2010	General Public.	Series of roadshows/events at key locations with high footfall to engage 1:1 with public to sign up to CRed.
June 2010	General Public.	World Environment Day (5 th June) Publicity around national day.
June 2010	Employers.	Launch of campaign to employers. Link to World Environment Day.
Sept 2010	School Children.	Launch of School Children’s education campaign.
Oct 2010	Energy Saving Week. Council & Public Sector.	Employers push. Information for businesses to disseminate to staff. Roadshows at Businesses.
March 2011	General Public	Final push for C-Red Year One, using existing performance figures for guidance.

* In addition, publicity around any key milestones. First 1000 people to sign up. Strapline for CRed in any other related material, etc.

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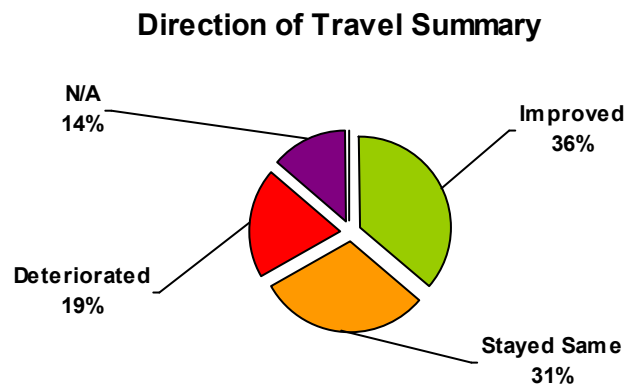
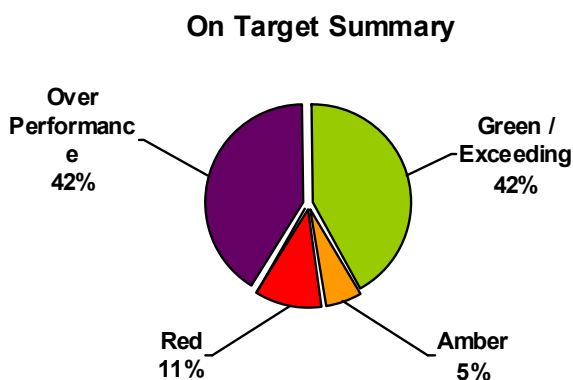
WIRRAL COUNCIL

SUSTAINABLE COMMUNITIES OVERVIEW & SCRUTINY COMMITTEE – 8TH MARCH 2010

THIRD QUARTER PERFORMANCE REPORT 2009/2010

1.0 EXECUTIVE SUMMARY

- 1.1 This report provides an overview of progress made against the indicators for 2009/2010 and key projects which are relevant to the Sustainable Communities Overview & Scrutiny Committee
- 1.2 There are 36 indicators that can be reported at the third quarter period.



Appendix 1 provides the status of all the 2009/10 indicators that can be reported to this Scrutiny Committee for quarter three.

- 1.3 This report sets out overall performance against the 2009/10 projects relevant to the Sustainable Communities Overview & Scrutiny Committee and corrective actions are detailed in section 3.3.
- Of the 41 projects relevant to this Overview and Scrutiny Committee there are 30 projects that are green (all milestones that should have been met at this point have been met)
 - 10 of the 41 projects have a status of amber (some non-critical milestones have been missed or there is a danger of non-critical slippage). Corrective action to bring these projects back on track is provided.
 - 1 project has a status of red because it is no longer proceeding.
 - There are no projects outstanding.

2.0 BACKGROUND

- 2.1 At the Scrutiny Programme Board meeting on the 27th May 2009, it was agreed that performance information on the activities relevant to each Overview and Scrutiny Committee would be placed in the web library and a presentation made to the next appropriate meeting. In addition Chief Officers would present reports to relevant Overview and Scrutiny Committees on specific financial matters which fell within their remit.

3.0 PERFORMANCE HEADLINES

3.1 Achievements

3.1.1 Performance headlines for this strategic objective include:

- Technical Services accounted for 72.5% (652) of all Councillor/MP contacts received (decreased from 77% (689) in previous quarter) and resolved 99% of the closed contacts within the 10 day time scale.
- 100% of the 79 Technical Service complaints resolved in the quarter were done so within the 15 day time limit.
- Two sets of figures released recently have shown that crime is falling more rapidly in Wirral than in other parts of the region. Wirral has the lowest rate of recorded crime of any of the Merseyside authorities and has the seventh lowest rate of crime within the North West Region. The latest performance figures follow four years of significant crime reductions.
- 10951 anti-social behaviour incidents have been reported during the first six months of 2009/10. This is lower than the target set and an improvement on performance at the same stage as last year.
- Indicators measuring youth alcohol referrals continue to exceed annual targets. This is due to the success of activities complementing this intervention including initiatives such as 'Operation Stay Safe' in mobilising a well coordinated and targeted response to alcohol fuelled anti social behaviour.
- A million pound plus cash injection will breathe new life into a major housing development in Tranmere. The Homes and Communities Agency (HCA) has awarded £1,078,123 in Kickstart funding to enable work to begin. The site is part of the Housing Market Renewal area and will see 56 new homes being built by March 2011
- A new Wirral-wide drive to cut carbon dioxide (CO2) emissions has recently been launched. 'C Red Wirral' aims to help local people to reduce pollution caused by carbon emissions by encouraging them to use a new interactive website - wirral.cred2.co.uk hosted by Wirral Council.

3.2 Performance Issues

The following indicators have not met the quarterly target by more than 10% and are therefore assessed as **red** or have missed the target by between 5% and 10% and are assessed as **amber**:

Data Key	
Actual	(A)
Estimate	(E)
Provisional	(P)

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Culture, Tourism and Leisure	DEPT 4191	Total number of electronic workstations available to users per 10,000 population (Regeneration)	9.5 Lower = Better	10.56 (A)	Red	Improved

Context:

Corrective action: Planned replacement of PC's will be continuing.

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Environment	NI 192	Percentage of household waste sent for reuse, recycling and composting (Technical Services)	37%	33.07% (E)	Red	Unchanged

Context: The quarter 3 target is locally-agreed. Some of the December recycling tonnages are sent to an alternative MRF due to capacity issues over the Christmas period. This data is not included but will be added to January 2010 returns. Recycling rates are seasonal and the year-end target is not affected.

Corrective action: While the expected seasonal drop in recycling rates is sharper than anticipated, it is against a locally-agreed quarterly target. We expect that final rates will recover when December 2009 tonnage, sent to an alternative MRF, is included in January 2010 returns. The effect on year-end targets is not expected to be significant and LAA targets are not affected.

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Streetscene and Transport Services	NI 195b	Improved street and environmental cleanliness (levels of detritus) (Technical Services)	10% Lower=Better	24% (A)	Red	Deteriorated

Context:

Corrective action: Combined quarter 1 and quarter 3 score is 13% therefore it is unlikely that Wirral will meet its 2009/10 LAA target. It must be stressed that these are interim figures which are combined to give an overall result that can only be reported annually. Biffa to be served rectification notice and action plan to be formulated as a partnering 'work stream'.

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Streetscene and Transport Services	NI 195d	Improved street and environmental cleanliness (levels of fly posting) (Technical Services)	0.5% Lower=Better	1% (A)	Red	Deteriorated

Context: Combined quarter 1 and quarter 3 score is 1%, the main issues were 'stickers' and remnants including poster ties. Primary and secondary retail areas are mainly affected and graffiti teams, who are constrained by recent inclement weather, have been re-directed to assist with their

removal. We still expect to meet year-end target. It must be stressed that these are interim figures which are combined to give an overall result that can only be reported annually

Corrective action: Survey plus focussed removal at all retail areas to be carried out prior to next survey.

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Housing and Community Safety	NI 32	Repeat incidents of domestic violence (Regeneration)	9 Lower=Better	9.7 (A)	Amber	N/A

Context: Wirral Family Safety Unit remains confident that performance is exemplary and domestic violence victimisation lower than in other areas. This stringent target has not been met for two reasons: 1. High reporting last year and 2. changes in counting rules. 1 Successfully increasing the number of domestic violence victims reporting last year has increased the percentage of repeats in the last quarter (who previously reported in the last 12 months). 2. The new way domestic violence referrals are measured changed in April 09, from the methods used under Local Area Agreement 4103 reporting to Police to that now introduced by National Indicator NI 32 (reporting to MARAC) yet repeats are measured across the last 12 months (across two counting methods)

Corrective action: In April 2009 Wirral implemented the Home Office guidance introducing new methods of assessing risk for all domestic violence reported after that date. However repeat victimisation calculations are based on rolling totals of incidents originally reported before April 09 when domestic violence reports were based on the old (quite different) assessment methods. Following a comprehensive retrospective system trawl, the new guidance has been consistently applied to each individual case, thereby accurately calculating domestic violence repeat rates. The number of cases reported before April 2009, and consequential repeat rate has been calculated as if they had been assessed using the new methods. The third quarter repeat rate is therefore 9.7% (7% over target) Further reductions in domestic violence repeat rates will be gained from changing the Risk Assessment model from 'FSU9' to 'DASH 2008' (Domestic Abuse Sexual and Honour-based) in line with the latest guidance from CAADA (Coordinated Action Against Domestic Abuse) and ACPO (Association of Chief Police Officers)

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Culture, Tourism and Leisure	LOCAL 4252	Borough wide coverage of the Bookstart scheme (Regeneration)	70%	65.8% (A)	Amber	Deteriorated

Context: Uncertainty over SAR meant that the size of deliveries was reduced as some libraries may not have been still open.

Corrective action: Extra materials ordered for next delivery.

- 3.3 The following projects have been assessed as **amber** (some non-critical milestones have been missed or there is a danger of non-critical slippage) or **red** (critical milestones have been missed or there is serious slippage):

Portfolio	Key project	Status	Corrective Action
Housing and Community Safety	Parenting Support project (Regeneration)	Amber	No further funding identified for post of Parenting Support & Intervention Worker for 2010/11.
Culture Tourism & Leisure	Commission a Heritage Strategy (Regeneration)	Amber	New brief being prepared for commissioning in 2010.
Culture Tourism & Leisure	Develop proposals for redevelopment of Europa Pools (Regeneration)	Red	No longer proceeding following withdrawal of funding from PCT
Culture Tourism & Leisure	Install mercury abatement equipment at Landican Crematorium (Regeneration)	Amber	Timetable reviewed due to change in specification
Housing and Community Safety	Young Persons Alcohol Intervention Project (Regeneration)	Amber	Meeting held with Terry White from DAAT on 22-12-09. Concerns were raised regarding a decrease in the number of referrals being passed on to Response. Meeting will be held in the New Year to review YPAIP in light of changes to Police procedures. Police are re-launching Op. Bacchus and introducing an education programme for officers. It is anticipated that these actions will help us to achieve 'Green' status in by the end of Q 4.
Culture Tourism & Leisure	Produce a development and improvement plan for the library service (Regeneration)	Amber	Delayed until publication of national review in march 2010
Housing and Community Safety	Introduction and use of DASH Risk assessment programme to supplement existing structures (Regeneration)	Amber	Technology issues have delayed the implementation of this element. Training of all agencies required to use the DASH is planned but has not yet taken place.
Environment	Investment in Energy Efficiency Programme (IEE)	Amber	Discussions continue with Head of Asset Management to determine which projects

Portfolio	Key project	Status	Corrective Action
	phases 2 and 3 (Technical Services)		can proceed.
Environment	Building Insulation Programme and Electrical Energy Efficiency Scheme (Technical Services)	Amber	Discussions continue with Head of Asset Management to determine which projects can proceed.
Environment	Expand coverage of the kerbside co-mingled recycling scheme to include all remaining Wirral households (Technical Services)	Amber	Roll-out to multi occupancies was completed in June 2009 except for approximately 75 locations that require further consultation (currently underway).
Streetscene & Transport Services	Continue to improve the overall cleanliness of public highways through the Environmental Streetscene Contract and Biffa "partnering" arrangement (Technical Services)	Amber	Litter is better than the LAA target however, poor detritus scores in the second survey has made it impossible to meet the 2009/10 LAA detritus target. A workstream has been identified to address this issue and the Council is confident that the 2010/11 targets will be met.

Appendix 2 provides the status of all the 2009/10 projects assessed as Green that can be reported to this Scrutiny Committee for quarter two.

4.0 RISKS

- 4.1 The economic position poses a threat with the potential impacts being under recycling where a fall in demand for waste recycling materials may result in a drop in recycling performance and the ability of local businesses to continue to be financially viable.
- 4.2 Severe adverse weather in December (continuing into January) has presented significant challenges to the serviceability of the highway network and could have implications for the costs of future maintenance.

5.0 FINANCIAL IMPLICATIONS

- 5.1 The departmental monitoring focuses on those areas of the budget that are identified as key risks in delivering the objectives of the department within the available resources. At this stage the projected variations are:-

5.2 Regeneration

- 5.2.1 There remain several volatile budget areas with the major concern around maintaining income levels. The recession and weather conditions can have a major impact upon the achievement of income targets. Together with employee cost pressures an overspend of £1 million is presently being projected.
- 5.2.2 Whilst the actual allocation of HMRI grant for 2009/10 was 10% lower than the indicative allocation additional funding was secured to enable the planned programme to continue. However the impact of the recession has meant that actual spend has been slow and Cabinet has approved plans to increase the numbers of acquisitions. After an investigation of the alternative options the Landican Crematorium Mercury Abatement scheme was reported to Cabinet in July 2009 and it was resolved that the capital allocation be increased from £3 million to £3.5 million.
- 5.2.3 The Oval Sports Centre scheme has now been finalised and a report on the overspend, issues raised and lessons learned is to be reported to a forthcoming Cabinet.
- 5.2.4 After protracted negotiations and confirmation of external grant funding Phase 2 of the New Brighton redevelopment commenced before the end of the year with contractors on site at the Marine Lake.

5.3 Technical Services

- 5.3.1 As with other areas the income budgets are closely monitored and the indications are that the decline in planning fee income experienced throughout 2008/09 is now levelling off.
- 5.3.2 Parking services income is being adversely affected and compounded by the success of the parking initiatives with the consequent fall in fixed penalty charge income.
- 5.3.3 The increased demands as part of winter maintenance is projected to overspend by £350,000 contributing towards the overall £0.8 million overspend.
- 5.3.4 The works at Bidston Moss Viaduct are progressing well under the overall control of the Highways Agency as is the work at Thurstaston crossroads. The improvements to West Kirby Marine Lake have now been completed and, after initial difficulties with the contract, have been completed within the funding allocated.

6.0 STAFFING IMPLICATIONS

- 6.1 There are no staffing implications arising directly from this report.

7.0 EQUAL OPPORTUNITIES IMPLICATIONS

- 7.1 There are no equal opportunities implications arising directly from this report.

8.0 HEALTH IMPLICATIONS/ IMPACT ASSESSMENT

- 8.1 There are no implications/health impact assessment requirements arising from this report

9.0 COMMUNITY SAFETY IMPLICATIONS

9.1 There are no community safety implications arising directly from this report.

10.0 LOCAL AGENDA 21 IMPLICATIONS

10.1 There are no local agenda 21 implications arising directly from this report.

11.0 PLANNING IMPLICATIONS

11.1 There are no planning implications arising directly from this report.

12.0 ANTI-POVERTY IMPLICATIONS

12.1 There are no anti-poverty implications arising directly from this report.

13.0 SOCIAL INCLUSION IMPLICATIONS

13.1 There are no social inclusion implications arising directly from this report.

14.0 LOCAL MEMBER SUPPORT IMPLICATIONS

14.1 There are no Local Member support implications arising directly from this report.

15.0 BACKGROUND PAPERS

15.1 The following background papers have been used in the preparation of this report

Wirral Corporate Plan 2009-2012

Technical Services Departmental Plan 2009-2010

Regeneration Departmental Plan 2009-2010

16.0 RECOMMENDATION

16.1 That

(1) Committee is requested to note the contents of this report.

**DAVID GREEN, DIRECTOR
TECHNICAL SERVICES**

PERFORMANCE INDICATOR SUMMARY

Period: Quarterly - Q3
 Scrutiny: Sustainable
 Communities

Direction of Travel Summary

% PIs	No. of PIs	
36.11%	13	Improved by more than 2.5% on previous year's performance
19.44%	7	Deteriorated by more than 2.5% on previous year's performance
30.56%	11	Stayed within +/-2.5% of previous year's performance
0.00%	0	Awaiting data
13.89%	5	Not applicable
100.00%	36	(Note: percentages rounded to 2 decimal places)

Target Summary

% PIs	No. of PIs	
41.67%	15	Green (within +10/-5% of the target)
5.56%	2	Amber (missed target by between 5% and 10%)
11.10%	4	Red (missed target by more than 10%)
41.67%	15	Over-performing (more than 10% of the target)
0.00%	0	Awaiting data
0.00%	0	Target not set
0.00%	0	Not Applicable
100.00%	36	(Note: percentages rounded to 2 decimal places)

Strategic Objective: Create more jobs, achieve a prosperous economy and regenerate Wirral

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Environment	LOCAL 4010	Consumer protection visits per high risk premises	75%	71.6% (A)	Green	Unchanged
Context:						
Corrective action:						

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Environment	LOCAL 4125a	% of total high risk businesses found to be compliant at year end	95%	100% (A)	Green	Unchanged
Context:						
Corrective action:						

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Environment	LOCAL 4125b	% of total medium risk businesses found to be compliant at year end	95%	99.3% (A)	Green	Unchanged
Context:						
Corrective action:						

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Environment	LOCAL 4125c	% of total low risk businesses found to be compliant at year end	95%	99.4% (A)	Green	Unchanged
Context:						
Corrective action:						

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Environment	LOCAL 4127	Total number of enforcement projects conducted into the supply of illegal goods or services	6	6	Green	Unchanged
Context:						
Corrective action:						

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Culture, Tourism and Leisure	LOCAL 4136	The number of books and other items issued by the Council's libraries per head of population.	3.70	4.51 (A)	Blue	Unchanged
Context:						
Corrective action:						

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Culture, Tourism and Leisure	LOCAL 4149	The number of physical visits per 1000 population to public library premises	4500	4290 (A)	Green	Deteriorated
Context:						
Corrective action:						

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Culture, Tourism and Leisure	DEPT 4191	Total number of electronic workstations available to users per 10,000 population	9.5 Lower=Better	10.56 (A)	Red	Improved
Context:						
Corrective action: Planned replacement of PCs will be continuing						

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Culture, Tourism	LOCAL	Percentage of requests for	50%	60.5% (A)	Blue	Improved

and Leisure	4197	books met within 7 days				
Context:						
Corrective action:						

Strategic Objective: Create a clean, pleasant, safe & sustainable environment

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Housing and Community Safety	NI 15	Number of most serious violent crimes (PSA 23: Priority Action 1) per 1000 population	0.49 Lower=Better	0.46 (A)	Green	Deteriorated
Context:						
Corrective action:						

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Housing and Community Safety	NI 16	Number of serious acquisitive crimes per 1000 population	9.76 Lower=Better	6.17 (A)	Blue	Improved
Context:						
Corrective action: The monthly, multi agency Serious Acquisitive Crime group meeting addresses burglaries and vehicle crime across Wirral. This meeting links CDRP & Police intelligence with policy makers across the LSP to ensure interventions are focussed upon vulnerable locations and individuals, and appropriate enforcement made upon perpetrators. This is an action focussed intelligence lead meeting.						

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
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Housing and Community Safety	NI 20	Number of "Assaults with less serious injury" (including racially and religiously aggravated) offences per 1,000 population as a proxy for alcohol related violent offences	3.48 Lower=Better	3.48 (A)	Green	Improved
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Context:

Corrective action:

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Housing and Community Safety	NI 29	Number of gun crimes per 1,000 population	0.0615 Lower=Better	0.029 (A)	Blue	Improved

Context:

Corrective action: There have been two crimes in this quarter where guns were involved, one third of the target set. This excellent performance is a product of the reductions in crime in Wirral, particularly serious violence. Specific policy measures are identified through the Merseyside Gun and Gang Crime group who meet quarterly to share best practise and this is communicated through to partners via the Wirral CDRP Executive Group.

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Housing and Community Safety	NI 33a	Number of deliberate primary fire fires per 10,000 population	7.35 Lower=Better	7.24 (A)	Green	Improved

Context:

Corrective action:

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
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Housing and Community Safety	NI 33b	Number of secondary deliberate fires per 10,000 population	42.8 Lower=Better	34.83 (A)	Blue	Unchanged
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Context:

Corrective action: In collaboration with Wirral's Crime and Disorder Reduction Partnership, Merseyside Fire and Rescue Service have set a target to reduce secondary fires to less than 133 per month on Wirral. Wirral has averaged 120 incidents per month, 9% below target. This success has been due to the multi agency interventions undertaken by Wirral's arson reduction advocate attached to the Community Safety Team and coordinated at a tactical and strategic level through the Anti Social Behaviour Governance Group.

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Streetscene and Transport Services	NI 191	Residual household waste per household	415 Lower=Better	431.78 (E)	Green	Improved

Context: This is an estimated figure, full data is not available.

Corrective action:

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Environment	NI 192	Percentage of household waste sent for reuse, recycling and composting	37%	33.07% (E)	Red	Unchanged

Context: The quarter 3 target is locally-agreed. Some of the December recycling tonnages are sent to an alternative MRF due to capacity issues over the Christmas period. This data is not included but will be added to January 2010 returns. Recycling rates are seasonal and the year-end target is not affected.

Corrective action: While the expected seasonal drop in recycling rates is sharper than anticipated, it is against a locally-agreed quarterly target. We expect that final rates will recover when December 2009 tonnage, sent to an alternative MRF, is included in January 2010 returns. The effect on year-end targets is not expected to be significant and LAA targets are not affected.

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Streetscene and Transport Services	NI 195a	Improved street and environmental cleanliness (levels of litter)	8% Lower=Better	6% (A)	Blue	Improved

Context: Combined quarter 1 and quarter 3 score is 7% therefore exceeding target. It must be stressed that these are interim figures which are combined to give an overall result that can only be reported annually.

Corrective action:

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Streetscene and Transport Services	NI 195b	Improved street and environmental cleanliness (levels of detritus)	10% Lower=Better	24% (A)	Red	Deteriorated

Context:

Corrective action: Combined quarter 1 and quarter 3 score is 13% therefore it is unlikely that Wirral will meet its 2009/10 LAA target. It must be stressed that these are interim figures which are combined to give an overall result that can only be reported annually. Biffa to be served rectification notice and action plan to be formulated as a partnering 'work stream'.

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Streetscene and Transport Services	NI 195c	Improved street and environmental cleanliness (levels of graffiti)	6% Lower=Better	4% (A)	Blue	Improved

Context: Combined quarter 1 and quarter 3 score is 3% exceeding target. It must be stressed that these are interim figures which are combined to give an overall result that can only be reported annually.

Corrective action:

Portfolio	PI no	Title	2009/2010	2009/2010	On	Direction
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			Q3 Target	Q3 Actual	target	of travel
Streetscene and Transport Services	NI 195d	Improved street and environmental cleanliness (levels of fly posting)	0.5% Lower=Better	1% (A)	Red	Deteriorated

Context: Combined quarter 1 and quarter 3 score is 1%, the main issues were 'stickers' and remnants including poster ties. Primary and secondary retail areas are mainly affected and graffiti teams, who are constrained by recent inclement weather, have been re-directed to assist with their removal. We still expect to meet year-end target. It must be stressed that these are interim figures which are combined to give an overall result that can only be reported annually

Corrective action: Survey plus focussed removal at all retail areas to be carried out prior to next survey.

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Housing and Community Safety	LOCAL 4206	Number of reported incidents of anti-social behaviour	13169 Lower=Better	10951 (A)	Blue	Improved

Context:

Corrective action: Calls to the Police regarding Anti Social Behaviour are 20% under the target set. This is due to the targeted and coordinated array of interventions implemented by the partner agencies involved. The ASB Governance is a multi agency information-lead action-based meeting every four weeks, feeding into the Police Tasking & Coordinating meeting ensuring a proportionate response to repeat perpetrators, hotspot locations and vulnerable victims.

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Environment	LOCAL 4267	% of High Risk Licensed Premises inspected over 12 months	75%	94% (A)	Blue	Deteriorated

Context: This target has continued to be exceeded due to the necessity to visit high risk premises that have been subject to complaints. Reaching this target has enabled resources to be directed to undertaking enforcement visits to medium risk premises.

Corrective action:

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Housing and Community Safety	LOCAL 4269	Reduce the level of vehicle nuisance	1273 Lower=Better	1073 (A)	Blue	Improved

Context:

Corrective action:

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Housing and Community Safety	LOCAL 4270	Reduce the number of criminal damage incidents reported to Merseyside Police	3686 Lower=Better	2780 (A)	Blue	Unchanged

Context:

Corrective action:

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Housing and Community Safety	LOCAL 4275	Youth Alcohol Referral - Arrests	75	224 (A)	Blue	N/A

Context: This is a new initiative and therefore there was no baseline information from which to make accurate targets. Alcohol related anti social behaviour is a known problem and the high number of arrests represents a success in redressing this problem.

Corrective action: The number of youths arrested where alcohol was involved over the past 9 months has already exceeded the annual target. This is due to activities complementing this intervention not least 'Operation Stay Safe' which not only enforces order amongst disorderly youths, but also provides a place of safety for youths who are so

intoxicated they become vulnerable themselves. The increase in operations taking place over the period has increased the number of youths arrested. This is a measure of the success of this initiative in mobilising a well coordinated and targeted response to alcohol fuelled anti social behaviour.

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Housing and Community Safety	LOCAL 4276	Youth Alcohol Referral - Stop Search	263	501 (A)	Blue	N/A

Context: The increase in youths stop searched where alcohol was involved illustrates the proactive approach taken against this issue. The target being exceeded is an indication of the success in coordinating agencies to prevent alcohol fuelled anti social behaviour.

Corrective action: The number of youths stopped and searched where alcohol was involved over the past 9 months has exceeded the annual target set by a considerable margin. This is due to activities complementing this intervention not least 'Operation Stay Safe' which not only enforces order amongst disorderly youths, but also provides a place of safety for youths who are so intoxicated they become vulnerable themselves. Ten such operations have taken place over the period and the increase in youths being stopped and searched is a measure of the success of this initiative in mobilising a well coordinated and targeted response to alcohol fuelled anti social behaviour.

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Housing and Community Safety	LOCAL 4277	Youth Alcohol Referral - Parents Advised	225	289 (A)	Blue	N/A

Context: This is a new multi agency initiative to reduce alcohol induced anti social behaviour, by not only confiscating alcohol from youths but providing both enforcement and further support for the individual and their parents.

Corrective action: The number of parents informed that their children had been stopped and searched (where alcohol was involved) during the third quarter was equal to the second. The process has almost reached the annual target due to increased activity in reducing alcohol fuelled anti social behaviour, not least 'Operation Stay Safe' which not only enforces order amongst disorderly youths, but also provides a place of safety for youths who are so intoxicated they become vulnerable themselves. The frequency of multi agency operations taking place has increased the number of stop searches where alcohol was involved. This has identified the individuals requiring further interventions where involving the parents will help reinforce the reprimand and help correct behaviour. This demonstrates the success of multi agency initiatives in mobilising a well coordinated and targeted response to alcohol fuelled anti social behaviour.

Strategic Objective: Improve health and well being for all, ensuring people who require support are full participants in mainstream society

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Housing and Community Safety	NI 32	Repeat incidents of domestic violence	9 Lower=Better	9.7 (A)	Amber	N/A

Context: Wirral Family Safety Unit remains confident that performance is exemplary and domestic violence victimisation lower than in other areas. This stringent target has not been met for two reasons: 1. High reporting last year and 2. changes in counting rules. 1 Successfully increasing the number of domestic violence victims reporting last year has increased the percentage of repeats in the last quarter (who previously reported in the last 12 months). 2. The new way domestic violence referrals are measured changed in April 09, from the methods used under Local Area Agreement 4103 reporting to Police to that now introduced by National Indicator NI 32 (reporting to MARAC) yet repeats are measured across the last 12 months (across two counting methods)

Corrective action: In April 2009 Wirral implemented the Home Office guidance introducing new methods of assessing risk for all domestic violence reported after that date. However repeat victimisation calculations are based on rolling totals of incidents originally reported before April 09 when domestic violence reports were based on the old (quite different) assessment methods. Following a comprehensive retrospective system trawl, the new guidance has been consistently applied to each individual case, thereby accurately calculating domestic violence repeat rates. The number of cases reported before April 2009, and consequential repeat rate has been calculated as if they had been assessed using the new methods. The third quarter repeat rate is therefore 9.7% (7% over target) Further reductions in domestic violence repeat rates will be gained from changing the Risk Assessment model from 'FSU9' to 'DASH 2008' (Domestic Abuse Sexual and Honour-based) in line with the latest guidance from CAADA (Coordinated Action Against Domestic Abuse) and ACPO (Association of Chief Police Officers)

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
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				Actual		
Culture, Tourism and Leisure	LOCAL 4237	The number of housebound readers	700	713 (A)	Green	Deteriorated
Context:						
Corrective action:						

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Environment	LOCAL 4272	Percentage of sales of alcohol during test purchase exercises	18% Lower=Better	0% (A)	Blue	N/A
Context:						
Corrective action:						

Strategic Objective: Raise the aspirations of young people

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Culture, Tourism and Leisure	LOCAL 4252	Borough wide coverage of the Bookstart scheme	70%	65.8% (A)	Amber	Deteriorated
Context: Uncertainty over SAR meant that the size of deliveries was reduced as some libraries may not have been still open.						
Corrective action: Extra materials ordered for next delivery.						

Strategic Objective: Create an excellent Council

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Environment	NI 182	Satisfaction of businesses with local authority regulatory services	80%	80%	Green	Unchanged

Context: Reporting of data will always be delayed by a scheduled 5 weeks to allow time for sending out of questionnaires, business responses, and the collation of information received.

Corrective action:

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Environment	NI 184	The percentage of food establishments within the local authority area which are "broadly compliant" with food law.	80%	80.5% (A)	Green	Unchanged

Context:

Corrective action:

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Environment	LOCAL 4011	Public satisfaction levels with services provided by Fair Trading	90	96.1 (A)	Green	Improved

Context:

Corrective action:

Portfolio	PI no	Title	2009/2010 Q3 Target	2009/2010 Q3 Actual	On target	Direction of travel
Environment	LOCAL 4261	Score against a checklist of enforcement best practice for Trading Standards	100%	100% (A)	Green	Unchanged

PROJECTS ASSESSED AS COMPLETED OR GREEN

The following projects have been **completed** or assessed as **green** (all milestones that should have been met at this point have been met):

- Deliver the Advancing Assets Programme for Community Centres
- Underage sales prevention programme
- Support the development and promotion of the New Floral Pavilion as part of the New Brighton Regeneration
- Improve the quality of recyclates delivered to the Materials Recovery Facility
- Increase diversion of street cleansing waste streams from landfill
- Deliver initiatives through partnership working aimed at educating and empowering residents and businesses to minimise waste and maximise recycling
- Provide Designers' Guide for Sustainable Development
- Establish Sustainability Unit
- Wirral CRed Scheme. Help to achieve 60% carbon reduction in the borough by 2025. Assist in the operation of the LAA
- Deliver programme of Microgeneration projects (Renewables).
- Related Energy Projects
- Awareness Raising Programme
- Narrow the gap in cleanliness standards between the 5% most deprived areas and the borough as a whole
- Monitor and respond appropriately to the levels of flytipping across the borough
- Work with partners and statutory land owners to identify and deliver borough wide improvements in environmental quality
- Develop & undertake effective roads policing enforcement activity & community engagement in partnership with Merseyside Police.
- Develop & implement education & training targeted at high risk road user groups (Link to RoadSafe Action Plan ETP section)
- Develop & implement communications strategy targeting road safety issues in conjunction with National; Regional & Local priorities. (Link to RoadSafe Action Plan COM section)
- Develop & implement programmes of Safer Routes to Schools encouraging safer sustainable travel & further development of school travel plans. (Link to RoadSafe Action Plan STP section)
- Identify & implement range of physical highway improvements aimed at reducing road casualties. (Link to RoadSafe Action Plan ENG section)
- Improve the highway network through implementation of the Capital Programme
- Provide a Hate Crime Multi Agency Risk Assessment Conference
- Produce a revised development and promotional plan for museums
- Family Intervention Project
- Challenge & Support Project
- Takeaway Food Survey
- Alcohol Intervention Project
- Undertake projects as part of Sport and Physical Activity Alliance Programme
- Continue to develop and enhance the services of the Family Support Unit
- Undertake a Gateway Review of Parks and Countryside

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WIRRAL COUNCIL

SUSTAINABLE COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE – 8 MARCH 2010

REPORT OF THE DIRECTOR OF TECHNICAL SERVICES

WIRRAL FLOOD GROUP – COMMUNICATION

1.0 EXECUTIVE SUMMARY

- 1.1 This report updates Members on the progress made to date by the Wirral Flood Group specifically on the item of community group involvement relating to flooding.
- 1.2 The report seeks approval for undertaking a Wirral Flooding Awareness Event in Summer 2010.

2.0 BACKGROUND

- 2.1 Members will recall that following my previous report to this Committee on 21 September 2009 a request was made as to how the Wirral Flood Group were going to communicate with the various existing community flood groups and other members of the public.
- 2.2 The issue of community group representation and general flood awareness was discussed at the Wirral Flood Group that was held on the 21 January 2010.

3.0 WIRRAL FLOOD AWARENESS EVENT

- 3.1 It was agreed at the Wirral Flood Group meeting of the 21st January 2010 to organise a Wirral flood awareness event for the Summer of 2010. The event will offer an opportunity for all residents on Wirral who are concerned about flooding to hear current information on flood prevention activities from all relevant agencies.
- 3.2 An invitation to this event will be offered to all known community flood group representatives and they will be asked how they would like to be involved in the Wirral Flood Group. It was felt that this would also give the groups an opportunity to engage with the respective agencies that work to reduce flooding on Wirral and also meet other residents who may have experienced similar flooding problems.
- 3.3 Currently, any domestic property that has experienced flooding and that is recorded on the Council's Reported Flooding Register (formerly the "Hot Spot" list) has been visited by a Technical Services Officer.
- 3.4 Further to this it was agreed that a letter would be distributed to residents who have experienced flooding highlighting actions they can take to protect their properties and mitigate the risk of any flooding. The letter will also communicate what actions the Council have taken in response to flooding and

alert them to the existence of a Wirral Flood Group and the forthcoming awareness event.

- 2.5 Members should also be aware that the primary responsibility for the warning of flooding rests nationally with the Environment Agency and they discharge this duty via a number of different methods most notably the Flood Warning Service.

4.0 FINANCIAL IMPLICATIONS

- 4.1 All costs will be met from existing resources.

5.0 STAFFING IMPLICATIONS

- 5.1 There are no direct staffing implications.

6.0 EQUAL OPPORTUNITIES IMPLICATIONS/EQUALITY IMPACT ASSESSTMENT

- 6.1 There are no equal opportunity implications from this report.

7.0 COMMUNITY SAFETY IMPLICATIONS

- 7.1 As a result of this work both the residents that have experienced flooding and the other people who attend the flooding awareness event will be more aware of how to mitigate against it occurring and aware of the work that the council and other agencies are taking to address flooding in general.

8.0 HEALTH IMPLICATIONS/IMPACT ASSESSMENT

- 8.1 There are no implications arising from this report.

9.0 LOCAL AGENDA 21 IMPLICATIONS

- 9.1 There are no implications under this heading.

10.0 HUMAN RIGHTS IMPLICATIONS

- 10.1 There are no implications arising from this report.

11.0 PLANNING IMPLICATIONS

- 11.1 There are no planning implications to this report.

12.0 ANTI-POVERTY IMPLICATIONS

- 12.1 There are no implications under this heading.

13.0 SOCIAL INCLUSION IMPLICATIONS

- 13.1 There are no implications under this heading.

14.0 LOCAL MEMBER SUPPORT IMPLICATIONS

14.1 The information contained within this report has a relevance to all Wards as flooding has previously occurred in many and has the potential to occur in all.

15.0 BACKGROUND PAPERS

15.1 There are no background papers.

16.0 RECOMMENDATIONS

16.1 Committee is requested to:

- (i) Note the progress to date of the Wirral Flood Group;
- (ii) Endorse the proposal to hold a Wirral Flood Awareness Event in the summer of 2010.

DAVID GREEN, DIRECTOR
TECHNICAL SERVICES

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WIRRAL COUNCIL

SUSTAINABLE COMMUNITIES OVERVIEW & SCRUTINY COMMITTEE – 8 MARCH 2010

REPORT OF THE DIRECTOR OF TECHNICAL SERVICES

DECISIONS TAKEN UNDER DELEGATED POWERS

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to inform Members, in accordance with the Approved Scheme of Delegation, of any instances where delegated authority has been used by the Director of Technical Services with respect to the appointment of Contractors or Consultants.

2.0 TENDER ACCEPTANCE

- 2.1 The following tender is the only tender which has been accepted since the last such use of delegated authority was reported to the Streetscene and Transport Services Overview & Scrutiny Committee on 4 September 2008.

Project Title: Brimstage Road, Brimstage – Carriageway Reconstruction and Culvert Replacement

Contract Sum: £411,475.46

Contractor: Colas Limited

3.0 FINANCIAL IMPLICATIONS

- 3.1 The Brimstage Road project is funded from the LTP Capital Programme.
- 3.2 There are no financial implications as a result of this report. The approved tender above was the lowest received.

4.0 STAFFING IMPLICATIONS

- 4.1 There are no staffing implications as a result of this report.

5.0 EQUAL OPPORTUNITIES/EQUALITY IMPACT ASSESSMENT

- 5.1 There are no equal opportunities implications arising from this report.

6.0 HEALTH IMPLICATIONS/IMPACT ASSESSMENT

- 6.1 There are no health impact assessments required as a result of this report.

7.0 COMMUNITY SAFETY IMPLICATIONS

- 7.1 There are no community safety implications as a result of this report.

8.0 LOCAL AGENDA 21 IMPLICATIONS

- 8.1 There are no Local Agenda 21 implications as a result of this report.

9.0 PLANNING IMPLICATIONS

- 9.1 There are no planning implications as a result of this report.

10.0 ANTI-POVERTY IMPLICATIONS

10.1 There are no anti-poverty implications as a result of this report.

11.0 SOCIAL INCLUSION IMPLICATIONS

11.1 There are no social inclusion implications as a result of this report.

12.0 HUMAN RIGHTS IMPLICATIONS

12.1 There are no human rights implications as a result of this report.

13.0 LOCAL MEMBER SUPPORT IMPLICATIONS

13.1 There are no local member support implications in this report.

14.0 BACKGROUND PAPERS

14.1 None.

15.0 RECOMMENDATIONS

15.1 That the report be noted.

DAVID GREEN, DIRECTOR
TECHNICAL SERVICES

WIRRAL COUNCIL

SUSTAINABLE COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE

8 MARCH 2010

REPORT OF THE DIRECTOR OF REGENERATION

APPROVAL OF TENDERS UNDER DELEGATED AUTHORITY

1.0 EXECUTIVE SUMMARY

1.1 This item falls under the Cultural Services portfolio. The purpose of this report is to inform Members, in accordance with the 'Approved Scheme of Delegation', under Contract Procedure Rule 13.2 (b) of those instances where delegated authority has been used by the Director of Regeneration with respect to the acceptance of tenders.

2.0 PROJECTS

2.1 Project Title: Business Case Project –
Parks and Countryside Procurement Exercise
Contract Sum: £59,440
Contractor: Capita Symonds

Project Title: Meols Play Area
Contract Sum: £75,851.76
Contractor: Hortican Ltd

Project Title: Landican Cemetery Extension 2009
Contract Sum: £120,440.00
Contractor: E.A. Reed & Son's Ltd

Project Title: Woodlands Play Area
Contract Sum: £70,263.10
Contractor: E.A. Reed & Son's Ltd

Project Title: Irby Park Play Area
Contract Sum: £67,376.42
Contractor: Hortican Ltd

Project Title: Floral Pavilion Pantomime 2010/11
Contract Sum: £250,000 (depending on box office yield)
Contractor: UK Productions Ltd

3.0 FINANCIAL IMPLICATIONS

3.1 There are no financial implications as a result of this report.

4.0 STAFFING IMPLICATIONS

4.1 There are no staffing implications as a result of this report.

5.0 EQUAL OPPORTUNITIES IMPLICATIONS

5.1 There are none arising from this report.

6.0 COMMUNITY SAFETY IMPLICATIONS

6.1 There are none arising from this report.

7.0 LOCAL AGENDA 21 IMPLICATIONS

7.1 There are none arising from this report.

8.0 PLANNING IMPLICATIONS

8.1 There are none arising from this report.

9.0 ANTI-POVERTY IMPLICATIONS

9.1 There are none arising from this report.

10.0 SOCIAL INCLUSION IMPLICATIONS

10.1 There are none arising from this report.

11.0 LOCAL MEMBERSHIP SUPPORT IMPLICATIONS

11.0 The above projects apply to all wards.

12.0 BACKGROUND PAPERS

12.1 No background papers have been used in the preparation of this report other than exempt information.

13.0 RECOMMENDATIONS

13.1 That the report be noted

ALAN STENNARD
DIRECTOR OF REGENERATION

This report was prepared by Dave Cowling who can be contacted on 666 4792

Report

UPDATED REPORT FOR THE SCUTINY BOARD WHICH INCLUDES PROGRESS MADE AT MEETING 20th JANUARY 2010 – UPDATES ARE IN RED.

MONITORING REPORT FOR SUSTAINABLE COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME 2009/2010

Date of New item	Topic Description	How the topic will be dealt with	Comments on Progress	Complete?
JUNE	WORK PROGRAMME PLUS ADDITIONS	-	<p style="text-align: center;"><u>Resolved</u></p> <p>That the supplementary paper listing the reports from chief officers on key issues during the year be amended to include the additional items raised by Members, and that this form the basis of the committee's work programme for the current municipal year.</p>	
<p>21ST SEP 2009</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 123</p>	<p><u>Road Safety Update</u> (to include details of RTA's caused by alcohol misuse)</p>	<p>Technical Services</p>	<p>Progress report on delivering Corporate Priority 2.4: Reduce the number of people killed or seriously injured in road accidents</p> <p style="text-align: center;"><u>Minutes:</u></p> <p>The Director of Technical services submitted a report detailing the progress made in improving road safety and reducing the number of people injured on Wirral's roads, and the comprehensive programme of ongoing and proposed actions by the Council and its partners in respect of road safety, which aim to achieve the road safety objectives set out in the Council's Corporate Plan and Wirral Local Area Agreement.</p> <p style="text-align: center;"><u>Resolved –</u></p> <p>(1) That the Committee note the progress in improving road safety performance and analysis of casualty data outlined in this report;</p> <p>(2) That the Committee endorse the proposed Road Safety Action Plan for 2009/</p>	

Allotment Development

Technical Services

Minutes:

The Director of Regeneration reported upon the work of the Allotment Development Officer and other issues related to allotments provision and development. The report also included a petition requesting the provision of an allotment site on land near Gilroy Road, West Kirby.

The Allotment Development Officer made progress in a number of areas. Approximately 15 sites had been visited and assessed as potential new allotment sites and at the present time 5 of these were being considered:

- (i) The Warrens, Thingwall
- (ii) Sandringham Avenue, Hoylake
- (iii) Broadway, Greasby
- (iv) Gilroy Road, West Kirby
- (v) Mosslands Drive, Wallasey

Resolved (8:2) –

- (1) That the work of the Allotments Development Officer be noted.
- (2) That further reports be submitted to this Committee on possible allotment sites and any financial implications, and subject to further work by officers, endorses the development of the five sites currently being considered.
- (3) That officers look into the possible transfer of Sandringham Avenue and Wingate Allotments to the respective allotment societies as a community asset transfer.

Golf Courses Security

Regeneration

Minutes:

The Director of Regeneration submitted a report outlining the current arrangements for security on golf courses.

He reported that a major review of the Parks and Countryside Service, including golf, was currently being undertaken in the form of the Parks and Countryside Service Procurement Exercise (PACSPE) to explore service delivery options and developing a business case for undertaking a procurement exercise for the service. This would be the subject a further report to Cabinet, and could result in changes to the management of the municipal golf courses.

Resolved - that the report be noted.

Carbon Reduction Progress Update

Regeneration

Minutes:
The Director of Technical Services presented a report which updated Members on the various projects currently being undertaken by Technical Services to achieve the Corporate Objective to 'Reduce the Council's Carbon Footprint', as set out in the Council's Corporate Plan.

Members were asked to note the progress made to date on the Project Plan (Appendix 1) and to endorse the further initiatives proposed.

Resolved –

1. That the Committee note and endorse the performance and progress of the various Council 'Carbon Footprint Reduction' projects to date undertaken by the Technical Services Department.
2. That the Committee supports the proposal to take advantage of the national climate change campaign "Act on CO2" detailed in section 4.2.2
3. That the Committee supports the proposals detailed in section 4.4.2 with regards to phase 4 of the IEEP

Interim Report Flood Working Group

Technical Services

The Director of Technical Services submitted a report providing an update on the progress made to date by the Wirral Flood Group and seeking the views of members regarding the constitution and future direction of the work of this group.

The Wirral Flood Group comprised the Elected Members Steering Group, relevant Council officers from those service areas with responsibility for addressing the recommendations set out in Sir Michael Pitt's report, plus representatives from the Environment Agency, United Utilities, and Wirral NHS. Its work to date included:

- The agreement of Terms of Reference for the Group (Appendix 1)
- The establishment of the collaborative cross-departmental and agency working on matters related to flooding.

- The opportunity for each agency and organisations responsible for flood prevention and for the management of water in general to bring to a multi-agency audience their individual roles and responsibilities and current work plans
- The compilation of a specific list of Wirral's flooding "hot spots". This list is in its early stages and will remain a "live" document. It is intended for this document to be available to officers and Elected Members, and allow them up to date information on each identified "hot spot" and the current status of work to alleviate or prevent flooding in that location.
- The establishment of a Council, Environment Agency and United Utilities Operational Group which seeks to identify the cause of flooding at each hot spot, who is responsible and more importantly what is being done to reduce the risk of flooding at those locations.

The new Flood and Water Management Bill which was due to come into force in early 2010 would place a statutory responsibility on local authorities to lead on local flood risk management. County and unitary authorities would also be responsible for local flood risk assessment, mapping and planning in relation to ordinary watercourses, surface run-off and groundwater. They would also lead the production of local surface water management plans and the agreement of the associated programmes of work with all stakeholders.

As a result of these new responsibilities , there was a need to recruit some expertise in the area of flood management to fully understand the root cause of flooding and be in a position to carry out a Surface Water Management Plan for Wirral, which was a recommendation of Pitt report and also a statutory responsibility for local authorities in the new Flood and Water Bill. It was envisaged that with this expertise and the ongoing dialogue at both operational and Elected Member level all identified "hot spots" of flooding on Wirral would be addressed.

Through the development of a database capturing the causation of flooding at these "hot spots", the Group would be in a position to engage in a more meaningful manner with the residents and property owners who have been affected by these floods.

In addition to this, the Health, Safety & Resilience Team was currently preparing a specific guidance document for property owners on advice they can take both proactively (purchasing sand bags, fitting air brick covers, ensuring road gullies are free from detritus, etc) and also containing the relevant contact emergency details of the agencies with a responsibility for a flooding response.

The Director reported that the alleviation of flooding was a complicated issue, with a range of European, Central Government and Regional directives and strategies requiring actions from most departments of the council and many external agencies. The establishment of the Wirral Flood Group had provided an opportunity for improved co-ordination to ensure that the various agencies were working together to alleviate flooding on Wirral. To date the Wirral Flood Group had been successfully chaired by the Health, Safety & Resilience Operations Manager, but as the work of the Group evolved and having regard to the joint Elected Member and officer representation from a constitutional perspective, Members' views were particularly welcomed on the future Chairperson arrangements for the Group.

There was a general discussion regarding the working arrangements for the Group and it was suggested that the membership should be extended to include community groups from the Greasby and Leasowe areas and other "hot spots" for flooding on Wirral.

Resolved – That the Committee:

1. **Note the progress to date of the Wirral Flood Group;**
2. **Endorse the proposal to recruit additional flood management expertise as part of the existing Technical Services' staffing establishment;**
3. **That the Health, Safety and Resilience Operations Manager, continue to chair the Group and that the committee agree in principle to the involvement of community groups, subject to a further report to the next meeting on this issue.**

18th NOV
2009

Outstanding actions former Culture
Tourism and Leisure O&S Committee

Highway & Engineering Services Contract
– Six Month Update

Regeneration

Technical Services

Deferred until later meeting

The Director of Technical Services submitted a report updating Members on the progress of the new Highway and Engineering Services Contract after the first six months and seeking endorsement to report back to this committee in Summer 2010 with a formal Annual Contract Review, including the outcome of the proposed Gateway 5 Benefits Realisation Review described in the report.

The Director gave a verbal update outlining the Gateway Review process and the next phase in terms of benefits realisation, management and governance arrangements, and partnership working to assess various issues affecting the contract and develop a co-ordinated response. He gave a brief operational overview for the first six months of the contract indicating that progress had been good and work delivery for most of the works had been completed beyond expectations.

Mr Cameron Neil, Regional Manager for Colas, introduced Mr Jim Nimmo, Wirral Contract Manager, and his management team.

Mr Neil outlined the Colas Group structure, its vision to provide quality services in a streetscene partnership with the Council, management and governance arrangements, successes to date, and future investment in terms of people, fleet and a new depot.

Resolved – That the Committee:

- (1) **Note the progress of the new Highway and Engineering Services Contract during the first six months as outlined in this report;**
- (2) **Endorse the proposal for a formal Annual Contract Review report in Summer 2010, including the outcome of the proposed Gateway 5 Benefits Realisation Review described in the report.**
- (3) **Request an update to a future meeting on the revenue implications referred to in paragraph 5.1 of this report.**

Local Environmental Quality Update

Technical Services

The Director of Technical Services submitted a progress report on the Local Environmental Quality (LEQ) delivery plan for 2009/10 which had been prepared and monitored by his department in partnership with Biffa Waste Services, Regeneration, Neighbourhood Management Projects and local housing associations.

The Director reported that overall, the actions contained within the delivery plan were very effective with regards to improving environmental quality for Wirral residents and contributed to the achievement of both the LAA and "Narrowing the Gap" local target. Wirral had achieved its LAA performance indicator "stretch target" for 2008/09 and had received a reward grant of £818,635. This indicator measured the cleanliness of streets and open spaces with regards to litter, detritus, graffiti and fly posting.

The Director gave a brief update of the actions/projects detailed in the delivery plan including the proposed extension of the on-street recycling scheme to the West Kirby, Hoylake, New Brighton, Oxtton and Moreton areas of the borough.

Resolved – That the Committee note of the progress made in the LEQ 2009/10 delivery plan and endorse the proposed expansion of the on-street recycling receptacles detailed in section 4.2.5

Young People and Community Safety*

Regeneration

The Director of Regeneration presented a report providing an indication of the scale of young peoples' involvement in community safety issues, ranging from criminal activity to issues of anti social behaviour and the interventions available across Wirral to prevent their involvement in this type of behaviour.

The Director responded to range of issues raised by members:

- the effectiveness of Section 30 Dispersal Orders and the displacement of anti social behaviour problems into adjoining areas
- alcohol related problems and the reasons why this was a particular issue in certain areas compared to other areas with a low level of incidences

**18th NOV
2009**

- monitoring of both off licence and licensed premises
- support initiatives and re-offending rates

The Chair referred to the decision of the Children and Young People Overview and Scrutiny Committee on 16 November, that the issue of Young People and Community Safety be agreed as topic for joint scrutiny review with this committee.

Resolved –

(1) That the Committee note the contents of this report.

(2) That this Committee agree to carry out a joint scrutiny review of Young People and Community Safety with the Children and Young People Overview and Scrutiny Committee

20TH JAN
2010

Waste Recycling/ Minimisation Update
(to include Recycling of Kitchen Waste)

Technical Services

The Director of Technical Services presented a report updating Members on the current position of the Recycling and Waste Minimisation Delivery Plan for 2009/10. The report also included Technical Services' response to the Kitchen Waste Collection Trial Scheme Notice of Motion under the section headed Future Considerations.

In response to the Notice of Motion, a Senior Officers Working Group (SOWG), representing all senior waste managers from all Merseyside authorities, would help each authority produce a business case for food waste treatment in the long term. It was recommended that Members await the outcome of this project, supported by the Waste Resource Action Programme, before any decisions to embark on kitchen waste trials are made. The report would be completed prior to the need for districts to respond to the MWDA on future kitchen waste requirements.

In line with current Government thinking that prevention was the most efficient way to manage waste (in both cost and environmental terms), Technical Services would explore waste prevention opportunities in a more detailed manner and report their findings to a future Sustainable Communities Overview and Scrutiny meeting.

Resolved – That the Committee:

(1) Note the progress made in the Recycling and Waste Minimisation Delivery Plan for 2009/10;

(2) Note the key dates regarding future waste management treatment options detailed in section 5.2.1 of the report;

(3) Request officers report back to Committee on the findings of the Merseyside Waste Partnership Options report on Food Waste Collections in time for the Council to make an informed decision on the future management of this element of Wirral's household waste stream.

20TH JAN
2010

Streetscene Environment Services
Contract – Third Annual Review

Technical Services

The Director of Technical Services reported upon the current position with the Environmental Streetscene Services Contract and the development of the service.

Since the contract was awarded to Biffa in June 2006, a close working partnership with the company had transformed Environmental Streetscene Services in Wirral and had resulted in a continuous improvement of service quality which was recognised and acknowledged in the most recent Comprehensive Performance Assessment. He set out the contract management framework and reported upon progress in relation to the following key work streams that had been agreed in January 2009 by the Waste Partnership Board, for implementation in 2009/10:-

- Garden Waste: Procurement of Treatment Facilities
- Street Cleansing and Enforcement: Improving Environmental Quality with particular focus on litter and detritus
- ERIC Service and Fly Tipping Removal
- CRM Springboard Project
- Compaction and Contamination

The Director introduced Gary Bowles and Mark Hodgkinson from Biffa's management team who gave a presentation on progress and key achievements.

Resolved – That the Committee note the progress of the contract during the past year outlined in the report.

Dog Control on Beaches

Regeneration

Report to consider the controls for dogs on amenity beaches – **Deferred until later meeting**

Outstanding actions former Culture
Tourism and Leisure O&S Committee

Regeneration

Deferred until later meeting

8TH
MAR
2010

Alcohol and Community Safety*
(to include safety park lighting)

Regeneration

Report upon the impact of alcohol on the community safety agenda.

Flood Working Group Progress Report

Technical Services

Progress report of the Member Working Group established to consider the Council's response to climate change and flooding issues, in particular in response to the recent Pitt Review

Dog Control on Beaches

Regeneration

Report to consider the controls for dogs on amenity beaches

Outstanding actions former Culture
Tourism and Leisure O&S Committee

Regeneration

Review of existing policy regarding Shop
Display and Advertisement Board Licences

Technical Services

Report to consider existing policy regarding Shop Display and Advertisement Board Licences

Trading Standards Update Report

Regeneration

Report on the work of the Trading Standards division and related legislation

Report 2

SUGGESTIONS FOR ADDITIONS TO WORK PROGRAMME FOR COUNCIL EXCELLENCE OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME 2009/10

Topic Description	Topic suggested by	How the topic will be dealt with	Estimated Completion Date
i.) Golf Courses Security– September meeting.	(Councillor J Williams)		
ii.) Recycling of Kitchen Waste - January meeting as part of the waste Recycling Update.	(Councillor Redfern)		
iii.) Interim report on the work of the Flood Working Group - September meeting.	(Councillor Moseley)		
iv.) The addition of safety park lighting under the Community Safety item for the March meeting	(Councillor Taylor).		
v.) Outstanding actions arising from the last meeting of the former Culture , Tourism and Leisure Overview and Scrutiny Committee - September meeting.	(Councillor Hale)		
vi.) Ongoing Road Safety Updates to include details road traffic accidents which are caused by the misuse of alcohol.	(Councillor Mitchell).		
Joint scrutiny review of Young People and Community Safety with the Children and Young People Overview and Scrutiny Committee	Sustainable Communities Scrutiny Committee – 18 th November 2009		

Topic Description	Topic suggested by	How the topic will be dealt with	Estimated Completion Date
Review of existing policy regarding Shop Display and Advertisement Board Licences	Councillor Harry Smith	Agreed by Sustainable Communities Scrutiny Committee – 20 th January 2010 to request an officer report for the meeting on 8 th March	
Review of Winter Maintenance Arrangements	Referral from Cabinet (minute 250 – 14/01/2010)	Agreed by Sustainable Communities Scrutiny Committee – 20 th January 2010 to be added to the work programme	
Trading Standards Update Report	Councillor Peter Reisdorf	Agreed by Sustainable Communities Scrutiny Committee – 20 th January 2010 to request an officer report for the meeting on 8 th March	

Page 135 * These items are subject to consultation with the Crime and Disorder Reduction Partnership

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