

REGENERATION AND ENVIRONMENT POLICY AND PERFORMANCE COMMITTEE

Wednesday, 9 April 2014

Present: Councillor A Brighthouse (Chair)

Councillors S Foulkes M Johnston
S Williams P Kearney
E Boulton A Leech
J Crabtree D Realey
P Doughty M Sullivan
G Ellis KJ Williams
R Gregson

Deputies: Councillor A Sykes (In place of K Hodson)

Cabinet Members: Councillors G Davies and
B Kenny

43 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST/PARTY WHIP

Members were asked to consider whether they had any disclosable pecuniary interests and/or any other relevant interest in connection with any item(s) on this agenda and, if so, to declare them and state the nature of the interest.

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 Paul Doughty declared a prejudicial interest in agenda item 9 – Directorate Plan Performance Report (see minute 51 post) by virtue of his employment and proposed to leave the room during its consideration.

Councillor Steve Foulkes declared his personal interest in agenda item 4 – Notice of Motion – Mersey Tunnel Tolls (see minute 45 post) by virtue of him being a member of the Merseytravel Committee of the Combined Authority.

44 MINUTES

Resolved – That the minutes of the meeting held on 27 January 2014 be approved.

45 NOTICE OF MOTION - MERSEY TUNNEL TOLLS

The Head of Legal and Member Services advised that at the meeting of the Council held on 10 March 2014 (minute 98 refers), the following Notice of Motion proposed by Councillor Les Rowlands and seconded by Councillor Andrew Hodson was referred by the Mayor to this Committee for consideration.

MERSEY TUNNEL TOLLS

- (1)** Council regrets the recent tunnel toll increases for all toll classes forced through by the Labour-led Integrated Transport Authority.
- (2)** Council notes that since the introduction of the 2004 Mersey Tunnels Act, sponsored by former Labour MP Claire Curtis-Thomas and supported by Labour Members throughout its passage through Parliament, Merseytravel has accrued over £40 million in surpluses which have been used on their pet transport schemes and vanity projects.
- (3)** Council also notes that Merseytravel have squandered large amounts of money as can be evidenced by the £70 million failed tram scheme colloquially known as 'Line 1 to Nowhere' and its extravagance in occupying a half empty building at No 1 Mann Island.

Therefore Council believes

- (a)** The consistent increases year on year is damaging Wirral's economy putting further pressure on motorists and businesses.
- (b)** Council recognises such increases place a greater strain on tunnel users who have to travel to and from work placing an unfair tax burden on Wirral residents
- (c)** Council recognises discount toll schemes/free crossings for local residents already exist in other parts of the country and while recognising that fast tag users benefit from a discount, Council believes that regular users should be rewarded with a local discount scheme over and above that afforded by use of the fast tag such as that announced for the Mersey Gateway Bridge of a "local user discount scheme" with up to 300 free journeys per year.

Council therefore requests the Leader of the Council and the Chief Executive to write to the Chief Executive/Director General of Merseytravel requesting an urgent meeting to discuss: if and how the Mersey Tunnels can be reinstated back into the national road network and Tunnel Tolls abolished.

If that is not possible how a 'local user discount scheme' over and above that which already exists through the Fast Tag can be implemented to ease the burden on hard the pressed motorists of Wirral.

In accordance with Standing Order 7 (6), Councillor Rowlands was invited to attend the meeting in order for him to be given an opportunity to explain the Motion. However, he had advised the Chair that he did not wish to address the Committee but was happy to provide clarification of any matters contained within the Motion. In accordance with Standing Order 7 (5), any recommendation from the Committee in relation to the Notice of Motion would be referred to the Council. Any debate at Council should take place upon the recommendation of the Committee and there should be no separate debate upon the Motion itself.

The Chair introduced Gary Evans (Head of Customer Delivery) and Frank Rogers (Deputy Chief Executive) from Merseytravel, who had been requested to respond to a number of statements made in the Notice of Motion, viz:

- (a) The consistent increases year on year is damaging Wirral's economy putting further pressure on motorists and businesses.**

The tolls did not rise consistently year on year and the Class 1 actual toll had risen 50p in the ten years since the Tunnels Act was introduced. He referred also to an independent report published in January 2010, which helped to understand the impacts of the tolls. This indicated that half of retail spending by Wirral residents stayed in Wirral and that, if the tolls were removed, an estimated net £80m retail spending would be lost from Wirral per annum. In addition, new business start ups and survival rates of new businesses in Wirral were the second highest in Merseyside. Businesses did cite tunnel tolls as having an impact on overall transport costs, but no more highly than congestion and not as significant as fuel costs. Less than 20% of Wirral businesses viewed the tolls as a barrier to doing business across the river and more than 60% perceived no transport barriers at all.

- (b) Council recognises such increases place a greater strain on tunnel users who have to travel to and from work placing an unfair tax burden on Wirral residents**

The funding mechanism for the Mersey Tunnels was different from a tax regime, in that the user paid for a service, which was not compulsory, as other modes of cross river travel and road links existed. The element of choice suggested that the reference to "tax" in this context was inappropriate. Survey data also suggested that although the greatest number of journey start locations was in Wirral (36.5%), almost two thirds of all tunnel journeys started outside Wirral, with a greater volume starting on the other Merseyside districts combined.

- (c) Council recognises discount toll schemes/free crossings for local residents already exist in other parts of the country and while recognising that fast tag users benefit from a discount, Council believes that regular users should be rewarded with a local discount scheme over and above that afforded by use of the fast tag such as that announced for the Mersey Gateway Bridge of a "local user discount scheme" with up to 300 free journeys per year.**

The view of Merseytravel was that it was inappropriate to compare the Mersey Gateway scheme with the Mersey Tunnels as the funding mechanism for its construction and operation was different and it would have significantly lower ongoing maintenance costs. The Mersey Gateway was within one Council area and, as a consequence, the discount was part of the approach to the project funding. It was not possible to answer detailed questions in relation to the operation of the Mersey Gateway as its tolls had not yet been set. A proposal to allocate 300 free journeys each year equated to a discount of approximately £19m per annum; such an approach would require support from the levy in order to continue to operate at existing levels, in which case the funding model would transfer to all Merseyside residents.

Merseytravel already offered a number of discounts which, if fully taken up would equate to £15.8m. The current budget set anticipated discount uptake to remain as it is, but the potential existed for an estimated £8m plus to be lost in income should all discounts be utilised. He commented that Wirral had the highest number of Merseyrail stations across Merseyside and Members were asked to note that the surplus in tunnels revenue generated was re-invested in the local transport provision. He highlighted a number of major schemes that had progressed in recent years.

The Motion had also made reference to a request for the Mersey Tunnels to be transferred into the national road network. Such a request had been made at the request of the Integrated Transport Authority in January 2013 and he commented that the response from the Department for Transport suggested that this was not in the Government's plans.

Members noted that the levy had been frozen for the past two years and was anticipated to be frozen again next year. It was also noted that without tolls, increased usage could lead to severe congestion and potentially could have a detrimental impact on other cross river transport systems. In response to a question from a Member, Mr Evans indicated that the tunnel debt would be paid by 2048, at which point the people of Merseyside would be consulted.

The Labour Group spokesperson commented that the language in the first two paragraphs of the Motion were not helpful or factual and in respect of the 'pet scheme' or 'vanity project' to relocate Merseytravel HQ to Mann Island, he referred to minutes of the Urgency Sub-Committee of Merseytravel's Policy and Resources Committee held on 7 January 2009, which showed this to be an all-party decision. He referred also to the benefits to Wirral of the levy being frozen and indicated the potential Council Tax increase that would be required if the tunnels were toll free. He commented that there was a significant cost in keeping the tunnels safe and operating efficiently and, although the Government had made their position clear in relation to estuary crossings, any proposed change would need all-party support to seek a change to the Government's plans. He also wished to be clear that all Wirral Members of Merseytravel had voted against the recent toll increase.

On a motion by Councillor Steve Foulkes and seconded by Councillor Mike Sullivan, it was –

Resolved (10:5) –

- (1) That this Committee regrets the attempt to politicise the issue by the wording within the Notice of Motion, rather than stimulate serious debate. It also regrets that it fails to recognise the burden of high, unregulated bus and train fares on Wirral residents, wherever they travel.**
- (2) Committee notes that Wirral has benefitted greatly from the freezing of the Merseytravel levy and a direct grant of £3.3m to help offset cuts in Highways Budgets.**

- (3) Committee notes that putting the burden of tunnel tolls directly on the Council Tax would penalise all Wirral residents including non-car owners and would be unachievable. However, we recognise the issue and impact of tunnel tolls, particularly in Wirral and agree –**
- (i) That we should support a campaign to move the funding of the tunnel crossing back to the National Highways Network, particularly in the light of the A14 ruling.**
 - (ii) That the Fast-Tag scheme should be encouraged and promoted through all Wirral Council media and outlets.**
 - (iii) That we should encourage local, flexible schemes that could assist Wirral residents in reducing costs.**
 - (iv) That, whatever the outcome, safety and efficiency of the tunnel operation should not be put at risk.**
 - (v) That Wirral will support the Merseytravel campaign to reduce excessive bus and train fares.**

46 **NOTICE OF MOTION - NO TO NUISANCE CALLS**

The Head of Legal and Member Services advised that at the meeting of the Council held on 10 March 2014 (minute 98 refers), the following Notice of Motion proposed by Councillor Stuart Kelly and seconded by Councillor Alan Brighthouse was referred by the Mayor to this Committee for consideration.

'NO' TO NUISANCE CALLS

Council notes:

- (a)** the success and popularity of 'No Cold Caller Zones' which have been introduced across Wirral by Trading Standards officers, with support from residents and the Police, and that this work has resulted in the creation of 46 'Neighbourhood/No Cold Calling Zones', which now cover some 900 households;
- (b)** that "nuisance" marketing calls and text messages to landlines and mobiles are a growing problem despite the existence of the Telephone Preference Service (TPS), with more than 650 million so-called "silent calls" made every year. These are causing inconvenience and distress, particularly to elderly and vulnerable people.

Council welcomes the 'No to Nuisance Calls' campaign <http://www.no2nuisancecalls.net/about> for more effective regulation of this problem, which seeks to enhance the Information Commissioner's powers to encompass all forms of unsolicited telemarketing contact, increase enforcement activity against transgressors and for there to be a single, simple point of contact for any individual wishing to protect their privacy from unwanted telemarketing calls, texts, and emails.

Council resolves to support the 'No To Nuisance Calls' campaign, to take appropriate steps to promote this campaign via the Trading Standards service

and publicity and libraries and other Council buildings and to write to local MPs encouraging them to support the Private Members' Communications (Unsolicited Telephone Calls and Texts) Bill.

In accordance with Standing Order 7 (6), Councillor Kelly was invited to attend the meeting in order for him to be given an opportunity to explain the Motion. In accordance with Standing Order 7 (5), any recommendation from the Committee in relation to the Notice of Motion would be referred to the Council. Any debate at Council should take place upon the recommendation of the Committee and there should be no separate debate upon the Motion itself.

Councillor Kelly referred to the considerable support he had received since submitting his Notice of Motion, which suggested to him that nuisance calls were a significant and growing problem, which caused inconvenience and distress to many people in all areas.

The Council's Trading Standards Strategic Manager gave an outline of the work being done by Trading Standards Officers, who were acutely aware of the scams associated with tele-sales and the dangers, particularly to vulnerable people of ending up on 'suckers lists' and receiving unwanted home visits. He referred to steps that could be taken to eradicate nuisance calls and highlighted Wirral's participation in a number of national campaigns. He reported also upon a local initiative to utilise call-blocking devices, which was soon to be launched. The devices cost approximately £32 per unit and were a very effective way of stopping the majority of nuisance calls. Although only a limited number were available as part of the initiative, they could be purchased from a number of retail outlets.

In response to comments from Members, the Trading Standards Manager acknowledged that there were often legitimate reasons as to why people called upon members of the public and the measures he had outlined were only to combat those who acted unlawfully or sought to take advantage of vulnerable members of society. In response to further comments, he indicated that Neighbourhood/No Cold Calling Zones were created based on the number of complaints received and intelligence gathered to support action in a particular area. However, although they were very effective and were introduced with support from local residents and Merseyside Police, demand outstripped the resources that were available.

Members expressed concern with regard to the financial implications of supporting the Notice of Motion and suggested that the cost needed to be fully evaluated. In addition, it was more difficult to legislate against and combat nuisance calls that originated outside the UK.

The Strategic Director for Regeneration and Environment commented that although his department did not have a significant interaction with vulnerable people, he proposed to discuss the matter of nuisance calls at a senior officer level. He was pleased to explore cross departmental working to get the message across but emphasised that there was no additional funding available for it.

On a motion by Councillor Steve Foulkes and seconded by Councillor Steve Williams, it was –

Resolved –

- (1) That the ‘No to Nuisance Calls’ campaign be supported, and appropriate steps be taken to promote the campaign via the Trading Standards service and through publicity in libraries and other public buildings.
- (2) That the report of the Trading Standards Strategic Manager be noted.
- (3) That the proposal of the Strategic Director for Regeneration and Environment to promote cross Departmental working be supported.
- (4) That the Committee to be appointed for 2014/2015 be asked to consider how best to address the problem.
- (5) That the Cabinet be requested to write to local MPs, encouraging them to support the Private Members’ Communications (Unsolicited Telephone Calls and Texts) Bill.

47 **WIRRAL'S SITES FOR JOBS**

Further to minute 31 (27 January 2014), the Head of Regeneration reported that work was progressing in relation to the availability of land for employment opportunities and a more detailed update would be presented to the next meeting of the Committee.

Resolved – That the report be noted.

48 **YOUTH UNEMPLOYMENT IN WIRRAL**

The Strategic Director for Regeneration and Environment presented a periodic update upon the scale of Youth Unemployment in Wirral, based upon a statistical analysis of 18-24 Jobseekers Allowance data, which had been requested by the Committee as part of its work programme. He commented that the Council’s Investment Strategy Team produced monthly factsheets of Jobseekers Allowance, which enabled trends to be monitored by the Council and its partners. He provided analysis of the latest data to February 2014, which showed that despite some recent increases, there had been a continuing positive downward trend with considerable reductions in longer term youth unemployment. He provided also an update on interventions at a national, Liverpool City Region and local level and highlighted a number of new opportunities including the Youth Contract for Cities, Youth Employment Initiative: European Council and the Coastal Communities Fund, which would be the subject of future update reports.

In view of the importance placed by the Committee on measures to tackle youth unemployment, the Chair requested that future dashboard reporting should also include appropriate monitoring information.

Resolved – That the report be noted.

49 **UPDATE ON THE RECOMMENDATIONS OF THE REPORT OF THE UNDER OCCUPATION SCRUTINY TASK GROUP**

The Strategic Director for Regeneration and Environment presented an update on each of the 18 recommendations of the 2013 Report of the Under-Occupation Scrutiny Task Group, which had been set up in 2012, in the light of considerable public concern regarding the impact of changes to housing benefit and welfare reforms specifically related to under-occupation in both the public and private housing sectors.

He outlined the scope of the review and commented that the report and its recommendations had been accepted by the Cabinet in June 2013, where it was agreed that the final report would be sent to all Wirral Members of Parliament. One of the recommendations was that a follow up review of the impact of the reforms should be undertaken in the future and he highlighted a number of key updates, which had been grouped into the following areas –

- Discretionary Housing Payments
- Support Services
- Information and Advice
- Availability and Access to Accommodation
- Illegal Houses in Multiple Occupation
- Education and Financial Management

The Strategic Director also set out a number of statistical measures that had been put in place to inform the evaluation of the impact of the reforms on individuals, organisations and communities and he drew the attention of the Committee to key findings.

In response to comments from Members with regard to a statement in the update report that there had been an increase in shoplifting during 2013/2014, Members of the Task and Finish Group advised that a question had been asked during the course of the Review as to the impact of Benefit Reform on crime levels and the activities of loan sharks. Although there had been an increase in shoplifting, compared to the same period last year, it was not possible to state whether or not such activity was a direct result of Benefit Reform.

Members of the Task and Finish Group had welcomed the opportunity to be involved in pre-scrutiny and commented also that a follow up review should be undertaken within the first six months of the new Committee to be appointed for 2014/2015.

Resolved –

- (1) That the updates, to inform the follow up review be accepted.**
- (2) That the follow-up review be added to the Work Programme for the 2014/2015 Committee, with a recommendation that it be undertaken in the first part of the municipal year.**

50 **DECISION TAKEN UNDER DELEGATED POWERS - DEMOLITION OF FORMER TRANFOODS FACTORY AND OFFICES - ABBEY STREET, BIRKENHEAD**

The Strategic Director for Regeneration and Environment reported, in accordance with the Approved Scheme of Delegation, upon the use of delegated powers to accept the following lowest price tender –

Project Title: Marine Supplier Park
Contract: Demolition of former factory and office units, Abbey St, Birkenhead
Contract Sum: £112,300 for demolition works and £10,107 for the Council's Universal and Infrastructure Services fees (including professional fees. Planning supervisor, and Clerk of works charges)
Contractor: J P Tisdale Demolition Ltd
Funded from: Capital Programme Regional Growth Fund/Core Strategy Budget.

Resolved – That the report be noted.

51 **DIRECTORATE PLAN PERFORMANCE REPORT**

Having declared his prejudicial interest in this matter, by virtue of his employment, Councillor Paul Doughty left the room during its consideration.

The Strategic Director for Regeneration and Environment presented an outline of current performance of Regeneration and Environment as at 31 January 2014, against the Directorate Plan for 2013/2014. It translated the priorities set out in the Directorate Plan into a coherent and measurable set of performance outcome measures and targets, which were to be used to evaluate the achievement of Directorate priorities over the next year of the Plan.

He commented that the development of the Directorate Plan would be an iterative process based upon the feedback and requirements of elected Members and Portfolio leads. Consequently, the latest version of the report contained key finance information, the year end forecast position and exception reports (i) to maintain local environmental quality (LEQ) of litter, detritus, dog fouling in main gateways and shopping areas and (ii) for 60% of all major planning applications to be determined within 13 weeks.

Members referred to the one indicator that was rated as Red with performance deteriorating, which was in relation to the Percentage of Major Planning Applications Determined within 13 Weeks. Although an Action Plan had been completed, which outlined steps to improve performance, Members highlighted the need for effective monitoring to be undertaken to secure an improvement.

Resolved – That the report be noted.

52 **FINANCIAL MONITORING 2013/14 - MONTH 10 (JANUARY 2014)**

The Director of Resources presented financial monitoring information for 2013/2014 Month 10 (January 2014), which had previously been reported to the Cabinet (minute 162 (13 March 2014) refers) as a means of providing regular, detailed updates on budget performance. He commented that, in order for it to fulfil its corporate and strategic scrutiny role, the Coordinating Committee continued to review full versions of the most up to date monitor reports. However, those sections relevant to Regeneration and Environment had been extracted and summarised into a bespoke report for Members' consideration.

The Strategic Director for Regeneration and Environment did not expect an overspend at this stage of the financial year. The net saving forecast was £370k and a significant saving had also been achieved as a result of the early implementation of savings related to Supporting People. £1.3m had been earmarked to resolve a number of annex 12 (Budgetary) issues, which covered all directorates.

In response to questions from Members, the Strategic Director indicated that an increase in subscriptions to garden waste collections and an increase in planning applications had resulted in increased income levels. With regard to the Reeds Lane Play Area, he agreed to circulate an update on the scheme to all Members of the Committee.

Resolved – That the report be noted.

53 **SCRUTINY WORK PROGRAMME - UPDATE**

The Director of Public Health/Head of Policy and Performance presented an update on progress in the delivery of the agreed Scrutiny Work Programme. She provided a brief summary of the work against each of the topics and identified officer reports that had also been added to the agenda for future meetings. The Scrutiny Support Officer noted also that during the municipal year, Members had expressed their concerns about the lack of sufficient monitoring of scrutiny recommendations and reporting back on the progress of their implementation. He reported that officers had developed a mechanism to address this, which programmed the monitoring of recommendations from Committees and Scrutiny Reviews, which would now be allocated an appropriate review date and a schedule developed to align with Policy and Performance Committee meetings.

An update on recommendations related to the International Trade Centre Scrutiny Review would be included in the reporting schedule for the new municipal year and, with regard to the Under Occupation Scrutiny Review (see minute 49 ante), he commented that any outstanding recommendations would also be included in the reporting schedule for the new municipal year. Members also noted that the new Committee to be appointed for 2014/2015 had also been asked to consider how best to address the problem of nuisance calls (see minute 46 ante).

The Chair referred to the scrutiny that had been undertaken during the course of the municipal year and suggested that the new Committee would need to

begin its scrutiny programme as early as possible in 2014/2015. The Labour Group Spokesperson commented also upon the considerable scrutiny work that had been undertaken by those Members who had been actively involved in a number of task and finish groups. In particular, he thanked Councillors Paul Doughty, Anita Leech, Mark Johnston and Steve Williams for their efforts during the past year.

Resolved – That the Work Programme be noted and the suggested amendments to it be presented for consideration to the first meeting of the Committee in the new municipal year.

54 **EXEMPT INFORMATION - EXCLUSION OF MEMBERS OF THE PUBLIC**

On a motion by Councillor Steve Williams and seconded by Councillor Steve Foulkes, it was –

Resolved – That in accordance with section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item of business, on the grounds that it involves the likely disclosure of exempt information as defined by the relevant paragraphs of Part 1 of Schedule 12A (as amended) to that Act. The public interest test has been applied and favours exclusion.

55 **REGENERATION UPDATE**

The Strategic Director for Regeneration and Environment provided an update in relation to a number of regeneration schemes within the Borough. His report was considered exempt in view of the commercial sensitivity of the information he provided and the public were excluded accordingly.

Resolved – That the report be noted.

56 **VOTE OF THANKS**

The Chair indicated that this was the last meeting in the municipal year and thanked the Members of the Committee for the considerable work they had undertaken during the course of the year. In particular, he commented upon the significant contribution of Councillor Mark Johnston, who was not seeking re-election to the Council. Members of the Committee also thanked the Chair for his endeavours and joined with him in extending their best wishes to Councillor Johnston
