

SUSTAINABLE COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE

Tuesday, 29 January 2013

Present: Councillor S Williams (Vice Chair in the Chair)

Councillors J Crabtree T Norbury
L Fraser J Stapleton
D Mitchell M Sullivan
C Muspratt KJ Williams

Deputies: Councillors J Hale (In place of D Elderton)

Cabinet Members: Councillors C Meaden H Smith

48 MEMBERS CODE OF CONDUCT - DECLARATIONS OF INTEREST

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

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.

Councillor C Muspratt declared a personal interest in agenda item 14 – Tackling Doorstep Crime and the Development of Joint No Cold Calling / Neighbourhood Watch Zones (see minute 61 post), by virtue of her being a Betterware distributor.

Councillor S Williams declared a personal interest in agenda items 4 and 5 – Minimise Waste by Encouraging Waste Reduction and Recycling – Progress Update (see minute 51 post) and Corporate Goal Progress Report – ‘Have High Standards of Environmental Quality Across Wirral’ (see minute 52 post) by virtue of him being a member of the Merseyside Recycling and Waste Authority.

49 MINUTES

Resolved – That the minutes of the meetings held on 21 November and 4 December, 2012 be approved.

STREETSCENE ENVIRONMENT SERVICES CONTRACT - 6TH ANNUAL REVIEW

The Interim Director of Technical Services presented the 2012/13 review of performance of the Environmental Streetscene Services Contract with Biffa. The report updated the Committee on the status of a number of work streams that were endorsed by Committee on 30 January 2012 (minute 63 refers). It also highlighted the progress made since on realising the savings generated from the 'Biffa Break Clause' buy out offer accepted by the Council at Cabinet on July 19, 2012 (minute 59 refers). A refreshed "Benefits Realisation Plan" has been produced to reflect the new working arrangements and priorities of the Wirral Council/Biffa partnering arrangement to March 2017.

As a number of budget saving proposals were currently being consulted on, which might result in significant changes to agreed contractual standards, as well as introducing new pressures and risks that would need to be accounted for, a new Qualitative Benefits Plan for 2013-2017 and accompanying KPI suit would be produced in response to any agreed changes and implemented no later than August 2013. A report on this would be brought to a future meeting.

Gary Robinson, Wirral Business Manager for Biffa, gave a detailed presentation to the Committee on the operation of the contract, which included information on

- Winter working
- Health and safety issues
- Customer service
- Collection performance
- The Wirral fleet
- Street cleansing
- Improved recycling
- Dog fouling

Mr Robinson then responded to comments from Members, all spillages from bins when being collected should be picked up and he would be happy to investigate further with regard to instances where bins were not always returned to where they should be for those with disabilities. He explained the process that drivers of waste collection vehicles followed if damage was caused to a car and that all incidents were passed on to Biffa's insurance department. Full approval for the purchase of snow tyres for four vehicles had been given and this had improved the collection performance during the recent cold weather. An extra 700 tonnes of garden waste had been collected which excluded the annual leaf fall. He stated that he would look into the issue of particular areas where detritus might be collecting along main carriageways in the borough.

A Member referred to a key council initiative in respect of tackling pavement parking and Councillor Hale suggested that a distinction needed to be made between parking and driving on pavements as there were some areas where pavement parking was a necessity due to the narrowness of roads.

Councillor Mitchell stated that he was content to note but he could not agree with part two of the recommendation to 'endorse the work streams....' as negotiations were still taking place.

Resolved – That this Committee (subject to Councillor Mitchell's non-endorsement of part (2)):

- (1) Notes the Key Performance Indicator information in Section 2.3 and Appendix 1 of the report and the continued high levels of service to which they relate.**
- (2) Notes and endorses the work streams highlighted for attention in 2013/14 as described in Section 3 of the report, along with any other areas identified by the Committee, to further improve service reliability, customer satisfaction and enhance the environmental quality of Wirral.**
- (3) Endorses the revised Benefits Realisation Plan produced (Appendix 2 to the report) to ensure the financial and service quality ambitions for the remaining contract period are achieved.**

51 **MINIMISE WASTE BY ENCOURAGING WASTE REDUCTION AND RECYCLING - PROGRESS UPDATE**

The Interim Director of Technical Services presented the annual report updating the Committee on the Technical Services (TS1) Delivery Plan 2012/13 (Appendix A to the report) which supported the corporate goal: "Minimise waste by encouraging waste reduction and recycling".

The Committee's attention was drawn to the school waste collection service, in October 2012, the Council had introduced a waste collection charge to schools which had led to a reduction in the amount of residual containers requested by schools from 549 to 450. An income of £235k per annum was currently projected, adequately offsetting the contractual charges levied by Biffa for the schools service. Prior to the change, schools recycled 25% of waste, significantly less than household recycling rates. The recycling tonnages of schools were currently being monitored and officers would report back on the improvements in performance by the summer of 2013 once enough representative data had been collected.

Schools that achieved Green Flag Eco School's status received a 10% discount on their total charge ensuring that schools had an environmental and

financial incentive to increase recycling and there were currently 27 such schools.

The Interim Director reported that Wirral had taken a lead role in the City Region role for waste and much focused work was being undertaken in respect of the Merseyside Recycling and Waste Authority levy. Also a Merseyside campaign was planned for the spring to discourage junk mail being delivered through letterboxes.

Resolved – That this Committee:

- (1) Notes the progress detailed in the report against the TS1 Delivery Plan.**
- (2) Endorses the future action plan updates regarding waste reduction and recycling progress to be reported to the relevant Cabinet Member.**
- (3) Endorses the future work streams suggested in section 2.8 of the report.**
- (4) Requests that any future changes to the Household Waste Enforcement Policy be brought before this Committee.**
- (5) Requests that the Director of the MRWA be invited to the March Committee to update Members on the outcome of the Refuse Recovery Contract procurement and progress made to increase the range of materials collected at kerbside.**

52 CORPORATE GOAL PROGRESS REPORT - 'HAVE HIGH STANDARDS OF ENVIRONMENTAL QUALITY ACROSS WIRRAL'

The Interim Director of Technical Services submitted an update on the current position of the Technical Services Delivery Plan (TS2) that supported the 2012/13 corporate goal, “To have high standards of environmental quality across Wirral”. The Plan aimed to achieve a number of objectives in order to support the delivery of the Council’s Corporate Plan. Future projects in the 2013/14 Delivery Plan included:

- School related litter reduction programme
- Reducing fly-tipping in entries
- Street Litter Control Notices

The school related litter reduction programme would demand a substantial amount of resources to develop and deliver the programme. As such it was envisaged that Wirral’s Eco Schools’ officer would devote a significant percentage of their time to the project. Ensuring the success of the proposed

project, 'Reducing fly-tipping in entries', would necessitate many hours spent on site monitoring waste levels and engagement from residents. The assistant recycling project officers would be tasked with much of this frontline work. Councillor J Williams suggested and it was agreed that an additional sentence be added to the 'Resource implications' part of the report to read, 'All work will be achieved within existing budgets.'

Responding to Members' comments, the Interim Director stated that no evidence had yet been obtained of persons caught dumping asbestos.

Resolved – That this Committee notes and endorses:

- (1) the progress made in delivering TS2 - 'Have high standards of environmental quality across Wirral' Plan for 2012/13;**
- (2) the projects highlighted in Section 3 of the report as part of Technical Services on-going work to protect environmental quality standards on the Wirral.**

53 TACKLING DOG FOULING

The Acting Director of Law, HR and Asset Management provided an update to Members in respect of the work of the Dog Fouling Enforcement team; part of the Wirral Community Safety Team. The work of the team contributed towards a number of the council's priorities by protecting people, the environment, and maintaining the high quality of Wirral's parks and open spaces by dealing with anti-social dog walkers. The report had been requested as part of the Committee's work programme.

Responding to Members' comments Mike Collins, Operations Manager, stated that the local press were informed when people were prosecuted and another six cases were currently pending because offenders hadn't paid the fixed penalty. No decision had yet been made on 'dog free' zones. A Member suggested the need to carry out monitoring at times when most dog fouling occurred, between the hours of 6.00am and 8.00am and 8.30pm to 10.00pm.

Resolved – That the report be noted.

54 STREETSCENE ENFORCEMENT CAMPAIGNS UPDATE

The Interim Director of Technical Services reported upon progress and outcomes from a number of Streetscene Enforcement Campaigns undertaken in 2012. These included, litter campaigns, CCTV Fly tipping investigations, waste duty of care visits, skip checks, street trading checks, domestic waste checks and premises cigarette litter.

Resolved – That the report be noted.

55 **MANAGEMENT OF HIGHWAY STRUCTURES**

The Interim Director of Technical Services reported upon the various activities carried out as part of the management of the Council's highway structures, placing them within the broader context of the Council's obligations to the public in terms of safety, accessibility, sustainability and value for money.

This report detailed the methodology used to manage Wirral's highway structures. The relevance of the structures within the overall highway network and the importance of having in place a robust asset management system were explained. The Council had a statutory duty to maintain the highway under the Highways Act 1980, and the important role which management of highway structures played in fulfilling that obligation was explained in detail.

Responding to comments from Members, the Interim Director stated that the Council had responsibility for bridges carrying roads over railways but that Network Rail was responsible for those bridges which carried railway lines over roads.

Resolved – That the report be noted.

56 **PROGRESS REPORT ON THE IMPLEMENTATION BY WIRRAL OF THE FLOOD RISK REGULATIONS 2009 AND THE FLOOD AND WATER MANAGEMENT ACT 2010**

The Interim Director of Technical Services reported upon the progress of the implementation of the Flood & Water Management Act 2010 and the Flood Risk Regulations 2009 which had established Wirral Council as a Lead Local Flood Authority (LLFA). LLFA's were required to lead the strategic management of local flood risk (arising from surface water, groundwater and ordinary watercourses).

Wirral was at risk of local flooding, with a substantial number of domestic properties identified as at risk from potential future flooding. The responsibilities attached to the LLFA role, placed substantial new burdens on Wirral Council in managing these flood risks and would be directed through the Flood & Water Management Partnership, the Sustainable Communities Overview & Scrutiny Committee and finally to Cabinet for approval. Additionally, the production of an annual report by the Overview & Scrutiny Committee responsible for flood risk management on progress in implementing the duties and an action plan for the next 12 months was required.

Responding to comments from Members, Mark Camborne, Health, Safety and Resilience Operations Manager, reported that the Environment Agency had maps covering all of the UK and insurance companies had their own maps

which might differ and a debate was currently ongoing between the government and insurance companies over this data. The Council did provide information on its website for residents who might be at risk from flooding.

Members expressed thanks to the officers for the work being undertaken in Wirral on flood management and coastal defences.

Resolved –

- (1) That the report be noted.**
- (2) That the report be accepted by the Committee as meeting its responsibilities under the flood legislation to produce an annual report on Flood Risk Management progress.**

57 LIBRARIES AS CENTRES OF THEIR COMMUNITIES

The Interim Director of Finance updated the Committee on the actions taken in response to the Council decision of 15 October 2012 asking for an action plan to bring forward recommendations, as to how libraries could have their place as centres of their communities built upon.

With the support of the Community Engagement Team each Neighbourhood Forum was being asked, at its next cycle of meetings in February 2013, to work with and advise the library service. Library managers would be attending meetings to explain the work of the service. They would ask the Forum to highlight ideas they had, and those of their community, that they would want to include in their own area plan, to enhance the role of the library in their community. Library managers would then be discussing with the Neighbourhood Forum if and how best that might be achieved.

Responding to comments from Members, Malcolm Flanagan, Head of Revenues, Benefits and Customer Services, informed the meeting that those volunteers working in libraries were CRB checked if they came into contact with children and library staff ensured that volunteers did not deal with children on their own if this was not the case. The maximum standard would be to have all volunteers checked and Councillor Muspratt suggested that she would prefer this to be the case.

Malcolm Flanagan emphasised the need to make sure libraries were valued and maximising all library buildings' use would help in this.

Resolved – That the report be noted.

58 **LEASOWE LIBRARY HEALTH AND WELL BEING DEVELOPMENT UPDATE**

The Interim Director of Finance updated the Committee on the work being undertaken with The Reader Organisation in piloting a Reading and Well Being Library at Leasowe. The work was being undertaken with the support of Public Health.

Resolved – That the report be noted.

59 **WIRRAL HERITAGE STRATEGY**

The Interim Director of Technical Services presented an updated Wirral Heritage Strategy and informed the Committee of the progress which had been made in the implementation of the Action Plan.

One of the main successes of the Strategy had been to bring local people and groups together to debate heritage issues; and the views of local people were central to the development of the Strategy document. Not every action in the Strategy's Action Plan had been achieved; indeed given the current financial climate, some would not be achievable in the foreseeable future. However, in a climate of identifying different ways of delivering services and forging new and stronger partnerships, they should not be forgotten, but remain aspirations to be taken forward when practical.

Resolved - That the updated Heritage Strategy be approved and the progress that has been made in the implementation of the Action Plan, be noted.

60 **THE FOOD HYGIENE RATING SCHEME**

The Acting Director of Law, HR and Asset Management updated the Committee on the Introduction of the Food Hygiene Rating Scheme within Wirral.

In June last year Wirral had introduced the Food Hygiene Rating Scheme (FHRS). The scheme, which was for England, Wales and Northern Ireland, was a Food Standards Agency (FSA) / Local Authority, partnership initiative. This national scheme provided consumers with information about hygiene standards in food business establishments at the time they were inspected to check compliance with legal requirements on food hygiene. The food hygiene rating given reflected the inspection findings.

The purpose of the FHRS was to allow consumers to make informed choices about the places where they ate out or shopped for food and, through these choices, encourage businesses to improve their hygiene standards. The

overarching aim was to reduce the incidence of food-borne illness and the associated costs to the economy.

The report gave details of the six different food hygiene ratings ('0' up to '5') - the top rating representing a 'very good' level of compliance with legal requirements. All businesses, irrespective of the nature or size of their operation, should be able to achieve the highest score. Since the scheme was introduced, 1622 premises had been included on the data base and the report gave a breakdown according to rating.

Resolved – That the report be noted.

61 **TACKLING DOORSTEP CRIME AND THE DEVELOPMENT OF JOINT NO COLD CALLING / NEIGHBOURHOOD WATCH ZONES**

The Acting Director of Law, HR and Asset Management submitted a report which gave details of an area of work of the Trading Standards Team in relation to preventing and detecting traders who preyed on the vulnerable and provided an update following the last report to this committee on the 17 November 2010 (minute 93 refers).

Trading Standards was committed to tackling doorstep crime and as part of a wider strategy, empowering Wirral residents to choose whether to conduct business with cold calling traders. Partly in response to public demand, 'No Cold Calling Zones' were being set up by the Trading Standards Team in conjunction with the Community Safety Team and the Wirral Watch Scheme. Joint Neighbourhood Watch / No Cold Calling signage had been developed and was being used to demark the streets. In addition, joint processes had been developed that brought these two initiatives together.

Resolved – That the report be noted.

62 **REDUCING THE COUNCIL'S CARBON FOOTPRINT PROGRESS REPORT NO. 6**

The Acting Director of Law, HR and Asset Management updated the Committee on the various projects and activities currently being undertaken across the Council to 'Reduce the Council's Carbon Footprint', which promoted the Council's Corporate Priorities as set out in the Corporate Plan 2012/13.

The Council was committed to delivering a 60% reduction in carbon emissions by 2025. To date, the Council had reduced emissions of CO₂ by 9,315 tonnes from a 2008/09 baseline of 45,481 tonnes, a reduction of 20.48%. Overall performance to March 2012 had exceeded the year's emissions target by 11.89%. A saving of 2,605 tonnes of CO₂ was still needed to be made by the end of 2012.

Resolved – That both the performance and progress of the various Council ‘Carbon Footprint Reduction’ and energy efficiency projects undertaken to date across Council Departments and the energy efficiency projects proposed in the report, be noted.

63 WIRRAL CLIMATE CHANGE GROUP ANNUAL REPORT

The Acting Director of Law, HR and Asset Management provided an update on the work of the Wirral Climate Change Group from 2012 including progress with the creation of a replacement climate change strategy for Wirral.

Wirral Council had a long held commitment to action on climate change. It supported the Wirral Climate Change Group as a partnership forum to co-ordinate action in this area. Last year the Group’s planned work to develop a replacement climate change strategy was endorsed by this Committee (minute 67 refers). The Group had since implemented much of the planned consultation programme to support and inform the development of this strategy and a draft strategy was expected to be available by summer 2013.

Resolved –

- (1) That the activity of the Wirral Climate Change Group from 2012 including progress with the programme to develop a replacement climate change strategy, be noted.**
- (2) That this Committee endorses the Council’s participation in the Local Government Association’s, ‘Climate Local’ initiative and the Leader of the Council be asked to sign a Climate Local Commitment on behalf of the authority.**

64 DECISIONS TAKEN UNDER DELEGATED POWERS

The Interim Director of Technical Services reported, in accordance with the Approved Scheme of Delegation, of one instance where he had used his delegated authority in respect of the appointment of contractors. This was for the appointment of Martin Wright Associates for the Aids to Navigation Inspection and Reporting contract.

Resolved – That the report be noted.

65 FORWARD PLAN

The Committee had been invited to review the Forward Plan prior to the meeting in order for it to consider, having regard to the Committee’s work programme, whether scrutiny should take place of any items contained within

the Plan and, if so, how it could be done within relevant timescales and resources.

Resolved – That the forward plan be noted.

66 **REVIEW OF SCRUTINY WORK PROGRAMME**

The Committee received an update in relation to its work programme.

Resolved – That the work programme be noted.

67 **ANY OTHER URGENT BUSINESS APPROVED BY THE CHAIR - HIGHWAYS AND TRAFFIC REPRESENTATION PANEL MINUTES**

The Acting Director of Law, HR and Asset Management presented the minutes of the meeting of the Highways and Representation Panel held on 21 January, 2013.

The Panel had considered –

- Request for blind spot mirror Ferndale Avenue, Hillbark Road, Frankby.
- Objection to Local Area Forum Scheme: proposed pedestrian refuge, Kings Road, Bebington

Resolved - That the Committee recommend to the Cabinet Member for Streetscene and Transport Services that –

- (a). **No further action is taken to pursue the erection of a highway blind spot mirror at Ferndale Avenue, Hillbark Road, Frankby.**
- (b). **The proposed scheme consisting of a pedestrian refuge island at Kings Road, Bebington, with associated tactile crossing points as shown on Drawing No. 3576, attached to the report of the Interim Director of Technical Services, be approved and implemented.**