



Constituency Committee - Wirral West

Date: Thursday, 6 March 2014

Time: 7.00 pm

Venue: Irby Village Hall, Irby CH61 3UB

Contact Officer: Mark Delap

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AGENDA

1. MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members are asked to consider whether they have 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.

2. MINUTES (Pages 1 - 8)

To approve the accuracy of the minutes of the meeting held on 12 December 2013

3. CONSTITUENCY MANAGER'S REPORT (Pages 9 - 16)

This report provides an update on progress in relation to the ongoing work programme being undertaken in support of the Wirral West Constituency Committee.

4. WIRRAL WEST CONSTITUENCY FUNDING 2013/2014

This report (*to follow*) and additional presentation at the Committee meeting makes recommendations as to the Committee's budget allocation in relation to the following grant programmes:

- The Wirral West Community Fund
- Wirral West Public Health Grants

5. WIRRAL WEST PUBLIC QUESTION TIME

Members of the public are welcome to raise questions or issues at the meeting or in advance to the Constituency Manager (janemorgan@wirral.gov.uk)

6. UPDATE FROM COMMUNITY REPRESENTATIVES

Wirral West's Community Representatives will be invited to provide a verbal update on local issues.

**7. PAVEMENT AND GRASS VERGE PARKING UPDATE
(Pages 17 - 24)**

This report was referred to each Constituency Committee for their consideration by the Regeneration and Environment Policy and Performance Committee at its meeting on 27 January, 2014. The relevant minute and report are attached.

8. DATE OF NEXT MEETING

9. ANY OTHER URGENT BUSINESS APPROVED BY THE CHAIR

Public Document Pack **Agenda Item 2** **CONSTITUENCY COMMITTEE - WIRRAL WEST**

Thursday, 12 December 2013

Present: Councillor J Hale (Vice Chair in the Chair)

Councillors J Hale M Johnston
E Boulton M Patrick
P Brightmore T Smith
W Clements M Sullivan
D Elderton G Watt
G Ellis S Whittingham
M Hornby

Apologies Councillor JE Green

Twenty members of the public were in attendance, with the percentage attendance by ward as follows:

- Greasby, Frankby and Irby 0%
- Hoylake and Meols 10%
- Pensby and Thingwall 15%
- Upton 55%
- West Kirby and Thurstaston 20%

11 **WELCOME AND INTRODUCTIONS**

The Vice-Chair (in the Chair) welcomed those local residents who were in attendance and, at his request, the Members of the Committee and officers introduced themselves.

12 **MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST**

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.

No such declarations were made.

13 **MINUTES**

Resolved – That the minutes of the meeting held on 30 October 2013 be confirmed as a correct record.

14 **CO-OPTION OF COMMUNITY REPRESENTATIVES**

Further to minute 5 (30 October 2013), the Constituency Manager provided an update in relation to the co-option of Community Representatives to the Committee, in accordance with authorisation conferred by the Council (minute 41 (14 October 2013) refers).

As part of the appointment process, applications from prospective Community Representatives had been evaluated and interviews had been undertaken on an informal basis by ward Councillors. The Chair informed Members of the

recommendations made by ward Councillors and sought approval to the appointments, in order for the Community Representatives to be able to take their seats on the Committee. He congratulated them on their appointments and offered the thanks of the Committee for their willingness to engage on behalf of local residents.

Resolved –

(1) That the following persons be appointed as Community Representatives to the Wirral West Constituency Committee –

- (a) Jackie Hall Hoylake and Meols Ward**
- (b) John Smith Greasby Frankby and Irby Ward**
- (c) Lynn Collier Pensby and Thingwall Ward**
- (d) Elise Wong Upton Ward**
- (e) David Wade West Kirby and Thurstaston Ward**

(2) That the officers be requested to organise a full induction session for the newly appointed Community Representatives in January 2014.

15 MERSEYSIDE POLICE ENGAGEMENT AND OPERATIONAL ARRANGEMENTS FOR WIRRAL WEST

Further to minute 9 (30 October 2013), the Constituency Manager reported that, as part of the new approach to neighbourhood working, the Council was working closely with partners to look at where operational boundaries could be aligned with the Constituency footprint. Merseyside Police had already reorganised their management and operation structure around the constituencies and the Wirral West Neighbourhood Policing team for Wirral West was based at Upton Police Station.

The Constituency Manager reported that it was the intention of the Police that their 'Have Your Say' public engagement meetings, previously held in each ward on a monthly basis, would in future be undertaken quarterly, on a Constituency basis. The views of Members were sought as to whether the Public Question Time element of the Constituency Committee should therefore incorporate 'Have Your Say', to cover policing priorities and issues and to enable a short update on crime and disorder in the constituency from the Neighbourhood Inspector. The Committee was asked to note that, as a Constituency Plan was developed, the need for joined up priority setting to address issues for Wirral West across partner agencies would be critical. Joined up engagement with the public at the Constituency Committee and through other mechanisms would support this.

Members expressed the view that the Constituency Committee seemed to be an appropriate meeting for updates from Merseyside Police to be considered and for the Committee and members of the public to be able to ask questions on policing priorities and crime and disorder. However, it was important that the focus of the Committee should be on Constituency matters and that the Question Time part of the meeting should be primarily for questions to be raised on local issues affecting the community. Members expected also that, as part of joined up community engagement, the Police would be able to attend ward meetings that became necessary to address local ward issues. Inspector Brian Griffiths (Neighbourhood Inspector for Wirral West) indicated

that the Police would be willing to attend ward meetings to address local issues, subject to the availability of officers in the Neighbourhood Team.

Consideration was given to problems associated with vehicles parking on pavements and Inspector Griffiths outlined the actions that could be taken to address the problem. Letters could be placed on windscreens in order to educate motorists of the dangers associated with parking on pavements or verges, although for clear cases of obstruction, a fixed penalty ticket would be more appropriate. Productive meetings had been held with the Council's Road Safety Team and targeted work had been carried out in the vicinity of schools. A member referred specifically to work undertaken with schools in Upton ward and he indicated that the focus of any policy to improve safety should be prevention.

Resolved –

- (1) That the policing operational arrangements be noted.**
- (2) That an update be presented to the next meeting upon the continued development of joined up mechanisms for community engagement and further consideration be given specifically to the format and structure of future meetings in relation to contributions from Merseyside Police**
- (3) That this Constituency Committee recommends that the existing policy in relation to vehicles parking on pavements and verges should be enforced.**

16 **WIRRAL WEST PUBLIC QUESTION TIME**

The Chair invited questions from members of the public upon matters that were relevant to the Wirral West Constituency –

- A member of the public circulated photocopies of pages of the Housing Act 1985 and Housing Act 2004 and drew the Committees attention to those parts of the legislation concerning the minimum size of bedrooms in the public rented sector. He sought the views of the Committee as to whether properties with bedrooms smaller than the size stipulated in the legislation should be reclassified accordingly.
 - The Strategic Director – Regeneration and Environment indicated that the question of reclassification of property was a matter that should be addressed to the Registered Social Landlords (RSLs) and was an issue over which the Constituency Committee had no control. However, the Council's legal advisor indicated that he would provide an update to Members in due course upon the requirements of the legislation.
- From Woodchurch T.R.U.S.T – Exactly why has the asset transfer of Woodchurch Community Centre been delayed by over 3 years now, when the business plan was passed and agreed by Cabinet. Magenta Living have supported the asset transfer for 2 years now and volunteers have spent a lot of time actually running the building for the Council as no Council employees have been employed since the Centre Manager retired. Surely by completing this asset transfer would have saved the

Council money from their budget, since there is funding for a badly needed refurbishment and revenue costs for the first 2 years operation "ring-fenced" under the Asset Transfer Scheme.

- In response, the Strategic Director: Regeneration and Environment indicated that the proposal was initially put forward in August 2011, but was not agreed until October 2012, when the transfer process commenced. He confirmed that the transfer of the Community Centre was to Magenta Living and that the legal documents had been submitted to Magenta in September 2013. The detail was being fine tuned to meet the requirements of the respective parties and it was hoped to complete the transfer very soon.
- From Woodchurch T.R.U.S.T – We are aware from various newspaper articles that representatives from the Tranmere Rovers Supporters club are making some "sweeping statements" regarding the Woodchurch Leisure Centre and land at Woodchurch, which Tranmere Rovers Football Club plan to develop for their new training ground. These people give the impression that they know what is best for Woodchurch. However we disagree with this since none of them live in our community.

We know that the Council are engaging with these representatives from Tranmere, so why are representatives from the community of Woodchurch not being asked to contribute to these discussions since they really do know what is best for Woodchurch. There also needs to be a genuine consultation with the community before anything is agreed.

- In response, the Strategic Director: Regeneration and Environment confirmed that officers had met separately with representatives of Tranmere Rovers Football Club, with local residents and ward Councillors. However, no agreement had been made with TRFC or the Football Trust in relation to the Ingleborough/Woodchurch Scheme. The proposal remained with the EU for their consideration and he confirmed that there would be community involvement in any future issues around the proposal.
- A resident advised that there had recently been a number of serious road traffic accidents in Woodchurch, which had caused major disruption in the local area. The questioner suggested that the proposed introduction of traffic lights at the Houghton Road junction would encourage more drivers to cut through the Woodchurch Estate, which could in turn lead to an increase in traffic accidents. The Committee was requested to seek a review of the impact of additional traffic lights.
 - In response, the Strategic Director: Regeneration and Environment indicated that colleagues were reviewing the site in question. Any similar applications would also be the subject of a traffic review.
- A further question was asked regarding the classification of bedrooms, under 70 sq ft and the impact on residents of the so-called 'bedroom tax' (sic)
 - In response, Members indicated that the properties in question were now owned by Housing Associations, who had previously indicated the significant financial difficulties they would face if their

properties were reclassified. Registered Social Landlords recognised the requirements of the legislation and this was a matter that tenants should raise with them. The Chair reiterated that the Council's legal officers had been requested to investigate this matter and would provide an update to the Committee.

The Chair thanked the public for their questions and asked that the officers take such action, as appropriate.

17 **CONSTITUENCY MANAGER'S REPORT**

The Constituency Manager provided an update on progress in relation to the following matters that were raised at the meeting held on 30 October 2013 –

- **Wirral West Committee Handbook** (minute 4 refers)
Work was ongoing to develop the Wirral West Committee handbook, which would be circulated to Councillors and Community Representatives for consultation at the earliest opportunity. The Council's four Constituency Managers were working collectively to ensure that handbooks for each Committee were consistent where necessary and that they reflected best practice.
- **Community Asset Audit/Constituency Plan** (minute 7 refers)
The development of a Community Asset Audit for Wirral West would build upon the Council's exploration of how it could use Asset Based Community Development (ABCD) to support its vision for Wirral. Workshops had been held for key stakeholders to develop a practical understanding of the ABCD approach and it was proposed that further workshop sessions would now be held in each Constituency. Funding was being sought from Public Health for activities to take forward ABCD and to engage the wider community. In response to a question from a member of the public, the Constituency Manager provided an explanation of the assets being included in the audit not necessarily being owned by the Council. It was an audit of all the assets available to the Constituency, not solely of property.

It was proposed that the Constituency Plan would bring together the Community Asset Audit and Constituency Profile work being undertaken by Public Health (see minute 18 post) and would set out –

- The community assets already in place in Wirral West and the community's vision for the area (the Community Asset Audit)
 - An evidence-based assessment of local needs and priorities (the Constituency Profile)
 - How the community, the Council and public service partners in Wirral West would come together to address local needs and priorities by building on community assets (the Constituency Plan)
- **Love Wirral** (minute 8 refers)
The closing date for grant applications under the 'Love Wirral' campaign was 6 December 2013 and she indicated that 28 applications had been received for Wirral West. The next stage of the process was an assessment of the applications, followed by a two week online vote to commence on 13 January 2014. A breakdown of the applications on a ward by ward basis would be provided to Members and she confirmed

that the result of the vote for Wirral West projects would be subject to endorsement and approval by the Constituency Committee to enable funding to be awarded between 10 and 21 March 2014.

All of the concerns expressed by Members had been fed back to the officers responsible for administering the grant and clarification was provided upon a number of issues. In relation to a specific concern about digital exclusion, Members were advised that the use of online voting would now be complemented by a paper voting system and, in response to concerns expressed, she confirmed that steps would be in place to ensure that voting was not duplicated.

- **Website Development** (minute 6 refers)

To achieve greater participation, officers had investigated the feasibility of a dedicated website for the Constituency Committee. It had been recognised that there were a number of existing community websites, which were assets on which to build and the matter would be addressed as part of the Community Asset Audit. In the meantime, dedicated pages on the Council's website were being developed for each of the Constituency Committees to ensure that information was easily accessible.

In response to questions from Members, the Constituency Manager proposed to investigate whether links could be provided to other community websites. She highlighted issues associated with the provision of an interactive website and indicated that the use of social media was also being investigated. A further update would be provided to the next meeting.

- **Constituency Budget 2013/2014** (minute 7 refers)

Members had been consulted upon work that had been undertaken to develop an approach to allocate the Committee's budget, taking into consideration the wish of the Committee that it should be allocated equally between wards.

It was proposed that the criteria for the allocation of grants from the **Wirral West Community Fund** allocation (total £50k - £10k per ward) would be very simple – for community groups to improve the quality of life in Wirral West through projects to impact positively on local people and places. Applications would be welcomed from 20 December 2013 to 31 January 2014, prior to a large-scale event then being held in February 2014 at which the Wirral West community would be able to decide on whether or not the projects put forward should be funded. Further details would be widely communicated throughout the Constituency and measures would be put in place to ensure that applications met the necessary criteria, that the voting process at the event would be fair and transparent, and that applicants and the wider community would have a clear understanding about the process and be given every opportunity to be involved.

The criteria for the allocation of the **Wirral West Public Health Fund** (total £25k - £5k per ward) would be specifically aimed at improving public health and a targeted approach would be undertaken with organisations to develop applications. The approach would take into account existing programmes of activity and ensure that the specific

outcomes and indicators identified in connection with the allocation were addressed and that any projects funded would have a clear focus on sustainability. The recently published annual report of the Director of Public Health entitled [Social Isolation](#) provided useful context.

The Constituency Manager reported also upon the allocation of an additional £25k to each Constituency Committee from the Public Health Outcomes Fund, previously reported to the Cabinet (minute 120 (10 December 2013) refers).

In response to questions from Members, she indicated that the limits for grant allocations were up to £1000 from the Community Fund and up to £3000 from the Public Health Fund. Applicants could apply to both funds but not for the same project. An explanatory document had been developed for applicants, which would be circulated to Members for information and published on the Council's website.

- **Monitoring of Attendance** (minute 6 refers)
A robust system of attendance monitoring would be undertaken at all future meetings of the Committee to ensure that an accurate record was maintained as to where those in attendance had travelled from. To support the process, members of the public would be requested to sign in to help ensure that attendance was as representative as possible.

Resolved – That the report be noted.

18 **WIRRAL WEST CONSTITUENCY PROFILE - PRESENTATION**

Andrea Hutchinson, Senior Public Health Analyst, gave a brief presentation of the key messages that were contained within the Wirral West Constituency Profile. It highlighted some of the key issues that had been identified by the research undertaken and the information was presented on a ward by ward basis, with comparison data also provided for the other Wirral constituencies.

In relation to deprivation, the Index of Multiple Deprivation (IMD) 2010 ranked Wirral as being in the most deprived 20% of local authorities nationally. The inequality in disability-free life expectancy was the largest in England in 2012 (20 years for men and 17 years for women). However, the vast majority of the LSAO's (small areas, populations around 1500 people) in Wirral West constituency fell within the 20% least deprived areas of Wirral.

In relation to Wirral West, the presentation highlighted key items of note in the comparison data in relation to age, ethnicity, life expectancy, early years and benefits claims. With regard to Young People, it indicated that a small proportion (4.5%) was not in Education, Employment or Training (NEET), that educational attainment (at key stage 2) was above the Wirral average for all subjects and that the rate of teenage conceptions was below the Wirral average. With regard to older people, the data indicated that although Wirral West had a large ageing population, it had the lowest rate of hospital admissions due to falls (for age 65+). A third of people aged 65+ lived alone and the Census 2011 indicated the lowest number of carers known to Social Services (1234) against approximately 40,000 in Wirral overall.

The Constituency Manager indicated that the information would feed into the Constituency Plan. Members noted that the data would be very useful in

helping the Committee come to a view as to where resources should be targeted and specifically, where public health funding should be allocated. Members commented that the data seemed to indicate that although there were pockets of deprivation across the Constituency, Upton Ward was in greater need of targeted public health spending than other areas.

However, Members commented also that if the allocation of resources was based solely on indicators of deprivation Wirral West would lose out to other constituencies. In addition, the allocation of resources based solely on deprivation might not address more complex issues of isolation and exclusion.

In response to a question from a Member in relation to the voting rights of Community Representatives, the Council's legal advisor indicated that only elected Members of the Council had the right in law to vote on financial matters and upon the allocation of funding.

It was moved by Councillor Patrick and seconded by Councillor Sullivan –

“That the additional £25k in the public health budget be allocated, on the basis of population, need and deprivation, as highlighted in the Constituency Profile report and presentation.”

It was moved as an amendment by Councillor Hale and seconded by Councillor Ellis –

“(1) That the original allocation of £25k public health funding go forward, on the basis of £5k per ward, as previously agreed.

(2) That the additional £25k public health funding be held back, so as to allow the Committee to consider bids for funding received from across all five wards and for resources to be allocated based on the greatest need.”

The amendment was put and carried (7:6)

The substantive motion was then put to the vote and carried (7:6) and it was–

Resolved (7:6) –

(1) That the original allocation of £25k public health funding go forward, on the basis of £5k per ward, as previously agreed.

(2) That the additional £25k public health funding be held back, so as to allow the Committee to consider bids for funding received from across all five wards and for resources to be allocated based on the greatest need.

19 **DATE AND VENUE FOR NEXT MEETING**

The Chair advised that it had been necessary to rearrange the next meeting of the Committee, originally scheduled for 27 February 2014. It was now proposed that the meeting take place on 6 March 2014, to commence at 7.00pm. The venue was yet to be agreed and details would be published in due course.

Resolved – That the change of date be noted.

WIRRAL COUNCIL

WIRRAL WEST CONSTITUENCY COMMITTEE

6TH MARCH 2014

SUBJECT:	CONSTITUENCY MANAGER'S REPORT
WARD/S AFFECTED:	WARDS WITHIN THE WIRRAL WEST CONSTITUENCY BOUNDARY <ul style="list-style-type: none"> ▪ GREASBY, FRANKBY AND IRBY ▪ HOYLAKE AND MEOLS ▪ PENSBY AND THINGWALL ▪ WEST KIRBY AND THURSTASTON ▪ UPTON AND WOODCHURCH
REPORT OF:	CONSTITUENCY MANAGER (WIRRAL WEST)
RESPONSIBLE PORTFOLIO HOLDER:	CABINET MEMBER – NEIGHBOURHOODS, HOUSING AND ENGAGEMENT
KEY DECISION?	NO

1.0 BACKGROUND AND KEY ISSUES

- 1.1 This report provides an update on progress in relation to the ongoing work programme being undertaken in support of the Wirral West Constituency Committee. This is set out in the 'action tracker' attached at **Appendix 1**, with particular items for discussion / noting are highlighted below in the main body of the report.
- 1.2 The Committee is asked to note that progress and recommendations in relation to the Constituency Committee Budget / Grant Programmes is presented as a separate agenda item.

2.0 JOINING UP CONSULTATION ACTIVITIES

- 2.1 The Committee resolved at its last meeting that "an update be presented to the next meeting upon the continued development of joined up mechanisms for community engagement and further consideration be given specifically to the format and structure of future meetings in relation to contributions from Merseyside Police".
- 2.2 Further consideration has now been given to this matter, and it is proposed that Merseyside Police undertake separate 'Have Your Say' meetings across the constituency to ensure that members of the public are provided with a dedicated opportunity to inform policing priorities. The Committee will retain a Public Question Time, through which the public will continue to be able to raise questions about the work of the Committee and local issues. The Constituency Manager will work closely with the Neighbourhood Inspector to ensure that any actions arising from the 'Have Your Say' meetings which require joint working with the Council and other agencies are taken forward as appropriate. The Constituency Committee will be kept regularly informed of the outcomes of the 'Have Your Say' meetings and policing priorities.

2.3 The timetable below sets out the provisional dates for Wirral West Constituency Committee and ‘Have Your Say’ meetings from April 2014 onwards and shows how these will be held on a rolling basis across the five wards in the constituency area. Once this timetable is finalised, it will be published on the Council’s and Police’s websites and the meetings promoted through a range of mechanisms on a timely basis.

Timetable	Constituency Committee Meetings (incorporating Public Question Time)	Merseyside Police ‘Have Your Say’ Constituency Meetings
April – June 2014	-	<ul style="list-style-type: none"> ▪ Thursday 17th April 2014, 7p.m., Melrose Hall, Hoylake (Hoylake and Meols Ward) ▪ Thursday 19th June 2014, 7 p.m., Upton and Woodchurch Ward (venue to be confirmed)
July – September 2014	<ul style="list-style-type: none"> ▪ Thursday 17th July 2014, West Kirby and Thurstaston Ward (venue to be confirmed) 	<ul style="list-style-type: none"> ▪ Thursday 18th September 2014, 7 p.m., Greasby, Frankby and Irby Ward (venue to be confirmed)
October – December 2014	<ul style="list-style-type: none"> ▪ Thursday 16th October, Pensby and Thingwall Ward (venue to be confirmed) 	<ul style="list-style-type: none"> ▪ Thursday 11th December 2014, 7 p.m., West Kirby and Thurstaston Ward (venue to be confirmed)
January 2015-March 2015	<ul style="list-style-type: none"> ▪ Thursday 5th February 2015, Hoylake and Meols Ward (venue to be confirmed) 	<ul style="list-style-type: none"> ▪ Thursday 26th March 2015, 7 p.m., Pensby and Thingwall Ward (venue to be confirmed)
April 2015 – June 2015	<ul style="list-style-type: none"> ▪ Thursday 23rd April 2015, Upton and Woodchurch Ward (venue to be confirmed) 	<ul style="list-style-type: none"> ▪ Thursday 18th June 2015, 7 p.m., Hoylake and Meols Ward (venue to be confirmed)

2.4 It is recognised that the Constituency Committee and ‘Have Your Say’ meetings will not be the only mechanisms via which community engagement could or should take place. The Constituency Manager will continue to work with partner agencies to maximise opportunities for engagement where and when local issues are being discussed, for example through public meetings and more informal consultation activities.

3.0 DEVELOPING THE WIRRAL WEST CONSTITUENCY PLAN

3.1 Previous reports to the Committee have set out the initial considerations which have been given to developing a Constituency Plan. The Committee will be asked to approve its Constituency Plan at its next meeting on the 17th July 2014 (provisional date). To facilitate this, the following approach to working with the Wirral West Constituency Committee is proposed:

- **Workshop 1** (end April 2014) – exploring priorities based on the evidence and the feedback from local communities gathered through the Community Fund voting process and agreeing any additional targeted consultation and research required;
- **Workshop 2** (mid June 2014) – considering outcomes of any additional consultation and research and finalising the draft Constituency Plan for presentation to the Committee in July.

3.2 A wider engagement strategy will also be put in place to support the development of the Constituency Plan, building on the events which have taken place with regard to the Wirral West Community Fund.

4.0 RISKS

4.1 A detailed risk assessment has been developed to support the constituency working approach.

5.0 OTHER OPTIONS CONSIDERED

5.1 This report sets out activities undertaken in relation to actions agreed by the Committee, all of which have been progressed with due consideration to a range of options.

6.0 CONSULTATION

6.1 Consultation is undertaken with the members of the Constituency Committee as to the development and operation of the Committee. Ongoing consultation with the local community as to issues for the area is an ongoing focus of the constituency working approach.

7.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

7.1 The constituency working approach has positive implications for voluntary, community and faith groups in Wirral West.

8.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

8.1 The activities set out in this report will be delivered via existing resources.

9.0 LEGAL IMPLICATIONS

9.1 There are no legal implications relating to the activities set out in this report.

10.0 EQUALITIES IMPLICATIONS

10.1 An impact review relating to neighbourhood working can be found at the link below:

<http://www.wirral.gov.uk/my-services/community-and-living/equality-diversity-cohesion/equality-impact-assessments/eias-2010/chief-executives>

11.0 CARBON REDUCTION IMPLICATIONS

11.1 There are no direct carbon reduction implications relating to this report.

12.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

12.1 There are no direct planning and community safety implications relating to this report. The Wirral West Constituency Plan may however influence these areas of activity.

13.0 RECOMMENDATIONS

13.1 Members of the Wirral West Constituency Committee are requested to endorse the approaches set out in this report relating to:

- Joining up consultation activities; and
- Developing the Wirral West Constituency Plan.

14.0 REASON/S FOR RECOMMENDATION/S

14.1 In order to ensure that actions requested by the Committee are being progressed as required.

REPORT AUTHOR: Jane Morgan, Constituency Manager (Wirral West)
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Email: janemorgan@wirral.gov.uk

APPENDICES

Appendix 1: Wirral West Constituency Committee Action Tracker

REFERENCE MATERIAL

None

SUBJECT HISTORY (last 3 years)

Meeting	Date
Wirral West Constituency Committee – Constituency Manager’s Update	12 th December 2014

APPENDIX 1: WIRRAL WEST CONSTITUENCY COMMITTEE - ACTION TRACKER

Activity	RAG Rating	Status	Date of Decision (if applicable)	Consultation with Councillors and Community Representatives
1. Developing a Committee Handbook	Amber	The draft handbook not yet circulated to councillors for consultation.	17 th July 2014 (provisional)	Draft to be circulated for comments to Councillors and Community Representatives
2. Undertaking a Community Asset Audit	Amber	A specification has been drafted to go out to tender for an organisation to support with developing asset based community development in Wirral across the four constituencies.	-	Councillors and Community Representatives to be updated as to progress (specification currently with Public Health)
3. Developing the Wirral West Constituency Plan	Green	A Constituency Plan template has been drafted; the constituency profile for Wirral West has been circulated widely; initial discussions about local needs / priorities are underway; engagement with residents includes questions asked as part of the Wirral West Community Fund voting process. An approach to further developing the Constituency Plan is set out the main body of the report at 4.0.	17 th July 2014 (provisional)	Councillors and Community Representatives will be involved in the process through the approach outlined in 3.0 of this report, subject to endorsement by the Committee.
4. Love Wirral Initiative	Green	Pending the outcome of a delegated decision, successful Wirral West groups and organisations are being notified in writing as to funding for their Love Wirral projects following the public vote.	Approval from Wirral West councillors was requested by email and discussed at meetings with the Constituency Manager, following results being circulated to councillors.	Love Wirral initiative now complete.

Activity	RAG Rating	Status	Date of Decision (if applicable)	Consultation with Councillors and Community Representatives
5. Developing a Constituency Website	Amber	Dedicated pages are now in place for Wirral West on the Council's website, with information about grants programme, forthcoming events etc. However, the action from Committee was in regard to a dedicated website for the constituency – this is dependent on the development of a wider communications strategy, use of social media etc. A Wirral West Twitter account will shortly be operational.	-	Councillors and Community Representatives will be consulted on communications and social media activities as these are developed and implemented.
6. Constituency Committee Budget / Grants Programmes	Green	A separate report is being presented to the Committee in relation to the allocation of the Committee's budget for 2013-14.	<ul style="list-style-type: none"> ▪ Yes– see separate report to this meeting ▪ Project outcomes will be formally reported to the Committee in 2015 	Councillors have been regularly consulted on the process by email and will be kept up to date and involved with progress in relation to projects funded.
7. Joining Up Consultation Activities	Amber	Further options were requested following the report to Committee on 12 th December as to aligning the work of the Constituency Committee	Councillors are asked to endorse the approach outlined in 2.0 of this report	Councillors and Community Representatives will be kept up to date on the outcomes of 'Have Your Say meetings through the approach outlined in 2.0 of this report, subject to endorsement by the Committee.

Activity	RAG Rating	Status	Date of Decision (if applicable)	Consultation with Councillors and Community Representatives
8. Working with Community Representatives	Green	Further to their co-option in December, the Committee's Community Representatives met for an initial induction session in January.	-	Local matters of concern raised by the Community Representatives will be included in a constituency issues log which is now being developed by the Constituency Manager. This will be regularly circulated and updated to monitor the status of constituency and ward issues raised through the work of the Committee.
9. Monitoring Attendance	Green	Record of attendance included in minutes of the 12 th December, and will be regularly recorded as part of future minutes.	-	-

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REGENERATION AND ENVIRONMENT POLICY AND PERFORMANCE COMMITTEE

27 January 2014

34 PARKING ON PAVEMENTS AND GRASS VERGES – UPDATE REPORT

The Head of Environment and Regulation presented an update report upon progress related to pavement and grass verge parking, since the last report to the Sustainable Communities O&S Committee on 21 November 2012 (minute 33 refers). He commented that the issue was particularly sensitive for the public and Members and was the subject of many enquiries to Streetscene, with parking on pavements outside schools at peak times a major problem. He indicated that many areas, particularly those with narrow streets were designed when car ownership was not high. The same was also true in other areas that had a significant number of amenity areas and large verges with narrow access roads, where it would be costly to introduce a widescale programme to provide parking bays. However, officers had estimated that even if such a programme was undertaken, demand for parking would still be likely to outstrip provision.

He reported that, unless there was a specific signed Traffic Regulation Order in place, enforcement of was only generally possible through the Police. Individual instances of parking on footways or verges could be considered by police officers to be obstructive or dangerous and whilst those offences appeared to clearly indicate that parking on footways and verges was not permitted, officers within the police had pointed out that unless there was evidence that a footway or carriageway was fully 'obstructed', there were no other definitions of what constitutes 'obstruction', 'wilful obstruction' or 'unnecessary obstruction' and in such cases they were less likely to secure a successful prosecution. Additionally, as Members were aware, the recent economic downturn had resulted in limitations in police resources, with such offences being seen as a lower priority than burglary, violence and other crime.

There had been 9 'pilot' verge and pavement TRO schemes introduced to date at a variety of locations, which were reasonably well respected by motorists with good compliance in most areas and few prosecutions having been undertaken. An initiative to issue leaflets to warn 'offending' drivers was also in its early stages but was having some positive effect.

Members referred to particular problems of vehicles parking on pavements and grass verges and obstructing driveways in a number of areas across Wirral. The offences being committed were in relation to both residential and commercial properties and Members also highlighted a trend for drivers of certain heavy utility vehicles to routinely park across pavements. Members noted that in terms of reactive maintenance/repairs, the cost to the Council was thought to be in excess of £40k per annum with the majority of the cost related to damage done to flagged footways. Consideration was given to progress that had been made by other local authorities to address the issue and a range of measures were discussed including the introduction of by-laws and billing offenders for damage caused by their vehicles.

Members noted however that a blanket ban on pavement parking could have a detrimental effect in some areas, particularly with regard to access by emergency vehicles in neighbourhoods with narrow streets and high levels of car ownership. In view of there being no budget to address the problem and the extent being varied across Wirral, a Member proposed that the matter would be better addressed and prioritised for funding by the Constituency Committees, who could develop different solutions as required for specific areas.

Resolved –

- (1) That the progress being made in continuing to address pavement and verge parking issues be noted.**
- (2) That the report be referred to each of the Constituency Committees for their consideration.**

WIRRAL COUNCIL

REGENERATION AND ENVIRONMENT POLICY AND PERFORMANCE COMMITTEE

27TH JANUARY 2014

SUBJECT:	PAVEMENT & GRASS VERGE PARKING UPDATE REPORT
WARD/S AFFECTED:	ALL
REPORT OF:	MARK SMITH, HEAD OF ENVIRONMENT & REGULATION
RESPONSIBLE PORTFOLIO HOLDER:	COUNCILLOR HARRY SMITH, HIGHWAYS & TRANSPORTATION
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

- 1.1 This report provides Members with an update on progress relating to pavement and grass verge parking since the last report in November 2012.
- 1.2 The report notes that the initiative to publicise the problems relating to pavement parking to the general public and issue warning notices in areas of particular concern is in its early stages but is having some positive effect.
- 1.3 The report recommends a continuation of the current initiative with further updates for Members in due course.

2.0 BACKGROUND AND KEY ISSUES

- 2.1 This report provides an update on progress relating to pavement and grass verge parking issues since the report of the then Interim Director for Technical Services in November 2012 to the Sustainable Communities Overview and Scrutiny Committee.
- 2.2 In that report it was recognised that pavement parking can, in some circumstances, increase danger for road users as they negotiate such hazards. It can also lead to higher traffic speeds on some roads as vehicles need not slow to pass legitimately parked vehicles. The issue is particularly sensitive for the public and Members alike, and is the subject of many enquiries to Streetscene. This is not only a problem for the public of Wirral, it is also a problem nationally.
- 2.3 In residential areas, narrow roads result in drivers parking on pavements/verges in an effort to avoid obstructing the road for through traffic and, in particular, large vehicles such as refuse collection vehicles, removal/delivery vans, etc.
- 2.4 In these locations residential parkers are generally aware that they should not be parking on the pavement/verge but they persist for a variety of reasons. Pavement/verge parking is a major problem at peak times outside most of the school sites in the Borough. Those who pavement/verge park outside schools do so regularly.

- 2.5 Many areas were designed when car ownership was not high. Some older housing estates have a significant number of amenity areas and narrow access roads. Houses in these cases can front onto large grassed areas without direct road frontages. It would be relatively costly to introduce a widescale programme of capital investment to provide parking laybys in many of these locations. Officers estimate that even if such a programme was undertaken, demand for parking is still likely to outstrip provision.
- 2.6 Obstruction resulting from footway or verge parking is not enforceable by the Council's parking management provision – unless there is a specific signed Traffic Regulation Order (TRO) made within the remit of the Road Traffic Act 1984 in place. Enforcement is therefore only generally possible through the Police. Other TROs such as single or double yellow lines in place on a specific section of carriageway cover the whole width of the road including footways. In such cases prosecutions for infringement of the specific yellow line TRO can be undertaken by the Council.
- 2.7 Individual instances of parking on footways or verges can be considered by police officers to be obstructive or dangerous. Whilst these offences appear to clearly indicate parking on footways and verges is not permitted, officers within the police point out that unless there is evidence that a footway or carriageway is fully 'obstructed', there are no other definitions of what constitutes 'obstruction', 'wilful obstruction' or 'unnecessary obstruction' and in such cases they are less likely to secure a successful prosecution. Additionally, as Members may be aware the recent economic downturn has resulted in limitations in police resources, with such offences being seen as a lower priority than burglary, violence and other crime.
- 2.8 There have been 9 'pilot' verge & pavement parking TRO schemes introduced to date at a variety of locations across the Borough. These are reasonably well respected by motorists with good compliance in all locations and few prosecutions undertaken.
- 2.9 Following the report in 2012 and the suggestions made by Members of the Sustainable Communities Overview and Scrutiny Committee the leaflet designed by the Council to warn 'offending' drivers of their pavement parking was amended to include specific details of the incident.
- 2.10 These leaflets were finalised and following publicity in the local press and Wirral own website, the initiative was launched in July 2013. Since then over 100 individual warning notices have been issued to a variety of locations where either Members or the general public have informed my officers of particular problems.
- 2.11 During subsequent visits, officers have noted a general reduction in pavement parking, although the problem continues to persist in particular near schools at key start/finish times.
- 2.12 There are on average 2 – 3 occasions annually where reinstatement of badly rutted grass verges is necessary. The work typically involves rolling the grass surface with a heavy roller then making up the ground levels with top soil and grass seed. The total cost of this work is generally less than £500.

- 2.13 Whilst some damage does occur to grass verges over time when drivers choose to fully or partially mount them, though unsightly, this is in itself not normally a danger to pedestrians.
- 2.14 There are some difficulties in generating sufficient evidence to determine that the actual damage caused to a grassed verge has been done by an individual. In addition in many cases vehicle owners may have more than one authorised driver and proving that all of the damage was done by one individual is somewhat more difficult.
- 2.15 The report in November 2012 to the Sustainable Communities Overview and Scrutiny Committee identified a number of actions which are continuing to be progressed:
- 1) Undertake consultation with Area Forums, emergency services, WIRED and the Wirral Pedestrian Association regarding appropriate minimum widths, impingement upon which would be deemed obstruction, and report back to Members in due course.
Update – consultation with various groups ongoing, however a nominal width of 1.2 m is currently being used as guidance.
 - 2) Review and if found practical, prepare an invest-to-save proposal to address the consequences for highway maintenance and the defence of personal injury claims arising from pavement and grass verge parking.
Update – This proposal is still being investigated/pursued.
 - 3) If resources are available, conscious of the context described in 7.2 (of that report – *“The pursuit of the pavement and grass verge parking agenda is not currently a funded item and would require resources to be made available. As a “growth” item, careful consideration must be given to whether such resources could be identified considering the Councils financial position. It may be that Area Forums could decide to allocate some of their funds to this topic, but central funding is unlikely to be available”*.) - that:
 - i) in conjunction with the Police, undertake an information/publicity campaign using a variety of media strands to raise public awareness of the problems and the potential penalties that can be imposed.
Update – initial media launch undertaken. Information provided via a number of outlets including press and website. No additional funding available for further marketing at this time.
 - ii) issuing of specific warning leaflets for drivers together with a database of persistent ‘offenders’ in problem areas.
Update – over 100 warning leaflets have been issued relating to obstructive pavement parking to drivers with details captured.
 - iii) referral to the police for dangerous, damaging or persistent obstructive parking.
Update - No persistent offenders have yet been identified as requiring further police intervention.
 - iv) refer to Area Forums/known community groups for prioritisation of specific pavement /grass verge parking restrictions with subsequent enforcement action, as appropriate.
Update – A number of locations have been identified and referred to the new Constituency Forum Co-ordinators.

v) investigate the creation of a database of details of vehicles regularly parking on footways and grass verges causing obstruction and/or damage.

Update - completed

vi) undertake prosecutions of drivers causing damage to the highway infrastructure.

Update - not yet undertaken

4) Request that Senior Officers raise issues relating to obstruction and footway parking with all Council staff and its contractors.

Update – the Chief Executive has contacted all staff. Senior Officers have raised this issue with contractors.

2.16 Within the provisions of current legislation, where vehicles park partly or fully on a footway or verge, leaving sufficient room for free passage and parking so as not to cause a danger or cause identifiable damage, they would not normally be subject to further action.

2.17 If it can be proved that damage has been caused to the surface of a pavement/verge by a particular vehicle driver, then the Council can take action to recover the costs of the repairs through the Magistrates Court and if the person is found guilty, they are liable to a fine.

2.18 A number of sites have been identified as having ongoing grass verge parking where officers consider that the introduction of a verge/pavement parking TRO could assist. Constituency Forum Co-ordinators have been informed of these to see if the new Forums wish to prioritise their introduction.

3.0 RELEVANT RISKS

3.1 Not taking action will result in continuing damage to footways and grass verges which will require repair, incurring additional costs.

3.2 Unsafe parking practices may result in increased risk of road accidents.

4.0 OTHER OPTIONS CONSIDERED

4.1 None.

5.0 CONSULTATION

5.1 None.

6.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

6.1 The introduction of further specific Traffic Regulation Orders will require formal advertising, processing and sealing.

6.2 The pursuit of the pavement and grass verge parking agenda is not currently a funded item and would require resources to be made available. As a “growth” item, careful consideration must be given to whether such resources could be identified considering the Councils financial position. It may be that Constituency Forums could decide to allocate some of their funds to this topic, but central funding is unlikely to be available.

6.3 If funding was available, there could be a prospect of extending the role of the Council’s parking enforcement contractor to cover this additional area of enforcement and for them to serve fixed penalty notices on all vehicles parked on the pavements in any of the roads where traffic regulation orders are introduced.

6.4 The creation/implementation of a database to record persistent 'offenders' will require IT support and will need to conform with the data protection act.

7.0 LEGAL IMPLICATIONS

7.1 Restricting pavement parking could reduce the Council's expenditure on pavement repairs and will maintain the reduction in public liability insurance claims arising from highway related tripping accidents.

8.0 EQUALITIES IMPLICATIONS

8.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

No because this is a progress report.

9.0 CARBON REDUCTION IMPLICATIONS

9.1 Effective control of on-street parking will have positive effects on quality of life issues such as access to property and visual amenity of the environment. It also supports sustainable goals in encouraging use of public transport and may lead to a saving in resource use where fewer repairs to pavements and verges are required.

10.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

10.1 Enforcing and controlling pavement parking will reduce potential hazards and dangers to users of the public highway.

11.0 RECOMMENDATIONS

11.1 Members are requested to note progress made in continuing to address pavement and verge parking issues.

12.0 REASONS FOR RECOMMENDATIONS

12.1 The parking of vehicles on pavements and grass verges is widespread across the Borough. Many motorists are either ignorant or unconcerned of the impact that their actions can have on the condition of the pavement surface or the obstruction that they cause to pedestrians, the elderly and the less able by forcing them to walk around the vehicle and onto the road.

12.2 In terms of its impact on resources it is difficult to estimate exactly how much pavement parking costs the Council in terms of reactive maintenance/repairs but it is thought to be in excess of £40,000 annually with the majority of this cost related to damage done to flagged footways.

12.3 It is Council Policy to replace paving flags with tarmacadam in pavement locations where vehicle overriding is causing damage to the pavement and hazards for pedestrians.

12.4 Despite the benefits outlined in para 12.2, the Council's current financial position makes it difficult to identify resources to target this issue. It may be possible to adopt an invest-to-save model, but this would need further consideration.

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APPENDICES - Nil

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Sustainable Communities Overview and Scrutiny Committee	21 November 2012
Sustainable Communities Overview and Scrutiny Committee	26 September 2011