

# BUSINESS OVERVIEW AND SCRUTINY COMMITTEE

Tuesday, 12 July 2016

|                  |             |  |   |
|------------------|-------------|--|---|
| <u>Present:</u>  | Councillor  | M Sullivan (Chair)   |   |
|                  | Councillors | C Blakeley<br>G Ellis<br>J McManus<br>D Mitchell<br>T Pilgrim  | C Spriggs<br>J Stapleton<br>KJ Williams<br>S Williams<br>W Ward |
| <u>Deputies:</u> | Councillors | C Muspratt (In place of A Leech)<br>D Elderton (In place of J Hale)<br>I Williams (In place of RL Abbey) |   |

## 1 APOLOGIES FOR ABSENCE

The Chair welcomed everyone to the meeting and noted that apologies had been received from Councillors Ron Abbey, John Hale, Anita Leech and Denise Realey.

The Chair offered his congratulations to the Conservative Party members on the appointment of their new Leader.

## 2 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 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.

Councillors Mitchell and Blakeley declared personal interests in agenda item 4, 'Setting Clear Targets for Wirral Waters', by virtue of them being signatories to the Notice of Motion and the amendment to the motion respectively.

## 3 MINUTES

The minutes of the former Policy and Performance Regeneration and Environment Committee of 2 March, 2016 had been signed off by Council on 11 March, 2016.

## **NOTICE OF MOTION: SETTING CLEAR TARGETS FOR WIRRAL WATERS - REFERRED FROM COUNCIL 14 MARCH**

The Head of Legal and Member Services reported that at the meeting of the Council held on 14 March 2016 (minute 119 refers), the following Notice of Motion proposed by Councillor Phil Gilchrist and seconded by Councillor Dave Mitchell was referred by the Mayor to this Committee for consideration –

### **SETTING CLEAR TARGETS FOR WIRRAL WATERS**

“Council notes that the planning permission for Wirral Waters was granted in August 2010. At that time, the report of the Director of Technical Services advised Members that a planning permission was sought that could be implemented over 25 years and that development on the entire proposal might take 30-40 years.

Council recognises that the relevant planning agreements were concluded during 2012 and that a number of projects have been completed or planning permissions have been granted, or are in hand.

Council suggests that it would be prudent and timely to receive a presentation from Peel setting out the way in which the development is taking place, what has been achieved and what the realistic prospects and timescales are for further stages. Officers should, as part of this, set out how the plans for the cross-docks routes are linked in to this overall view.”

An amendment had also been submitted to the Council, proposed by Councillor Blakeley and seconded by Councillor Lesley Rennie in the following terms:

*Insert the following at the end of the original Notice of Motion:*

“Council notes that Peel Holdings have been willing to engage with Members, often on an ad-hoc basis, most recently with Councillor Chris Blakeley and former councillor Ian Lewis, but believes they must now engage with all relevant parties, and the wider Wirral Community (including residents, employers, business organisations, trade unions and potential suppliers).

Council would welcome and support a programme of public information and engagement.”

In accordance with Standing Order 7 (6), Councillor Gilchrist had been invited to attend the meeting in order for him to be given an opportunity to explain the Motion.

Councillor Gilchrist elaborated on the motion and stated that having had conversations with Peel Holdings they would be more than willing to come along and give a presentation to Members.

Councillor Blakeley then spoke to his amendment, referring to a two hour meeting and presentation he and Councillor Ian Lewis had had with Richard Mawdsley, Development Manager at Peel Holdings plc he had been very impressed by what they were told was going on. However, neither the public nor elected members had been kept informed of developments. Mr Mawdsley was very keen to give a presentation to Members as soon as possible and Councillor Blakeley suggested that this could take place at the Peel Holdings offices next to the Wirral Metropolitan College, Tower Quays.

Members expressed support for a proposed presentation, which needed to inform Members where Peel was up to and what was happening to progress the proposals. Members also referred to previous planning permissions which had been given some time ago and to which extensions to the period of consent had been given.

Responding to comments from Members the Assistant Chief Executive referred to the developing relationship with Peel Holdings who had now taken a unit at the docks site. He referred to ongoing negotiations over a number of schemes, including a possible Chester University campus and a proposed Maritime Training and engineering Centre around the Hydraulic Tower. He also referred to proposals for a tram system within the development and the issues around this with the replacement of two bridges in the area, for which Government maintenance funding had been allocated. The funding was for two replacement bridges on a like for like basis but there was a need to future proof as best the Council could in terms of future infrastructure investment. He acknowledged the need to explore every avenue of funding for the development of Wirral Waters including Heritage Lottery Funding.

The Senior Manager (Highways and Transport) reported that the contractor for the bridge replacements had been appointed and this was due to happen in 2017, with the Department of Transport grant time limited until 2018.

On a motion by the Chair, duly seconded it was –

**Resolved –**

- (1) That a Spotlight Session with Peel Holdings giving a presentation be held, to which all Members of the Council would be invited and, dependent on the number to attend the session be held at Peel Holdings' office in Tower Quays.**
- (2) That regular updates be provided to this Committee throughout the forthcoming year with an update to all Members annually.**

5 **NOTICE OF MOTION: REDUCING PEDESTRIAN CASUALTIES IN WIRRAL  
- REFERRED FROM COUNCIL 14 MARCH**

The Head of Legal and Member Services reported that at the meeting of the Council held on 14 March 2016 (minute 119 refers), the following Notice of Motion proposed by Councillor Pat Cleary and seconded by Councillor Phil Gilchrist was referred by the Mayor to this Committee for consideration –

**REDUCING PEDESTRIAN CASUALTIES IN WIRRAL**

“Council notes that the Wirral Plan 'A 2020 Vision' Phase 1 states 'we will continue to invest in our highways, keeping Wirral moving and making sure our road network is safe and well maintained; always remembering our duty to residents in regard to road safety'.

And that, under Pledge 13 on page 41 further states:

'By the end of March 2016, we will... Develop a new road Safety strategy, based on detailed insight'.

Council understands that the Wirral Pedestrians Association has recently carried out their own comprehensive audit of road injuries and casualties in Wirral. They expressed considerable concern about the relatively high rate of pedestrian casualties in Wirral which they placed in the bottom third of local authorities for pedestrian serious injuries. For child pedestrians, they placed Wirral in the bottom fifth. The report questioned the level of attention being given to pedestrian safety by Council officers and the police.

Council requests that this audit should be considered by officers and that the issues raised should be used to inform the promised insight. The issues raised include due attention to illegal parking on footways and the placing of A Boards on footways, along with better co-ordination with the police where appropriate.

As part of this process Council requests officers to consider the approaches such as these –

'A safe system approach to road safety in Bristol; A ten year Plan 2015 - 2024  
'Road safety strategy; Consultation Version (July 2015) Birmingham City Council

The phased extension of 20 MPH Zones in Cheshire West and Chester.

Accordingly the Cabinet Member be requested to

- a. report on the production of the new road safety strategy
- b. explain how the concerns of the Pedestrians Association can be properly taken into account to the Regeneration and Environment Policy and Performance Committee.”

In accordance with Standing Order 7 (6), Councillor Cleary had been invited to attend the meeting in order for him to be given an opportunity to explain the Motion. The Committee was informed that Councillor Cleary could not attend the meeting and the Chair suggested that the item could be deferred until the September meeting.

A Member queried whether this would be setting a precedent for deferring motions when a proposer of the motion was unable to attend and that, if so, this should apply to all parties across the Council.

After considerable discussion it was agreed that the Notice of Motion should be considered and that the seconder of the Motion would speak to it.

Councillor Gilchrist addressed the Committee and elaborated on the contents of the motion.

After further debate on the issue there was a general consensus that the Committee should have further information and a separate item on its September meeting with representatives of interested groups present to consider this serious issue. A Member suggested that a representative of the charity Road Peace could also be invited to attend.

On a motion by the Chair, duly seconded, it was:

**Resolved –**

**(1) That the Notice of Motion be agreed.**

**(2) That this Committee consider an item at the September meeting on the subject of ‘Reducing Pedestrian Casualties’, to which the Road Safety Manager, the Pedestrian Association and Merseyside Police be invited to attend.**

## **6 TRANSFORMING WIRRAL**

The Interim Senior Manager (Alternative Delivery Models) presented a report which provided a proposed approach to pre-decision scrutiny of proposals for new business models.

New business models were being developed for Council Services to deliver Wirral’s 20 pledges, respond to stakeholder views and provide the financial savings required. A briefing session on alternative delivery would be available to all Members on 20 July 2016. This session would provide an overview of the different types of alternative delivery models and their relevance and appropriateness to different services.

Pre-decision scrutiny of proposals for new business models enabled Members to engage in reviewing transformation proposals in line with the need for Council to radically change the way services were delivered to secure 2020 outcomes.

A Member expressed concern at the proposal for pre-decision scrutiny, he would be happy to look at documents and policies which could contribute to what recommendations were going to Cabinet but the role of scrutiny was to hold the Executive to account and scrutinise their decisions and not to make decisions for them.

The Chair expressed the view that he was keen on pre-decision scrutiny which would help in trying to inform outcomes and was a means by which all Members could influence decisions. It would enable Members to become more of a critical friend and he encouraged all Members to attend the briefing session on 20 July, 2016.

The Interim Senior Manager (Alternative Delivery Models) in response to comments from Members informed the Committee that the report would be going to all three Overview and Scrutiny Committees. The proposed approach would ensure that Members were engaged at the earliest opportunity.

It was moved by Councillor Blakeley and seconded by Councillor Mitchell –

“That the report be noted.”

The motion was put and lost (5:8)

It was then moved by the Chair, seconded by Councillor Spriggs and –

**Resolved (8:6) –**

**(1) That this Committee includes pre-decision scrutiny of proposals for new business models as part of the scrutiny work programme as they become available.**

**(2) That Committee agrees the appropriate scrutiny approach to review proposals as they are brought forward, providing pre-decision scrutiny against the agreed principles for service models.**

## 7 **DISASTER RECOVERY SCRUTINY REVIEW**

The Chair welcomed Councillor Adam Sykes to the meeting and asked him to introduce the report on the findings and recommendations of the IT Disaster Recovery Scrutiny Review, which he had chaired and which had been undertaken by five members of the former Transformation and Resources

Policy and Performance Committee, Councillors Chris Carubia, Steve Foulkes and former Councillors Leah Fraser and John Salter.

The review was conducted over a small number of meetings held with appropriate officers and information was provided as requested by the Review Panel to allow detailed question and answer sessions to be carried out.

The Panel's objectives in doing this work were to receive assurances that the Council established effective IT disaster recovery arrangements and took steps to mitigate risks relating to IT disaster recovery highlighted in the Council's risk register. It was also an aim of the Panel to raise the profile of IT disaster recovery across the Council. The Panel commended the Council on a number of projects undertaken to increase IT resilience and reduce risks of IT failure via the data centre project and other associated work. The Panel believed that it was important to ensure progress continued with these projects in order to enhance and update the Council's IT infrastructure following a period of underinvestment.

The report provided a number of recommendations which the Review Panel believed would assist the Council in providing a suitable IT platform to support delivery of the Wirral Plan pledges.

Councillor Sykes responded to comments from Members and informed the meeting that it was the expectation of officers that the alternative data centre location would be set up by April 2017. He thanked all the members and officers involved in the review for all their help and support.

**Resolved -**

**(1) That the contents and recommendations of the Scrutiny Report, 'IT Disaster Recovery' be supported.**

**(2) That the report be referred to the next appropriate Cabinet meeting.**

## **8 STREET LIGHTING - SCOTTISH POWER PERFORMANCE**

Mr Shaun Brady, Highways Asset Manager, introduced a report on street lighting and Scottish Power's performance. The majority of the Council's 38,000 street lights were directly connected to the electrical mains and, as a result, the electricity network operator for Wirral was directly involved with any disconnection or connection of street lights to the mains.

The report set out the nature and extent of the relationship with the electrical network operator, Scottish Power, and their performance in providing the required service to the Council.

Responding to comments from Members Mr Brady stated that 12 months was not acceptable for any street light to be out but it might not necessarily be Scottish Power. The situation had improved substantially over previous years' performance.

Mr Rob Clifford, Senior Manager (Highways and Transport) also responded to comments and stated that it would be possible to provide Members with details of where fines had been applied within their wards.

A Member suggested that the £4,020 recovered in late completion penalties in 2013/14 and 2014/15 should be fed back into and divided amongst the four Constituency Committees because it was the constituents who had suffered from the loss of lighting.

In response to further comments, Mr Brady stated that it was not acceptable for lights to be on all day and this was the responsibility of the Council not of Scottish Power. If Members provided details to the Highway Maintenance Division, then any such occurrences could be investigated. With the majority of the Council's 38,000 street lights being connected directly to the mains, those that weren't were on a Council loop with their own cables. The fines for non-compliance with the licence agreement were set by Ofgem and he was not aware as to whether the fines were weighted as to the severity of the disruption. He could circulate a copy of the Licence agreement to all the Committee Members.

**Resolved – That the report and the Committee's comments be noted.**

## 9 RESIDENT PARKING POLICY

Mr Keith Rodgers, Traffic Network Manager introduced a report on the Resident Parking Policy which reviewed the current policy for new resident parking schemes and operation of existing schemes and also highlighted those areas which had been identified as issues by residents, ward members and/or officers.

The report highlighted that there were areas where the current policy should be investigated in more detail and consideration given to appropriate amendments.

A Member welcomed the report and the need to look at the threshold of 300 residential properties which he felt was ridiculous.

The Committee welcomed the report and the need to review the whole system.

On a motion by Councillor Williams, seconded by Councillor Elderton, it was –

**Resolved (14:0) –**

- (1) That the content of the report be noted.**
- (2) The issues around the current policy on new and existing resident parking schemes be considered by a Task and Finish Group.**
- (3) The Task and Finish Group be set up to fully explore current policy which is considered too inflexible and does not meet the needs of residents.**
- (4) The Task and Finish Group to report back to the Business Overview and Scrutiny Committee with its findings and recommendations.**
- (5) That this matter be added to the Work Programme and the Group consist of the Chair, together with Councillors Blakeley, Mitchell and Stapleton and the Chair to ask those Committee Members who aren't present if they would wish to be on the Group.**

10 **LIVERPOOL CITY REGION COMBINED AUTHORITY - VERBAL UPDATE**

The Chair gave an update to the Committee on the Liverpool City Region Combined Authority Scrutiny Panel. He reminded the Committee that an LCRCA workshop was to be held on 26 July and encouraged all Members to attend for the opportunity to receive an update on governance and review proposals from the Leader of the Council, and from David Parr, Chief Executive of Halton Borough Council, who was the City Region lead officer for the Governance Review.

He reported that he had been elected Vice-Chair of the LCRCA Scrutiny Panel and had also been put on the Audit Committee.

The Chair reported that the City Region had benefited greatly over the years from European Union funding and there was now a need to secure replacement funding from the Government. Councillor Joe Anderson, Leader of the LCRCA had attended the last meeting of the Scrutiny Panel at which he gave a presentation on the role of Metro Mayor and the need for a structure to be in place to support the elected Mayor. He was very aware that it should not become Liverpool centric. All six Authorities had put two councillors forward to be on the Scrutiny Panel and Liverpool City Council was the only one to not put forward two Labour Councillors but had nominated a Green Party Councillor as Councillor Anderson had stated he wanted good scrutiny.

He informed the Committee that the three Overview and Scrutiny Chairs would be meeting on a regular basis and he would put the suggestion forward that there should be a regular item on the other two Overview and Scrutiny Committee agendas regarding the LCRCA Scrutiny Panel.

**Resolved – That this Committee receives an update at each meeting throughout the year.**

11 **2015/16 REGENERATION & ENVIRONMENT AND TRANSFORMATION & RESOURCES DIRECTORATE PLAN CLOSEDOWN REPORTS**

The Assistant Chief Executive introduced a report which set out the 2015/16 year-end position in relation to performance for the Regeneration & Environment and Transformation & Resources Directorate Plans. March 2016 marked the end of the planning cycle for the 2015/16 Corporate and Directorate Plans and as such, these acted as closedown reports for both Plans.

The reports captured performance across a broad suite of performance indicators and Directorate projects. At the beginning of the report, there was an overview which included a summary analysis which also highlighted the key achievements of the plans.

Due to the new scrutiny arrangements, for this committee two Directorate Plan reports (Regeneration & Environment and Transformation & Resources) were included as both plans applied to the scope of the new committee.

Responding to Members' comments the Assistant Chief Executive stated that Performance Appraisals had improved in the March cycle and again through the current cycle. He would be able to ask Human Resources for a breakdown of those staff who had not had an appraisal for two years and a ratio of managers to staff. HR would also be able to supply figures for the cost to the organisation of sickness. Training had been undertaken with managers regarding absence management. An in depth review was also being undertaken in respect of the income levels at the Floral Pavilion.

The Senior Manager (Highways and Transport) also responded to Members' comments and stated that improvements had been made in the maintenance of both principal and non-principal roads. He also welcomed the development of a city region wide network for all major roads. He was aware of some issues with the implementation of the LED street lighting project and he would bring those areas brought to his attention to the attention of the Highways Asset Manager, who was responsible for this project.

**Resolved – That the contents of the Directorate Plan Closedown Reports and the comments of the Committee be noted.**

12 **POLICY INFORM: BUSINESS**

The Chair introduced a report on the July Policy Inform Briefing paper which focussed on the policies and legislation to emerge from the Queen's speech of 18 May, 2016 and which were relevant to this Committee's remit.

**Resolved – That the report be noted.**

13 **APPOINTMENT OF THE HIGHWAYS REPRESENTATION PANEL**

The Chair introduced a report on the need to keep panels under review and, in particular, at the first meeting of a Committee in each municipal year, in accordance with Standing Order 33(1). He drew the Committee's attention to an extract from the 'Delegation of Functions to Individual Cabinet Members', which had been circulated to the Committee. The amended scheme had been approved by the Standards and Constitutional Oversight Committee (minute 10 – 23/11/15 refers), the former Regeneration and Environment Policy and Performance Committee (minute 27 – 2/12/15 refers) and subsequently by Council (minute 83 – 14/12/15 refers). This meant that the Highways and Traffic Representation Panel would now consider proposed highway and traffic management matters governed by the Road Traffic Regulation Act 1984, to which unresolved petitions of objection of 25 signatures or more, or 15 or more individual unresolved letters of objection had been lodged. All other matters would be considered by the Cabinet Member.

A Member commented that there were some areas within the Wirral where it would be difficult to achieve these numbers of objection.

The Committee was requested to appoint Members to serve on the Highways Representation Panel in 2016/17.

**Resolved –**

**(1) That the Highways and Traffic Representation Panel be retained in 2016/17, with the terms of reference identified.**

**(2) That the following Members be appointed to serve on the Highways and Traffic Representation Panel in 2016/17, with Councillor Steve Williams appointed as Chair –**

**Members**

**1 Conservative – Steve Williams**

**Deputies**

**Chris Blakeley  
Gerry Ellis  
Eddie Boulton  
David Elderton  
Tom Anderson**

**Geoffrey Watt  
Bruce Berry  
David Burgess-Joyce**

**1 Labour – Mike Sullivan**

**Chris Spriggs  
Ron Abbey  
Anita Leech  
Julie McManus  
Denise Realey  
Jean Stapleton  
Warren Ward  
Jerry Williams**

**1 Liberal Democrat – Dave Mitchell**

**Alan Brighthouse  
Chris Carubia  
Phil Gilchrist  
Stuart Kelly**

#### 14 **SCRUTINY WORK PROGRAMME REPORT**

The Committee considered a report from the Chair which explained the process of developing a scrutiny work programme for the new municipal year. The Business Overview & Scrutiny Committee, in cooperation with the other two Overview & Scrutiny Committees, was responsible for proposing and delivering an annual work programme. This work programme should align with the corporate priorities of the Council, in particular the delivery of the Wirral Plan pledges which were within the remit of the Committee.

The report confirmed the transfer of existing scrutiny programme items from the previous Policy and Performance Committees as reported to Cabinet at its meeting on 6 June, 2016 (minute 8 refers).

The Chair confirmed that the ‘principles for prioritisation’ as referred to in the report and the Committee Members’ Briefing Pack were listed in a priority order.

A Member suggested that the Public Interest priority should be top priority.

Other Members suggested that it made sense to have the Wirral Plan as top priority.

It was moved by Councillor Blakeley and seconded by Councillor Ellis, that –

“The principles for prioritisation be amended so that ‘Public Interest’ be listed as the top priority above the Wirral Plan.”

The motion was put and lost (5:9).

**Resolved – That this Committee delegates to the Chair, Vice-Chair and Spokespersons the authority to give detailed consideration to the Committee’s work programme prior to the next scheduled meeting of the Committee in September and that Committee Members be invited to inform the Chair or Party spokespersons of any ideas for consideration.**