

# ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE

Monday, 18 July 2016

Present: Councillor P Brightmore (Chair)

Councillors	S Foulkes	I Williams
	T Jones	A Sykes
	J McManus	T Anderson
	C Muspratt	B Berry
	L Reecejones	L Rowlands
	T Usher	C Carubia
	J Walsh	

Apologies Councillors T Pilgrim

## 1 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST / PARTY WHIP

Councillor S Foulkes declared a Personal Interest in any items contained within the agenda that may contain information relating to Magenta Living by virtue of his appointment of Board Director of Magenta Living.

## 2 CHAIRS WELCOME

The Chair welcomed all Members, officers and members of the public to the first meeting of the Environment Overview and Scrutiny Committee.

## 3 MINUTES

The Chair indicated that the minutes of the former Policy and Performance Transformation and Resources Committee of 22 March, 2016 had been signed off by Council on 11 July, 2016.

## 4 FLOOD AND WATER MANAGEMENT ACT: SIGNIFICANT FLOOD INVESTIGATION: AUGUST 22ND TO SEPTEMBER 2ND 2015

The Committee considered the report of the Head of Environment and Regulation updating on the findings of the Flood and Water Management Act, Section 19 Flood investigation which covered the flood events from 22<sup>nd</sup> August 2015 to 2<sup>nd</sup> September 2015.

Instigated by internal damage to properties, AECOM were commissioned to undertake a Section 19 investigation and report. The commission was split into four key tasks

Task 1 – Review of Flood Events

Task 2 – Identify Flooding locations, Types and Causes of Flooding

Task 3 – Review of Flood Risk Management Agencies' Actions

Task 4 – Recommendations for Action

The Head of Corporate and Community Safety introduced the report and detailed the findings of the Section 19 Report.

In response to Members questions, the Head of Corporate and Community Safety indicated that officers were now working on the recommendations and an action plan and this would be driven through the established Wirral Operational Flood Forum.

In response to a Members' question, The Head of Corporate and Community Safety indicated since the unprecedented flooding which has occurred in 2015, officers were working and planning for any reoccurrence of flooding incidents, sandbags or the equivalent have been issued to affected residents, and work was being undertaken with the Met Office on improved weather warning tools so that early warning can be issued to residents and preparation work can be put in place. Further in-depth engineering work is also being carried out to ensure that flood damage is kept to a minimum.

Officers would also be bidding for funding from the Environment Agency as and when they became available.

A Member raised concern regarding the flooding incidents that had occurred in Bebington, these had been reported by both Ward Councillors and residents but had not been included within the report and nothing had been done to assist residents. She commented that despite meeting the criteria the incidents had not been included within the report, therefore, not been considered for funding. She further indicated that local residents had been given no help and had even provided their own sandbags; some residents had been provided with metal strips but due their disability had been unable to use them but were not offered an alternative.

In response, the Head of Corporate and Community Safety indicated that all reports received were being investigated and if they met the criteria they would be considered for funding. He clarified that the incidents referred to had been captured within the report, but he would clarify this with the Ward Members in writing.

In relation to the flooding incident at Arroe Brook, a Member indicated that this had been largely due to a dam which had been installed by the

Environment Agency not being regularly maintained and was now blocked. Issues had been raised as to who was responsible for maintaining the area but given that the area and nearby properties were separated by a fence then it would be the responsibility of the Environment Agency as they had maintained it previously and asked that the Committee requests that the Environment Agency continue to maintain and undertake clearance of the area as they had done so in the past.

In response, the Head of Corporate and Community Safety commented that he would again investigate the issues raised by Members and assured Members that these concerns had been raised during recent operations meeting, details of which could be shared with the Committee if it wished. He further assured Members that in relation to community engagement, officers were working with the Environment Agency to ensure effective management of flood risk and enhance community engagement.

For those areas highlighted within the report that met the criteria due to internal flooding but were not considered for funding, officers had made representations these were followed up but were refused. The Leader of the Council had announced at a recent Cabinet meeting that he would be approaching the Environment Agency for additional funding.

As detailed within the report there was a greater need to improve communication with residents. A Member indicated that given the lack of resources given to the Council, officers needed to work with to encourage them to help themselves and keep up the momentum.

It was highlighted that following the recent flooding incidents, a drop in service was held for residents offering advice and guidance and support, also officers had given a presentation to affected Constituency Committees. Support and awareness raising was ongoing.

At the conclusion of the debate the Chair suggested that the Committee requests the Leader of the Council to write to the Government requesting that the Council be reconsidered for inclusion in the Flood Scheme; he further suggested that a standing panel be set up to monitor the implementation of the recommendations contained within the report and the Action Plan of the Local Flood Risk Management Strategy and ensure Wirral Council and its partners are best placed to respond effectively to future significant flood events.

**RESOLVED: That**

- (1) the Leader of the Council be requested to write to the Government requesting that the Council be reconsidered for inclusion in the Flood Scheme; and**

- (2) **a standing panel be set up to monitor the implementation of the recommendations contained within the report and the Action Plan of the Local Flood Risk Management Strategy and ensure Wirral Council and its partners are best placed to respond effectively to future significant flood events.**

## 5 **COASTAL STRATEGY SCRUTINY REPORT**

The Committee considered the report of the Members of the Coastal Strategy Scrutiny Review Panel which provided the findings and recommendations emanating from the Coastal Strategy Scrutiny Review.

A copy of the final report was attached as appendix 1.

Introduced by the Chair of the former Regeneration and Environment Policy and Performance Committee, the report detailed the work undertaken by the Task and Finish Group and their recommendations and conclusions.

The Chair of the Task and Finish Group thanked all Members and officers for all their hard work in putting together the final report, and highlighted one of the Panel's recommendations which focused on improved communications with elected Members.

### **RESOLVED: That**

- (1) **Members of the Panel be thanked for all their work in undertaking the Coastal Strategy Scrutiny Review;**
- (2) **The final scrutiny report Coastal Strategy be supported and be referred to the next appropriate Cabinet meeting.**

## 6 **TRANSFORMING WIRRAL**

The Committee considered the report of the Senior Manager Transformation & Improvement providing information on the proposed approach to pre-decision scrutiny of proposals for new business models.

The report indicated that 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 was to be held on 20<sup>th</sup> July 2016. The session would provide an overview of the different types of 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 a view that they were happy for the proposal for pre-decision scrutiny but would like to ensure that all views from all Members from all parties were captured within future reports to Cabinet.

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 Brightmore and seconded –

**RESOLVED (unanimously) – That**

- (1) this Committee includes pre-decision scrutiny of proposals for new business models as part of the scrutiny work programme as they become available; and**
- (2) that delegated authority be given to the Chair and Spokespersons to agree the appropriate scrutiny approach to review proposals as they are brought forward, providing pre-decision scrutiny against the agreed principles for service models.**

**7 2015/16 REGENERATION AND ENVIRONMENT AND TRANSFORMATION AND RESOURCES DIRECTORATE PLAN CLOSEDOWN REPORTS**

The Head of Environment and Regulation 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 Head of Environment and Regulation stated that Performance Appraisals had improved in the March cycle and again through the current cycle and although there was a marked improvement the Strategic Leadership Team were keen to ensure that all appraisals were undertaken within a timely manner. Human Resources department were undertaking weekly monitoring to ensure that all appraisals are completed by the end of September 2016. In response, the Chair asked that a detailed report be sent to the relevant Overview and Scrutiny Committee as to the progress to date and work undertaken to ensure that future appraisals would be done in a timely manner.

In relation to the performance monitoring framework, the Head of Environment and Regulation responded to Members' comments and stated that the Council was in the process of introducing a new performance monitoring framework, the new arrangements would be place in the coming weeks and Members would be informed as to the performance framework and indicators.

**RESOLVED:**

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

**8 FLOOD AND COASTAL EROSION RISK MANAGEMENT: GOVERNANCE AND REPORTING ARRANGEMENTS**

The Committee considered a briefing report of the Cabinet Member – Environment providing a summary of the governance arrangements that were in place to oversee the management of flood and coastal erosion risk.

**RESOLVED:**

**That the Cabinet Member briefing note be noted.**

**9 POLICY INFORM: ENVIRONMENT**

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.**

## 10 **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 Environment 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. He suggested that it made sense to have the Wirral Plan as top priority.

### **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 all Committee Members be invited to contribute to the Work Programme.**

## 11 **IMPLICATIONS OF THE MODERN SLAVERY ACT 2015 FOR LOCAL AUTHORITIES**

The Chair indicated that he would be taking this item under "Any other Urgent Business agreed by the Chair"

Circulated at the meeting the Chair introduced the report of the Head of Legal and Member Services highlighting the implications of the Modern Slavery Act 2015 for local authorities and how Wirral Borough Council would implement the legislation.

The Chair indicated that this issue was previously considered by the Families and Wellbeing Policy and Performance Committee and as a Member he had asked for a report.

The report had been considered by the People Overview and Scrutiny Committee on 14 July 2016. The report had been referred by the People Overview and Scrutiny Committee to the Environment Overview and Scrutiny Committee for further consideration as the report lay within the remit of both Committees.

The Chair indicated that as the report did not provide the detail he had initially requested he would liaise with the Head of Legal and Member Services to provide additional information and bring back to a future meeting of the Committee for further consideration.

**RESOLVED:**

**The Chair to liaise with the Head of Legal and Member Services to provide additional information and bring the report back to a future meeting of the Committee for further consideration.**